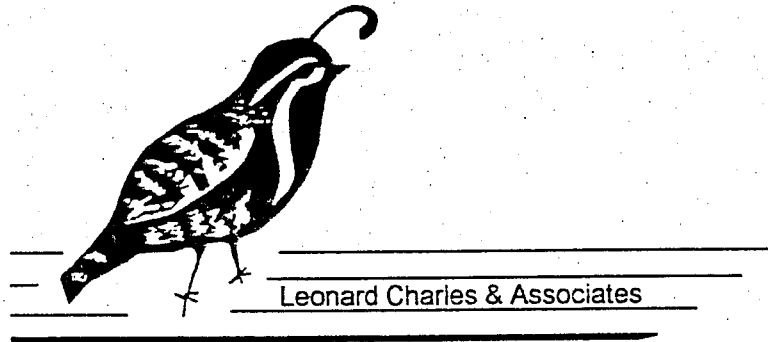


# SOUTHWEST DIXON SPECIFIC PLAN



## FINAL ENVIRONMENTAL IMPACT REPORT

SCH No. 200204237

# **SOUTHWEST DIXON SPECIFIC PLAN FINAL ENVIRONMENTAL IMPACT REPORT**

**March 2004**

**SCH No. 2002042037**

**Prepared for:** City of Dixon  
600 East A Street  
Dixon, California 95620

**Prepared by:** Leonard Charles and Associates  
7 Roble Court  
San Anselmo, California 94960  
415.454.4575

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## **PROJECT DESCRIPTION**

The Specific Plan project applicant, Southwest Area Landowners Group, has submitted the Southwest Dixon Specific Plan and related documents (*Draft Preliminary Capital Improvement Program, Draft Drainage Master Plan Report, Draft Water Master Plan Report, Draft Sanitary Sewer Master Plan Report, and Draft Solano Irrigation District (SID) Irrigation Master Plan Report*) for City approval. Concurrently, five property owners in the Specific Plan area (Andrews Dixon LLC, Weyand, Garcia, Sanders and Clark) have submitted individual development applications for their properties.

## **EIR PROCESS AND FEIR FORMAT**

A Draft Environmental Impact Report (DEIR) was prepared for the Draft Specific Plan and the five project applications and submitted for public and agency review on April 23, 2003; the public review period closed on June 6, 2003. This Final EIR (FEIR) includes all written comments submitted on the DEIR during the 45-day public review period and responses to those comments. Changes to the text of the DEIR in response to public comments are also included. These comments, responses, and revisions, together with the April 2003 DEIR, (incorporated herein by reference) constitute the Final EIR for the proposed Specific Plan and the five development applications. This Final EIR must be reviewed by the Dixon City Council (the "Council") and certified as being legally adequate (per CEQA) by the Council prior to the Council taking action on the Specific Plan or the five project applications.

The EIR preparers and City of Dixon staff believe that this document along with the earlier Draft EIR provide a thorough discussion of the major impacts and issues related to the projects. Areas in which commenters expressed disagreement with the conclusions of the DEIR are clearly set forth in this document to allow City decisionmakers to make an informed decision.

This FEIR begins with the comment letters received and responses to the comments contained in those letters. The second part of the FEIR contains a summary of the recommended DEIR text changes resulting from the comments. Finally, there is a revised Impact and Mitigation Summary Table (i.e., a revision of the DEIR impact and Mitigation Summary Table).

## **WRITTEN COMMENTS ON THE DEIR**

Twelve comment letters were submitted during the public review period. Seven of these letters were from public agencies and five letters were from the Southwest Landowners Group (including Specific Plan Area property owners, developers, or their consultants). Four letters were received after the close of the public review period. Though the City is not required to respond to these comment letters, City staff has directed the EIR preparers to include those four letters and to respond to them. Three of the four late letters were from public agencies, and one from an attorney representing a plan area landowner.

The following section of this report contains the letters received. This section begins with a list of the commenters and where their letter can be found as well as the EIR preparers' response to the comments. Each letter is followed by a response page(s). Each comment requiring response is numbered to correspond to the numbered responses. The letters have been organized so that comment letters from public agencies are placed first. Letters from individuals and organizations follow agency letters, with the four late letters at the end.

The EIR preparers have recommended changes to the DEIR text in response to some of the recommendations made in the comment letters. Where changes to the text are recommended, this FEIR denotes those changes by using strikeouts to show the text to be deleted and underlining to show the text to be added.

### List of Commenters on the Draft EIR

<u>Commenter</u>	<u>Date</u>	<u>Comment Page</u>	<u>Response Page</u>
<u>Public Agency Comments</u>			
A. Office of Planning and Research	6/09/03	3	6
B. Office of Planning and Research	6/10/03	5	6
C. California Department of Toxic Substances Control	4/25/03	7	8
D. California Department of Conservation	5/30/03	9	12
E. California Department of Transportation	6/05/03	14	17
F. California Regional Water Quality Control Board, Central Valley Region	6/06/03	20	22
G. California Regional Water Quality Control Board, Central Valley Region	6/09./03	23	31
H. Dixon Unified School District	5/30/03	32	34
I. Yolo-Solano Air Quality Management District	6/06/03	35	37
<u>Southwest Landowners Group</u>			
J. Bridgette Williams, Nolte Associates	6/06/03	39	62
K. William F and Elaine H. Clark	6/05/03	86	99
L. Jay Ryder, Ryder Homes of California, Inc.	6/05/03	108	113
M. Edward L. Shaffer, Archer-Norris	6/05/03	114	133
N. David Dolter, Western Pacific Housing	6/05/03	149	155
<u>Late Letters</u>			
O. Solano County Transportation Department	6/20/03	161	162
P. Solano Irrigation District	6/25/03	163	164
Q. Dixon-Solano Municipal Water Service	6/25/03	165	167
R. Donald S. Frick	7/13/03	169	171



Gray Davis  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse



Tal Finney  
Interim Director

June 9, 2003

Stephen Streeter  
City of Dixon  
600 East A Street  
Dixon, CA 95620

Subject: Southwest Dixon Specific Plan Update and Tentative Maps  
SCH#: 2002042037

Dear Stephen Streeter:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on June 6, 2003, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

A1

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts  
Director, State Clearinghouse

RECEIVED  
JUN 10 2003

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2002042037  
**Project Title** Southwest Dixon Specific Plan Update and Tentative Maps  
**Lead Agency** Dixon, City of

---

**Type** EIR Draft EIR  
**Description** The project consists of a Specific Plan for a 477 acre area in the southwest portion of the City of Dixon. A Specific Plan for this area was originally written in 1995. A landowners group in the area requested changes to that plan, including reconfiguration of land uses, circulation, and zoning designation changes to the Storm Drainage Master Plan, and amendments to the Development Regulations. In addition, applications for five development projects within the Specific Plan area have been submitted to the City. These proposed development projects are also evaluated in the project EIR.

---

**Lead Agency Contact**

**Name** Stephen Streeter  
**Agency** City of Dixon  
**Phone** 707 678-7000 **Fax**  
**email**  
**Address** 800 East A Street  
**City** Dixon **State** CA **Zip** 95620

---

**Project Location**

**County** Solano  
**City** Dixon  
**Region**  
**Cross Streets** I-80, West A Street, Pitt School Road  
**Parcel No.** 114-011-010,-020,-030,-040;114-011-040-040;114-012-040, 114-040-020, and 114-154-060  
**Township** 7N **Range** 1E **Section** 21,22 **Base** Dixon

---

**Proximity to:**

**Highways** I-80, SR113  
**Airports**  
**Railways** Southern Pacific  
**Waterways**  
**Schools** Silveyville Elem., Claremont Elem., Jacobs Middle  
**Land Use** Highway Commercial, General Commercial, Office Professional, Industrial (Employment Center), Low Density Residential, Medium Density Low Residential, Medium Density High Residential, Park, Elementary School, Functional Buffer, Agricultural, Open Space

---

**Project Issues** Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Growth Inducing; Landuse; Cumulative Effects

---

**Reviewing Agencies** Resources Agency; Department of Conservation; Department of Fish and Game, Region 2; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 4; Department of Housing and Community Development; Department of Food and Agriculture; Regional Water Quality Control Bd., Region 5 (Sacramento); Department of Toxic Substances Control; Native American Heritage Commission

---

**Date Received** 04/23/2003 **Start of Review** 04/23/2003 **End of Review** 06/06/2003

---



Gray Davis  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse



Tal Finney  
Interim Director

June 12, 2003

Stephen Streeter  
City of Dixon  
600 East A Street  
Dixon, CA 95620

Subject: Southwest Dixon Specific Plan Update and Tentative Maps  
SCH#: 2002042037

Dear Stephen Streeter:

The enclosed comment (s) on your Draft EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on June 6, 2003. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document. **B1**

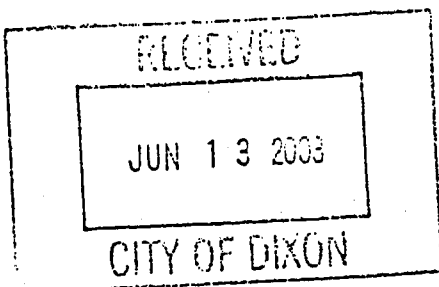
The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2002042037) when contacting this office.

Sincerely,

Terry Roberts  
Senior Planner, State Clearinghouse

Enclosures  
cc: Resources Agency





**Response to Letter from California Office of Planning and Research**

- A1. This letter acknowledges the completion of the public review period. No response is required for this letter.

**Response to Second Letter from California Office of Planning and Research**

- B1. This letter accompanied a late response to the DEIR. No response is required for this letter.



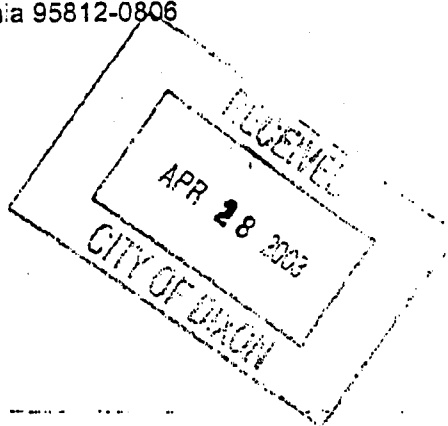
Department of Toxic Substances Control



Edwin F. Lowry, Director  
1001 "I" Street, 25<sup>th</sup> Floor  
P.O. Box 806  
Sacramento, California 95812-0806

Winston H. Hickox  
Agency Secretary  
California Environmental  
Protection Agency

Gray Davis  
Governor



April 25, 2003

Stephen Streeter  
City of Dixon  
600 East A Street  
Dixon, California 95620

Re: Southwest Dixon Specific Plan Update and Tentative Maps

C1

The Department of Toxic Substances Control (DTSC) is in receipt of the environmental document identified above. Based on a preliminary review of this document, we have determined that additional review by our regional office will be required to fully assess any potential hazardous waste related impacts from the proposed project. The regional office and contact person listed below will be responsible for the review of this document in DTSC's role as a Responsible Agency under the California Environmental Quality Act (CEQA) and for providing any necessary comments to your office:

James Tjosvold  
Site Mitigation Branch  
8800 Cal Center Drive  
Sacramento, California 95826-3268

If you have any questions concerning DTSC's involvement in the review of this environmental document, please contact the regional office contact person identified above.

Sincerely,

*Guenther W. Moskat*  
Guenther W. Moskat, Chief  
Planning and Environmental Analysis Section

cc: James Tjosvold  
Site Mitigation Branch  
8800 Cal Center Drive  
Sacramento, California 95826-3268

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at www.dtsc.ca.gov.*

**Response to Letter from Guenther. W. Moskat, California Department of Toxic Substances Control**

- C1. The Department indicated that it would provide future comments on the DEIR. No additional comments were submitted. No additional response is required.



DEPARTMENT OF CONSERVATION  
STATE OF CALIFORNIA

RECEIVED  
JUN - 5 2003

May 30, 2003

DIVISION OF  
LAND RESOURCE  
PROTECTION

■ ■ ■

801 K STREET  
SACRAMENTO  
CALIFORNIA  
95814

PHONE  
916/324-0850

FAX  
916/327-3430

INTERNET  
consrv.ca.gov

■ ■ ■

GRAY DAVIS  
GOVERNOR

Mr. Stephen Streeter, Community Development Director  
City of Dixon  
600 East A Street  
Dixon, CA 95620

Subject: Southwest Dixon Specific Plan Draft Environmental Impact Report  
(DEIR) - SCH# 2002042037, Solano County

Dear Mr. Streeter:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the DEIR for the referenced project. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following recommendations with respect to the project's impacts on agricultural land and resources.

Project Description

The Specific Plan (SP) area consists of five project sites within the 477-acre SP area involving commercial, industrial, single-family and multi-family residential and public facilities development. The planned buildout period is 20 years. The SP area is located within the City of Dixon (City) and is bounded by Interstate 80 on the west, West A Street on the north, Pitt School Road along most of the east boundary and the City limits on the south. Surrounding land use is residential and commercial to the north and east and agricultural and rural residential to the south and west. Current use of the site is mostly agriculture (e.g., tomatoes, alfalfa, corn, oat hay and vine seed).

Development of the SP area will remove approximately 475 acres of Prime Farmland, which is considered a significant impact for the SP and the five projects. The DEIR proposes mitigation of this land conversion by each developer acquiring off-site land or paying a fee to the City's master agricultural conversion program as was required for a project development within the Northeast Dixon Specific Plan area. Cumulative and growth-inducing impacts are also considered significant, but no additional mitigation is proposed. According to the DEIR, implementation of the

D1

City's Right to Farm Ordinance and buffer areas, among other mitigations, will reduce conflicts with adjacent farming to less than significant.

