3 REVISIONS TO THE DRAFT EIR

This chapter presents specific changes to the text of the Draft EIR that are being made in response to comments made by the public and/or reviewing agencies. In each case, the revised page and location on the page is set forth, followed by the textual, tabular, or graphical revision. New text is double-underlined and text removed is shown in ~~strikethrough~~. None of the changes constitute significant changes to the Draft EIR, so the Draft EIR does not need to be recirculated.

All changes to Chapter 2 of the Draft EIR, including changes to the Summary of Impacts and Mitigation Measures, are included in Chapter 2 of this Final EIR.

The changes to the Draft EIR reflected in this chapter are supported and explained by the responses to comments in Chapter 5.

The text on page 3-11 is amended as follows:

- Continue to strengthen Vacaville's Downtown culture and identity, supporting a vibrancy that will draw residents and visitors to the Downtown.
- Protect ~~its~~Vacaville's unique identity through the preservation of agricultural lands and the creation of new park and open space lands.
- Protect public health, safety, and the environment by taking steps to reduce noise and air pollution, conserve water and energy, and prepare for natural and man-made disasters.
- Continue to provide beautiful parks, exciting cultural and recreational amenities, and civic institutions that inspire community pride.
- Encourage and support high quality schools.
- Enhance the cultural environment in the city by promoting the arts and cultural activities.
- Welcome people from all backgrounds, ages, income levels, and physical ~~capabilities~~abilities and invite them to become integral, long-term members of the community.
- Promote the health of ~~its~~Vacaville's residents by providing a safe environment and increased opportunities for physical activity.

The text on page 3-14 is amended as follows:

- **Land Use Element.** The State-required Land Use Element designates all lands within Vacaville's Urban Growth Boundary (UGB) for specific uses such as housing, retail, industrial, or agricultural uses. The Land Use Element also provides development regulations for each land use designation and overall land use policies for the City. For areas outside of the

UGB but within the Planning Area, the proposed land use map (see Figure 3-4) shows land use designations consistent with the Solano County General Plan. The only exception to this approach is an area designated Public/Institutional south of the city limits and UGB between Peabody Road and Vanden Road. This area is owned by the Solano Irrigation District, which plans to use the area for public purposes.

Figure 3-4 on page 3-15 is replaced as shown on page 3-3.

Table 3-1 on page 3-19 is amended as shown on page 3-5.

The text on page 3-26 is amended as follows:

- ~~**Permanent Agriculture Overlay Area.** The Permanent Agriculture Overlay Area includes lands located within 1 mile of the eastern boundary of the Urban Growth Boundary, south of the Locke Paddon subdivision and north of New Alamo Creek. Development within the East of Leisure Town Road Growth Area must mitigate its impact on agricultural lands by purchasing conservation easements to permanently restrict lands within the Permanent Agriculture Overlay Area to agricultural or other defined open space uses, through purchase and/or acquisition of agricultural easements by a public or nonprofit agency.~~

The text on page 3-31 is amended as follows:

- ~~**Permanent Agricultural Overlay Area**. As described in Section D.3.c.v, Boundaries and Overlays, this new designation identifies a large area located east of the City's eastern Urban Growth Boundary where new development located within the East of Leisure Town Road Growth Area must provide mitigation land for the loss of agricultural land resulting from development.~~

Table 3-2 on page 3-32 is amended as shown on page 3-6.

Figure 3-6 on page 3-33 is replaced as shown on page 3-7.

The text on page 4.1-10 is amended as follows:

- Policy COS-P3.4 directs the City to work cooperatively with non-profit organizations, such as land trusts, to preserve agricultural land in the ~~Permanent Agriculture Overlay Area~~ Planning Area.
- Policy COS-P4.1 requires new development to maintain a 300- to 500-foot wide agricultural buffer along the eastern boundary of all residential development and existing agricultural lands, within the area east of Leisure Town Road, south of the Locke Paddon Community, and north of the railroad tracks.

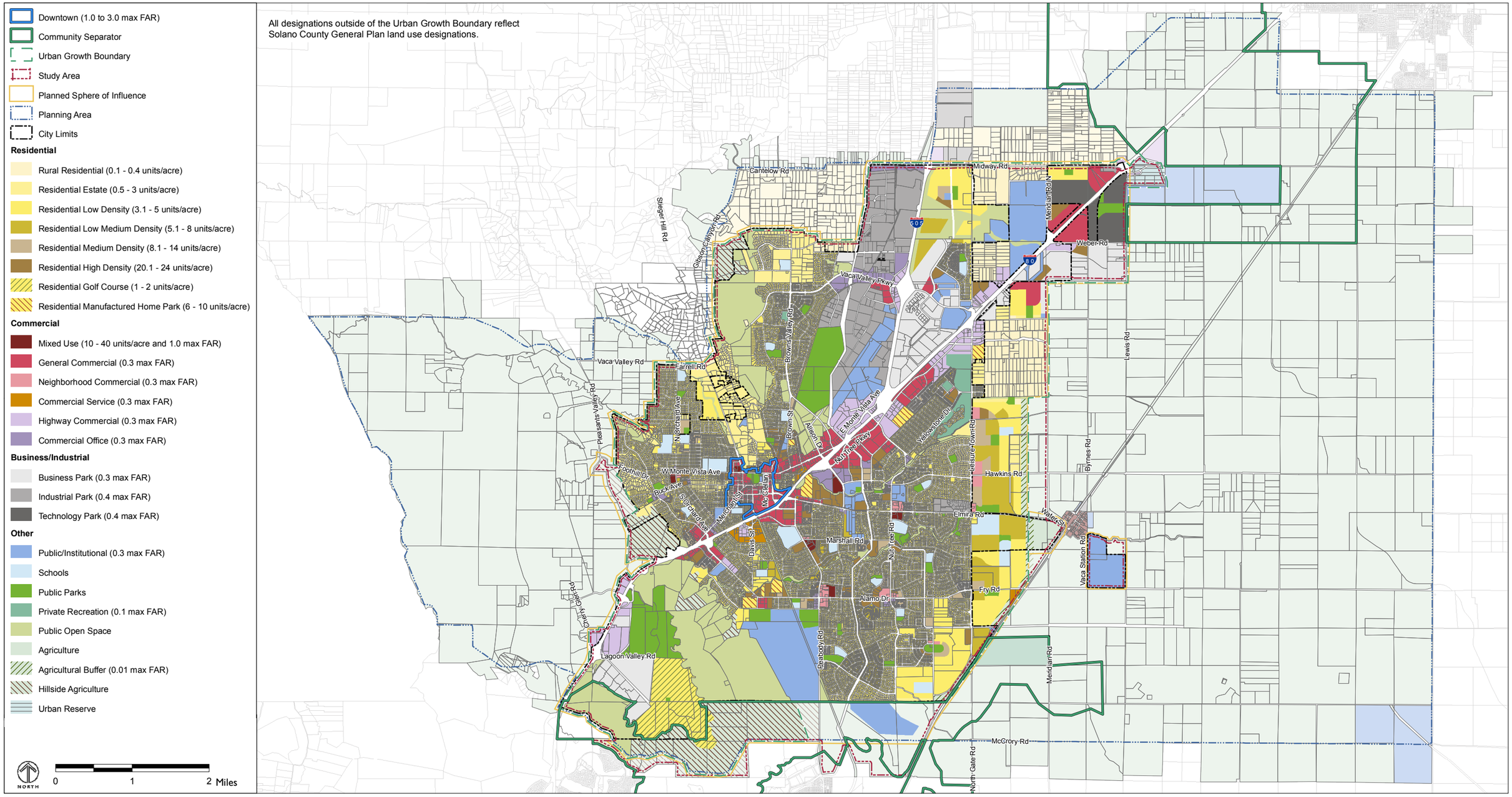


FIGURE 3-4
PROPOSED GENERAL PLAN LAND USE MAP

TABLE 3-1 **ACREAGE OF LAND USE DESIGNATIONS**

Land Use Designation	Acres
Rural Residential	870~~880~~
Residential Estate	1,100~~1,120~~
Residential Low Density	4,670~~4,700~~
Residential Low Medium Density	870
Residential Medium Density	390
Residential Medium High Density	0
Residential High Density	490
Residential Golf Course	450
Residential Manufactured Home Park	120
Total Residential	**8,960~~9,020~~**
Mixed Use	50
General Commercial	820
Neighborhood Commercial	100
Commercial Service	70
Highway Commercial	520
Commercial Office	220
Business Park	1,120
Industrial Park	1,000
Technology Park	290
Public/Institutional	1,620
Schools	390
Public Parks	920
Private Recreation	170
Public Open Space	2,540~~2,490~~
Agriculture	990~~920~~
Agriculture Buffer	190
Hillside Agriculture	1,400~~1,360~~
Urban Reserve	80
Total Non-Residential Acres	**12,490~~12,330~~**

Note: This table provides land use information for the EIR Study Area. Many areas outside the Urban Growth Boundary, but within the EIR Study Area, are designated Agriculture, consistent with Solano County General Plan land use designations, which accounts for the agricultural acreage shown in this table.

TABLE 3-2 **2035 HORIZON-YEAR GROWTH PROJECTIONS**

	Existing Development (2011)	2035 Horizon-Year Growth Projection (2035 Minus Existing)	Total 2035 Horizon-Year Growth Projection
Dwelling Units	33,020[a]	9,680	42,700
Residents	85,500[b]	26,500[c]	112,000
Commercial space (square feet)	8.6 million[d]	1 million[e]	9.6 million[d]
Commercial space (developed acres)	660	79	739
Office space (square feet)	2 million[d]	1.1 million[e]	3.1 million[d]
Office space (developed acres)	150	81	231
Industrial space (square feet)	11 million[d]	2.1 million[e]	13.1 million[d]
Industrial space (developed acres)	630	118	748

[a] State of California, Department of Finance, 2011. *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2010-2011, with 2010 Benchmark*.

[b] Excludes prison population; from: State of California, Department of Finance, 2011. *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2010-2011, with 2010 Benchmark*, and State of California, Department of Corrections and Rehabilitation, Data Analysis Unit, 2011. *Weekly Report of Population as of midnight January 5, 2011.*

[c] Based on a persons per household rate of 2.74; from: State of California, Department of Finance, 2010. *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2001-2010 with 2000 Benchmark*.

[d] Existing non-residential square footage data is not available. However, a gross estimate is provided based on the developed acres and FAR assumptions of 0.3 for commercial and office uses and 0.4 for industrial uses. Therefore, the total non-residential square footage in 2035 is not based on actual data. All EIR modeling was conducted based on projected acres of development.

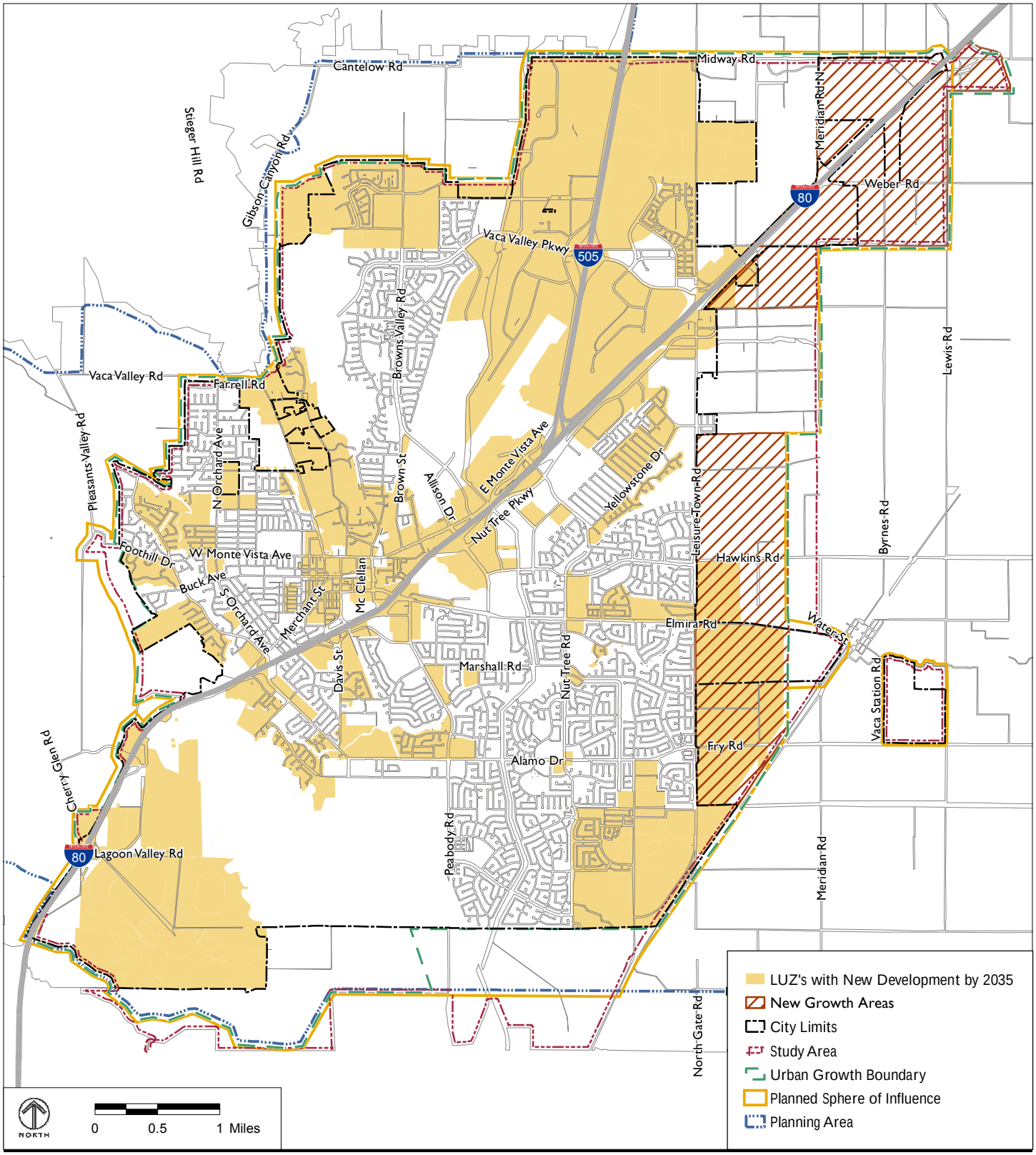
[e] These numbers are rounded; the exact square footages that were evaluated in the EIR are shown in the "Horizon (2035")" column of Table 3-3; see the "Grand Total" row for the total numbers.

Source: The Planning Center | DC&E, 2012.

….

Impact AES-1: The visual character in undeveloped portions of Vacaville would be substantially altered.

Although foregoing development would mitigate the impact, changes to the land use plan would be an alternative to the proposed Project and not a feasible mitigation measure. Alternatives to the project that would reduce development in new growth areas are discussed in Chapter 5. Therefore, there are no available mitigation measures, and the impact would be *significant and unavoidable*.



Note: This map is intended to disclose the development assumptions that underlie the analysis. The locations of projected horizon-year development do not restrict or specify the actual physical location of future development permitted under the proposed General Plan. All future development shall be subject to its own environmental analysis, and shall not be deemed "pre-cleared" by the General Plan EIR. Buildout of the new growth areas shall be permitted subject to further environmental analysis and adoption of specific plans that ensure that coordinated plans for land use, public facilities, and public services are created for each area.

FIGURE 3-6

HORIZON-YEAR DEVELOPMENT PROJECTIONS

The text on page 4.1-13 is amended as follows:

~~Full Buildout E.~~

~~The full buildout anticipated under the proposed General Plan would include significantly more development than the 2035 horizon year development projection analyzed in Section D, Impact Discussion, in terms of both the amount and the extent of development. Therefore, the potential for impacts related to aesthetics would increase. However, as discussed in Chapter 3, Project Description, it is extremely unlikely that full buildout would ever occur under the proposed General Plan. Therefore, an analysis of full buildout is not required by CEQA.~~

The text on pages 4.2-17 to 4.2-18 is amended as follows:

In addition, Policy LU-P8.1 directs the City to work with the County to "ensure land uses outside the Sphere of Influence and Urban Growth Boundary, but within the Planning Area, remain in agricultural or open space use," with some exceptions based on the Solano County General Plan. To implement this policy, the proposed General Plan includes Action LU-A8.1, which directs the City to maintain and implement agreements with the Solano Irrigation District, nearby cities, and Solano County, and negotiate agreements with other local government entities to help direct the provision of urban services to urban areas while maintaining as much viable agriculture on prime agricultural soils as is practical. Policy COS-P3.1 directs the City to maintain a compact urban form and locate new development to minimize the loss of agricultural resources. Policy COS-P3.3 encourages the continued agricultural use of land within the ~~Permanent Agriculture Overlay Area, which is discussed below, and~~ Planning Area that is currently being used for agricultural purposes. Policy COS-P3.4 directs the City to work cooperatively with non-profit organizations, such as land trusts, to preserve agricultural land within the ~~Permanent Agriculture Overlay Area~~Planning Area. Action COS-A3.1 directs the City to adopt an Agriculture Preservation Policy that addresses the width, location, and allowed uses in the ~~500-foot~~ agricultural buffer, and addresses the right-to-farm.

These policies and actions describe the City's intent to concentrate growth within the city, Sphere of Influence, and UGB as a means to protect agricultural lands outside of the UGB from conversion to non-agricultural use.

The proposed General Plan also outlines a mitigation strategy that would apply to a portion of the agricultural lands that would be converted to non-agricultural use by development allowed by the General Plan. ~~The proposed General Plan includes a Permanent Agriculture Overlay Area, which covers lands located within 1 mile of the eastern boundary of the UGB.~~ Policy LU-P2.4 requires development ~~in the East of Leisure Town Road Growth Area~~ on any farmlands of concern to purchase conservation easements to permanently protect agricultural land of equal or greater value ~~s within the Permanent Agriculture Overlay Area~~ at a ratio of 1 acre of conserved agricultural land per 1 acre of developed agricultural land. ~~If for any reason an adequate amount of agricultural conservation land cannot be identified or acquired within the Per-~~

~~manent Agriculture Overlay Area, the City and the Solano Land Trust or other land conservation entity will identify other areas located within 1 mile of the eastern boundary of the Permanent Agriculture Overlay Area where conservation acquisitions can occur to satisfy the City's conservation goals.~~ Implementation of this mitigation strategy would ensure that the loss of agricultural lands within the EIR Study Area ~~area east of Leisure Town Road~~ is offset by the preservation of other agricultural lands of equal or greater quality~~nearby~~.

Although the proposed General Plan contains a strategy to protect agricultural lands beyond the UGB from conversion to non-agricultural use and includes a mitigation program to offset the loss of agricultural lands~~ east of Leisure Town Road~~, the conversion of 2,640 acres of farmlands of concern under CEQA to non-agricultural uses would be a *significant* impact.

Impact AG-1: Although the proposed General Plan includes policies and actions that would reduce and ~~partially~~ offset the conversion of farmland, it designates approximately 2,640 acres of farmlands of concern under CEQA for non-agricultural uses.

Because these farmland areas are located near existing urbanized areas, they may not be viable for agricultural operations due to conflicts with nearby urbanized areas. The only way to mitigate this impact would be to prohibit any development on farmland of concern, even within the UGB. The UGB identifies where future urban development is appropriate and was adopted as such by the City Council. CEQA does not require that the project be changed in order to avoid an impact, and no additional mitigation is available, resulting in a *significant and unavoidable* impact.

Mitigation Measure Considered but Found to be Infeasible

Relocation of Top Soil

Approximately 14 percent of the EIR Study Area is designated as prime farmland, farmland of statewide importance, or unique farmland. This measure would remove the top 12 to 18 inches of top soil from these areas. The soil would be hauled to a farm site or several farm sites that have lower quality soils. The prime farmland, farmland of statewide importance, or unique farmland soils may assist in increasing crop yield at the relocated site. This measure would have its own environmental impacts, including increased truck traffic on local roadways from both hauling soil off-site and replacement soil on-site; traffic congestion; increased diesel truck emissions; construction noise; and increased duration of construction. The relocation of prime farmland soils on other active farms would increase other environmental impacts and is therefore considered infeasible.

b. Conflict with an existing Williamson Act contract.

Approximately 199 acres of prime farmland and 1,079 acres of non-prime farmland have active Williamson Act contracts in the EIR Study Area. These areas are shown in Figure 4.2-2. Some of

these areas are designated for agricultural use under the proposed General Plan, which would avoid a conflict with Williamson Act contracts on these sites.

The text on page 4.2-20 is amended as follows:

Because these parcels with Williamson Act contracts are located near existing urbanized areas, they may not be viable for agricultural operations due to conflicts with nearby urbanized areas. As discussed under Section D.1.a, Project Impacts, above, no additional mitigation is available, resulting in a *significant and unavoidable* impact.

Mitigation Measure Considered but Found to be Infeasible

Establishment of new Williamson Act Contracts

This measure would place other farmland under Williamson Act contracts, which would establish a commitment to retain that alternative farmland for agricultural use. The length of time that that the alternative land would remain in agricultural use would be dependent upon the terms of the Williamson Act contract. However, the Williamson Act contract would only reduce the potential that the alternative land would convert to a non-agricultural use. The individual and cumulative loss of agricultural land caused by the proposed project would still occur. Therefore, this mitigation measure would not reduce the proposed project's impacts upon agriculture to below the level of significance. Furthermore, and more importantly, the decision to place land under a Williamson Act contract is one made by individual landowners. The City cannot establish new contracts unilaterally. Therefore, placing alternative privately held land under permanent restriction through conservation easements is considered infeasible.

The text on page 4.2-23 is amended as follows:

In addition, the proposed General Plan includes the following policies and actions that would minimize potential conflicts between agricultural and urban uses:

- Action COS-A3.1 directs the City to adopt an Agriculture Preservation Policy that addresses the width, location, and allowed uses in the ~~500-foot~~ agricultural buffer, and addresses the right to farm.
- Policy COS-P4.1 requires new development in the area east of Leisure Town Road to maintain a 300- to 500-foot wide agricultural buffer along the eastern boundary of all residential development and existing agricultural lands. The portion of the buffer that is located adjacent to the Pacific Gas & Electric Company easement and inside the Urban Growth Boundary must contain substantial landscaping to discourage unlawful access onto the agricultural lands, and to lessen the potential impacts of typical agricultural activities on residential uses.

- Policy COS-P4.2 requires a disclosure to residents of interim residential development in areas east of Leisure Town Road that agricultural operations happen nearby and that they will be exposed to impacts from such operations, such as dust, noise, and odors.
- Policy COS-P4.5 prohibits the conversion of agricultural buffer lands to developed urban uses.
- Policy COS-P4.6 requires new development within the Northeast Growth Area to maintain an agricultural buffer between new urban non-residential development and existing agricultural lands. The buffer must be located within the development area and contain substantial landscaping.
- Action COS-A4.1 directs the City to adopt an Agricultural Buffer Policy and zoning district.

The text on page 4.2-24 is amended as follows:

Development allowed by the proposed General Plan would contribute to these cumulative agricultural impacts. Although the proposed General Plan policies and actions described in Section D.1, Project Impacts, would reduce and ~~partially~~ offset Vacaville's contribution to these impacts, the overall cumulative agricultural impact would remain significant. Because the amount of growth foreseen in the region and the decisions of surrounding areas regarding conversion of agricultural land are outside the control of Vacaville, the impact is *significant and unavoidable*.

Impact AG-3: Although the policies and actions in the proposed General Plan would reduce and ~~partially~~ offset regional agricultural impacts, the proposed project would contribute to cumulatively significant agricultural impacts in the region.

The text on page 4.2-25 is amended as follows:

~~E. Full Buildout~~

~~The full buildout anticipated under the proposed General Plan would include significantly more development than the 2035 horizon-year development projection analyzed in Section D, Impact Discussion, in terms of both the amount and the extent of development. Therefore, the potential for impacts to agriculture and forestry resources would increase. However, as discussed in Chapter 3, Project Description, it is extremely unlikely that full buildout would ever occur under the proposed General Plan. Therefore, an analysis of full buildout is not required by CEQA.~~

Table 4.3-4 on page 4.3-21 is amended as shown on the following page.

TABLE 4.3-4 **REGIONAL EMISSIONS FROM THE PROPOSED GENERAL PLAN IN 2035**

	ROG (Tons/Year)	NO_x (Tons/Year)	PM_{10} (Pounds/Day)
Existing ~~General Plan~~ Conditions (2008 ~~Conditions~~)	483	2,057	540
Proposed General Plan (2035 Conditions)	238	809	700
Existing General Plan (2035 Conditions)[a]	238	805.8	680
Net New Emissions	**-245**	**-1,248**	**160**
YSAQMD Significance Threshold	**10.0**	**10.0**	**80.0**
Exceed?	No	No	Yes

[a] Existing General Plan 2035 emissions are presented for informational purposes only. The impact analysis in this section is based on a comparison between existing conditions and conditions under the proposed General Plan.
Source: LSA Associates, Inc., 2012.

The text on pages 4.3-31 to 4.3-32 is amended as follows:

~~As discussed above, air pollution is a regional issue affected by climate, land use, and topography. Development projects from the past, present, and future contribute to the region's adverse air quality impacts on a cumulative basis because air pollutants, once emitted at a particular location, move throughout the atmosphere and air basin. If a project's contribution at the individual level is considerable, then the project's cumulative impact on air quality would also be considered significant.~~

~~The analysis presented in Section D.1, Project Impacts, discusses air quality conditions related to implementation of the proposed General Plan, as well as the General Plan's conformance with regional clean air plans, which are the region's plan for attaining air quality standards and accounts for future cumulative regional growth. Therefore, consistency with the Clean Air Plan would indicate the project would not result in a cumulative air quality impact. The proposed General Plan includes policies that reduce air emissions and would be in compliance with the Clean Air Plan. Therefore, cumulative impacts would be *less than significant*.~~

~~However, as discussed above, implementation of the project would result in significant PM_{10} emissions due to mobile source emissions associated with project VMT. This impact, in combination with increased PM_{10} emissions from regional development throughout Solano County, would be considered *significant.*~~

~~This significant impact is covered under Impact AIR-1 in Section D.1.b, Conflict with or Obstruct Implementation of the Applicable Air Quality Plan. Because there is no feasible mitigation~~

~~measure, both the project impact and the cumulative impact are considered *significant and unavoidable.*~~

As discussed above, air pollution is a regional issue affected by climate, land use, and topography. Development projects from the past, present, and future contribute to the region's adverse air quality impacts on a cumulative basis because air pollutants, once emitted at a particular location, move throughout the atmosphere and air basin. If a project's contribution at the individual level is considerable, then the project's cumulative impact on air quality would also be considered significant.

The analysis presented in Section D.1, Project Impacts, discusses air quality conditions related to implementation of the proposed General Plan. Air quality impacts are modeled and analyzed based on region-wide traffic and development associated with the General Plan as a whole. Project-level impacts cannot be considered independently from the rest of the region because air pollutants move throughout the atmosphere and air basin. Therefore, the analysis in Section D.1 takes into account not only project-specific pollutant emissions, but also the emissions that would result from past, present, and future development projects. Based on this analysis, implementation of the project would result in significant PM_{10} emissions due to mobile source emissions associated with VMT at both the project level and cumulative level. This impact, in combination with increased PM_{10} emissions from regional development throughout Solano County, would be considered significant. This significant impact is covered under Impact AIR-1 in Section D.1.b, Violate Any Air Quality Standard or Contribute Substantially to an Existing or Projected Air Quality Violation. Because there is no feasible mitigation measure, both the project impact and the cumulative impact are considered *significant and unavoidable.*

The analysis presented in Section D.1, Project Impacts, discusses air quality conditions related to implementation of the proposed General Plan, as well as the General Plan's conformance with regional clean air plans, which are the region's plan for attaining air quality standards, and accounts for future cumulative regional growth. As explained in detail in Section D.1, the project would contribute to a reduction in air emissions by implementing measures that would reduce regional VMT, ensuring that the project is consistent with both VMT projections used in, and regulations promulgated by, the Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan and the 2006 and 2009 Triennial Assessment and Plan Update. Consistency with these clean air plans would indicate that the project's incremental contribution to cumulative air quality impacts would be less than significant. The proposed General Plan includes policies that reduce air emissions and would be in compliance with the Clean Air Plan. Therefore, although cumulative impacts air quality impacts in the region are significant, the project's contribution to cumulative air quality impacts would be *less than significant.*

The text on page 4.3-32 is amended as follows:

~~E. Full Buildout~~

~~The full buildout anticipated under the proposed General Plan would include significantly more development than the 2035 horizon-year development projection analyzed in Section D, Impact Discussion, in terms of both the amount and the extent of development. As a result, air quality related impacts would be more significant than those identified in this analysis. However, as discussed in Chapter 3, Project Description, it is extremely unlikely that full buildout would ever occur under the proposed General Plan. Therefore, an analysis of full buildout is not required by CEQA.~~

The text on page 4.4-4 is amended following Table 4.4-4:

Figure 4.4-8 depicts the location for the projected impacts to the vegetation and cover types presented in Table 4.4-4. Figures 4.4-9 through 4.4-12 provide additional depictions of impacts within natural community or species associations.

Figures 4.4-8 through 4.4-12 are added after page 4.4-51, as shown on the following pages.