The SP area contains six parcels totaling over 150 acres under Williamson Act contracts held by four landowners. The DEIR acknowledges the requirement to terminate the contracts prior to development of the parcels but does not consider this a significant impact. D2

#### Williamson Act Lands

The City appears to be familiar with the requirement to notify the Department regarding proposed cancellation of a Williamson Act contract as well as the requirement to make specific findings in order to approve the cancellation. It should be noted that, as a general rule, land can be withdrawn from Williamson Act contract only through the nine-year nonrenewal process. Immediate termination via cancellation is reserved for "extraordinary", unforeseen situations (See Sierra Club v. City of Hayward (1981) 28 Cal.3d 840, 852-855). Furthermore, it has been held that "cancellation is inconsistent with the purposes of the (Williamson) Act if the objectives to be served by cancellation should have been predicted and served by nonrenewal at an earlier time, or if such objectives can be served by nonrenewal now" (Sierra Club v. City of Hayward). D3

The DEIR explains that only one of the Williamson Act landowners has filed for nonrenewal, which begins in 2003. However, planning for development of the SP area presumably began some time ago. In light of Sierra Club v. City of Hayward, it may be that nonrenewal of the involved contracts should have been initiated by either the City or the landowners some time ago. Further, considering a buildout of 20 years, nonrenewal may be appropriate now, and cancellation may not be the appropriate method for contract termination in this case. The Department recommends that the FEIR present the City's plan for termination of the involved contracts in light of Sierra Club v. City of Hayward. If the plan is cancellation, we recommend a discussion as to how the required findings can be met. Required notification to the Department, however, must be submitted separately.

The DEIR states that some of the public infrastructure for the SP area is proposed as development on Williamson Act property and that such public improvements could be permitted under a Williamson Act contract if the City adopts a resolution that the public improvements are compatible with agricultural use (page 237). Compatible uses on contracted land must be consistent with principals of compatibility in Government Code §51238.1 and the particular contract involved. Improvements such as parks, roads, walkways, fire stations, water treatment facilities, etc. are generally not considered compatible uses. The City appears to have recognized this in its decision to relocate the Southwest Water Facility onto noncontract land. The Department recommends that D4

Mr. Stephen Streeter  
May 30, 2003  
Page 3 of 3

the FEIR specify the improvements that will be located on contract land and discuss how findings supporting compatibility can be made.

A public agency may acquire Williamson Act contract land for a public improvement according to provisions of Government Code §§51290-51292 and 51295. The Department must be notified in advance of any proposed public acquisition, and specific findings must be made. The property must be acquired by eminent domain or in lieu of eminent domain in order to void the contract. The public agency must consider the Department's comments prior to taking action on the acquisition. The Department recommends that the FEIR specify the Williamson Act land in the SP area that may be acquired by the City or other public agency and discuss how the findings can be made and how the property would be acquired by eminent domain or in lieu of eminent domain. Required notification to the Department, however, must be submitted separately. D5

#### Mitigation Measures

The Department supports the City's proposed mitigation for the SP conversion of agricultural land. We recommend that the FEIR provide specifics as to the quality and quantity of land that will qualify for mitigation and recommend that the land be of at least equal quality and quantity as that converted. We also recommend that the FEIR specify the alternative fee calculation and the requirements that will prevail if implementation of the master agricultural conservation program is delayed. Finally, we recommend that mitigation for habitat not diminish the amount of mitigation land available for agricultural use. D6

Thank you for the opportunity to comment on this DEIR. Pursuant to Public Resources Code §21092.5(a), the Department looks forward to receiving your response and a copy of the FEIR. If you have questions on our comments, or require technical assistance or information on agricultural land conservation, please contact Bob Blanford at 801 K Street, MS 13-71, Sacramento, California 95814; or, phone (916) 327-2145.

Sincerely,



Erik Vink  
Assistant Director

cc: Dixon Resource Conservation District  
1170 North Lincoln, #110  
Dixon, CA 95620

## Response to Letter from Erik Vink, California Department of Conservation

- D1. This comment summarizes the findings of the DEIR. Since no questions are asked regarding the DEIR, no additional response is required or possible.
- D2. The comment summarizes the conclusions of the DEIR. Since no questions are asked regarding the DEIR, no additional response is required or possible.
- D3. The DEIR describes how development of properties under Williamson Act contracts cannot be approved until such time as the contracts are ended or cancelled. It is not the role of an EIR to explain how applicants or local agencies may handle requests to cancel such contracts. Identifying the findings a local agency may use to justify cancellation of Williamson Act contracts is also not a task for an EIR. Such decisions are policy matters for local agencies to decide.

The City states that it had the right to terminate Williamson Act contracts in the plan area at the time the plan area was annexed to the City in 1996. Because Resolution No. 9553 that completed the annexation did not make reference to the Williamson Act contracts (though the Dixon City Council did file the required protests at the time the contracts were first approved), the Dixon City Council adopted Resolution Nos. 03-159 and 03-160 on July 22, 2003. These resolutions find that the Williamson Act contracts on the lands owned by Mary A. Azevedo and William and Elaine Clark are null and void. These resolutions thus address the issue as regards the Clark Ranch Estates property and the Azevedo property.

Two other properties (Schroeder and Steil properties) were also under Williamson Act contracts prior to annexation to the City. Because the Specific Plan, as proposed, does not include development of those properties, the City has taken no position on the status of those contracts. The City could determine the status of those contracts at the time a formal development application is submitted for one or both of those properties.

- D4. Improvements currently proposed for lands that were subject to Williamson Act contracts at the time of annexation to the City include:
- As shown on Figures 9 and 15 and described on pages 17-18 of the DEIR, the Clark Ranch Estates/Clark Property-Ryder Homes Development includes 54 single-family homes, a 1.4 acre detention basin, a 0.1 acre public access/drainage utility easement, a portion of the proposed South Parkway, a part of the southern end of Evans Road, and a series of internal circulation public streets. All these improvements would be on the Clark property, which was under a Williamson Act contract at the time of annexation to the City. However, as noted above, the City has determined that the Williamson Act contract on this property is now null and void.
  - A portion of the South Parkway (about 1,300 feet) would be constructed on the Steil property at the time that property is developed (that is, not as part of the current subdivision applications). The Southwest Facility (well and pumps) would

be constructed on this property. However, the EIR recommends relocation of the Southwest Facility to another location.

- A portion of the North Parkway (about 1,300 feet) would be constructed across the Azevedo property. However, as noted above, the City has determined that the Williamson Act contract on this property is now null and void.
- Water, wastewater, drainage, and other utility lines would also cross the three properties listed above. However, all these pipes and lines would be constructed within the new street rights-of-way, so there would be no additional loss of agricultural land resulting from their construction.

Regarding the findings the City may need to make to allow construction of some of these infrastructure improvements, as noted under Response D3 such findings involve policy matters that are not decided as part of the EIR process.

- D5. The City is not proposing to acquire Williamson Act contract properties. If and when the City were to propose such acquisition, it would need to comply with the requirements set forth in this comment.
- D6. A minimum replacement ratio of 1:1 is considered appropriate mitigation. The replacement land would be of the same quality as that which would be developed on the plan area. The fee program would use these guidelines to establish appropriate fees.



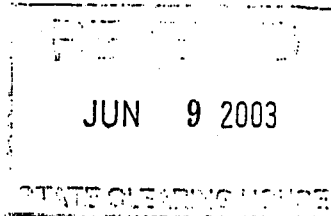
DEPARTMENT OF TRANSPORTATION

P. O. BOX 23660  
OAKLAND, CA 94623-0660  
(510) 286-4444  
(510) 286-4454 TDD



Flex your power!  
Be energy efficient!

June 5, 2003



Clear  
6-6-03  
lcc/e

SOL-80-35.55  
SOL080315  
SCH2002042037

Mr. Stephen Streeter  
Community Development Director  
City of Dixon  
600 East A Street  
Dixon, CA 95620-3697

Dear Mr. Streeter:

**SOUTHWEST DIXON SPECIFIC PLAN – DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)**

Thank you for including the California Department of Transportation (Department) in the environmental review process for the above-referenced project. We have reviewed the DEIR and have the following comments to offer:

**Highway Operations**

- 1. Page 114, item B states that the Solano County Congestion Management Plan's capacity threshold for State Route 113 (SR-113) is level of service (LOS) F. This is not consistent with the Department's LOS threshold included in the Department's "Guide for the Preparation of Traffic Impact Studies", which is the transition between LOS C and D. Please see our guide at the following website for more information: <http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf> **E1**
- 2. Due to the project's substantial trip generation, analytical scenarios should assess impacts to Interstate 80 (I-80) and recommend mitigation for any needed improvements. **E2**
- 3. Although the Pitt School Road/Westbound I-80 ramps and Pitt School Road/Avery intersections are described on page 129, Impact 3.4-F, as operating worse than the LOS threshold, no specific mitigation measures for these intersections are addressed. The mitigation measure only states that each project will prepare a project-specific traffic analysis. Mitigation should be recommended. **E3**
- 4. Queuing at the study intersections should also be assessed to determine if there is adequate spacing to accommodate project-generated traffic, and should be included in each project-specific traffic study. **E4**

5. Impact and mitigation measure 3.4-J indicates that segments of SR-113 would operate below acceptable LOS thresholds and that this impact would remain significant because right-of-way (R/W) constraints make needed improvements infeasible. Why would development of this scale be allowed to occur with no means of providing acceptable access? E5

**Traffic**

1. Please furnish signal warrants that satisfactorily justify installation of traffic signals at West A Street/Batavia Road, and Pitt School Road/Eastbound I-80. E6
2. Improvements made within the State R/W as a result of new commercial or residential development should provide a minimum of two turning lanes to accommodate traffic volumes that exceed 300 vehicles per hour per lane. E7

**Design**

The City of Dixon should coordinate with the Department when approving development along I-80 adjacent to and within the Department's proposed widening project on I-80 from six to eight lanes between Meridian Road overcrossing and Pedrick Road overcrossing. Additional R/W may be required for this project. E8

**Noise**

The Department encourages all future developments adjacent to existing state highway facilities to be compatible with the noise environment of the area. The noise abatement criteria established in the Federal Highway Administration's "Procedures for Abatement of Highway Traffic Noise and Construction Noise (23 CFR 772)" and "Caltrans Noise Analysis Protocol" should be used to evaluate the freeway traffic noise impacts to noise-sensitive developments, which include residential uses, parks, outdoor recreation areas, motels, hotels, schools, churches, libraries, and hospitals. Noise abatement measures should be recommended where noise impacts are identified. E9

**Hazardous Waste**

If any project will impact the Department's R/W, the aerially deposited lead contamination present within the unpaved shoulder areas of the roadways will need to be addressed. Aerially deposited lead contamination is a result of historic vehicle emissions when leaded gasoline was in use. All appropriate regulatory requirements must be met. E10

**Water Quality**

The contractor shall propose mitigation to address the temporary water quality impacts during construction and post-construction. Following are the requirements that are applicable to all construction/improvement projects within the Department's R/W: E11

1. Projects shall adhere to the conditions of the Department's statewide National Pollutant Discharge Elimination System (NPDES) Permit CAS #000003, Order #99-06-DWQ, issued by the State Water Resources Control Board (SWRCB). Adherence to the compliance requirements of the NPDES General Permit CAS #000002, Order #99-08-DWG, for General Construction Activities is also required. Copies of these permits may be obtained from the SWRCB website at: <http://www.swrcb.ca.gov>

2. The contractor shall implement a Storm Water Pollution Prevention Plan (SWPPP) during construction to comply with the conditions of the Department's NPDES Permit and address the temporary water quality impacts resulting from the construction activities in this project. A template of SWPPP may be downloaded from the Department's website at: <http://www.dot.ca.gov/hq/construc/>
3. The project should incorporate Best Management Practices in accordance with the Project Planning and Design Guide (PPDG). The PPDG can be obtained from the following website: <http://projdel/design/stormwater.asp>

Please be advised that any work or traffic control within the State R/W will require an encroachment permit from the Department. To apply for an encroachment permit, submit a completed encroachment permit application, environmental documentation, and five (5) sets of plans (in metric units) which clearly indicate State R/W to the following address:

E12

Mr. Sean Nozzari, District Office Chief  
Office of Permits  
California Department of Transportation, District 04  
P. O. Box 23660  
Oakland, Ca 94623-0660

Should you require further information or have any questions regarding this letter, please call Lisa Carboni of my staff at (510) 622-5491.

Sincerely,



TIMOTHY C. SABLE  
District Branch Chief  
IGR/CEQA

c: Philip Crimmins (State Clearinghouse)

## Response to Letter from Timothy C. Sable, California Department of Transportation

- E1 The City's LOS threshold (LOS C), which is established in Policy 1 of the Transportation and Circulation Element of the City's General Plan, is consistent with the LOS threshold identified in Caltran's "Guide for the Preparation of Traffic Impact Studies," which is also LOS C. The LOS C threshold was used to identify impacts at study intersections with the addition of the proposed project.
- E2. The Specific Plan's land uses and roadway network are consistent with the City of Dixon General Plan, which is used to guide long-term development of the City. Consequently, the proposed project was considered when the circulation element of the City's General Plan was developed. Regional/countywide planning efforts are also consistent, since they rely on the City for socioeconomic forecasts. The traffic operations analysis did evaluate I-80 ramp-terminal intersections at Midway Road, West A Street, Pitt School Road, and Pedrick Road. Mitigation was recommended for identified impacts.
- E3. The comment is correct; the text should be revised to add two mitigation measures to address the potentially significant cumulative impact at the two cited intersections. As such, the following mitigation measures shall be added to the mitigations recommended for Impact 3.4-F on page 129 of the DEIR:
2. "The project applicant shall install a traffic signal at the Pitt School Road/Westbound I-80 ramps intersection. No project-specific phasing program has been submitted with the Specific Plan and no housing allocations have been awarded, so mitigation timing is unknown at this time. Therefore, the project applicant shall prepare a project-specific traffic analysis based on the EIR traffic study for each tentative map to confirm existing conditions and determine the specific mitigation timing that is required to maintain the City's LOS thresholds identified in General Plan Transportation and Circulation Element Policy 1. If triggered, implementation of this mitigation measure shall be completed prior to the issuance of building permits for that individual tentative map. If the studies indicate that a project does not trigger an improvement, the project applicant shall participate in the financing plan for future public facility improvements approved in the Southwest Dixon Specific Plan."
  3. "The project applicant shall install a traffic signal at the Pitt School Road/Arv Lane intersection. No project-specific phasing program has been submitted with the Specific Plan and no housing allocations have been awarded, so mitigation timing is unknown at this time. Therefore, the project applicant shall prepare a project-specific traffic analysis based on the EIR traffic study for each tentative map to confirm existing conditions and determine the specific mitigation timing that is required to maintain the City's LOS thresholds identified in General Plan Transportation and Circulation Element Policy 1. If triggered, implementation of this mitigation measure shall be completed prior to the issuance of building permits for that individual tentative map. If the studies indicate that a project does not trigger an improvement, the project applicant shall participate in the financing plan for future public facility improvements approved in the Southwest Dixon Specific Plan."