The text on page 4.4-52 through 4.4-54 is amended as follows:

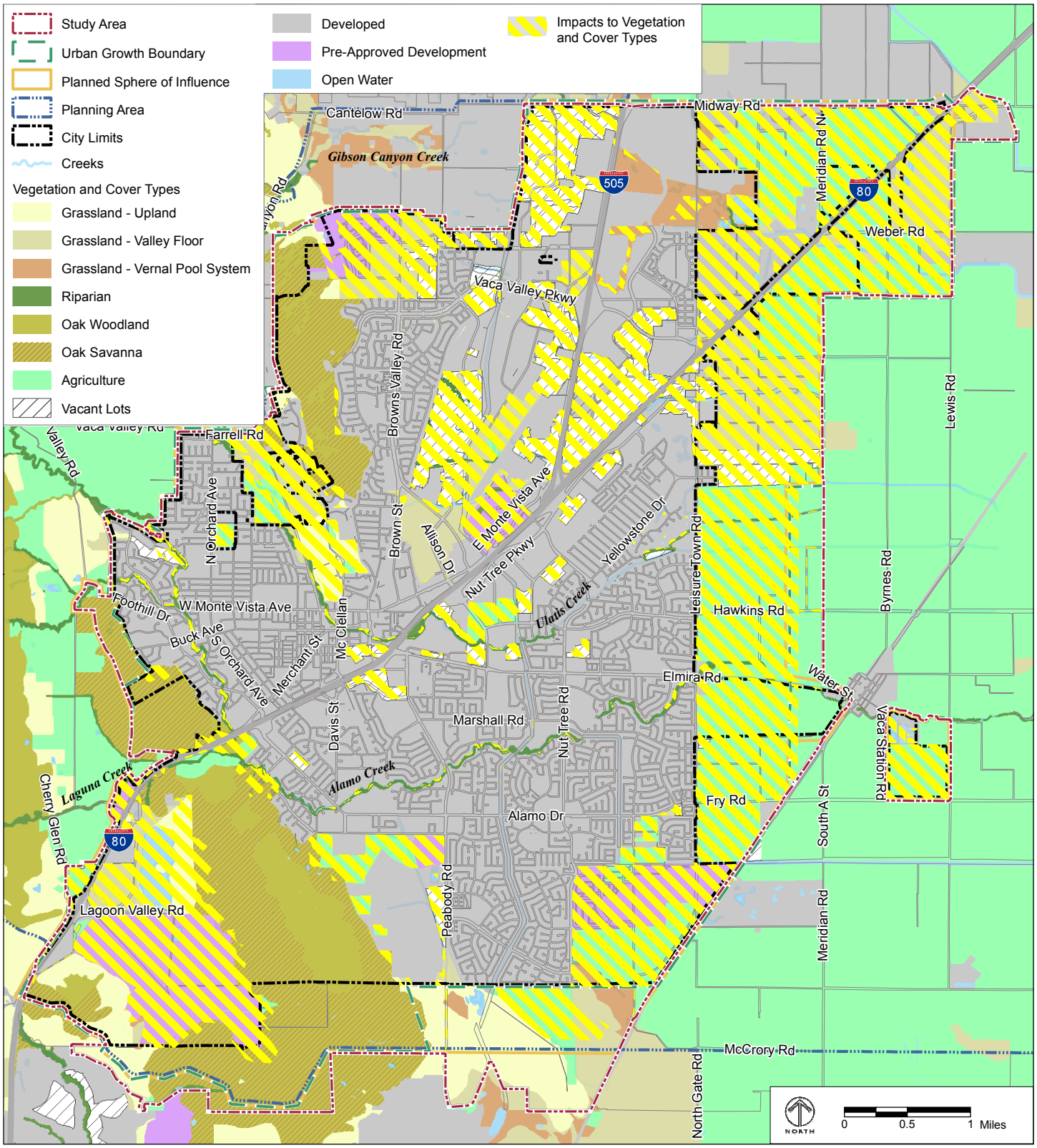
a) Medium Value Conservation Areas
~~a~~b) Low Value Conservation Areas
~~b~~c) Isolated Vernal Pools Surrounded by Agriculture
~~c~~d) California Tiger Salamander Conservation Areas
~~d~~e) Impact Significance Determination

The text on page 4.4-54 is amended as follows:

- Policy COS-P1.10 requires that, where avoidance of wetlands is not practicable, new development provide for off-site mitigation that results in no net loss of wetland acreage and functional value within the watersheds draining to the Delta or Suisun Marsh.

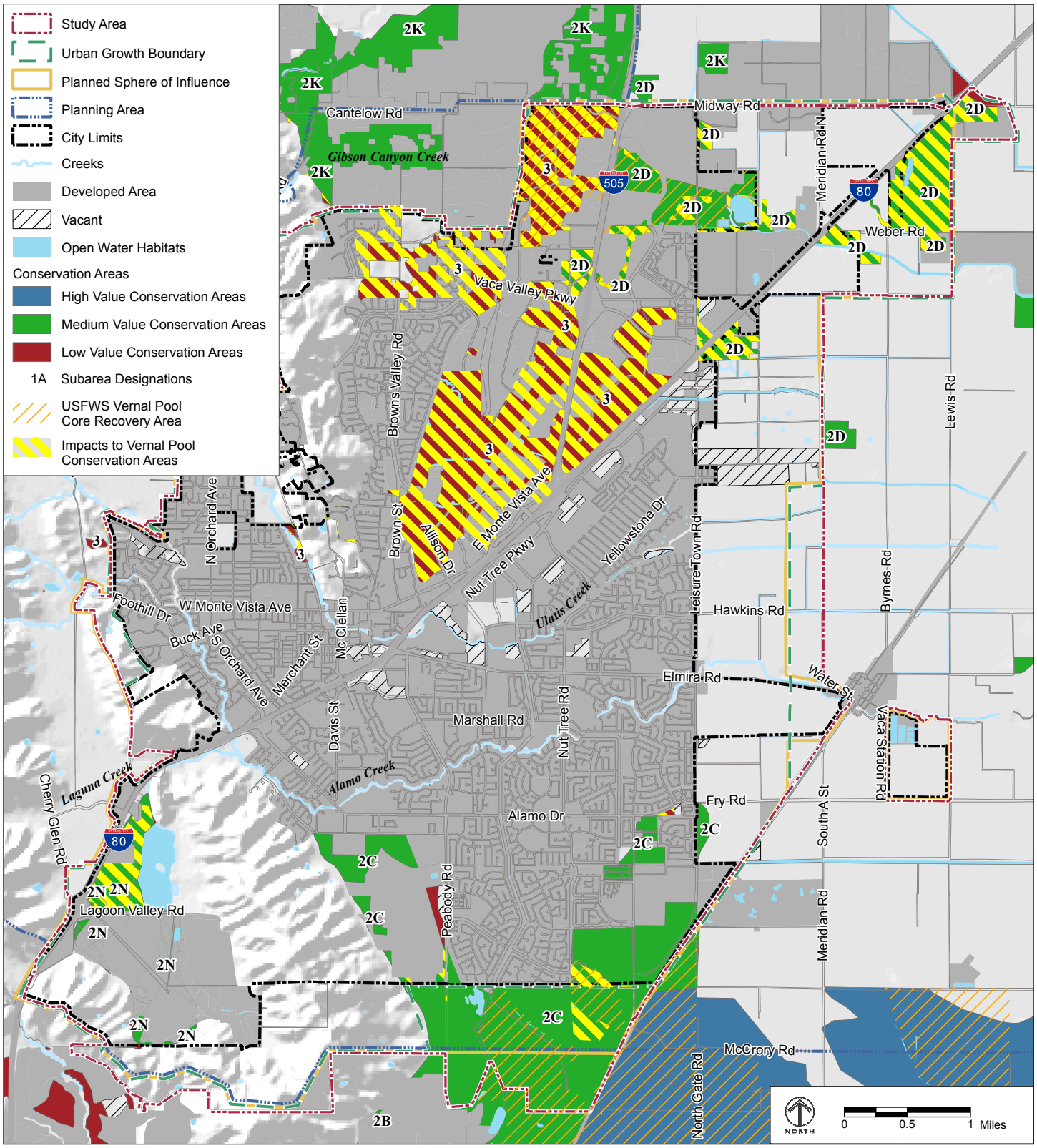
The text on page 4.4-54 is amended as follows:

- Policy COS-P1.12 directs the City to comply with all of the Avoidance, ~~and~~ Minimization, and Mitigation Measures listed in the Draft Solano HCP until the Solano HCP is adopted, and to require that development projects provide copies of required permits, or verifiable statements that permits are not required, from CDFG (2081 Individual Take Permit) and USFWS (Section 7 Take Authorization) prior to receiving grading permits or other approvals that would permit land disturbing activities and conversion of habitats or impacts to protected species. In cases where environmental review indicates that such permits may not be required, the Community Development Director may establish time limits of not less than 45



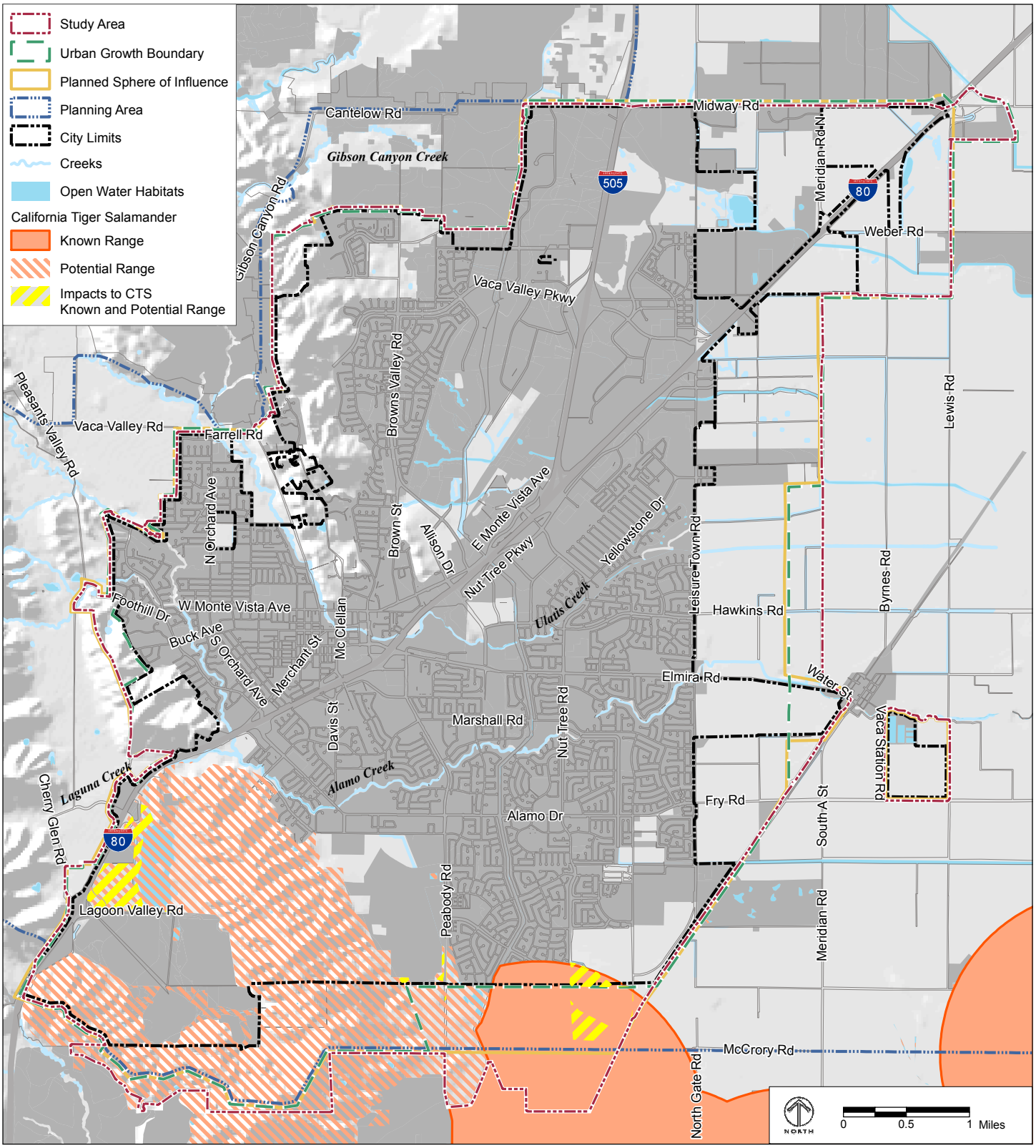
SOURCE: Solano Habitat Conservation Plan (June 2012).

FIGURE 4.4-8
VEGETATION AND COVER TYPES IMPACTS



SOURCE: Solano Habitat Conservation Plan (June 2012).

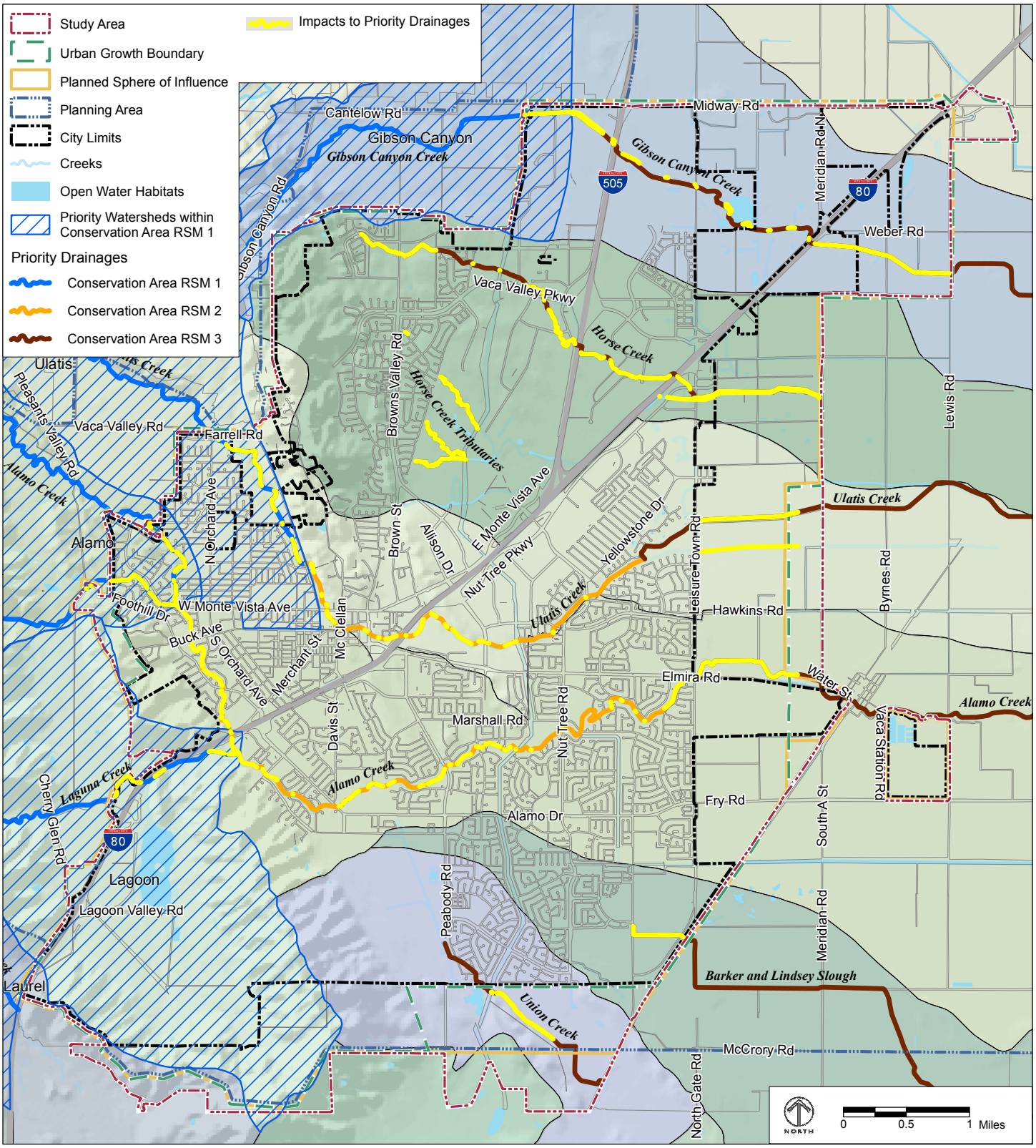
FIGURE 4.4-9
VERNAL POOL CONSERVATION AREAS IMPACTS



SOURCE: Solano Habitat Conservation Plan (June 2012).