As stated in each mitigation discussion, a project-specific traffic impact study shall be prepared for each tentative map to confirm existing conditions and determine the specific mitigation timing that is required to maintain the City's LOS standard. Therefore, the mitigation will be project-specific and will occur as development occurs. The scope of the project-specific traffic studies has not been identified since the timing and location of development within the plan area is uncertain. As appropriate, the project-specific traffic studies will include coordination with Caltrans to determine appropriate improvements to intersections within Caltrans' right-of-way.

Several of the mitigation measures for Impact 3.4-A require financing plans for intersection improvements. City staff has determined that the wording regarding these financing plans is incorrect and should be modified, as shown below for Mitigation Measure 1 on page 121 of the DEIR.

1. "West A Street/Schroeder Road Intersection. The project applicant shall install a traffic signal at the West A Street/Schroeder Road intersection and provide right-turn overlap phasing with the southbound left-turn movement. No project-specific phasing program has been submitted with the Specific Plan and no housing allocations have been awarded, so mitigation timing is unknown at this time. Therefore, the project applicant shall prepare a project-specific traffic analysis based on the EIR traffic study for each tentative map to confirm existing conditions and determine the specific mitigation timing that is required to maintain the City's LOS thresholds identified in General Plan Transportation and Circulation Element Policy 1. If triggered, implementation of this mitigation measure shall be completed prior to the issuance of building permits for that individual tentative map. If the studies indicate that a project does not trigger an improvement, the project applicant shall ~~develop (if not already established) and participate in a~~ the financing plan for future public facility improvements approved in the Southwest Dixon Specific Plan. Implementation of this mitigation measure would provide acceptable LOS B operations during both the a.m. and p.m. peak hours under existing plus project conditions."

Each reference in Mitigation Measures 2, 5, 6, and 7 (on pages 121-124 of the DEIR) to the steps required if the subsequent traffic studies indicate that an improvement is not required will be replaced with the following sentence:

"If the studies indicate that a project does not trigger an improvement, the project applicant shall ~~develop (if not already established) and participate in a~~ the financing plan for future public facility improvements approved in the Southwest Dixon Specific Plan."

These changes will also be made to the Impact and Mitigation Summary Table. All these changes clarify what mitigation is required for impacts identified in the DEIR. They do not result in any new impacts or increase the severity of any impacts.

- E4. At this time, the scope of the project-specific traffic studies has not been identified since the timing and location of development within the plan area is uncertain. As appropriate, the project-specific traffic studies will include detailed vehicle queuing analyses.

- E5. Impact 3.4-J identifies that SR 113 from the southern City limits to West H Street and from Industrial Way to Dorset Drive will operate worse than the City's minimum acceptable LOS (LOS C). Roadway widening would be necessary to improve traffic operations on these segments of SR 113. As stated in the mitigation discussion, the City of Dixon does not control the necessary right-of-way for these improvements. In addition, widening SR 113 (particularly in the historic downtown area) would require the elimination of on-street parking and disruption of pedestrian facilities that would significantly change the character of downtown Dixon, which is contrary to the City General Plan and Downtown Revitalization Plan. Widening of this roadway could require the removal of buildings, would damage the aesthetics and cultural resources of the Downtown area, could pose safety hazards for pedestrians, and make it difficult for the City to be comply with ADA requirements. These are all potentially significant impacts of the mitigation measure of roadway widening.
- E6. The Caltrans' peak hour volume warrant was evaluated for each unsignalized intersection under "existing with project conditions," "Year 2005 conditions," and "Year 2005 with project conditions." The evaluation results are presented in Tables 10 and 11 in the DEIR and were used to determine the appropriateness of recommending the installation of a traffic signal as mitigation for identified impacts.
- E7. As discussed in Response E4, the scope of the project-specific traffic studies has not been identified since the timing and location of development within the plan area is uncertain. As appropriate, the project-specific traffic studies will include coordination with Caltrans to determine appropriate improvements to intersections within Caltrans' right-of-way.
- E8. As specific development is approved within the plan area, it will be subject to Caltrans' right-of-way requirements. However, Caltrans needs to establish new right-of-way boundaries before the City can request the reservation of right-of-way for future improvements on I-80 (i.e., the City needs to know the limits of the right-of-way reservation).
- E9. The Draft Specific Plan indicates that industrial and commercial land uses would be located adjacent to Interstate 80. If noise-sensitive commercial developments, such as hotels or motels, are proposed in these areas, then the DEIR recommends an acoustical study to show how acceptable interior noise levels can be provided (Mitigation Measure 1 on page 165 of the DEIR).
- E10. The comment is noted for the record. Any applicant seeking to do work within the Interstate 80 right-of-way will need to comply with this existing requirement.
- E11. The requirements noted by the commenter are covered by mitigation measures for Impacts 3.1-B and 3.2-D in the DEIR.
- E12. The comment is noted for the record. Any applicant seeking to do work or traffic control within the Interstate 80 right-of-way will need to comply with this existing requirement.



# California Regional Water Quality Control Board

## Central Valley Region

Robert Schneider, Chair



Gray Davis  
Governor

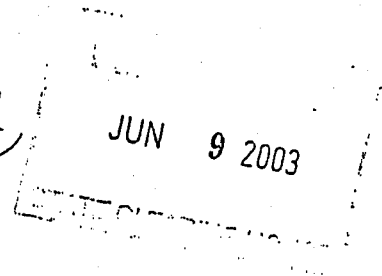
Winston H. Hickox  
Secretary for  
Environmental  
Protection

Sacramento Main Office  
Internet Address: <http://www.swrcb.ca.gov/rwqcb5>  
3443 Rortier Road, Suite A, Sacramento, California 95827-3003  
Phone (916) 255-3000 • FAX (916) 255-3015

6 June 2003

Mr. Stephen Streeter, Community Development Director  
City of Dixon  
600 East A Street  
Dixon, CA 95620

*Alan*  
*6.6.03*  
*10:12*



### COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT, SOUTHWEST DIXON SPECIFIC PLAN, SCH# 2002042037, SOLANO COUNTY

Pursuant to the State Clearinghouse's 23 April 2003 request, Regional Board staff has reviewed the Draft Environmental Impact Report (EIR) for the subject project. Regional Board staff offers the following specific comments, which we expect will be addressed in the Final EIR:

1. Impact 3.13-A states that the proposed project would create demand for wastewater collection, treatment, and disposal services, which must be met by the City of Dixon's wastewater treatment facility (WWTF). We concur with the proposed mitigation measures and recommend that one additional mitigation measure be added to ensure that improvement and expansion of the WWTF keeps pace with development. Specifically, we recommend that no building permits be issued until the Regional Board verifies the required WWTF expansion/improvements have been constructed and that capacity is available. F1
2. Impact 3.13-B states that groundwater infiltration into the sewer system could cause the WWTF to exceed its permitted capacity. The proposed mitigation measure states that sewer system design shall comply with design criteria established by the City of Dixon to minimize infiltration. However, it is noted that no such criteria currently exist and that development would be allowed to proceed without them. We recommend that no building permits be issued until the City of Dixon adopts the sewer design criteria and the applicant shows that the sewer design complies with those criteria. F2
3. The Regional Board is currently working with the City of Dixon to address issues related to groundwater quality impacts from the existing treatment plant. This should be noted in the Hydrology/Water Quality Section. Although the WWTF improvements project will be analyzed in a separate environmental document, it is important that this EIR recognize the connection between development and water quality impacts associated with growth. F3

If you have any questions about these comments or other matters pertaining to preparation of the EIR, please feel free to contact me at (916) 255-3140. Comments pertaining to storm water and water quality

- 20 -

Mr. Stephen Streeter  
City of Dixon

- 2 -

6 June 2003

certification may be transmitted separately within the next week. If you have questions about those issues, please contact George Day at (916) 255-3506.



ANNE L. OLSON, P.E.  
Water Resources Control Engineer

cc: Phillip Crimming, State Clearinghouse, Sacramento  
George Day, Regional Water Quality Control Board, Sacramento  
Solano County Environmental Health Department, Fairfield

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**Response to Letter from Anne L. Olson, California Regional Water Quality Control Board, Central Valley Region**

- F1. The mitigation for Impact 3.13-A (see the revised Impact and Mitigation Summary table at the end of this FEIR) requires review of wastewater treatment capacity before the first Tentative Subdivision Map approval and before approval of each subsequent Final Subdivision Map (see DEIR for details). The commenter recommends that no building permits be issued until the Regional Board verifies that required wastewater treatment facility improvements have been constructed and that capacity is available. The City continues to be in close communication with CRWQCB with regard to the City Wastewater Discharge permitting. The process of the Board verifying the required wastewater treatment plant (WWTP) expansion and improvements is proceeding separately from this specific plan project. Mitigation Measure 3.13-A-3 requires that the City ensure that adequate sewer capacity is available at the WWTP. This provides adequate mitigation.
- F2. The mitigation measures for Impact 3.13-B require the Specific Plan to provide for a sewer collection system designed to reduce the potential for groundwater infiltration. Established City of Dixon design standards are expected to help carry out this mitigation measure. The measures specify that the sewer collection system design shall comply with any criteria established by the City in the future, and that if such criteria have not been adopted before the first Tentative Subdivision Map approval, each individual project shall identify design features to minimize groundwater infiltration. Since the measures provide for adequate protections in the event that the City does not adopt design criteria in the future, it is not necessary to withhold building permits until the City adopts the criteria.
- F3. The City of Dixon's work with the Regional Water Quality Control Board to expand wastewater treatment plant capacity and address related groundwater impacts is discussed in Section 3.13, Wastewater Collection, Treatment and Disposal (page 281) of the DEIR, where this information is most relevant. This expansion is not part of the Specific Plan and, as the commenter notes, will be analyzed in a separate environmental document. The Specific Plan's water quality impacts, including effects on groundwater quality, are evaluated in Section 3.1, Geology and Soils (Impact 3.1-B) and Section 3.2, Hydrology and Water Quality (Impacts 3.2-D and 3.2-E).



# California Regional Water Quality Control Board Central Valley Region

Robert Schneider, Chair

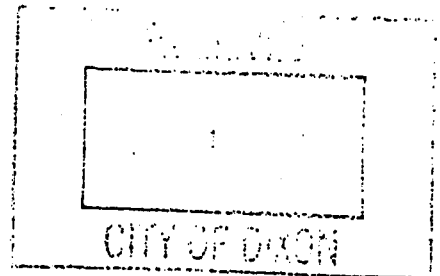


Gray Davis  
Governor

Winston H. Hickox  
Secretary for  
Environmental  
Protection

Sacramento Main Office  
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3443 Routier Road, Suite A, Sacramento, California 95827-3003  
Phone (916) 255-3000 • FAX (916) 255-3015

9 June 2003



Mr. Stephen Streeter  
Community Development Director  
City of Dixon  
600 East A Street  
Dixon, CA 95620

## REVIEW OF ENVIRONMENTAL IMPACT REPORT, SOUTHWEST DIXON SPECIFIC PLAN (SCH # 2002042037), CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), SOLANO COUNTY

G1

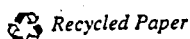
As a Responsible Agency, as defined by CEQA, we have reviewed the draft Environmental Impact Report for the Southwest Dixon Specific Plan. Based on our review, we have the following comments regarding the proposed project.

### Storm Water

A NPDES General Permit for Storm Water Discharges Associated with Construction Activities, Order No. 99-28-DWQ is required when a project involves clearing, grading, disturbances to the ground, such as stockpiling, or excavation. On March 10, 2003 as part of the new Phase II storm water regulations, all construction activity that disturbs one acre or greater or is part of a larger common plan of development or sale will require a construction storm water permit. A Construction Activities Storm Water General Permit must be obtained prior to construction.

### Water Quality Certification - Wetlands (Where it is possible that wetlands will be disturbed by a project)

If a U.S. Army Corp of Engineers (ACOE) permit is required due to the disturbance of wetlands, then Water Quality Certification must be obtained from the Regional Board prior to initiation of project activities. Section 401 of the federal Clean Water Act requires that the project proponent for any project that impacts surface waters of the United States (such as streams and wetlands) must request a 401 Water Quality Certification from the Regional Board. Water Quality Certification must be obtained prior to initiation of project activities. The proponent must follow the ACOE 404(b)(1) Guidance to assure approval of their 401 Water Quality Certification application. The guidelines are as follows:



Mr. Stephen Streeter  
City of Dixon

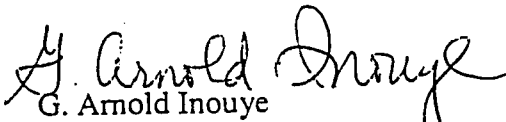
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9 June 2003

1. **Avoidance** (Is the project the least environmentally damaging *practicable* alternative?)
2. **Minimization** (Does the project minimize any adverse effects to the impacted wetlands?)
3. **Mitigation** (Does the project mitigate to assure a no net loss of functional values?)

Also, enclosed for your information is a copy of "*General Comments*" which provide additional details regarding Regional Board responsibilities.

If you any questions regarding the above information please contact me at (916) 255-3112.