FIGURE 4.4-10

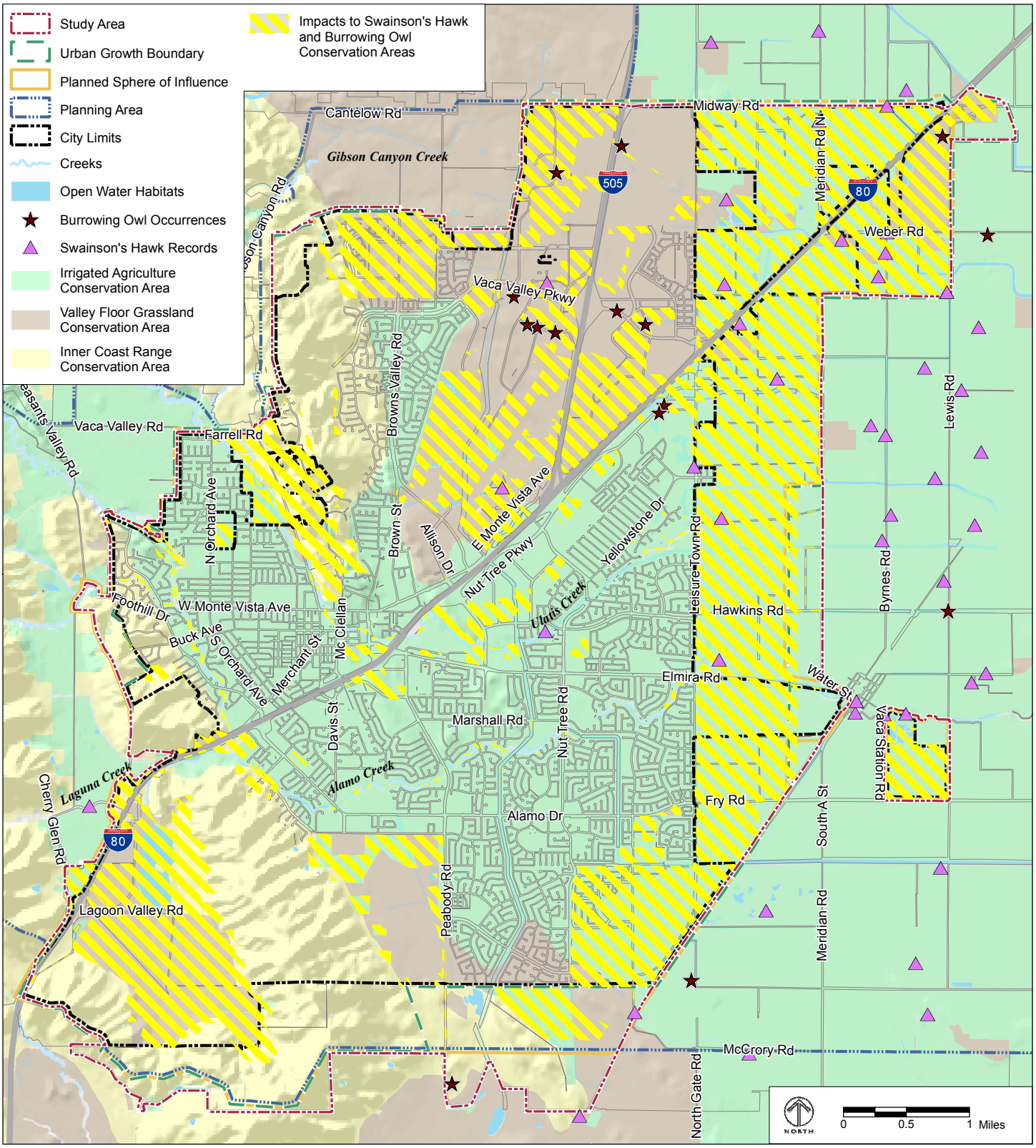
CALIFORNIA TIGER SALAMANDER KNOWN AND POTENTIAL RANGE IMPACTS



SOURCE: Solano Habitat Conservation Plan (June 2012).

FIGURE 4.4-11

PRIORITY DRAINAGES AND WATERSHEDS IMPACTS



SOURCE: Solano Habitat Conservation Plan (June 2012).

FIGURE 4.4-12

SWAINSON'S HAWK AND BURROWING OWL CONSERVATION AREAS IMPACTS

days from the submission of an adequate request for concurrence response from an agency. If the agency has not responded, or requested a time extension of no more than 90 days to complete their assessment, within the established time frame, applicable grading permits or other authorizations shall be provided, subject to other City requirements and review. However, the City's issuance of grading permits or other authorizations does not absolve the applicant's obligations to comply with all other State and federal laws and regulations.

The text on page 4.4-55 is amended as follows:

Overall, implementation of the Solano HCP and the proposed General Plan policies and actions, in combination with federal and State laws, would reduce potential impacts to special-status species associated with valley floor grassland and vernal pool habitats to a *less-than-significant* level. However, since the HCP is not currently adopted, the following mitigation measures are included in order to ensure that mitigation requirements consistent with the Solano HCP are enforced:[24]

Mitigation Measure BIO-1: Preservation and restoration of habitat for species identified in Tables 4.4-2 and 4.4-3 of the Draft EIR shall occur in the same level or higher level conservation area as the direct impact occurs (i.e. impacts to habitat in Medium Value Conservation Areas will be mitigated in Medium to High Value Conservation Areas, but impacts to habitat in Low Value Conservation Areas shall be mitigated in either Low or Medium Value Conservation Areas). Compensation for indirect impacts will be assessed on the location/conservation value of the habitat that is indirectly impacted and not the location of project activity (i.e. if a project activity will indirectly impact a habitat for species in a Medium Value Conservation Area but the project is located in a Low Value Conservation Area, compensatory mitigation shall be based on the type of habitat that is being indirectly impacted (in this case Medium Value Conservation Area) rather than the lower value project area). All mitigation ratios are based on impacts as assessed by acreage.

1. **Medium Value Conservation Areas** (see Subareas 2C, 2D, and 2N in Figure 4.4-3).

   a. **Wetland Component Direct Impacts:** Preserve vernal pool and swale habitats at a ratio of 2:1, and restore vernal pool and swale habitats at a ratio of 1:1 if restored habitats are in place and functional at the time of impact or at a 2:1 ratio if habitats are restored concurrent with the impact.

   b. **Wetland Component Indirect Impacts:** Preserve vernal pool and swale habitats at a ratio of 1:1 for avoided wetlands within 250 feet of proposed development.

   c. **Upland Component Direct Impacts:** In Subarea 2C, preserve upland habitat at a ratio of 3:1. In the remaining subareas, preserve upland habitat at a ratio of 2:1.

d. **Upland Component Indirect Impacts:** Preserve avoided upland habitat at a ratio of 1:1 within 250 feet of proposed development.[25]

2. **Low Value Conservation Areas and Seasonal Wetlands in Agricultural Areas Outside of a Medium Value Conservation Area** (see Subarea 3 in Figure 4.4-3).[26]

   a. **Wetland Component Direct Impacts:** Preserve vernal pool and swale habitats at a ratio of 1:1, and restore vernal pool and swale habitats at a ratio of 1:1 if restored habitats are in place and functional at the time of impact or at a 2:1 ratio if habitats are restored concurrent with the impact.

   b. **Wetland Component Indirect Impacts:** Preserve vernal pool and swale habitats at a ratio of 1:1 within 100 feet of proposed development.

3. **Mitigation for Temporary Impacts to Seasonal Wetlands and Uplands in all Conservation Areas:** Temporary impacts to seasonal wetlands and uplands in all vernal pool conservation areas shall be subject to the mitigation and monitoring requirements described below. Temporary impacts to wetlands shall be calculated for the entire wetland in which the impact occurs and not just the portion disturbed by the temporary impact.

   a. **Temporary and Short-Term Impacts:** All temporary impacts lasting no more than one growing season to seasonal wetlands and uplands in all vernal pool conservation areas shall be mitigated by restoring the existing wetlands and uplands and providing additional preservation of wetlands and uplands at a 1:1 ratio. Impacts lasting no more than two growing seasons shall be mitigated by restoring the existing habitats and providing additional wetland and upland preservation at a 1.5:1 ratio. Impacts lasting longer than two growing seasons shall be mitigated at the standard Conservation Area ratios described above under conditions BIO-1-1 and BIO-1-2.

   b. **Restoration and Monitoring Plan:** The applicant shall provide a restoration plan consistent with the requirements in the Solano HCP or standardized policies developed by the City per proposed General Plan Action COS-A1.1 that shall be based on the principles found in the current working draft of the Solano HCP, including acceptable financial assurances, for review and approval by the City and other applicable regulatory agencies, to ensure successful implementation of the habitat restoration. All temporarily impacted wetlands shall be monitored for a minimum of two wet seasons to document that hydrology has been restored to pre-project conditions. Additional monitoring and remedial measures may be required if hydrology is not reestablished.

   The mitigation ratios described above are applicable to all seasonal wetlands (i.e. saturated, seasonally flooded, and areas subject to temporary flooding sufficient to create wetlands). Conservation actions for streams and semi-permanently to permanent-

ly flooded wetlands in the valley floor grassland and vernal pool natural community are addressed under Mitigation Measures BIO-5, BIO-6, BIO-7, and BIO-9.

Mitigation Measure BIO-2: All impacted seasonal wetlands shall be characterized according to the types below and mitigated by preservation of the same category of wetland according to the ratios in Mitigation Measure BIO-1.

Seasonal wetland categories are as follows:

- **Pools:** Greater than 1 inch of standing water for more than ten continuous days with short (less than three weeks) to long (more than three weeks) durations of standing water, clear to moderate turbidity, and exhibiting significant vegetation cover.
- **Playa Pools:** Greater than 1 inch of standing water for more than ten continuous days with long (more than three weeks) to very long durations of standing water, moderate to high turbidity, and exhibiting sparse vegetation cover (typically found in association with Pescadero Series Soils; often referred to as playa-type pools).
- **Swales or Mesic Grassland:** Shallow, standing water (generally less than 1 inch) present for fewer than ten continuous days.
- **Alkaline Flats and Meadows:** Shallow, standing water (generally less than 1 inch) present for fewer than ten continuous days and exhibiting indicators of high alkalinity (salt deposits on soil surface, presence of salt-tolerant plants).

Deviations in the required mitigation acreage by type or category may be permitted by the City and other applicable regulatory agencies.

Under Mitigation Measure BIO-1, conservation habitats shall be proportional to impacts to the species and their associations (e.g. impacts to pool-dependent species such as vernal pool fairy shrimp shall not be mitigated by preservation of more abundant swale or mesic grasslands that do not support the species).

Mitigation Measure BIO-3: All direct impacts to extant stands of Contra Costa goldfields shall be mitigated by establishing new, self-reproducing populations of Contra Costa goldfields at a ratio of 4:1 (acres protected to acres impacted). This restoration requirement may be met by establishing new Contra Costa goldfield populations at a single-project mitigation site or by purchasing credits at an approved mitigation bank authorized to sell credits for this species in an amount equal to the 4:1 mitigation ratio. Guidelines for establishing Contra Costa goldfields and the release schedule for mitigation credits at the commercial mitigation banks will be specified in the bank-enabling agreements. Mitigation at single-project mitiga-

tion sites would be subject to the same conditions as the commercial mitigation banks. Establishment criteria shall also adhere to all the following conditions:

1. Impacted habitat area for which mitigation is required shall be equal to the entire occupied pool/swale area, and shall not just be limited to the area with Contra Costa goldfield cover in the impacted pool.

2. Contra Costa goldfield populations and other species identified in Tables 4.4-2 and 4.4-3 of the Draft EIR (including vernal pool fairy shrimp, conservancy fairy shrimp, vernal pool tadpole shrimp, and mid-valley fairy shrimp) shall be established in constructed, restored, and enhanced wetlands in the known range of these species in Solano County.

3. Seed used to establish new populations of Contra Costa goldfields may be obtained from any Core Population Area, as defined in the Solano HCP or in areas identified in standardized policies developed by the City per proposed General Plan Action COS-A1.1 that shall be based on the principles found in the current working draft of the Solano HCP. Seed collection shall not affect more than 10 percent of an individual preserved population. Seed and top soils shall be salvaged from occupied vernal pools and other wetlands in an impacted area prior to initiation of ground-disturbing activities.

4. Restoration may occur in existing preserved pools currently lacking Contra Costa goldfields or in restored pools and swales in other Core Areas as defined in the Solano HCP or in areas identified in standardized policies developed by the City per proposed General Plan Action COS-A1.1 that shall be based on the principles found in the current working draft of the Solano HCP. New populations must be established in currently unoccupied habitat.

5. Re-established populations will be considered self-reproducing when:

    a. Plants re-establish annually for a minimum of five years with no human intervention such as supplemental seeding, and habitat areas contain an occupied area and flower/plant density comparable to existing occupied habitat areas in similar pool types and Core Areas.

If Contra Costa goldfields cannot be established at the mitigation site within five years according to the conditions above, the preserved wetland restoration acreage shall be increased by 50 percent.[27] The applicant shall provide bonds or other acceptable financial assurances, subject to approval by the City and USFWS to ensure implementation of such measures.

Mitigation Measure BIO-4: Mitigation shall be required for any impacts in the known or potential range of the California tiger salamander (see Figure 4.4-4). Mitigation shall include preservation, enhancement, and restoration/establishment of suitable upland habitat, and preservation and construction/creation of new breeding habitat consistent with the mitiga-

tion requirements specified in Mitigation Measure BIO-1, subject to the following additional requirements.

1. **Breeding Habitat Mitigation:** Direct and indirect[28] impacts to all suitable California tiger salamander breeding habitat[29] in the known or potential range of the species (Figure 4.4-4) will be mitigated by preserving known breeding habitat at a 3:1 ratio and creating new breeding habitat at a ratio of 2:1 or 0.35 acres, whichever is greater.

   All preserved and created/established breeding habitat shall be contiguous to at least 350 acres of preserved upland habitat, and created breeding habitat shall be located within 2,100 feet of known breeding habitat.[30]

   a. All new breeding habitat shall be located within 2,100 feet of a known breeding site and be situated in a contiguous reserve/preserve area of 350 acres or more of suitable habitats. This may include other parcels if the lands are protected by conservation easements and are managed consistent with the Solano HCP Reserve Criteria or standardized policies developed by the City per proposed General Plan Action COS-A1.1 that shall be based on the principles found in the current working draft of the Solano HCP. For some existing preserved areas/mitigation sites, this may require that management agreements and endowments be extended to these sites.

   b. New breeding habitat can consist of multiple sites within 1,300 feet of each other. All new created breeding habitats shall be 0.2 acres to 0.35 acres in size unless otherwise approved by the City, USFWS, and CDFW.

2. **Upland Habitat Mitigation:** Impacts to uplands and other movement habitats (i.e. seasonal wetland swales and meadows) in the known or potential range of the California tiger salamander (Figure 4.4-4) shall be mitigated at the ratios as described in Mitigation Measure BIO-1 for Subarea 2C (Figure 4.4-3, 2:1 ratio), subject to the following additional conditions:

   a. All upland mitigation preservation shall be within 2,100 feet of known breeding habitat or within 1,300 feet of constructed breeding habitat if the constructed breeding habitat is within 2,100 feet of known breeding habitat.

   b. New breeding habitat shall be established at a ratio of 0.001 acres per acre of upland directly and indirectly impacted by a project.

   c. Preserves established for California tiger salamander mitigation shall include measures for restoration of upland mounds, where applicable, in order to provide increased burrowing habitat for fossorial rodents and California tiger salamanders above the shallow, rainy-season water table.

i. Riparian, Stream, and Freshwater Marsh

For riparian, stream, and freshwater marsh habitat, avoidance is always desirable, but it is not always practical. ….