  
G. Arnold Inouye  
Sanitary Engineering Associate  
Storm Water Unit

Enc: General Comments

cc: Mr. Philip Crimmins, Office of Planning and Research, State Clearinghouse, Sacramento  
Solano County Environmental Health Department, Fairfield



# California Regional Water Quality Control Board

## Central Valley Region



Gray Davis  
Governor

Winston H. Hickox  
Secretary for  
Environmental  
Protection

Robert Schneider, Chair

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### General Comments

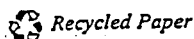
The Central Valley Regional Water Quality Control Board (Regional Board) is charged with the protection of the Waters of the State of California in the Central Valley Region, including wetlands and stormwater quality. The Regional Board is responsible for administering the regulations established by the Federal Clean Water Act. Additionally, the California Water Code establishes broad state authority for regulation of water quality. The Water Quality Control Plan (Basin Plan) establishes water quality objectives for the Sacramento River and San Joaquin River Basins and explains the Regional Board's strategy for regulating water quality. The Basin Plan also describes the range of responses available to the Regional Board with regard to actions and proposed actions that degrade or potentially degrade the beneficial uses of the Waters of the State of California.

### NPDES

Water quality degradation is regulated by the Federal National Pollutant Discharge Elimination System (NPDES) Program, established by the Clean Water Act, which controls and reduces pollutants to water bodies from point and non-point discharges. In California, the program is administered by the California Regional Water Quality Control Boards. The Regional Board issues NPDES permits for discharges to water bodies in the Central Valley Region, including Municipal (area- or county-wide) Stormwater Discharge Permits.

Projects disturbing more than five acres of land during construction must be covered under the State NPDES General Permit for Discharges of Storm Water Associated with Construction Activity (General Permit). On March 10, 2003 as part of the new Phase II storm water regulations, all construction activity that disturbs one acre or greater or is part of a larger common plan of development or sale will also require coverage under the General Permit. This can be accomplished by filing a Notice of Intent (NOI) with the State Water Resources Control Board, Division of Water Quality (State Board). An NOI and the General Permit can be obtained from the State Board at (916) 341-5536 or by visiting the stormwater website located at <http://www.swrcb.ca.gov/stormwtr>. The project sponsor must propose and implement controls measures that are consistent with the General Permit and with the recommendations and policies of the local agency and the RWQCB.

Projects that include facilities with discharges of Storm Water Associated with Industrial Activity must be covered under the State NPDES General Permit for Discharges of Storm Water Associated with Industrial Activity. This may be accomplished by also filing an NOI and contacting the State Board at (916) 341-5536 or by visiting the stormwater website located at <http://www.swrcb.ca.gov/stormwtr>. The project sponsor must propose control measures that are consistent with this, and with recommendations and policies of the local agency and the RWQCB. In a few cases, the project sponsor



may apply for (or the RWQCB may require) issuance of an individual (industry- or facility-specific) permit.

### Dewatering Permit

The proponent may be required to file a Dewatering Permit covered under Waste Discharge Requirements General Order for Dewatering and Other Low Threat Discharges to Surface Waters Permit, Order No. 5-00-175 (NPDES CAG995001) provided they do not contain significant quantities of pollutants and are either (1) four months or less in duration, or (2) the average dry weather discharge does not exceed 0.25 mgd:

- a. Well development water
- b. Construction dewatering
- c. Pump/well testing
- d. Pipeline/tank pressure testing
- e. Pipeline/tank flushing or dewatering
- f. Condensate discharges
- g. Water Supply system discharges
- h. Miscellaneous dewatering/low threat discharges

### Impacts and Mitigation Measures

#### Wetlands

Wetlands enhance water quality through such natural functions as flood and erosion control, stream bank stabilization, and filtration and purification of contaminants. Wetlands also provide critical habitat for hundreds of species of fish, birds, and other wildlife, offer open space, and provide many recreational opportunities. Water quality impacts occur in wetlands from construction structures in waterways, dredging, filling, and altering drainage to wetlands.

The Regional Board must certify that any permit issued by the U.S. Army Corps of Engineers pursuant to Section 404 of the Clean Water Act (covering, dredging, or filling of Waters of the United States, including wetlands) complies with state water quality standards, or waive such certification. Section 401 Water Quality Certification is necessary for all 404 Nationwide permits, reporting and non-reporting, as well as individual permits.

All projects must be evaluated for the presence of jurisdictional wetlands and other Waters of the State. Destruction of or impact to these waters should be avoided. If the proposed project impacts wetlands or other Waters of the State and the project applicant is unable to demonstrate that the project was unable to avoid these adverse impacts, water quality certification will most likely be denied. 401 Certification may also be denied based on significant adverse impacts to wetlands or other Waters of the State. If a U.S. Army Corp of Engineers (ACOE) permit is required for the project, then Water Quality Certification must be obtained prior to initiation of project activities. The proponent must follow the ACOE 404(b)(1) Guidance to assure approval of their 401 Water Quality Certification application. The guidelines are as follows:

1. **Avoidance** (Is the project the least environmentally damaging *practicable* alternative?)
2. **Minimization** (Does the project minimize any adverse effects to the impacted wetlands)
3. **Mitigation** (Does the project mitigate to assure a no net loss of functional values?)

If, after avoidance and minimization guidelines are considered and wetland impacts are still anticipated:

- Determine functional losses and gains (both permanent and temporal; both direct and indirect)
- Conduct adequate baselines of wetland functions including vegetation, wildlife, hydrology, soils, and water quality
- Attempt to create/restore the same wetland type that is impacted, in the same watershed
- Work with a regional context to maximize benefits for native fish, wildlife, vegetation, as well as for water quality, and hydrology
- Use native species and materials whenever possible
- Document all efforts made to avoid the minimize adverse wetland impacts
- Be prepared to develop performance criteria and to track those for between 5 to 20 years
- Be prepared to show project success based on achieving wetland functions
- If the project fails, be prepared to repeat the same process (via financial assurance), with additional acreage added for temporal losses
- Specify how the mitigation project will be maintained in perpetuity and who will be responsible for the maintenance

### Storm Water Quality Control

Storm water is the major source of fresh water to creeks and waterways. Storm water quality is affected by the variety of land uses and the pollutants generated by these activities. Development and construction activities cause both site-specific and cumulative water quality impacts. Water quality degradation may occur during construction due to discharges of sediment, chemicals, and wastes to nearby storm drains and creeks. Water quality degradation may occur after construction is complete, due to discharges of petroleum hydrocarbons, oil, grease, and metals from vehicles, pesticides and fertilizers from landscaping, and bacteria from pets and people. Runoff may be concentrated and storm water flow increased by newly developed impervious surfaces, which will mobilize and transport pollutants deposited on these surfaces to storm drains and creeks. Changes in runoff quantity or velocity may cause erosion or siltation in streams. Cumulatively, these discharges will increase pollutant load in creeks and wetlands within the local watershed, and ultimately in the Sacramento River and San Joaquin River Basins.

Project impacts should be minimized by developing and implementing a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP is required by the General Permit. The SWPPP should be consistent with the terms of the General Permit, policies and recommendations of the local agency (city or county) and the recommendations of the RWQCB. The SWPPPs should also be required for projects that may have impacts, but which are not required to obtain an NPDES permit. Preparation of a SWPPP should be a condition of development. Implementation of the SWPPP should be enforced during the construction period via appropriate options such as citations, stop work orders, or withholding occupancy permits.

Impacts identified should be avoided and minimized by developing and implementing the types of controls explained in the San Francisco Regional Board's Field Manual available from the Friends of the

San Francisco Estuary at (510) 286-0924 or visiting their website at [www.abag.ca.gov/bayarea/sfep/about/friends](http://www.abag.ca.gov/bayarea/sfep/about/friends)

### Site Planning

The project should minimize impacts from the project development by incorporating appropriate site planning concepts. This should be accomplished by designing and proposing site planning options as early in the project planning phase as possible. Appropriate site planning concepts to include, but are not limited to the following:

- Phase construction to limit areas of period of impacts
- Minimize directly connected impervious areas
- Preserve local topography, existing drainage courses and existing vegetation
- Locate construction and structures as far as possible from streams, wetlands, drainage areas, etc.
- Provide undeveloped, vegetative buffer zones between development and streams, wetland, drainage areas, etc.
- Reduce paved area through cluster development, narrower streets, use of porous pavement and/or retaining natural surfaces
- Minimize the use of gutters and curbs which concentrate and direct runoff to impermeable surfaces
- Use existing vegetation and create new vegetated areas to promote infiltration
- Design and layout communities to reduce reliance on cars
- Include green areas for people to walk their pets, thereby reducing build-up of bacteria, worms, viruses, nutrients, etc. in impermeable areas, or institute ordinances requiring owners to collect pets excrement
- Incorporate low-maintenance landscaping
- Design and layout streets and storm drain systems to facilitate easy maintenance and cleaning
- Consider the need for runoff collection and treatment systems
- Label storm drains to discourage dumping of pollutants into them

### Erosion

The project should minimize erosion and control sediment during and after construction. This should be done by developing and implementing an erosion control plan, or equivalent plan. This plan should be included in the SWPPP. The plan should specify all control measures that will be used or which are anticipated to be used, including but not limited to the following:

- Limit access routes and stabilize access points
- Stabilize denuded areas as soon as possible with seeding, mulching, or other effective methods
- Protect adjacent properties with vegetative buffer strips, sediment barriers, or other effective methods
- Delineate clearing limits, easements, setbacks, sensitive areas, vegetation and drainage courses by marking them in the field
- Stabilize and prevent erosion from temporary conveyance channels outlets

- Use sediment controls and filtration to remove sediment from water generated by dewatering or collected on-site during construction. For large sites, stormwater settling basins will often be necessary

### Chemicals and Waste Management

The project should minimize impacts from chemicals and wastes used or generated during construction. This should be done by developing and implementing a plan or set of control measures. The plan or control measures should be included in the SWPPP. The plan to specify all control measures that will be used or which are anticipated to be used, including, but not limited to the following:

- Designate specific areas of the site, away from streams or storm drains inlets, for storage, preparation, and disposal of building materials, chemical products and wastes
- Store stockpiled material and wastes under a roof or plastic sheeting
- Storm containers of paint, chemicals, solvents, and other hazardous materials stored in containers under cover during rainy periods
- Berm around storage areas to prevent contact with runoff
- Cover open dumpsters securely with plastic sheeting, a tarp, or other cover during rainy periods
- Designate specific areas of the site, away from streams or storm drain inlets, for auto and equipment parking and for routine vehicle equipment maintenance
- Routinely maintain all vehicles and heavy equipment to avoid leaks
- Perform major maintenance, repair, and vehicle equipment washing off-site, or in designated and controlled areas on-site
- Collect used motor oil, radiator coolant or other fluid with drip pans or drop cloths
- Store and label spent fluids carefully prior to recycling or proper disposal
- Sweep up spilled dry materials (cement, mortar, fertilizers, etc.) immediately - - do not use water to wash them away
- Clean up liquid spills on paved or impermeable surfaces using "dry" cleanup methods (e.g. absorbent materials, cat litter, rags) and dispose of cleanup materials properly
- Clean up spills on dirt areas by digging up and properly disposing the soil
- Keep paint removal wastes, fresh concrete, cement mortars, cleared vegetation, and demolition wastes out of gutters, streams, an storm drains by using proper containment and disposal

### Post Construction

The project should minimize impacts from pollutants that may be generated by the project following construction, when the project is complete and occupied or in operation. These pollutants may include: sediment, bacteria, metals, solvents, oil, grease, and pesticides, all of which are typically generated during the life of a residential, commercial, or industrial project after construction has ceased. This should be done by developing and implementing a plan and set of control measures. The plan or control measures should be included in the SWPPP.

The plan should specify all control measures that will be used or which are anticipated to be used, including, but not limited to, the source controls and treatment controls. Additional source of information that should be consulted for BMP selection includes the *California Storm Water Best*



*Management Practice Handbook* available through Bay Area Stormwater Management Agencies Association. Visit their website at [www.basmaa.org](http://www.basmaa.org) or via e-mail at [info@basmaa.org](mailto:info@basmaa.org).

**Response to Letter from G. Arnold Inouye, California Regional Water Quality Control Board, Central Valley Region**

- G1. This letter provides a description of the permit requirements and water quality certification procedure of the RWQCB. It does not include any questions or comments on the DEIR. No additional response is required.

# Dixon Unified School District

## School Facilities and Planning

Governing Board  
Carlos R. Gutierrez  
Alan R Hodge  
Steven A. Larson  
Shana J. Levine  
Ernest Van Sant

180 South First Street, #1  
Dixon, CA 95620  
Phone (707) 678-4541  
Fax (707) 678-4157  
Email: [eeusebio@dixonusd.org](mailto:eeusebio@dixonusd.org)

Wally Holbrook  
Superintendent  
Ed Eusebio  
Senior Director

May 30, 2003

Stephen Streter Director  
Community Development Director  
City Of Dixon  
600 East A St  
Dixon, CA 95620

Reference: Draft Environmental Impact Report – Southwest Specific Plan

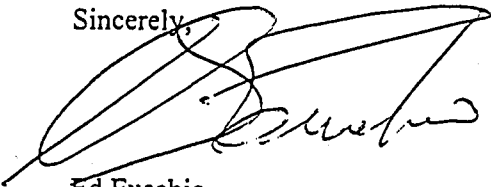
Dear Mr. Streter:

In reviewing the Southwest Dixon Specific Plan prepared by Leonard Charles and Associates, I would like to comment on the capacity of the schools operated by the Dixon Unified School District, page 311 of the report. H1

With the elimination of Multitrack Year Round schools in the district the capacities at the elementary schools K-6 has been reduced by 268 students. The Dixon Unified School District must build a new high school and convert the middle school into an elementary school to be able to accommodate the growth generated by the proposed development in the Southwest plan.

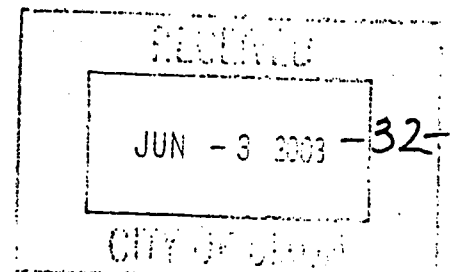
I am enclosing a copy of page 311 of the Southwest Specific Plan with corrections noted.