[24] These mitigation measures are from the working version of the Final Administrative Draft of the Solano HCP, which is expected to be published in summer/fall 2014. The data that supports these mitigation measures are in the latest public draft available of the Solano HCP, which was published in October 2012, and is available here: http://www.scwa2.com/Conservation_Habitat_Docs.aspx. .

[25] The USFWS extends indirect impacts out 250 feet from the edge of developed areas. Therefore, any uplands within 250 feet (or out to a major barrier such as other development or major road) of developed ground in valley floor grasslands, even if they are avoided by development, are required to preserve habitat at reduced ratios from direct impacts.

[26] There are additional avoidance and mitigation requirements for impacts to habitat for Swainson's hawk and burrowing owl in Subarea 3 outlined in the Solano HCP.

[27] If Contra Costa goldfields are not established successfully in a 10-year period and the increased restoration acreage requirement is invoked, the Contra Costa goldfield establishment requirement will be eliminated.

[28] Any breeding habitat within 500 feet of development will be considered to be indirectly impacted.

[29] Suitable breeding habitat is defined as all natural vernal pool and man-made ponds that maintain standing water in most years for a minimum of ten consecutive weeks.

[30] Suitable known breeding habitat shall include all known sites where California tiger salamander recruitment has been considered successful when the following criteria occur in normal to below normal rainfall years: the breeding sites exhibit suitable hydrology; larvae are at a stage of development where they are likely to survive to metamorphosis; estimated recruitment is within the range of recruitment levels from other baseline years for the site; and/or estimated recruitment is within the range of or greater than recruitment from other sites in the region with available and comparable information.

The text on page 4.4-58 is amended as follows:

In addition, as described in Section D.1.a.i.d, the City of Vacaville, as a required plan participant of the Solano HCP, will implement the measures in the Solano HCP, which will further mitigate potential impacts of the proposed project. Therefore, implementation of the Solano HCP and the proposed General Plan and ECAS policies, actions, and measures, in combination with federal and State laws, would reduce potential impacts to special-status species associated with riparian, stream, and freshwater marsh habitats to a *less-than-significant* level.

However, since the HCP is not currently adopted, the following mitigation measures are included in order to ensure that mitigation requirements consistent with the Solano HCP are enforced:[31]

> Mitigation Measure BIO-5: Mitigation for permanent impacts to riparian, streams and their tributaries, and freshwater marsh habitat associated with riverine systems in the EIR Study Area shall be provided through restoration of in-kind habitat. Restoration of riparian habitat or creation of new habitat must occur either on site, at an approved mitigation bank, or at another high-quality site, and must be capable of supporting similar quality and species as the impacted site. All Riparian Restoration Plans shall be reviewed and approved by the City and CDFW. Restoration and enhancement activities shall be directed toward severely degraded stream segments in Priority Drainages and Watersheds (Figure 4.4-5). Basic mitigation requirements are based on impact area, vegetation replacement, and designated conservation

values of the riparian, stream, and freshwater marsh habitat as assessed in the Solano HCP or standardized policies developed by the City per proposed General Plan Action COS-A1.1 that shall be based on the principles found in the current working draft of the Solano HCP.

1. **Vegetation**. All native, woody vegetation greater than 1 inch in diameter shall be replaced by planting native woody vegetation to at the following minimum ratios and performance standards:

Vegetation Replacement Size (inches)[a]	Native Species (Except Oaks and Elderberry)[b]	Oak Species[c]	Nonnative Species
Priority Drainages			
≤12	3:1	5:1	1:1
12–24	6:1	7:1	2:1
≥24	10:1	12:1	3:1
Non-Priority Drainages			
≤12	3:1	5:1	1:1
12–24	4:1	7:1	1.5:1
≥24	6:1	12:1	3:1

Note: *Performance Criteria* – The number of native riparian plants that become established at the end of the five-year monitoring period shall equal a minimum of 80 percent of total required plantings. Established plants may include natural regeneration and volunteer plants.

[a] Trees shall be measured at diameter at breast height (dbh); multiple trunked trees shall be reported as the cumulative total of all trunks. Shrubs shall be measured at the midpoint of the main trunk (the ground and the first major branch).

[b] Elderberry replacement ratios and other associated mitigation requirements are prescribed in Mitigation Measure BIO-9. Tree and shrub replacement requirements under this mitigation measure may be used to fulfill all or contribute to the associated native woody riparian vegetation requirements prescribed under Mitigation Measure BIO-9.

[c] Because of slow growth rates, oak species require higher replacement ratios. If acorns are used instead of seedlings (at least one year old), planting ratios shall be doubled.

[d] The five-year monitoring period for documenting successful establishment may be extended if the mitigation is not performing adequately. At a minimum, the determination of success monitoring shall require at least two years without significant intervention (e.g. additional plantings or irrigation). Vegetation may need to be planted at higher ratios, depending on site conditions, in order to account for mortality of planted material.

The goal of the riparian vegetation replacement is to contribute to the establishment of a multi-story riparian community with a variety of native riparian species appropriate for the mitigation site. Plantings are not required to directly replace impacts on a species-by-species basis.

2. **Area.** Riparian mitigation planting shall also achieve the following area criteria based on whether the mitigation is achieved through enhancement (e.g. supplemental planting of

existing riparian habitats) or through establishment of woody riparian habitats (e.g. existing or created channel lacking native woody riparian vegetation):

	Priority Drainages		Non-Priority Drainages	
	Enhancement	Created/ Restored	Enhancement	Created/ Restored
Area Ratios	4:1	2:1	3:1	2:1

3. **Hydrological and Biological Connectivity:** Mitigation for permanent impacts to third and higher order streams and second order streams with riparian vegetation shall maintain the hydrologic and biological connectivity between downstream and upstream areas. Facilities such as bridges, culverts, outfalls, and grade control structures shall not create cumulative gaps in the channel or riparian corridor greater than 300 feet. Bypass or re-routed channels shall be constructed where necessary to replace impacted habitats and to limit gaps between existing riparian habitats.

   Note: The intent of requiring mitigation for removal of nonnative trees and shrubs is to protect riparian habitat. It is not intended to require mitigation for the removal of nonnative trees or shrubs as a part of riparian restoration or enhancement projects.

   The above measure applies to waterways subject to State regulation under Section 1602 of the Fish and Game Code and Porter-Cologne Water Quality Act and waters of the United States subject to regulation under the federal Clean Water Act.

Mitigation Measure BIO 6: Mitigation for direct impacts to pond or freshwater marsh habitat not hydrologically connected to streams shall be provided at a 2:1 ratio. This mitigation may be achieved by creating/restoring on-site open space areas with a minimum 100-foot-wide buffer, establishing an endowment or other suitable funding source for long-term management of the mitigation habitat, or purchasing credits at an approved mitigation bank.

Mitigation Measure BIO 7: Mitigation for direct impacts to seasonal wetlands in the Inner Coast Range shall be provided at a 2:1 ratio.

Mitigation Measure BIO-8: Compensatory mitigation for unavoidable impacts to suitable breeding and non-breeding aquatic habitat (e.g. riparian, stream, pond, and freshwater marsh habitats) outside of the California Red-legged Frog Conservation Area shall be provided through the construction and/or restoration of similar habitats at a prescribed ratio (acres restored to acres impacted) consistent with Mitigation Measure BIO-5, and provide an endowment fund or other approved funding source to implement management plans for pre-

served lands in perpetuity consistent with the requirements in the Solano HCP or standardized policies developed by the City per proposed General Plan Action COS-A1.1 that shall be based on the principles found in the current working draft of the Solano HCP.

Mitigation Measure BIO 9: Where removal of elderberry shrubs or their stems measuring 1 inch in diameter or greater is unavoidable, these impacts shall be mitigated. Removal of elderberry shrubs or stems 1 inch in diameter or greater and associated riparian vegetation shall not create gaps in a riparian corridor greater than 300 feet. Mitigation will include salvaging and replanting affected elderberry shrubs and planting additional elderberry shrubs and associated native riparian plants according to the following criteria:

1. **Transplanting Removed Elderberry Shrubs.** Transplant removed elderberry shrubs to an approved, secure site, such as an approved mitigation bank location in Solano County or non-bank relocation site to be approved by the City and USFWS. All non-bank relocation sites shall meet the minimum reserve standards identified in the Solano HCP or standardized policies developed by the City per proposed General Plan Action COS-A1.1 that shall be based on the principles found in the current working draft of the Solano HCP (e.g. site shall be protected by a conservation easement or other applicable protection measure, and funding shall be provided for long-term monitoring and maintenance). Transplanting shall occur between June 15 and March 15 (November through February is the optimal period for transplanting). Elderberry may not be transplanted between March 16 and June 14 except where isolated bushes are located more than 0.5 miles from other suitable valley elderberry longhorn beetle habitat and no signs of use (e.g. exit holes) have been identified.

2. **Mitigation for Whole Shrub Removal.** For each removed elderberry bush, plant a minimum of five elderberry seedlings or rooted cuttings and five associated native, woody riparian plants in the mitigation area, or purchase applicable credits from a mitigation bank approved under the Solano HCP or standardized policies developed by the City per proposed General Plan Action COS-A1.1 (that shall be based on the principles found in the current working draft of the Solano HCP) to sell valley elderberry longhorn beetle credits.

3. **Mitigation for Trimming/Removal of Stems 1 Inch in Diameter or Greater.** For every ten elderberry stems 1 inch in diameter or greater that are trimmed/removed, plant two elderberry seedlings and two associated native, woody riparian plant seedlings.

Mitigation plantings shall occur, to the maximum extent practicable, in areas adjacent to the impact area and/or in existing gaps in riparian corridors. Priority areas for riparian revegetation and planting of elderberry include Alamo and Ulatis Creeks. The requirements for asso-

ciated native, woody riparian plant establishment may be fulfilled in combination with the woody riparian vegetation replacement requirements prescribed under Mitigation Measure BIO-5.

ii. Swainson's Hawk

Development allowed by the proposed General Plan could impact approximately 6,844 acres of potential Swainson's hawk foraging habitat, including approximately 3,399 acres of irrigated agriculture, 1,244 acres of valley floor and vernal pool grassland, 614 acres of Inner Coast Range habitat, and 1,587 acres of vacant lots. ….

[31] These mitigation measures are from the working version of the Final Administrative Draft of the Solano HCP, which is expected to be published in summer/fall 2014. The data that supports these mitigation measures are in the latest public draft available of the Solano HCP, which was published in October 2012, and is available here: http://www.scwa2.com/Conservation_Habitat_Docs.aspx.

The text on page 4.4-58 is amended as follows:

In addition, as described in Section D.1.a.i.e, the City of Vacaville, as a required plan participant of the Solano HCP, will implement the measures in the Solano HCP, which will further mitigate potential impacts of the proposed project. Therefore, implementation of the Solano HCP and the proposed General Plan and ECAS policies, actions, and measures, in combination with federal and State laws, would reduce potential impacts to Swainson's hawks to a *less-than-significant* level.

However, since the HCP is not currently adopted, the following mitigation measures are included in order to ensure that mitigation requirements consistent with the Solano HCP are enforced:[32]

Mitigation Measure BIO-10: Long-term impacts[33] to Swainson's hawk foraging habitat in the irrigated agriculture conservation area (Figure 4.4-6) shall be mitigated through the preservation (conservation easement) and management of foraging habitat at a ratio of 1:1 (mitigation-to-impact). All mitigation areas shall remain in "agricultural production" provided these activities are consistent with the economics of agricultural operations. The following activities[34] shall also be prohibited on the mitigation area in order to promote value for Swainson's hawk foraging:

- Permanent plantings of orchards and/or vineyards for the production of fruits, nuts, or berries.
- Cultivation of perennial vegetable crops such as artichokes and asparagus, as well as the annual crops cotton and rice.

- Commercial feedlots, which are defined as any open or enclosed area where domestic livestock are grouped together for intensive feeding purposes.
- Horticultural specialties, including sod, nursery stock, ornamental shrubs, ornamental trees, Christmas trees, and flowers.
- Commercial greenhouses or plant nurseries.
- Commercial aquaculture of aquatic plants and animals and their byproducts.
- Commercial wind energy development.

Mitigation shall be provided in the Irrigated Agriculture Potential Reserve Area (as depicted in the Swainson's Hawk Potential Reserve Areas figure in the Solano HCP) or in areas identified in standardized policies developed by the City per proposed General Plan Action COS-A1.1 that shall be based on the principles found in the current working draft of the Solano HCP.

Mitigation Measure BIO-11: Long-term impacts to Swainson's hawk foraging habitat in the valley floor grassland conservation area (Figure 4.4-6) shall be mitigated through the preservation and management of foraging habitat at a ratio of 1:1 (mitigation-to-impact) and subject to species management requirements specified in the Solano HCP or standardized policies developed by the City per proposed General Plan Action COS-A1.1 that shall be based on the principles found in the current working draft of the Solano HCP. Mitigation shall be provided in the Irrigated Agriculture or Valley Floor Grassland Potential Reserve Areas (see the Vernal Pool Potential Preserve and Reserve Areas figure in the Solano HCP) or in areas identified in standardized policies developed by the City per proposed General Plan Action COS-A1.1 that shall be based on the principles found in the current working draft of the Solano HCP. Preservation of valley floor grassland habitat may be satisfied through Mitigation Measure BIO-1 if the minimum 1:1 ratio for foraging habitat is achieved.

Mitigation Measure BIO-12: Long-term impacts to grassland and oak savanna habitat in the Inner Coast Range conservation area (Figure 4.4-6) shall be mitigated through the preservation and management of foraging habitat at a ratio of 1:1 (mitigation-to-impact) and subject to species management requirements specified in the Solano HCP or standardized policies developed by the City per proposed General Plan Action COS-A1.1 that shall be based on the principles found in the current working draft of the Solano HCP. Mitigation shall be provided in the Irrigated Agriculture, Valley Floor Grassland, or Inner Coast Range Potential Reserve Areas (see the Vernal Pool Potential Preserve and Reserve Areas figure in the Solano HCP) or in areas identified in standardized policies developed by the City per proposed General Plan Action COS-A1.1 that shall be based on the principles found in the current working draft of the Solano HCP.

Exceptions: Impacts that are likely to have minimal effects on the extent and quality of Swainson's hawk foraging habitat are exempt from Swainson's hawk foraging habitat mitigation requirements. Such activities include: projects affecting less than one year of forage production, activities related to establishment of natural habitats (e.g. aquatic, riparian, and grassland habitats), construction of infill developments that are less than 5 acres in size and surrounded by urban development, and other minor public and private facilities accessed via existing roads or that impact less than 0.5 acres of potential Swainson's hawk foraging habitat (e.g. pump stations, antennae sites, new irrigation canals, buried pipelines, or utilities).

iv. *Burrowing Owl*

Burrowing owls occur in a variety of locations in an around Vacaville. Typical habitat includes vacant lots or grassland areas, often with short to sparse vegetation cover, and around the edges of agricultural fields. ….

[32] These mitigation measures are from the working version of the Final Administrative Draft of the Solano HCP, which is expected to be published in summer/fall 2014. The data that supports these mitigation measures are in the latest public draft available of the Solano HCP, which was published in October 2012, and is available here: http://www.scwa2.com/Conservation_Habitat_Docs.aspx.

[33] Long-term impacts are defined as those impacts resulting in the loss of foraging habitat for more than one year.

[34] These restrictions on agricultural activities for mitigation lands deviate from the management requirements specified in the Solano HCP. The Solano HCP specifies that half of the Swainson's hawk reserve system shall be managed for alfalfa or other crop with similar management activities. This conservation requirement is based on implementing a large, regional reserve system and is not likely practicable for individual project responsible mitigation action.