Sincerely,



Ed Eusebio  
Senior Director of School Facilities

CC: Wally Holbrook, Superintendent



# 3.17 SCHOOLS

## A. Setting

The Dixon Unified School District serves Dixon and the rural northern part of Solano County.

### 1. Existing Schools

As shown in Table 30, the District operates seven schools at the kindergarten through twelfth grade (K-12) levels. All of the schools are located within the City of Dixon. The Southwest Dixon Specific Plan area is served by Tremont Elementary School, C.A. Jacobs Middle School, and Dixon High School (Fax communication from Ed Eusebio, Director of Facilities, Dixon Unified School District, 6/20/02).

**Table 30**  
**Location and Capacity of Schools Operated by Dixon Unified School District**

School	Location	Grades	03-04 Existing Capacity (No. of Students)	Existing Enrollment (No. of Students) (2001-02) <sup>2-03</sup>
Silveyville Primary School	355 North Almond Street	K-3	700 <del>672</del>	433 <del>443</del>
Anderson Elementary School	415 East C Street	4-6	540 590	362 368
Tremont Elementary School	455 Pheasant Run Drive	K-6	876 <del>653</del>	610 <del>616</del>
Gretchen Higgins Elementary School	1525 Pembroke Way	K-6	720 653	699 706
C.A. Jacobs Middle School	200 North Lincoln	7-8	675	644 <del>662</del>
Dixon High School	455 East A Street	9-12	918	1,128 <del>1161</del>
Maine Prairie Continuation High School	305 East C Street	9-12	81 4,242	78
<b>TOTAL</b>			<b>4,510</b>	<b>3,954</b> <sup>4,034</sup>

Source: Dixon Unified School District Ten Year Facilities Master Plan, prepared by Shlits Consultants, Inc., May 2000, page 8; and Ed Eusebio, Director of Facilities, Dixon Unified School District (personal communication, June 27, 2002 and December 18, 2002; and fax communication, June 20, 2002).

### 2. Student Enrollment and Capacity

As shown in Table 30, total student enrollment in grades K-12 is currently about 3,954 students. Total capacity of existing Dixon Unified School District schools is 4,510 students. The District's schools therefore have a remaining capacity for 556 new students, although, as indicated in Table 30, the high school is operating over-capacity. The school is accommodating the additional students by using portable classrooms.

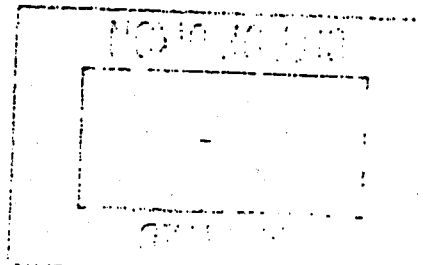
## Response to Letter from Ed Eusebio, Dixon Unified School District

- H1. The comment is noted. The table on page 311 of the DEIR will be changed to reflect the changes recommended by the commenter. These changes do not affect the DEIR's conclusion regarding project effects on schools. The DEIR (page 314) states that Dixon Unified School District schools may not have adequate capacity to accept students from the plan area. The DEIR notes, however, that a bond approved on the November 2002 ballot will enable the District to build a new high school, and that with construction of the new high school, the District would convert the existing middle school to an elementary school and convert the existing high school to a middle school. The DEIR concludes that, as previously indicated by a District representative, these changes would increase enrollment capacity, allowing the District to serve development in the plan area.



June 6, 2003

Stephen Streeter  
Community Development Director  
City of Dixon  
600 East A Street  
Dixon, California 95620



Subject: Southwest Dixon Specific Plan Update and Tentative Maps

Dear Mr. Streeter,

Thank you for referring the above referenced Draft EIR to the Yolo-Solano Air Quality Management District for review and comment. Below includes our comments.

See page 143, 4<sup>th</sup> paragraph, 2<sup>nd</sup> sentence and 7<sup>th</sup> paragraph, 1<sup>st</sup> sentence, it incorrectly alleges I 1 construction activities are subject to YSAQMD's Regulation VIII. The District's Regulation VIII includes rules for performance standard testing, monitoring and reporting of new federally designated sources. As referenced in Exhibit A of the District's Rules and Regulations, new federally designated sources include Fossil-Fired Steam Generators, Storage Vessels for Petroleum Liquids, and Electric Arc Furnaces.

As a commenting agency, the District can only recommend mitigation measures, such as dust I 2 suppression for Lead Agency consideration. However, Public Resources Code §21002 declares that "...it is a policy of the state that public agencies not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects." Therefore, where project emissions, in this case dust from construction activities, are considered significant, then apply feasible mitigation measures to reduce the emissions. We consider the proposed mitigation measures in the DEIR for dust suppression purposes appear feasible.

Page 144, mitigation measure 15, we recommend rephrasing the 1<sup>st</sup> sentence of the measure to I 3 read "Where feasible, 20% of the heavy-duty off-road equipment included in the construction inventory shall be powered by CARB certified off-road engines (i.e., 175hp-750hp, 1996 and newer engines; 100hp-174hp, 1997 and newer engines; and 50hp-99hp, 1998 and newer engines)." Rephrasing the first sentence accommodates construction equipment evolution, which is expected to change significantly over the plan's 20-year period.

Page 144, mitigation measure 17, the District does not have the authority or the resources to I 4 implement this measure. We ask that the Lead Agency strictly enforce the proposed mitigation measures.

Page 146, 1<sup>st</sup> paragraph and mitigation measure 3. Limiting relatively good pedestrian and I 5 bicycling connectivity within the plan area appears to neglect the objective for a comprehensive,

cohesive physical development with the surrounding community. We encourage the DEIR include additional mitigation measures that specifically facilitate pedestrian and bicycling interconnection with the surrounding community. As one example, propose continuous extension of Class II bike lane along the eastside of Pitt School Road to West A Street, adjacent to the existing residential development. This would facilitate a continuous, interconnected bikeway system with the surrounding community.

Page 147, mitigation measure 7. The District suggests the City include low emitting shade trees I 6 as a requirement when it reviews landscaping plans. In addition, the DEIR should include the following feasible measures for City consideration.

- Require proper placement of trees and shrubs near a building that can cool the soil around the building and prevent direct solar radiation from entering the building through windows and from heating external building structures.
- Improve building reflectivity, which reduces the amount of solar heat it absorbs. The EPA's Energy Star roofing program and the Department of Energy promote reflective roofs and provide information about reflective roofing products at the following website: <http://www.energystar.gov/products/>
- Reflective pavements such as portland cement concrete for commercial parking areas offer greater durability and high solar reflectivity which contribute to long term maintenance advantages and cooler pavements, and may also be useful at nighttime.

Finally, be advised that all stationary and mobile equipment, other than vehicles and internal combustion engines less than 50 horsepower, emitting air pollutants controlled under District rules and regulations require an Authority to Construct (ATC) and Permit to Operate from the District. We recommend that the project proponents apply for an ATC prior to purchasing equipment or installing devices or processes to ensure compliance with applicable Rules and Regulations. In conclusion, District staff is available to discuss the comments and recommendations presented in this letter. If you require additional information, please call the District at (530) 757-3677. I 7

Best regards,



Daniel P. O'Brien  
Associate Air Quality Planner

cc: Larry Greene, APCO Executive Director

**Response to Letter from Daniel P. O'Brien, Yolo-Solano Air Quality Management District**

11. The commenter is correct. The DEIR text will be revised as follows:

"Construction activities are subject to YSAQMD Regulations ~~VIII~~ II, Rule 2.5 Nuisance, which require suppressing dust emissions from all sources using water, chemical stabilizers, and/or vegetative ground cover.

This change does not alter the conclusions or recommendations of the DEIR.

12. The opinion supporting the DEIR recommendations is noted for the record. As no questions are asked, no additional response is required.

13. The comment is accepted. The text on page 144, Mitigation Measure 15 shall be revised as follows:

" If Where feasible, 20 percent of mobile construction equipment used at the site should be considered "new" (i.e., manufactured after 1996) of the heavy-duty off-road equipment included in the construction inventory shall be powered by CARB certified off-road engines (i.e., 175hp-750hp, 1996 and newer engines; 100hp-174hp, 1997 and newer engines, and 50hp-99hp, 1998 and newer engines). Construction contractors will maintain records to demonstrate compliance."

This same change will be made to the Impact and Mitigation Summary Table. This change does not result in any new or more severe impacts.

14. Mitigation 17 on page 144 shall be revised to state:

"At least once per month, the ~~YSAQMD~~ City of Dixon Engineering Department shall ensure that construction mitigation measures are in place."

This same change will be made to page 48 of the Impact and Mitigation Summary Table. This change does not result in any new or more severe impacts.

15. The comment is noted for the record. The recommended Class II bikeway on Pitt School Road would improve bicycle access. However, these improvements would not result in a substantial improvement in air quality. As such, this recommendation, as well as other bicycling improvements, would not reduce project air quality impacts to a less than significant level, nor would they result in a substantial reduction in the emission of any air pollutants. However, the additional bicycle improvements would result in some reduction in air pollution and provide a safer and more efficient bicycle circulation network. Though not required to address air quality impacts, the recommendation will be forwarded to the Dixon City Council for its consideration.

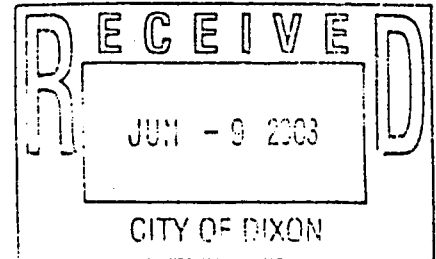
16. The DEIR recommends these energy-saving devices, except for the reflective pavement recommendation. See page 322 of the DEIR. The City will consider the suggested reflective pavement recommendation, though it is not required.



17. The comment and requirement are noted for the record. As no questions are asked about the DEIR, no additional response is required.

June 6, 2003

Stephen A. Streeter  
Community Development Director  
City of Dixon  
600 East A Street  
Dixon, CA 95620-3697



**SUBJECT: Comments on Draft Environmental Impact Report**

Dear Mr. Streeter:

On behalf of the Southwest Dixon owners group, we respectfully submit comments on the Draft Environmental Impact Report for the project, dated April 23, 2003.

We believe the document to be generally complete and adequate in identifying and discussing the possible impacts from the project. In the combined effort to achieve a quality final environmental document, we have made rather lengthy comments. These comments are compiled from our review, and both verbal and written comments from some of the owners. As a compilation, some of the owners may have different comments that they will submit separately.

We believe that submittal of these comments strengthens the record, and once addressed in the final EIR, will result in greater clarity and accuracy in the final document.

We appreciate the opportunity to provide these comments and questions, and wish to thank you, the rest of the City staff and special consultants in allowing us to work with you on behalf of the Southwest Dixon Property Owners group.

If you have any questions, please do not hesitate to call on us for further explanation.

Sincerely,

Nolte Associates, Inc.

Bridgette Williams  
Senior Planner

Enclosure

cc: Richard E. Norris, Attorney, Archer Norris  
Edward L. Shaffer, Attorney, Archer Norris  
Bingham McCutchen, LLP  
Dixon Landowners  
Les Clark, Associate/Engineering Manager

**SOUTHWEST DIXON SPECIFIC PLAN  
REVIEW COMMENTS ON DRAFT ENVIRONMENTAL  
IMPACT REPORT DATED April 23, 2003**

By Nolte Associates on behalf of the Southwest Dixon Owners Group  
Submitted June 6, 2003

Specific comments:

1. **Page 9, (description of proposed land uses) paragraph 1, last sentence:** J1  
Statement that the EIR assumes that the total number of housing units would not exceed 1221. Generally we concur with this statement, but clarification is necessary. The project description includes reference to the draft infrastructure master plans. Each of those draft infrastructure master plans incorporates studies which include capacity for additional dwelling units based upon either the maximum allowable density under the zoning code, or 1365 equivalent dwelling units. The language should be modified to indicate that the infrastructure master plans for sewer, water, drainage are based upon no less than 1365 as a total number of dwelling units. Clarification of this fact may reduce concerns over the adequacy of the planned infrastructure if slight variations in the number of dwelling units does occur in the future.
  
2. **Page 9, Community and Neighborhood Parks, last paragraph:** J2  
This paragraph states that both the community park and the neighborhood parks would be dedicated to the City; this is not the case. As described in Section 3.16 A 2 of the document, page 300, the developments have certain requirements for park land dedication. The population estimated previously indicates 3,907 persons. At the required dedication rate of 5 acres per 1000 population, that equates to 19.5 acres of park. If the distribution of park lands were uniform throughout the various ownerships, approximately 19.5 acres of park land would be dedicated. However, the parks are concentrated on two distinct ownerships, while other developments within the plan area do not include any park lands. As such, consistent with the City standard procedures outlined in Section 3.16 A 2 of this document, each development not dedicating sufficient park lands to account for its' dedication requirements must pay an in lieu fee to the City, and the City must then acquire the park lands from the current owners. Suggest modification of the language to remove the term "dedicated", substituting "acquired", with a reference to Section 3.16 A 2.
  
3. **Page 10, Fire Station:** J3  
Again reference is made to dedication of the 0.47 acre parcel. This is a plan area facility benefiting all of the development within the plan area as well as nearby existing developments. The City currently has a funding mechanism that should include reimbursement of these public lands. (AB)

1600 Fees) The document should delete the word “dedicated”, and replace it with “acquired”. Reference to Section 3.11 should be inserted.