The text on page 4.4-60 is amended as follows:

… in combination with federal and State laws, would reduce potential impacts to burrowing owls to a *less-than-significant* level. However, since the HCP is not currently adopted, in order to ensure that mitigation requirements consistent with the Solano HCP are enforced, the following mitigation measures are included:[35]

Mitigation Measure BIO-13: Mitigation for the permanent (i.e. more than one season) disturbance, destruction, or conversion of burrowing owl habitat[36] for urban development or other permanent facilities shall be provided at a 1:1 ratio. Project sites that have been occupied during the nesting season at any time during the past three years or found to be nesting at the time of pre-construction surveys will be considered occupied by owls and require additional nesting habitat mitigation (described in the Solano HCP or standardized policies developed by the City per proposed General Plan Action COS-A1.1 that shall be based on the principles found in the current working draft of the Solano HCP). All burrowing owl habitat affected either directly, indirectly, or cumulatively by the project will be subject to the compensation requirement. Mitigation lands used to satisfy mitigation measures for other natural communities and/or species identified in Tables 4.4-2 and 4.4-3 of the Draft EIR (i.e. valley

floor grassland and vernal pool natural community [excluding the wetland restoration/ construction component], coastal marsh natural community, Swainson's hawk, California red-legged frog, and callippe silverspot butterfly) can be used to satisfy burrowing owl conservation if the reserve area meets the basic burrowing owl reserve management standards and criteria specified in the Solano HCP or standardized policies developed by the City per proposed General Plan Action COS-A1.1 that shall be based on the principles found in the current working draft of the Solano HCP.

Exemptions: Infill projects less than 5 acres in size and surrounded by urban development would have minimal effects on the extent and quality of burrowing owl habitat and are exempt from burrowing owl foraging habitat mitigation requirements unless a known or active nest is present. Additionally, project proponents are obligated to avoid destruction of active burrowing owl nests and take of burrowing owls in compliance with the federal Migratory Bird Treaty Act (MBTA) and California Fish and Game Code Section 3503.5 and to meet the requirements specified in the Solano HCP or standardized policies developed by the City per proposed General Plan Action COS-A1.1 that shall be based on the principles found in the current working draft of the Solano HCP.

Mitigation Measure BIO-14: If construction of pump stations, antennae sites, new irrigation canals, buried pipelines, or utilities (but excluding restoration and reserve management activities) will result in temporary[37] impacts to occupied burrowing owl habitat[38] (e.g. closure, collapse due to ground disturbance, or disturbance in the construction zone), impacts shall be mitigated according to the following criteria at all times of the year:

1. **Temporary Impacts Less Than or Equal to 1 Acre in Size:** Install five burrows within 330 feet of the edge of the construction area if suitable contiguous habitat remains and no more than one pair of owls without eggs or young in the nest is displaced. This condition may be waived if an approved biologist, the City, and CDFW determine that the contiguous area already contains suitable donor burrows. Maintain vegetation height at 6 inches or less around the mitigation burrows to encourage use by owls.

    a. A monitoring program will be implemented to track and document the use of nearby natural or artificial burrows by evicted owls.[39] Monitoring will be funded by the applicant conducting the project. Monitoring results will be reported to the City and CDFW at the end of the project.

    b. Artificial burrows will be maintained by the applicant who owns the project that results in burrow or habitat destruction. Artificial burrows shall be maintained for a minimum of two years following completion of the project that resulted in the temporary impact. The construction site will be monitored annually to ensure that natural burrows have been re-established on the construction site.

1) If burrows have not been re-established on the construction site within two years but owls are using other ground squirrel burrows on or adjacent to the site, then the artificial burrows will not require maintenance beyond the two-year period and no additional mitigation will be required.

2) If the burrows have not been re-established in the construction area and owls are not using other natural burrows on or adjacent to the construction site within two years, then the impact will be considered permanent and mitigation will be required according to Mitigation Measure BIO-13.

c. The disturbed area shall also be monitored the following breeding season to determine if the owls return to the area to nest. If the owls do not return or relocate to a nearby site, impacts will be required to provide additional mitigation per the Solano HCP or standardized policies developed by the City per proposed General Plan Action COS-A1.1 that shall be based on the principles found in the current working draft of the Solano HCP.

d. If the above measures cannot be implemented because adequate habitat is not present in surrounding, contiguous lands, impacts shall be mitigated per the requirements of the Solano HCP or standardized policies developed by the City per proposed General Plan Action COS-A1.1 that shall be based on the principles found in the current working draft of the Solano HCP.

2. **Temporary Impacts Greater Than 1 Acre in Size:** Install ten burrows/acre within 330 feet of the construction area if at least 7 acres of contiguous habitat remains and no more than one pair of owls without eggs or young in the nest is displaced. Also maintain vegetation height at 6 inches or less around the mitigation burrows to encourage use by owls. This condition may be waived if an approved biologist, the City, and CDFW determine that the contiguous area already contains suitable donor burrows. A monitoring program will be implemented to track and document the use of nearby natural or artificial burrows by evicted owls.[40] Monitoring will be funded by the applicant conducting the project. Monitoring results will be reported to the City and CDFW at the end of the project.

a. Artificial burrows will be maintained by the applicant that owns the project that results in burrow or habitat destruction. Artificial burrows shall be maintained for a minimum of two years following completion of the project that resulted in the temporary impact. The construction site will be monitored annually to ensure that natural burrows have been re-established on the construction site.

1) If burrows have not been re-established on the construction site but owls are using other ground squirrel burrows on or adjacent to the site, then the artificial

burrows will not require maintenance beyond the two-year period and no additional mitigation will be required.

2) If the burrows have not been re-established in the construction area and owls are not using other natural burrows on or adjacent to the construction site within two years, then the impact will be considered permanent and mitigation will be required according to Mitigation Measure BIO-13.

b. Temporary impacts that cannot be mitigated with mitigation burrows due to the lack of suitable burrowing owl habitat on a project site or contiguous ownership parcels shall be mitigated by preserving burrowing owl habitat off site at a ratio of 1:1. Sites subject to temporary impacts that are occupied by more than one pair of owls likewise will be mitigated at a 1:1 ratio. All habitat areas disturbed, destroyed, or converted to non-habitat uses directly, indirectly, or cumulatively will be subject to the mitigation requirement.

Compliance with this mitigation measure does not allow for the destruction or disturbance of an active nest site.

v. Tricolored Blackbird

Tricolored blackbirds usually nest in large flocks in dense vegetation near open water; in emergent wetland vegetation, especially cattails and tules; in thickets of willow, blackberry, wild rose, tall herbs, and willow; and in some agricultural crops. ….

[35] These mitigation measures are from the working version of the Final Administrative Draft of the Solano HCP, which is expected to be published in summer/fall 2014. The data that supports these mitigation measures are in the latest public draft available of the Solano HCP, which was published in October 2012, and is available here: http://www.scwa2.com/Conservation_Habitat_Docs.aspx.

[36] Burrowing owl habitat consists of the following: valley floor/vernal pool grassland, grassland and oak savanna within the Inner Coast Range, pasture, grain/hay crops, row crops and other irrigated agriculture, vacant or fallow fields, and diked historic tidal wetlands within the coastal marsh natural community.

[37] Not exceeding a single breeding season.

[38] Sites that have been occupied at any time during the past three years will be considered occupied by owls and require mitigation.

[39] Monitoring where owls go and what burrows they use may involve color banding of owls in order to track and distinguish evicted owls.

[40] Monitoring where owls go and what burrows they use may involve color banding of owls in order to track and distinguish evicted owls.

The text on page 4.4-63 is amended as follows:

~~The proposed General Plan policies and actions described in Section D.1.a.i.c would mitigate impacts to vernal pools and other seasonal wetlands. These General Plan policies and actions, including support for implementation of the Solano HCP, provide a comprehensive approach for addressing and mitigating the direct and indirect impacts of anticipated development. Therefore, implementation of the Solano HCP and the proposed General Plan policies and actions, in~~

~~combination with federal and State laws, would reduce potential impacts to vernal pools and other seasonal wetlands to a *less-than-significant* level.~~

The proposed General Plan Conservation and Open Space Element contains policies and actions that would mitigate impacts to vernal pools and other seasonal wetlands. The following policy and its companion action provide the primary mitigation approach:

- Policy COS-P1.1 provides for support to prepare and implement the Solano HCP.
- Policy COS-P1.12 directs the City to comply with all of the Avoidance, Minimization, and Mitigation Measures listed in the Draft Solano HCP until it is adopted. In addition, it requires that development projects provide copies of required permits, or verifiable statements that permits are not required, from the California Department of Fish and Game (2081 Individual Take Permit) and US Fish and Wildlife Service (Section 7 Take Authorization) prior to receiving grading permits or other approvals that would permit land disturbing activities and conversion of habitats or impacts to protected species.
- Action COS-A1.1 requires the City to adopt and implement the requirements of the Solano HCP once it is approved and if not adopted, develop and implement policies for conserving natural communities and associated species.

The following additional policies further define and implement conservation actions contained in the Solano HCP:

- Policy COS-P1.2: Manage natural open space lands, where feasible, in a manner consistent with wildlife protection.
- Policy COS-P1.3: Protect and create new wildlife corridors, including creek corridors and utility easements, where feasible, to enable free movement of animals, to minimize wildlife-urban conflicts, and to establish open space linkages.
- Policy COS-P1.5: Require new development proposals to provide baseline assessments prepared by qualified biologists. The assessment shall contain sufficient detail to characterize the resources on, and adjacent to, the development site. The assessment shall also identify the presence of important and sensitive resources, such as wetlands, riparian habitats, and rare, threatened, or endangered species affected by the development.
- Policy COS-P1.6: Require that new development minimize the disturbance of natural habitats and vegetation. Require revegetation of disturbed natural habitat areas with native or non-invasive naturalized species.
- Policy COS-P1.8: Prohibit the use of invasive, non-native species, as identified by the State or County Department of Agriculture or other authoritative sources, in landscaping on public property or in common areas in private developments.

- ♦ Policy COS-P1.9: Require that new development include provisions to protect and preserve wetland habitats that meet one of the following conditions:
  - The wetlands contribute to the habitat quality and value of reserve/preserve lands established or expected to be established in perpetuity for conservation purposes.
  - The wetlands are contiguous to riparian or stream corridors, or other permanently protected lands.
  - The wetlands are located within or contiguous to other high value natural areas.
- ♦ Policy COS-P1.10: Where avoidance of wetlands is not practicable or does not contribute to long-term conservation of the resources, require new development to provide for off-site mitigation that results in no net loss of wetland acreage and functional value within the watersheds draining to the Delta or Suisun Marsh.
- ♦ Policy COS-P1.11 Require that, as appropriate, new policy plans or specific plans contain a resource management component and associated funding mechanisms that includes policies to protect preserved natural communities.

These General Plan policies and actions, including support for implementation of the Solano HCP, provide a comprehensive approach for addressing and mitigating the direct and indirect impacts of anticipated development. Therefore, implementation of the Solano HCP and the proposed General Plan policies and actions, in combination with federal and State laws, would reduce potential impacts to vernal pools and other seasonal wetlands to a *less-than-significant* level.

….

Also, as described in Section D.1.a.ii, potential indicated impacts on riparian habitat include changes in channel morphology (e.g. down-cutting and bank erosion) from increased peak and base flows. The changes resulting from development activities could affect all of the 145 acres of stream and riparian habitat in the EIR Study Area. Indirect effects are not expected to extend eastward of the EIR Study Area as the primary channels east of the city have been channelized for flood control purposes and lack woody riparian communities. However, if the avoidance, ~~and~~ minimization, and mitigation measures ~~and conservation measures~~ in the Solano HCP are implemented, they will maintain peak and base flows by establishing buffers and detention basins and will result in minimization of indirect impacts and substantial riparian and stream restoration. In addition, the buffers required by Section 14.12.174.050 of the Vacaville Land Use and Development Code would ~~protect~~ provide additional protection for the remaining riparian resources, channel morphology, and the quality of in-stream habitat.

The text on page 4.4-64 is amended as follows:

The proposed General Plan policies and actions described in Section D.1.a.ii.d would mitigate impacts to riparian habitats. These proposed General Plan policies and actions, and mitigation

measures, including support for implementation of the Solano HCP, provide a comprehensive approach for addressing and mitigating the direct and indirect impacts of anticipated development on riparian habitats and associated species. Therefore, implementation of the Solano HCP and the proposed General Plan policies and actions, in combination with federal and State laws, would reduce potential impacts to riparian habitats to a *less-than-significant* level.

The text on page 4.4-65 is amended as follows:

The proposed General Plan policies and actions described in Section D.1.a.i.e would mitigate impacts to native perennial grasslands. These General Plan policies and actions, and mitigation measures, including support for implementation of the Solano HCP, provide a comprehensive approach for addressing and mitigating the direct and indirect impacts of anticipated development. Therefore, implementation of the Solano HCP and the proposed General Plan policies and actions, in combination with federal and State laws, would reduce potential impacts to vernal pools and other seasonal wetlands to a *less-than-significant* level.

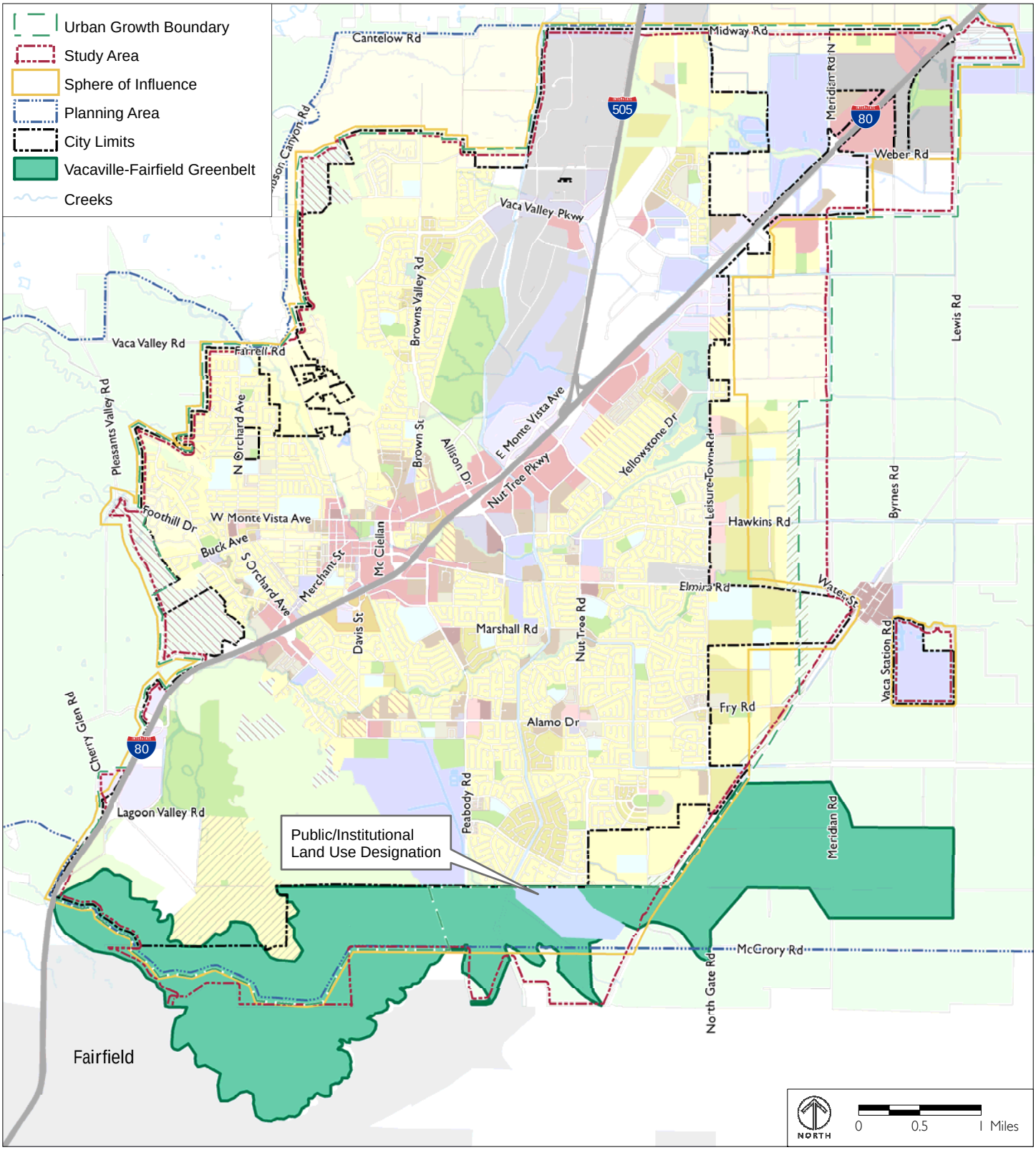
….