4. **Page 10, Other Uses, first paragraph, discussion of functional buffer:** This description is somewhat confusing. The fourth sentence, “Further to the east, the buffer consists of the approximately 75-foot right of way for South Parkway.” does not seem correct. The paragraph should be revised to read, “This buffer extends from west of Batavia Road onto the Clark property approximately 220 feet. From that point to the extension of Evans Road, the buffer is 75 feet in width.” J4
5. **Page 10, Other Uses, first paragraph, sixth sentence:** “The buffer would separate proposed low density residential and industrial (employment center) areas from two proposed detention ponds....” is not correct. The buffer does not separate these areas from the detention basins. Previous statements correctly indicate that the detention basins are part of the functional buffer. J5
6. **Page 11, first paragraph, last sentence:** This states that all streets illustrated would be dedicated to the City of Dixon. There is reference to South Parkway between Batavia Road and the extension of Evans Road. Because this roadway segment is isolated from any of the plan development, justification for this roadway segment is questioned. The plan allowed room for this roadway, and reservation, not dedication, of right of way, if it was determined justified by the circulation demands generated by development within the plan area. Later comments request deletion of this roadway segment. The final EIR should be revised to delete reference to this segment of South Parkway. J6
7. **Page 11, Section 4. Drainage:** The paragraph only partially describes the drainage system. The portion of the system described only provides service for the area west of Evans Road extension. The area east of Evans Road extension is not described. Add language from the draft Drainage Master Plan should be inserted to fully describe the drainage system. J7
8. **Page 12, Wastewater Collection, Treatment, and Disposal:** The system description is unclear. No reference is made to the fact that the system is being extended to West A Street in order to provide alternative service to existing developed areas to the north, allowing the abandonment of an existing sewer lift station. This fact should be added to the description of the facilities. J8
9. **Page 15, second paragraph:** The first sentence incorrectly specifies the net density of LD land use as 5.3 units per acre. The correct figure is approximately 3.18 units per acre, and is no more than 3.25 units per acre, as shown in Table 1-1 of the Specific Plan. This language should be corrected. J9
10. **Page 21, Section 1.5 B 2. State Agencies, first paragraph, last sentence:** “The RWQCB must approve a project’s Stormwater Pollution Prevention Plan J10

(SWPPP).” This statement is incorrect. The State General Construction permit requires the generation and maintenance of the SWPPP, but the RWQCB does not approve the plan.

**Second paragraph:** The RWQCB has developed a General Construction permit under which each project will file a notice of intent to seek coverage. The RWQCB may, but does not generally review individual project environmental documents, and individual construction permits will not be required for these projects. A brief description of the correct process to obtain coverage under the General Construction Permit should be added to avoid future confusion in administering implementation of the subsequent construction projects.

11. **Page 25, Section 2.1 4. Traffic, first sentence:** Statement that the project would generate 36,690 trips by the year 2005 is incorrect. The limitations of Measure B would not allow this presumed level of development to occur. Measure B would allow only 300 dwelling units to be developed by the year 2005. Further comment will be made on the traffic section, from which this statement was derived. This language should be corrected by substituting the year 2009 for the year 2005, as the total number of lots in the referenced projects could not be constructed under the limitations of Measure B until that year. The requirements of the mitigation measures listed in subsequent sections should not be imposed until traffic counts warrant the improvements. J11
12. **Page 27, 7. Aesthetics:** It seems unjustified that soundwalls and landscaping, which are offered as mitigation to aesthetic and noise impacts that may result from the project, should themselves be characterized as significant impacts. J12
13. **Page 28, Population and Housing:** Measure B did not intend that the 80%/20% mix between single family and multi-family housing be achieved exactly with each project. J13
14. **Page 28, Section 2.1 10. Land Use, first sentence:** The statement that the plan would result in the removal of about 475 acres of prime farmland from production is incorrect. This assumption fails to recognize existing land uses. The plan area is 477.4 acres. Approximately 6.23 acres of the plan area are CalTrans right of way, and not in agricultural production. There are three commercial businesses occupying approximately 3 cumulative acres of the current plan area. Approximately 2.6 acres of the plan are occupied by the Weyand Canal, and there are existing roadways within the plan area as well. The existing rural residential uses are likewise not considered. At most, there are no more than 465 acres of land in the plan area that are potentially farmland in production. This language should be revised. J14
15. **Page 75, B. Previous Specific Plan Area EIR:** The statement that the City required a new Specific Plan and new EIR because the plan was revised is partially correct. A new Specific Plan was required by the City because the City J15

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determined that Ordinance 9512 did not reflect the Council intended action to approve the Specific Plan. Prior to that discovery, the City had directed that the original Specific Plan document be amended.

16. **Page 77-79, Section 3.1, Geology and Soils:** It is noted that Section A, Setting is taken from the 1995 EIR for the project. However, the information has been edited, without indicating that it has been edited. Significant subsequent geotechnical studies were prepared and submitted to the City as part of the planning applications for the five subdivision projects. No mention of those studies, or the recommendations contained therein, is included in this DEIR. The document should recognize the geotechnical reports prepared for each project, (and submitted to the City) and refer to the discussion on geologic hazard contained in them, or excerpt that information and include it in the final EIR. J16
17. **Page 81, Section 3.1 B 2. Impacts, Impact 3.1-A:** The first paragraph states that the Midland Fault passes through the eastern portion of the Specific Plan area. It also states that this fault is not active, but draws a conclusion that the fault could become active. No basis of fact is presented to support this conclusion. The history of the fault, so well outlined in the project geotechnical reports, indicates that the fault has not been active for at least 2 million years. The assumption that it could become active during the life of this project does not seem supported. CEQA discourages speculating about impacts without supporting evidence. J17

While the geologic conditions have not changed since the 1995 EIR, the impacts and mitigation measures have been revised to present the same facts and information in a significantly different light. Impact 7.2A from the 1995 EIR stated:

“On the basis of current technology, as well as historical evidence, it is reasonable to assume the proposed structures will be subject to at least one moderate to severe earthquake that will cause moderate to strong intensity ground shaking within the Plan Area at some time during the next 50 years. Strong intensity ground shaking caused by a moderate magnitude earthquake on the nearby Green Valley Fault or other nearby active faults could result in significant damage to older or poorly built wood frame residential structures.”

“The City of Dixon building code (Uniform Building Code, 1991 Edition) already contains the necessary provisions to mitigate earthquake hazards. Buildings must be constructed with proper reinforcing in order to resist seismic forces. Wood frame buildings provide adequate lateral resistance. Because the building code will be applied uniformly to all projects in the Plan Area, this is considered a less-than-significant impact. No further mitigation is required.”

This different presentation of the same information does not appear justified by new facts presented in the document. The available new information is not included in the document, and some of the facts presented in the original 1995 EIR have been edited out. The professionally prepared geotechnical reports for the five projects propose specific seismic criteria to be used in the design of structures, providing further guidance to supplement application of the current Uniform Building Code. We do not concur in the finding of significance for this impact and suggest revisions to the document.

18. **Page 82, Impact 3.1-B.** The statements of impact concerning construction activities are recognized. However, a full and complete analysis would consider the existing uses of the land and compare the impacts of the project both during construction and post construction. The land is currently farmed, and thus the soils are in a nearly constant state of disturbance. Farming operations continually result in dust generation, and increase the potential for continued erosion and sediment transport and deposition. Post construction of the proposed plan will result in stabilized surfaces that substantially reduce the long term potential for dust generation and erosion. J18

The mitigation measures proposed are recognized as generally appropriate. However, mitigation measure 2 is misleading as to the regulatory process and requirements. The mitigation measure states that the SWPPP shall be submitted to the RWQCB; this is not the correct procedure. The statement "BMPs incorporated in each project SWPPP would likely include in-situ protection, seeding and mulching of bare ground, planting of trees and shrubbery in disturbed riparian areas, and installation of other types of biotechnical slope stabilization, such as appropriately staked straw bale perimeters and silt fences." is only partially correct. There is no requirement (or functional value) for planting of trees and shrubbery as a construction period BMP. The term "straw bale perimeters" is used incorrectly, and the general inference of the statement is that all disturbed areas would be seeded or mulched. Slope stabilization is certainly required and an important part of the SWPPP. However, there is much more to the SWPPP than is presented in the mitigation measure. It is recommended that the mitigation measure simply state the requirement to seek coverage under, and comply with the requirements of the General permit, and not restate specific requirements that may or may not be effective. J19

19. **Pages 83-84, Section 3.1, paragraph 3:** The specific comments above concerning this section apply equally to the impacts and mitigation measures listed for the specific projects. J20

20. **Page 92, Impact 3.2-A, first paragraph on the page:** The description of the facilities does not include the eastern half of the plan area. Reference is made that the proposed facilities would handle surface water flows from a 10-year storm. While this is true for the pipe system designed, the detention facilities would handle the increased runoff from the drainage shed in the 100 year event as well. J21

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The document should include the complete description of the facilities serving the drainage shed east of Evans Road, presented in the draft Drainage Master Plan.

21. **Page 93, Section 3.2-A, Mitigation Measure 1.** The last sentence states that the **J22** design of all features proposed shall be consistent with the most recent version of the City's Storm Drainage Guidelines and Criteria, and standard design and construction specification and details. The Drainage Master Plan for the project area includes certain required exceptions to the current standards. The City should not build in conflicting requirements between mitigation measures, future standards, and the requirements of the project Drainage Master Plan. The controlling document should be the project Drainage Master Plan. Project specific documents and conditions should always control over standard conditions or requirements, as the project specific documents have later, and more focused analysis and objectives. A mitigation measure that requires compliance with future standards, not yet developed does not provide adequate direction in guiding project approval. The mitigation measure should be revised to require compliance with the Storm Drainage Master Plan as the controlling document.
  
22. **Page 94, Impact 3.2-C, first paragraph:** Discussion concerning construction of **J23** storm drainage facilities south of the plan area in South Lincoln Street. There is a general statement that City staff has determined that South Lincoln Street south of the plan area has inadequate width to allow construction of storm drains, water mains, and wastewater collectors within its existing paved traveled way. The plan does not indicate that these facilities would be constructed within the existing paved traveled way, but utilize the available existing right of way width, whether under the pavement or not. To reach this conclusion, City staff should provide sufficient information to justify it, or as a maximum, request additional information to prove that the planned facilities do indeed fit. The statement continues, with a mixed mitigation concerning minimum pavement width, which has nothing to do with the storm drainage improvements proposed. This portion of the statement should be deleted, and if substantiated, placed in the section relating to traffic mitigation. Requirement to reconstruct existing pavement disturbed as a result of construction of these facilities would be appropriate.
  
23. **Page 94, Impact 3.2-C, second paragraph:** This paragraph discusses the **J24** proposed drainage outfall line from the storm drainage pump station at the West Pond. The paragraph incorrectly characterizes the 36 inch storm drain as a force main. While some portion of the line may run under slight pressure head, that head will not be generated by the pump, but by the gravity water surface elevation. The hydraulic slope required to drive 15 cfs through a 36 inch pipe is 0.06 feet per foot. If a force main were to be designated, it would be a much smaller diameter line. The language should be modified to refer to a 36 inch gravity discharge line.

The paragraph also incorrectly states that the 36 inch discharge line will be constructed within the I-80 right of way. This is inaccurate, and unsubstantiated.



The Drainage Master Plan indicates that the line will run parallel along (but outside) the south easterly edge of the I-80 right of way in a separate easement over private lands. This statement should be revised to reflect the correct alignment as shown in the Storm Drainage Master Plan.

24. **Page 95, Impact 3.2-C, Mitigation Measure 1:** There is no rationale or evidence presented that there is insufficient room under the existing pavement for the proposed storm drainage line, and the mitigation measure which requires roadways outside of the City limits to be improved to City urban standards. If the justification for required wider pavement is made under the traffic section of the EIR, then a mitigation measure that addresses the specifics of that required width should be included in that section, and not here. The mitigation measure should be revised to require reconstruction of the existing pavement that may be disturbed by the proposed construction. J25

Mitigation measure 2 is based upon the misconception over the location of the discharge line within the CalTrans right of way. It is also incorrectly assumed that any development in the plan area, no matter how small, or where it is located, or no matter what drainage facilities are installed, will result in the requirement for this 36 inch discharge line, carrying 15 cfs. The City currently has design standards for retention basins. It is entirely feasible that a small development occurring within the Batavia pond drainage shed could construct a substantive enough portion of the pond as to retain the 100 year run off with no discharge. The mitigation measure should be deleted. J26

25. **Page 95, Impact 3.2-D, Mitigation Measure 1:** Refer to previous comment on the issue of understanding the State General Permit for Storm Water Discharges Associated with Construction Activity (General Permit). The applicant does not obtain an approved permit. The applicant files a notice of intent to be covered by the General Permit. The language is important to assure that future compliance to the mitigation measure can be demonstrated. Correct the language to require future construction projects to seek coverage under the State General Construction permit. J27

26. **Page 96, Impact 3.2-E, impact on ground water:** The main section heading is hydrology and water quality. This impact and mitigation measure is not related to either major topic. The mitigation measure imposes a duty upon private development that is appropriately the duty of the water purveyor who has planned and mandated the water supply and tentative well size, capacity, and location criteria. Mitigation of any transitional impacts that may be identified is outside the ability of the first applicant to address, since they did not plan the system, nor do they operate it. This study is subject of the DSMWS Water Master Plan, and not this Specific Plan. To require such a significant study involving regional groundwater hydrogeology of an individual Tentative Map applicant is inappropriate. The DSMWS should prepare this study as part of its water master plan, because only they would possess the necessary operational information J28

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concerning the cone of depression and the rate of aquifer recovery surrounding their wells. The mitigation measure should be revised to refer to previous Master Plan Reports and the Urban Water Management Plan for the DSMWS, as having adequately addressed this issue. The reference to the applicant should be revised to DSMWS.