The proposed General Plan policies and actions described in Sections D.1.a.i.e and D.1.a.ii.d would mitigate impacts to wetlands. These proposed General Plan policies and actions, and mitigation measures, including support for implementation of the Solano HCP, provide a comprehensive approach for addressing and mitigating the direct and indirect impacts of anticipated development. Therefore, implementation of the Solano HCP and the proposed General Plan policies and actions, in combination with federal and State laws, would reduce potential impacts to wetlands to a *less-than-significant* level.

Figure 4.4-7 on page 4.4-66 is replaced as shown on the following page.

The text on page 4.4-67 is amended as follows:

The proposed General Plan policies and actions, and mitigation measures, described in Sections D.1.a.i.e and D.1.a.ii.d would mitigate impacts to wildlife corridors. These proposed General Plan policies and actions, and mitigation measures, including support for implementation of the Solano HCP, provide a comprehensive approach for maintaining wildlife movement corridors through urban areas. Therefore, implementation of the Solano HCP and the proposed General Plan policies and actions, in combination with federal and State laws, would reduce potential impacts to wildlife corridors to a *less-than-significant* level.



NOTE: See Figure 3-4 for General Plan land use designations symbology
SOURCE: Solano Habitat Conservation Plan (June 2012).

FIGURE 4.4-7
VACAVILLE-FAIRFIELD GREENBELT

The text on page 4.4-69 is amended as follows:

…Because SID would not be able to use this land for other purposes that would be compatible with a wildlife corridor, no mitigation is available, and the impact is *significant and unavoidable*.

3. Secondary Impacts of Mitigation Measures

Mitigation Measures BIO-1 through BIO-14 would consist primarily of preserving, enhancing, restoring, and establishing habitat; establishing new populations of plant species; and managing and monitoring these areas. Such actions would not result in significant secondary impacts. They would be subject to the detailed criteria and guidance provided in the mitigation measures and in the Solano HCP that ensure such improvements are effective and avoid secondary impacts. For example, Mitigation Measure BIO-14, which directs the installation of artificial burrows for burrowing owls, includes language to ensure that active nest sites are not destroyed or disturbed. While some minor secondary environmental impacts may occur, such as impacts related to land disturbance during these mitigation activities, such impacts have been addressed at a programmatic level, which is appropriate for this General Plan project and in the absence of detailed habitat mitigation plans.

~~E. Full Buildout~~

~~Because the impact analysis provided in Section D is a spatial analysis that considered all areas that could potentially be developed under the proposed General Plan, the impacts described for the horizon year of 2035 in Section D would be similar to the impacts at full buildout. However, indirect impacts from development, such as changes in water quality and invasive species, may be significantly greater than the conditions in 2035 because it is anticipated that only a percentage of full buildout will actually be constructed by 2035. However, as discussed in Chapter 3, Project Description, it is unlikely that full buildout would ever occur under the proposed General Plan, and an analysis of full buildout is not required by CEQA.~~

The text on page 4.5-36 is amended as follows:

~~E. Full Buildout~~

~~The full buildout anticipated under the proposed General Plan would include significantly more development than the 2035 horizon-year development projection analyzed in Section D, Impact Discussion, in terms of both the amount and the extent of development. Therefore, the potential for impacts to cultural resources as a result of their destruction, disturbance, or alteration of historical setting would increase. However, as discussed in Chapter 3, it is extremely unlikely that full buildout would ever occur under the proposed General Plan. Therefore, an analysis of full buildout is not required by CEQA.~~

The text on page 4.6-21 is amended as follows:

~~E. Full Buildout~~

~~The full buildout anticipated under the proposed General Plan would include significantly more development than the 2035 horizon-year development projection analyzed in Section D, Impact Discussion, in terms of both the amount and the extent of development. Therefore, the potential for impacts related to geology, soils, and mineral resources would increase. However, as discussed in Chapter 3, Project Description, it is extremely unlikely that full buildout would ever occur under the proposed General Plan. Therefore, an analysis of full buildout is not required by CEQA.~~

The text on page 4.7-28 is amended as follows:

~~E. Full Buildout~~

~~The full buildout anticipated under the proposed General Plan would include significantly more development than the 2035 horizon-year development projection analyzed in Section D, Impact Discussion, in terms of both the amount and the extent of development. Therefore, the potential for impacts related to GHG emissions would increase. However, as discussed in Chapter 3, Project Description, it is extremely unlikely that full buildout would ever occur under the proposed General Plan. Therefore, an analysis of full buildout is not required by CEQA.~~

The text on page 4.8-30 is amended as follows:

~~E. Full Buildout~~

~~The full buildout anticipated under the proposed General Plan would include significantly more development than the 2035 horizon-year development projection analyzed in Section D in terms of both the amount and the extent of development. Therefore, the potential for impacts related to hazards and safety would increase. However, as discussed in Chapter 3, Project Description, it is extremely unlikely that full buildout would ever occur under the proposed General Plan. Therefore, an analysis of full buildout is not required by CEQA.~~

The text on page 4.9-29 is amended as follows:

As discussed above, it is not within Vacaville's power to require or complete maintenance and improvements to dams or levees around Vacaville that are owned and maintained by other agencies. Therefore, this impact is considered *significant and unavoidable.*

Mitigation Measures Considered but Found to be Infeasible

Requiring Alternative Building Structures

In some parts of the world, homes and other buildings are constructed such that they are raised over the surface of the soil or water. These structures are commonly known as stilt houses or pile dwellings and could provide enough clearance between the base of a dwelling or structure and potential dam inundation or levee failure waters. However, raising existing structures or requiring new structures to be constructed on stilts or piles is considered to be

infeasible because of the related expense (e.g. of retrofitting/raising existing homes and of adding extra seismic safety features to compensate for a "softer" ground floor).

Raise the Ground Level

Typically, an area is vulnerable to risks associated with dam inundation or levee failure because it is low-lying. To remedy this, the City of Vacaville could raise the ground level in at-risk areas with soil and fill materials. However, this would require temporarily moving existing structures and bringing in large amounts of soil materials, which would be an expensive and time-consuming process. Additionally, this measure would have its own environmental impacts, including increased truck traffic on local roadways from both hauling soil off-site and replacement of soil on-site; traffic congestion; increased diesel truck emissions; construction noise; and increased duration of construction. Raising the ground level would increase other environmental impacts and is therefore considered infeasible.

Move Existing Structures and Designate Vacant Areas as Open Space

To avoid exposing people and structures to risks associated with dam inundation or levee failure, the City of Vacaville could relocate existing structures from at-risk areas to other areas and then designate the at-risk areas as open space. However, by displacing people from their homes, the City would be increasing environmental impacts relating to the displacement of people and housing. In addition, designating vacant areas as open space would be a change to the proposed project. Changes to the land use plan would be an alternative to the proposed Project and not a feasible mitigation measure. Alternatives to the project that would reduce development in new growth areas are discussed in Chapter 5. For these reasons, this mitigation measure is considered infeasible.

j. Inundation by seiche, tsunami, or mudflow.

Vacaville is located approximately 10 miles from Lake Berryessa, which was formed by the Monticello Dam. ….

The text on page 4.9-31 is amended as follows:

It is not within Vacaville's power to require or complete maintenance and improvements to dams or levees around the city owned and maintained by other agencies. Therefore, the impact is considered *significant and unavoidable.*

See also *Mitigation Measures Considered but Found to be Infeasible* under Impact HYDRO-1 above.

~~E. Full Buildout~~

~~The full buildout anticipated under the proposed General Plan would include significantly more development than the 2035 horizon-year development projection analyzed in Section D, Project~~

~~Impacts, in terms of both the amount and the extent of development. Therefore, the potential for impacts to hydrology and water quality would increase. However, as discussed in Chapter 3, Project Description, it is extremely unlikely that full buildout would ever occur under the proposed General Plan. Therefore, an analysis of full buildout is not required by CEQA.~~

The text on page 4.10-22 is amended as follows:

Proposed Vacaville General Plan Policy COS-P4.1 requires new development in the area east of Leisure Town Road to maintain a 300- to 500-foot wide agricultural buffer along the eastern boundary of all residential development and existing agricultural lands. The intent of this buffer is to reduce conflicts between residential uses in the City of Vacaville and agricultural uses on designated agricultural land in Solano County. Although this buffer would take a 300- to 500-foot strip of land out of agricultural production, the County's Agriculture land use designation also "allows for secondary uses that support the economic viability of agriculture." The buffer would be consistent with this provision.

The text on page 4.10-26 is amended as follows:

~~E. Full Buildout~~

~~The full buildout anticipated under the proposed General Plan would include significantly more development than the 2035 horizon-year development projection analyzed in Section D, Impact Discussion, in terms of both the amount and the extent of development. Therefore, the potential for impacts related to land use and planning would increase. However, as discussed in Chapter 3, Project Description, it is extremely unlikely that full buildout would ever occur under the proposed General Plan. Therefore, an analysis of full buildout is not required by CEQA.~~

The text on page 4.11-36 is amended as follows:

Therefore, implementation of the proposed General Plan would result in a *less-than-significant* cumulative contribution to the regional noise environment.

3. Secondary Impacts of Mitigation Measure

Mitigation Measure NOI-1 requires the resurfacing of certain roadway segments with a quiet pavement. Roadway resurfacing is a standard maintenance procedure required on all roadways and would be conducted at some point regardless of this mitigation measure. While the mitigation measure does not specify the type of quiet pavement that must be used, typical forms of quiet pavement include: recycled rubber; open-graded friction course, which uses a special asphalt composition mix and slightly modified installation techniques to lay down a layer of asphalt that is porous; and grinding defined grooves in the roadway surface. Each of these options has a different set of possible secondary impacts, including benefits related to recycling rubber tires, as well as possible impacts related to burning fuels to run machinery to grind grooves into the pavement. However, this EIR considers impacts related to development throughout the EIR Study Area that could occur under the proposed General Plan, including impacts from related

infrastructure needs and maintenance, at a programmatic level, which is appropriate for this General Plan project and in the absence of resurfacing plans.

~~F. Full Buildout~~
~~The full buildout anticipated under the proposed General Plan would include significantly more development than the 2035 horizon-year development projection analyzed in Section E, Impact Discussion. Under these conditions, both the amount and the extent of development would be increased, which would in turn increase the potential for noise impacts. However, as discussed in Chapter 3, Project Description, it is extremely unlikely that full buildout would ever occur under the proposed General Plan. Therefore, an analysis of full buildout is not required by CEQA.~~

The text on page 4.12-11 is amended as follows:
~~E. Full Buildout~~
~~The full buildout anticipated under the proposed General Plan would include significantly more development than the 2035 horizon-year development projection analyzed in Section D, Impact Discussion, in terms of both the amount and the extent of development. Therefore, the potential for impacts related to land use and planning would increase. However, as discussed in Chapter 3, Project Description, it is extremely unlikely that full buildout would ever occur under the proposed General Plan. Therefore, an analysis of full buildout is not required by CEQA.~~

The text on page 4.13-37 is amended as follows:
ii. Quimby Act (California Government Code Section 66477)
Since the passage of the 1975 Quimby Act, cities and counties have been authorized to pass ordinances requiring that developers set aside land, donate conservation easements, or pay in-lieu fees ~~for park improvements~~. The City is considering the implementation of a Quimby Ordinance to better provide dedication of new park lands to serve new residential development. Revenues generated through the Quimby Act cannot be used for the operation and maintenance of park facilities.

iii. Lighting and Landscaping Act (California Streets and Highways Code Section 22500 et seq.)
Since 1972, the City has required special assessment districts be formed to help fund the maintenance of parks that serve new neighborhoods. These districts seek to provide 90% of the funding necessary to maintain the City's neighborhood parks, the remainder being provided through the General Fund. However, many of the existing neighborhood parks are not maintained with sufficient funding from these districts.

iv. Local Excise Taxes
Since approval of Measure I in 1988, the City has used this funding method to provide certain specific and highly desired recreational facilities, and to provide limited maintenance funding. ~~until the Measure's expiration in January 2013. Any new assessment to replace this funding~~

~~source would require approval by the local voters.~~ The measure is an excise tax that generates approximately $2.4 million per year, which is deposited into the City's General Fund. This measure expired in December 2013, but was extended an additional 25 years on the November 6, 2012 ballot.

Measure M was approved on the November 6, 2012 ballot. The measure provides a ¼-cent increase to the sales tax. The measure is a general tax and therefore the proceeds can be used for general municipal purposes, including public parks and recreation programs.

The text on page 4.13-39 is amended as follows:

ii. Vacaville General Plan – Park and Recreation Element

Vacaville's existing General Plan includes a Park and Recreation Element which provides a description of the existing park and recreation system, and general policies to guide the provision of new facilities as the City grows in population. The element is being carried forward as part of the proposed General Plan, with revisions. The Parks and Recreation Element strengthens the City's commitment to providing a high level of park and recreation services to City residents.

The text on page 4.13-39 is amended as follows:

2. Existing Conditions

Vacaville residents have access to a variety of City-owned and -operated parks and recreational facilities. This section describes the existing City parks and recreational facilities.

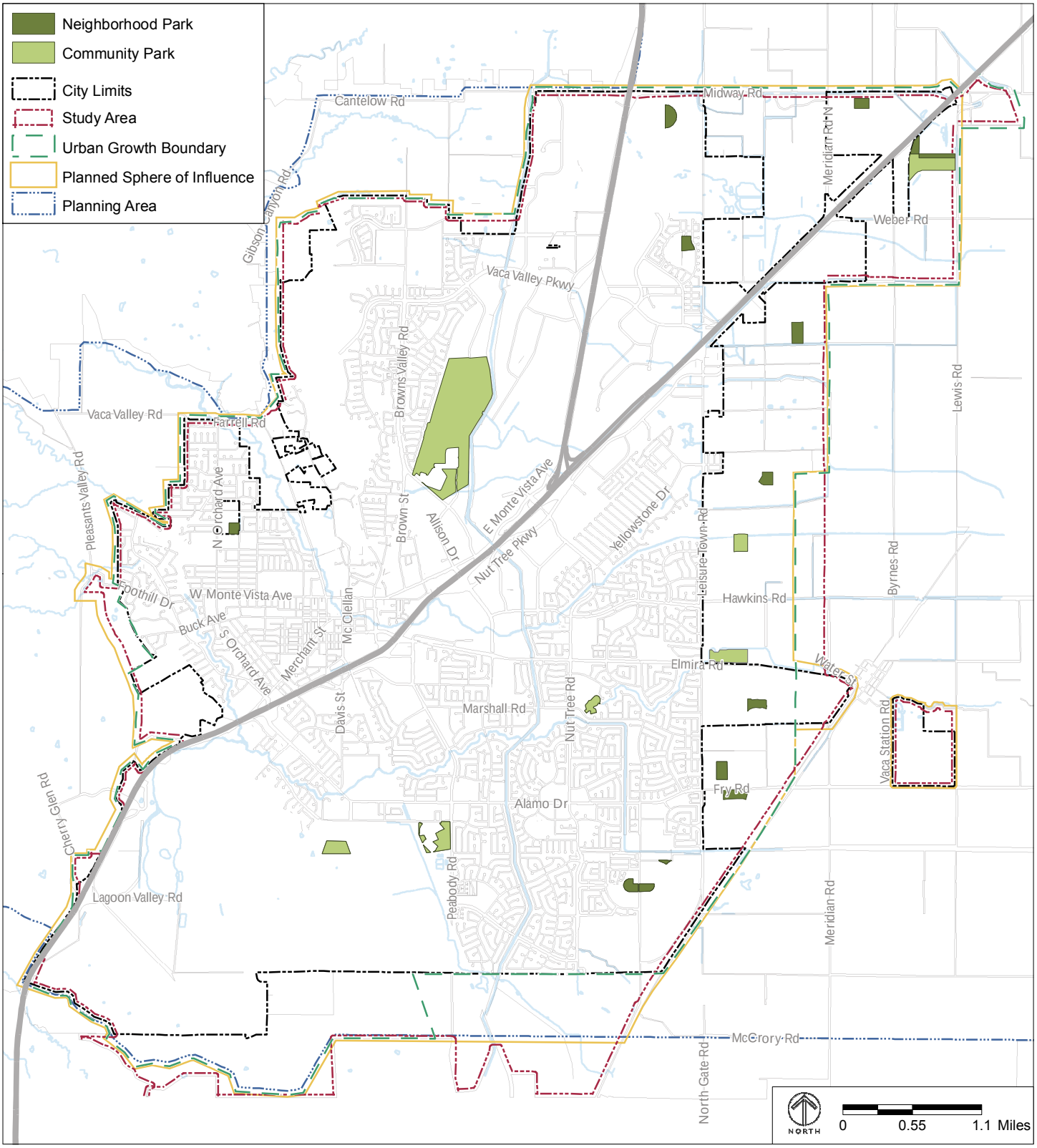
As with all sections in this Draft EIR, "existing conditions" refers to the existing built environment and/or conditions on the ground. The existing General Plan is not itself part of the existing conditions. Therefore, while the existing General Plan Parks and Recreation Element uses different park classifications (e.g. "neighborhood school park" and "city park" classifications), the existing parks and recreation facilities are described in this section using the park classifications that are used in the updated General Plan. This facilitates appropriate comparisons between existing conditions and the proposed project.

Figure 4.13-6 on page 4.13-51 has been edited and replaced to correct the boundary of Elmira Park, as shown on the following page.

The text is on page 4.13-55 is amended as follows:

~~F. Full Buildout~~

~~The full buildout anticipated under the proposed General Plan would include significantly more development than the 2035 horizon-year development projection analyzed in Section D, Impact Discussion, in terms of both the amount and the extent of development. Therefore, the potential for impacts related to land use and planning would increase. However, as discussed in Chapter 3, Project Description, it is extremely unlikely that full buildout would ever occur under the proposed General Plan. Therefore, an analysis of full buildout is not required by CEQA.~~



Source: City of Vacaville, 2010.

FIGURE 4.13-6
PLANNED PARKS

The text on page 4.14-4 is amended as follows:

The Metropolitan Transportation Commission (MTC) is the transportation planning, coordinating, and financing agency for the nine counties in the Bay Area, including Solano County. It also functions as the federally mandated metropolitan planning organization (MPO) for the region. MTC authored the ~~current~~ regional transportation plan known as *Transportation 2035* that was adopted on April 22, 2009. *Transportation 2035* specifies a detailed set of investments and strategies throughout the region from 2010 through 2035 to maintain, manage, and improve the surface transportation system, specifying how anticipated federal, State, and local transportation funds will be spent. The projects included in the 2035 Plan that will most directly affect the proposed Vacaville General Plan are:

The text on page 4.14-5 is amended as follows:

- Widening of Interstate 80 to add an express lane in each direction from the Yolo County line to State Route 37.

During the preparation of this EIR, an updated regional transportation plan was adopted. *Plan Bay Area* is an integrated land use and transportation strategy and includes both the Sustainable Communities Strategy as required by Senate Bill 375 and the 2040 Regional Transportation Plan. Besides the projects identified above, the following *Plan Bay Area* projects would also directly affect the proposed Vacaville General Plan:

- Implementation of I-80/Lagoon Valley Road Interchange Improvements, which entails widening of overcrossing and ramps as well as signalization.
- Implementation of I-505/Vaca Valley Parkway Interchange Improvements, which includes roadway and ramp widening and signalization.
- Expansion of bicycle and pedestrian facilities to be consistent with Countywide Pedestrian Plan and Countywide Bicycle Plan, as well as the MTC regional bicycle plan.

MTC has established its policy on Complete Streets in the Bay Area. The policy states that projects funded all, or in part, with regional funds (e.g. federal, State Transportation Improvement Program, bridge tolls) must consider the accommodation of bicycle and pedestrian facilities, as described in Caltrans Deputy Directive 64. ….

b. Association of Bay Area Governments

The Association of Bay Area Governments (ABAG) is the regional planning agency for the nine counties of the Bay Area, including Solano County. It primarily deals with land use, housing, environmental quality, and economic development issues, which are often closely connected to transportation. ABAG prepares forecasts of employment and population ~~(ABAG *Projections*)~~ approximately every two years. The ABAG forecasts ~~Projections~~ serve as the basis for regional

travel forecasts and transportation programming. The last adopted forecast was published in August 2009. With the adoption of *Plan Bay Area* in July 2013, the ABAG forecast has become part of this integrated plan.

The text on page 4.14-6 is amended as follows:

As the designated Congestion Management Agency, STA works with jurisdictions within the county, including Vacaville, to identify locations where periodic congestion monitoring would occur as required by the State's congestion management program (CMP) legislation. The major goals of the CMP are to maintain mobility on Solano County's streets and highways, and to ensure the County's transportation system operates effectively as part of the larger Bay Area and northern California transportation systems. State law requires that level of service standards be established as part of the CMP process. The purpose of setting level of service standards for the CMP system is to provide a quantitative tool to analyze the effects of land use changes and to the system's performance (i.e. congestion). CMP roadways are subject to biannual monitoring. If the actual system performance falls below the standard ~~(i.e., congestion worsens to LOS F),~~ actions must be taken to improve the level of service.

STA also maintains a Solano/Napa Travel Demand Model to evaluate and project future traffic growth in the region. Traffic volume forecasts from the Solano/Napa Model are used to analyze regional transportation projects. The Solano/Napa Model maintains consistency with the population, housing, and employment projections developed by ABAG and the transportation network of the Regional Transportation Plan.

The text on page 4.14-34 is amended as follows:

For intersections and ~~Congestion Management~~ roadway segments ~~in~~ on the Solano County Congestion Management System:

- Cause an intersection to degrade to below LOS C except where the existing level of service is below LOS C; at which point the project should not decrease the existing level of service.
- Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the County congestion management agency for designated roads or highways. According to Section III, CMP System Performance Element, of the Solano County Congestion Management Program, the project impact is considered significant if the project-generated traffic would:
  - ~~Cause Interstate 80 between Post Mile 23.03 and 24.08 (segment between Pena Adobe Road and Alamo Drive) to degrade below LOS E.~~
  - ~~Cause Interstate 80 between Post Mile 28.359 and 32.691 (segment between interstate 505 interchange and Leisure Town Road) to degrade below LOS F.~~

- Cause the following roadway segments to degrade below LOS E:
  - Interstate 80 between Post Mile 23.03 (Cherry Glen Road) and 24.08 (Pleasants Valley Road). All other adjacent segments of Interstate 80 have a CMP LOS standard of LOS F, including Interstate 80 west of Cherry Glen Road to Highway 12 West in Fairfield, and Interstate 80 east of Pleasants Valley Road to Highway 113 South in Dixon.
  - Interstate 505 between Interstate 80 and the county line.
  - ~~Vaca Valley Road between Interstate 505 and Interstate 80.~~
  - Elmira Road between Leisure Town Road and ~~A Street in the town of Elmira~~ the Vacaville city limits.
  - Peabody Road between California Drive and Fairfield City Limits.
  - Vaca Valley Parkway between Interstate 80 and Interstate 505.
- Cause the following roadway ~~Vanden Road~~ segments ~~between Leisure Town Road and Peabody Road~~ to degrade below LOS D:~~.~~
  - Vanden Road between Peabody Road and Leisure Town Road.

For the purposes of this study, the City of Vacaville considers the project impact to be significant if the project-generated traffic would cause any intersection or road segment on the Congestion Management System to degrade from LOS E or better to LOS F, even if the CMP LOS standard for that segment is LOS F. This standard is more stringent than the LOS standards established by the CMP.

The text on page 4.14-40 is amended as follows:

Mitigation measures are described in terms of the party responsible for implementation and the required action. If a transportation improvement ~~mitigation measure~~ is included in the proposed General Plan Transportation Element, it is considered to be part of the proposed project and is assumed to be able to be implemented as part of the project rather than as a mitigation measure. For these transportation improvements~~mitigation measures~~, implementation is assumed regardless of funding status, however, as described on pages 4.14-36 to 4.14-37, transportation improvements considered part of the project only include improvements that are identified in the City's Development Impact Fee Program and improvements that would be constructed as development conditions of approval. ~~and the impact after mitigation is considered to be less than significant~~.

The text on page 4.14-69 is amended as follows:

b. Conflicts with Applicable Congestion Management Programs

Selected freeway and roadway segments on the CMP system were assessed to determine compliance with CMP standards. The results for roadway segments are presented in Table 4.14-11. The analysis results for the selected CMP freeway mainline segments are presented in Table 4.14-12.

…

Cumulative 2035 traffic, including the proposed General Plan, would cause two freeway segments on Interstate 80 to operate ~~below the LOS E standard~~ at LOS F. The CMP LOS standard for both of these segments is LOS F. Traffic operations on Interstate 505 would not be worse than the CMP LOS standard of LOS E. Therefore, there would be no significant impacts relative to the Solano County CMP standards of significance. However, the City of Vacaville has established a standard of significance for this study such that a significant impact is identified when the LOS on a CMP segment degrades from LOS E or better to LOS F. Therefore, significant impacts are identified on the two study segments of Interstate 80 where LOS F operations are projected.

While development allowed by the proposed General Plan would contribute to impacts on freeway segments, similar impacts and levels of service on freeway segments would likely result from cumulative regional development with or without the proposed General Plan. The Solano County Congestion Management Program provides the means to monitor these regional impacts. Project-specific environmental assessments provide the means to assess the contributions that local land use developments would make to these cumulative impacts.

The text on page 4.14-76 is amended as follows:

2. Cumulative Impacts

The traffic levels predicted in 2035 and evaluated in Section E.1, Project Impacts, are based on cumulative traffic conditions that take into account cumulative development in the region, including development within other parts of Solano County, the Bay Area and the Sacramento area. Therefore, the analysis in Section E.1 addresses cumulative impacts.

3. Secondary Impacts of Mitigation Measures

Mitigation Measures TRAF-1 through TRAF-34, which consist primarily of signalization, signal timing modification, lane restriping and/or roadway widening, would not result in significant secondary impacts. Roadway widening may increase pedestrians' exposure to vehicles; however, since these locations will be signalized with pedestrian crosswalks and signals complying with established standards for operations and safety, there will be no additional safety impacts. These mitigation measures may cause other secondary environmental impacts, such as impacts on bio-

logical resources and water quality resulting from land disturbance during construction. These impacts have been addressed at a programmatic level, which is appropriate for this General Plan project and in the absence of detailed street improvement plans. Additional CEQA review will completed as necessary once detailed street improvement plans become available prior to implementation of individual projects.

~~F. Full Buildout~~

~~The full buildout allowed under the proposed General Plan would include significantly more development than the 2035 horizon-year development projection analyzed in Section E, Impact Discussion, in terms of both the amount and the extent of development. Therefore, the potential for impacts related to traffic and transportation would increase. Environmental impacts related to additional mitigation that may be required for development beyond the 2035 horizon year would be subjected to future environmental assessment. However, as discussed in Chapter 3, Project Description, it is extremely unlikely that full buildout would ever occur under the proposed General Plan. Therefore, an analysis of full buildout is not required by CEQA. Information on full buildout conditions is available in the Land Use Alternatives Evaluation Workbook prepared by the City of Vacaville.~~

The text on page 4.15-19 is amended as follows:

a) New/Modified/Relocated Transmission and Distribution System Water Mains

New/modified/relocated transmission and distribution system water mains (pipelines) are anticipated by 2035 to ensure water is conveyed throughout the city to meet the City's level of service requirements. Some of these pipeline improvements would be funded from development impact fees while others would be completely funded by developer improvements.

Some transmission water mains are necessary to convey flow from the expanded NBR Plant to the city, while others provide transmission between sectors of the city. ~~Additionally, s~~Some distribution waters mains provide complete loops and improved network distribution. Additionally, future development in the East of Leisure Town Road Growth Area could require the relocation of existing water lines owned by SID.

The text on page 4.15-54 is amended as follows:

~~F. Full Buildout~~

~~The full buildout anticipated under the proposed General Plan would include significantly more development than the 2035 horizon-year development projection analyzed in the impact discussion sections in terms of both the amount and the extent of development. Therefore, the potential for impacts related to utilities would increase. However, as discussed in Chapter 3, Project Description, it is extremely unlikely that full buildout would ever occur under the proposed General Plan. Therefore, an analysis of full buildout is not required by CEQA.~~

The text on page 5-4 is amended as follows:

The City considered this alternative, but ultimately rejected it because it did not provide a significantly different land use approach from the other alternatives that were considered; thus, it would not avoid the significant impacts of the proposed project any more than what was already being considered. In addition, the Steering Committee and City Council were not supportive of the "town square" approach of the Village Alternative because of the possibility that it might detract from the Downtown; thus, it failed to meet the Downtown-related project objectives.

The text on page 5-6 is amended as follows:

The No Project Alternative would also not include the new policies and actions in the proposed General Plan that support agriculture, including policies to support the preservation of land under Williamson Act contracts within the Vacaville Planning Area; to encourage the continued agricultural use of land within the ~~Permanent Agriculture Overlay Area and~~ Planning Area; to work cooperatively with non-profit organizations, such as land trusts, to preserve agricultural land in the ~~Permanent Agriculture Overlay~~ Planning Area; to adopt an in-lieu fee to mitigate for the loss of agricultural lands; and to adopt a right-to-farm ordinance.

The text on page 6-2 is amended as follows:

Specifically, proposed General Plan Policy LU-P2.4 protects local agricultural land by requiring conservation easements ~~in the Permanent Agriculture Overlay Area~~.