27. **Page 97, Section 3.2, 4 - the last sentence is incorrect:** The Southpark project is situated in a drainage shed that is separate from the drainage shed extending through the plan area. The terminal point, Pond A, is common to both drainage sheds, but no drainage from the Southpark project extends through portions of the Southwest Dixon plan area. This language should be revised to present a correct picture of the cumulative impacts. J29
28. **Page 100, Biological Resources, B, Potential Impacts, 1, f:** The Settings section states that the plan area supports virtually no native vegetation. This criteria states that native habitat would be replaced. Active farmland is not "native" habitat. The reference appears to be related to Swainsons Hawk habitat, which is clearly not native, but rather, created through farming activities. The language should be clarified. J30
29. **Page 102, Section 3.3-A, Mitigation Measure 2:** This mitigation measure extends 1:1 mitigation over the entire project area. There is brief mention of an historical nest site in the north part of the plan, and indicates a required mitigation ratio for sites within one mile of such an historical nest. However, the location of the nest site is not divulged. Depending on where that nest site is situated, there may well be areas within the plan that are not within one mile. In addition, there is no substantiation that orchard properties are Swainsons Hawk foraging habitat, so these lands should not be subject to such mitigation requirements. Current commercial land uses, the CalTrans lands, and agricultural residential land uses are likewise not Swainsons Hawk foraging habitat. The measure further goes on to state that the first developments on the site will fragment the remaining habitat. There is no substantiation for such a claim. If this were true, the lands adjacent to the current urban edge would be already degraded habitat, and thus, not subject to additional mitigation requirements. The City's General Plan Policies and this Specific Plan's policies prohibit the premature conversion of farmland. Because of the Measure B restrictions on the rate of development, the build-out of this project will continue through at least 2014. The City should not impose a requirement on the first developments within the plan area to fund such acquisition because there has been no nexus of impact established, as required. Unless the City institutes an assessment on existing property owners within the plan area who are not currently developing, there will be no mechanism to fund the purchase of off-site mitigation lands for the entire plan area prior to the start of construction of the first project. This mitigation measure should be revised to correctly exclude lands that are not currently Swainsons Hawk habitat. The measure should also be revised to provide project by project mitigation, or J31 J32 J33

optionally establish and participate in a Plan Area wide funding mechanism to mitigate impacts. The second sentence should be deleted.

30. **Page 109, Traffic, Table 6:** This table lists existing intersection conditions for the 34 major intersections studied. The West A Street/Pitt School Road intersection is listed as LOS F, with delays >45 seconds per vehicle. Yet the Peak hour signal warrant is listed as not being met. Given the City's current General Plan policies on traffic LOS, this does not seem correct. If this is intended to set the base condition on which to determine the projects impacts, it would seem that improvements sufficient to meet the City's current LOS criteria would need to be envisioned and presumed to exist at that intersection. Only then could the impacts resulting from this project, or any other future project, be adequately predicted. J34
31. **Page 112, b. City of Dixon Engineering Design Standards:** The referenced standards have already been replaced with revised standards, adopted in April of 2003. The specific reference DS3-01 makes reference to street classifications being based upon cumulative traffic volumes sufficient to maintain desired levels of service. Information on intersections external to the plan area, or along the perimeter of the plan area is provided, but no information is made available for road segments, either external to the project, along the perimeter of the project, or internal to the project. There is therefore no basis on which to judge the appropriateness of the planned roadways, other than at individual studied intersections. This language is not clear, and contradictory, when it is recognized that a function of a Specific Plan is to consider and adopt standards particular to the plan area. J35
32. **Page 115, Section 3.4 B, paragraph 2a., Proposed Roadway System:** South Parkway is described consistent with the submitted Specific Plan Circulation plan. However, that plan resulted from comments by City staff and consultants to include the segment of South Parkway from Evans Road to Batavia Road as being potentially necessary. This segment of roadway is located along the southerly border of the plan area and is isolated from development within the plan area other than at the connections at each end. While the DEIR does not include sufficient information to indicate the average daily traffic that this roadway segment would accommodate, verbal conversations with the Community Development Director indicate an approximate number of only 500 ADT at the 2025 build-out of the project area. Given the isolation of this roadway from the plan area, and the low level of traffic utilization, this roadway should be deleted from the circulation plan. It is not substantiated by any potential project impact and there is therefore no nexus on which to base its inclusion. Approximately parallel roadway segments are planned in submitted Tentative Maps that will better serve internal project circulation. The comment concerning functional buffer is not an issue of traffic circulation, and should be deleted from this section as well. J36

33. Page 117, "Year 2005 No Project Conditions" does not list the other currently planned projects in the City, and the presumed level of development within those projects. Given the incorrect assumption outlined in the next comment, this is of concern. It may be that this scenario is as inconsistent with the limits of Measure B as those assumptions made for the 2005 condition for the Specific Plan area. Year 2005 conditions should consider the number of residential permits that can actually be pulled under the constraints of the Measure B Implementation ordinance. If these constraints are not considered, it may lead to expectation of mitigation in a calendar year that is inconsistent with the realization of the actual impacts. This information should be analyzed and either an accurate description of potential cumulative impacts in year 2005 presented, or a revised year should be determined in which these impacts might be generated under the constraints of Measure B. More appropriate and flexible language might simply include a level of total estimated trips generated, rather than a designated year. J37
34. Page 117, description of Year 2005 Plus Project: This scenario presumes full build-out of the five submitted Tentative Maps submitted. The cumulative total of lots included in these five maps is 793 lots. Measure B restrictions do not allow for that many building permits to be granted in the plan area until at least 2009-2010. Suggest the reference to this 2005 horizon be changed to 2009. More appropriate and flexible language might simply include a level of total estimated trips generated, rather than a designated year. J38
35. Page 121, Impact 3.4-A: It should be noted that of the 10 intersections listed, one is currently at LOS F, and 3 others are listed as at LOS F in the 2005 without project condition. The mitigation measures required of these other projects should be listed to provide context for the fair share mitigation required from this project in the cumulative condition. J39
36. Page 121, Impact 3.4-A, Mitigation measures: Throughout this section of the EIR, the document indicates that no project specific phasing was submitted. While this is true (and necessary since phasing cannot be determined with any certainty at this time), an appropriate alternative mechanism to estimate the timing of improvements is to assume certain stages of intersection improvements and provide the capacities of each of those stages at the design LOS C. Stages of intersection improvements might start with existing conditions, then addition of lanes, either through or turning, without signal, then with signal, then completion of the intersection lane improvements. In this way, the document could have served as a guide to the City, the citizens, and the developers. The result of not including this type of analysis is a mitigation measure to analyze each individual phase of each individual project. This approach results in a dependence being created on the traffic consultant, and additional delays and costs associated with each project. We suggest that this approach be considered in a supplemental traffic analysis required prior to the construction of the first project in the plan area. This would reduce the redundant requirement, imposing additional cost and time delays, on each project at the time of construction. J40

37. **Page 121, Impact 3.4-A, Mitigation Measure 1:** Discussion of payment of fair share funding is provided. Criteria for determining impact on page 114 lists cumulative plus project conditions. Tables 8, 9, 10, and 11 present data for the existing plus project, and the 2005 cumulative with this project conditions, but there is no data presented for the 2025 cumulative plus project condition. Figure 22 presents intersection capacity analysis for this 2025 condition. A summary table of the 2025 cumulative plus project conditions would be helpful to show fair share impacts for these intersections. J41
38. **Page 122, Impact 3.4-A, mitigation measure 2:** West A Street/Batavia Road intersection. This mitigation measure requires elimination of the connection of Batavia Road to the eastbound I-80 on/off ramps, but indicates that existing access to commercial uses at the intersection could remain. It discusses the installation of a signal system to accommodate project traffic along West A Street. Figures 20, 21, and 22 for intersection number 8 do not indicate this mandated severance at the intersection. If the connection of Batavia Road to the I-80 ramps is eliminated, then Batavia Road would no longer connect to West A Street, and references should be revised accordingly. The second paragraph refers to signal improvements at a West A Street/Batavia Road intersection after the elimination of the connection of Batavia Road to the ramps. This reference is not clear. The description of West A Street/Batavia Road lane configuration should be revised to refer to it as I-80 East Bound Ramp – West A Street intersection to avoid confusion. J42
39. **Page 124, Impact 3.4-A, mitigation measure 6:** It should be noted that the 2005 no project condition shows LOS degradation to F (Table 10). The future cumulative no-project conditions are not presented, so no comparison can be made for that condition and the cumulative with project condition. This project will pay traffic impact fees and participate in the funding of the required improvements to this intersection. As such, if the installation of the intersection improvements occurs prior to being triggered by development within the Southwest Dixon project, full widening and signal phasing should be made part of that improvement. J43
40. **Page 126, Impact 3.4-B and mitigation measure:** The Specific Plan process provides a venue for the City to allow modifications to standard street sections. The City has processed and approved several changes to these standards since this planning application was submitted. The referenced standards are no longer in effect. The City has provided specific direction on modified street sections that should be adopted with the Specific Plan. A blanket mitigation measure to revise street sections that have had special consideration to conform to standards that are now out of date defeats the purposes of a Specific Plan. The mitigation measure should be revised to require compliance with the street cross sections adopted by the City Council as part of the Specific Plan. J44

41. Page 126, Impact 3.4-C, discusses several existing north/south streets through and south of the plan area. On page 127, there is a general statement that underground utilities are proposed for placement beneath South Lincoln Street between the plan area and Porter Road. It is stated that, "The City believes the pavement width of this street is insufficient to allow construction of these lines." The Specific Plan and the infrastructure master plans clearly show a cross section of the existing right of way for South Lincoln Street south, and how the proposed utilities would be accommodated. There is nothing indicating that the utilities must lie under the paved area of the roadway. It is recognized that the existing pavement would require replacement. Mitigation measure 2 directs that the street shall be improved to standards identified in the City of Dixon Engineering Design Standards & Construction Specifications, without indicating the specific street standard. All standard street cross sections in those standards require the construction of curb and gutter and sidewalk. Typical street improvements are made not in response to the construction of underground utilities, but in response to the traffic requirements and the planned adjacent land uses. Finished urban street sections do not match the needs or character of rural streets. Figure 20, AM and PM Peak Hour Traffic Volumes and Lane Configurations – Existing Plus Project Conditions show predicted traffic movements at the intersection of South Lincoln and Porter (#24) as a total of 20-30 vehicles per hour, maximum peak hour conditions. Figure 17, AM and PM Peak Hour Traffic Volumes and Lane Configurations – Existing Conditions show peak hour movements 10 southbound and 18 northbound. The total project impact does not seem to warrant the conclusion that the roadway must be widened to City standards. This area is in the City Sphere of Influence and will probably be planned for urban improvements at some time in the future. Construction of standard City street improvements along this corridor is not required by the projects impacts, is not in character with the rural land uses, and may lead to premature conversion of agricultural lands, which is counter to General Plan policies. This mitigation measure should be deleted or revised to reflect a true impact and appropriate mitigation.

Mitigation measure 3 requires a fair share contribution to the improvement of Batavia Road and Pitt School Road to City standards. Pitt School Road is currently being studied by the City and will indeed be improved to City standards as it lies within the City's sphere of influence. However, Batavia Road south of the plan area lies outside the City's sphere of influence, and the City cannot presume that the roadway will be improved to City standards. Neither the EIR nor the Traffic Study provides sufficient information on individual roadway link segments that would allow the determination of percent traffic contribution by the project. Analysis of figure 20, intersection number 9, southbound approach shows only moderate peak hour traffic. This would indicate that improvements to Batavia Road south of the project boundary are not warranted. Total AM peak hour movements from the north are 80. At 9.3% of total ADT, that would equate to 860 trips per day. Similarly, PM peak hour trips are 90, representing 11.2% of

802 trips per day. Total movements northbound yield similar ADT's. These average daily trips are well within the capacity of the existing roadway.

42. **Page 142, Air Quality, Potential Impacts:** While the potential impacts resulting from project construction are fairly discussed, the positive impact of reduction of PM10 from existing farming operations is not mentioned. Any calculations relating to the potential increase must take into consideration these reductions over the long term. Table 16 on page 151 should be modified to account for the long term reduction of PM10 resulting from the cessation of farming operations. CEQA requires identification of changes from current conditions, which in this case includes dust from farming operations. J46
43. **Page 144 Impact 3-5A, Mitigation Measure 11:** These mitigation measures are intended to reduce construction related impacts to dust generation. Planting trees is not a viable construction period mitigation. Construction perimeters will constantly change as construction progresses, and trees will not grow fast enough to be effective wind breaks. This measure should be deleted. J47
44. **Page 158, Table 17:** South Lincoln Street is listed with a noise level of 62 dBA 60 feet from the centerline, while South Parkway is listed with a noise level of 60 dBA at 60 feet. South Lincoln Street is a Minor Collector, while South Parkway is a Major Collector. Information from Figure 20 (existing plus project intersection conditions) indicates total peak hour traffic north and south could amount to 140 vehicles. No information is available for projected traffic along South Parkway. Noise levels on Evans Road south of West A Street are less than 60dba while noise levels on South Parkway east of Evans Road are at 60 dBA. These two comparisons suggest that information should be provided to substantiate the higher noise level on a lower classified street. J48

**Appendix C, Noise Report, page 15, 4<sup>th</sup> full paragraph** discusses Table 4 (Table 17 of the DEIR) and how the information was derived. The discussion indicates that information from the Traffic Study was input into the CalTrans LEQV2 traffic noise model. We do not find any information in the Traffic Study that would provide peak hour volumes for North Parkway (in the various segments reported in this Table), South Parkway for two segments, or Evans Road south of North Parkway. Please provide the information that was input into the model for these roadways so that appropriate comparisons of the results can be examined.

**Appendix C, Noise Report, page 15, last paragraph, and following page list** Batavia Road, South Lincoln Street, North Parkway, Evans Road south of North Parkway, and South Parkway as arterial streets. This is incorrect. These streets are major or minor collector roadways, not arterial roadways.

45. **Page 160, third paragraph.** The document correctly recognizes the worst case scenario presented on noise exposure from existing sources. The document cites J49

the potential buffering effect of future buildings. As this community is constructed and matures, the significant level of public and private landscaping will also have a cumulative buffering effect that will further reduce ambient noise levels. It should be noted that the recently approved Pheasant Run #7 places single family residences significantly closer to I-80 than does this project, and the recently approved Southpark (Valley Glen) project places residences significantly closer to the Union Pacific Railroad than does this project.

46. **Page 163, mitigation measure 1, first bullet, last sentence:** The term “No construction activity” is too vague. Many construction activities do not generate noise. The term should be modified to indicate outdoor, noise generating construction activities that might actually cause a potential CEQA impact. J50
47. **Page 166, mitigation measure 5:** This measure requires sound insulation to produce results that are far more strict than any current noise regulation. “Inaudible” is not an appropriate regulatory threshold. If ambient outdoor noise levels specified in the General Plan are appropriate for other noise sources, that should be the standard for this installation. The condition should be modified to read, “Insulate the pump at the Southwest Water Facility so that it produces no more than 55dBA at the nearest residential property.” J51
48. **Pages 159-170, Section 3.6, general:** The significant, and frequently repeated discussion of “quiet pavement” may lead the reader to conclude that this is a mandated solution. The City will need to consider all aspects of this recommendation, including the acceptability and serviceability of such pavement. There are other pavements, such as rubberized asphalt that can reduce traffic noise as well. J52
49. **Page 184, future views from I-80:** The document attempts to describe a future scene in text, focusing on the view of future residential units from I-80. The nearest residential unit from I-80 as one approaches the southerly boundary of the Specific Plan is approximately one half mile. The screening along the freeway would be related to the Employment Center land uses immediately adjacent to the freeway, and not the residential lands one half mile away. The document fails to equate the current views just north of West A street to those that would be anticipated near the southerly edge of this proposed development. There would be little difference, except that the distance from I-80 to visible residential areas would be greater with the proposed project. Reconsider treating distant view of residences from the freeway as a significant impact. J53
50. **Page 187, mitigation measure 2:** This proposed measure is not feasible. This is a Specific Plan, not a single development application by one owner; the land ownership is varied. No development application or detailed land use has been proposed for the lands along the freeway. Any landscaping planned and installed prior to such planning may be incompatible with the future detailed land plan. In addition, the land is not available to install such landscaping, and urban services J54



such as water and electrical are not available until the project area develops. Development in the Specific Plan area is generally planned to progress from the southeast toward the northwest, and involve property owners that have no rights to acquire land along the freeway. Nothing presented in the document would indicate the need for advanced installation of these facilities. CEQA requires identification of impacts from the project on the existing environment. It does not require identification of impacts of the existing environment on the project.

51. **Page 188, Impact 3.7-B, third paragraph:** On page 189, the hypothetical description of what one might see continues with apparent inaccuracies. All street cross-sections in the Specific Plan indicate the construction of a sound wall along the south side of West A Street. Therefore, it will be difficult to see single family residential units behind the wall. The documents discussion in the fourth paragraph is off-point. The Specific Plan indicates sound walls or landscape walls along the south side of West A Street, as well as all other arterial and major collector roadways within the plan area. The documents repetition of noise issues in this section is not appropriate. The conclusion that there would be a significant negative visual impact requires a value judgment between the previously described views of little visual interest, and the proposed urban improvements with substantial focus on aesthetics. While this language does not result in a specific mitigation measure, it may be misleading to the public and the approving agencies, if this fact is not added in the final EIR. J55
52. **Page 190, mitigation measure 2:** The document does not provide any discussion of the City's existing sign ordinance but proposes a mitigation measure banning use of temporary signs, or other sign details, without justification. The City's sign ordinance should be the standard required, as it is deemed to adequately protect the existing public. Nothing in the EIR document supports imposing different standards. J56
53. **Page 190, mitigation measure 6:** The City has previously directed that walls, either sound or theme/landscape, will be constructed along these major streets. City standard street cross sections for arterial and major collector streets show soundwalls. This mitigation measure would introduce direction contrary to that previous direction. J57
54. **Page 193, "From New Streets", first paragraph:** The document incorrectly states that there would be no developer constructed landscaping along internal streets. It is generally standard practice for front yard landscaping to be installed by the builder. J58
55. **Page 194, second paragraph:** There are no residential lots planned that front the park. The document should reflect the information included on the tentative maps submitted. J59

56. Page 196, Impact 3.7-F, mitigation measure: The measure states timing of improvements along West A Street. However, phasing of the project may occur from south to north, or along North Parkway. As such, the mitigation measure should be modified to indicate that these improvements are required prior to occupancy of any residential unit adjacent to West A Street. J60
57. Page 204, Impact 3.8-C: The second paragraph correctly states that agricultural operators cannot allow spray residue to drift beyond their property boundaries. It correctly references existing permit conditions controlling such operations, and appropriately discusses optional application methods to be used when Category 1 or 2 materials are applied. These permit requirements are deemed adequate to protect existing residential and commercial land uses at the rural/urban interface. J61

The third paragraph recognizes this fact, but then presents an unsubstantiated theoretical scenario. The EIR rejects the standard of care for protection afforded existing residences and commercial areas, and instead proposes requiring total prevention of contact in a worst case scenario. This escalation of regulatory requirement is unfounded. The EIR also suggests that one time contact would amount to injurious exposure, risking health, which is not substantiated. Ground and aerial spraying occurs throughout Solano County on agricultural lands that are bordered by public roads, constantly traveled by the public. Some of these roadways are designated bicycle routes. Generally, there are no restrictions on these roadways pertaining to pedestrians, equestrians, or cyclists. The Permit Condition G protections in place are deemed adequate for those conditions.

The Permit Condition G cited requires a minimum distance of 100 feet from the operating spray nozzle and the nearest non-target area (presumably the edge of the crop). This recommended distance is somehow translated to a mitigation measure that requires a buffer 200 feet wide from the property line on the adjacent property. This is not justified in the document. It is not likely that the spray nozzle during spraying operations would be positioned exactly on the property line of adjoining property if the legal requirement is to not allow spray residue to drift beyond the property boundary. It is not practical to assume that the farmer chooses to spray dissimilar crops on neighboring agricultural properties with his chemicals. It is practical to assume that the spray operator would not normally position the spray nozzle near the property line and then spray in the direction of the adjacent property, but would rather optimize the location of the spray nozzle to just cover the target area, her crops.

Analysis of the topography for the area south of the Evans Ranch and Clark Ranch properties (as shown on the tentative maps submitted) shows a 15-20 foot wide, operating farm road immediately south of the property line, and crop areas do not appear to be closer to the property line than 20-25 feet south.

It is with these facts clearly considered, that a 75 foot wide buffer area north of the property line was proposed as adequate. The 100 foot width was proposed by

City staff. On page 206, second paragraph, the document cites a conversation with the County Department of Agriculture, stating that they did not require buffers, but relied upon the conditions of the permit. It is further observed that the next paragraph on page 206 states, "Technically, there should be no impact since the law requires that agricultural operators restrict their chemicals to their properties." The last sentence in this paragraph incorrectly claims that a 100 foot ground spray or 500 foot aerial spray easement on adjacent properties is already required by Permit Condition G. Permit Condition G does not require easements, but instead, imposes operating restrictions deemed appropriate to result in compliance with the law that restricts chemicals to individual farm properties. J62

The width of the ground application spray buffer on site should be reduced to 75 feet in mitigation measure 1 c, on page 207, and that measure adopted as adequate mitigation. City policy should be determined by well considered facts; and those facts indicate that a buffer area of 75 feet width on the Specific Plan area, in conjunction with the already recognized and imposed Condition G of the spraying permit, (which requires 100 feet from property line to spray nozzle for ground spraying, and a wider 500 feet for aerial spraying of Category 1 and 2 chemicals), would be adequate. Uses within the 75 foot buffer area should be allowed to include public roadways, which would be consistent with the many current roadways interspersed with agricultural lands throughout the region. (Refer to page 234 of the DEIR, Impact 3.10-B, which further states the ability of commercial farming to co-exist along side urban land uses.) J63

Temporary land use buffers tend to become areas of concern, as there is no viable/active use for them and they often become neglected when they are not owned by private interests. An exclusive agricultural buffer would necessarily need to be City owned. The City would need to maintain that area, and may need to use herbicides to manage weed growth. As such, the purpose of buffering urban land uses from exposure to such herbicides can be negated by the need to control weed growth within the buffer area. J64

It is strongly suggested that any agricultural buffer adjacent to the southern boundary of the plan area which is not within the City's sphere of influence, allow an option of including that buffer in the extended rear yards of proposed residential lots. Such lots would be a minimum of 180 feet deep, and include a deed restriction on the rear 75 feet. Such deed restriction would limit use of that portion of the lot to passive landscape or gardens, and note the potential accidental exposure from commercial agricultural operations. This option would provide positive notification and awareness of any property owner in the future. The deed restriction can be temporary, and be removed in the event that urban land uses supplant the commercial agricultural land uses on adjacent property. J65

Redundant protection could be enhanced by the installation of a 6 foot high, solid masonry wall at the property line adjacent to the agricultural property. This wall

could provide additional protection from spray drift from adjacent agricultural operations.

58. **Page 209, Impact 3.8-G:** Here, the document states that the five projects submitted are all adjacent to agricultural lands, and therefore subject to the proposed mitigation measures for buffer areas. There is no discussion of the current rural/urban interface immediately adjacent to some of these projects. There is no discussion of the restrictions presumably in place on farming operations on these lands, without an easement. The City recently approved residential development on the north side of West A Street, well within 200 feet of the active farming operations on the Evans Ranch properties. There is no discussion concerning the differences in location between each of the five projects. J66
- a. The Dixon Ridge project borders permanent rural agricultural lands only at the extreme southwest corner of the property. Lands immediately south, the Stiel property, are within the Specific Plan boundaries.
  - b. The Orchard Estates, Garcia property, does not border permanent agricultural lands at all.
  - c. The Orchard Estates, Sanders property, borders an area to the south that is within the City of Dixon Sphere of Influence, and therefore potentially developable.
59. **Page 223, Impact Significance, second paragraph:** The discussion is approached as if the proposed additional multi-family dwelling units were not additional, but substituted for proposed single family dwelling units. There is no discussion of the facts posed in the infrastructure master plans which accommodate the additional 118 multi-family dwelling units, above the 1221 base units of the Specific Plan. This language should be added for clarity. J67
60. **Page 255, Fire Protection and emergency Services:** The Setting section states that the staffing ratio is one firefighter per 1,000 population. Per previous sections of the DEIR, the expected population for the plan area is approximately 3,900 persons. This would equate to a projected need for four additional firefighters. Section 2, Impact 3.11-A, page 259 states that a fire station with a minimum of six additional firefighters is needed. Please explain the increase in per capita staffing requirements from 1 to 1.5 firefighters per 1000 population. Minimum staffing levels may require this number of persons, but the station would then be providing service to a larger population. This Specific Plan Area should not be burdened with funding staffing for the benefit of others. J68
61. **Page 256, Section 3.11 A 5: Financial Considerations:** This section correctly references current City of Dixon AB 1600 fee program to collect impact fees to fund the expansion of fire protection facilities. This fee should include provision for land acquisition costs. As such, the proposed 0.47 acre site should be acquired using these funds. As such, the Specific Plan language IP 7.7b, Fire Station J69

Funding (as summarized on page 260 of this document) should be modified, deleting the second bullet item referencing donation of land, and the third bullet item referencing donation of a newly constructed fire station.

62. **Page 272, mid page:** This paragraph states that the Southwest Dixon Specific Plan would meet the SB 610 and SB 221 definitions of "project". We concur with the statement as it relates to SB 610, but do not agree with the statement as it pertains to SB 221. SB 221 specifically applies to individual Tentative Map applications. It amended certain sections of the Subdivision Map Act, which do not apply to processing of a Specific Plan, but apply only to the processing of individual Tentative Subdivision Maps. Since none of the individual Tentative Subdivision Maps involve more than 500 lots, SB 221 does not apply. Each of the Tentative Maps must be considered separately as they are separate applications by different owners and applicants, and cannot be considered in aggregate. Since the SB 610 does apply, and has been complied with, there is no reduction in the level of scrutiny or performance in providing adequate water supplies. The statement should be revised in order to avoid confusion in the future processing of the individual Tentative Subdivision Maps. J70
63. **Page 273, mitigation measure 6, last sentence,** states that credit of cost of construction against the developer's connection fees is a matter to be arranged between the developer and the City of Dixon. We note that, while the City is party to DSMWS, it is not the responsible entity in this case. DSMWS has a separate development fee program that must be administered by DSMWS and not necessarily the City. This fee program collects fees from all areas within the DSMWS service area for the funding of the planned facilities. Credits toward this fee program are rightly arranged with the party responsible for administering this fee program, which we presume is DSMWS. Mitigation measure 10 again makes reference to fee negotiations with the City. DSMWS is the responsible agency, not the City. J71
64. **Page 273, mitigation measure 8,** states that DSMWS plan review fees apply. As DSMWS is the responsible agency, we note that the City should not then collect plan check and inspection fees on the water system improvements. As J72
65. **Page 276, mitigation measure 2:** This paragraph states that it is the "applicant's" responsibility for the costs of replacement of the Weyand Canal. This is not the case. Previous discussion rightly recognizes that this is the responsibility of any proposed development on the property immediately adjacent to the Weyand Canal. Discussion indicates that, should the canal be placed in a pipe, the land may be available to the adjacent owner. This facility is not the responsibility of the Specific Plan applicant. This mitigation measure should be revised to indicate the correct responsibility with the development of the property adjacent to the facility. J73

66. **Page 277, mitigation measure 2:** As stated before, this mitigation measure is not J74 substantiated, and is certainly not applicable to the stated impact, since the assumption is based on traffic considerations and not water facilities. This measure should be deleted.
67. **Page 280, Section 3.13, Wastewater Collection, Treatment and Disposal:** J75 Section A 1., second paragraph describes Dixon wastewater treatment plant, providing capacity figures. The figure specified as 1.4 million gallons per day (mgd) should be labeled average wet weather flow (AWWF). A figure of 1.3 mgd. ADWF (average dry weather flow) is also presented. See subsequent comment on Impact 3.13-A.
68. **Page 283, Impact 3.13-A:** The first paragraph presents the estimated sanitary J76 sewer flows from the built out project as 1.78 mgd PWWF. To properly compare this figure with the capacity of the wastewater treatment plant presented on page 280, this figure should also be presented in average dry weather flow ADWF terms. That figure is 0.62 mgd. This language should be added to clarify the potential impact. On page 281, Wastewater Treatment Plant Expansion, of this document, the City's planned expansion to a capacity of 1.67 mgd, ADWF is outlined. This would indicate that approximately 0.37 mgd ADWF of the total predicted flow of 0.62 mgd ADWF, would be accommodated.
- In March of 2002, the City adopted revised sewer connection fees. In the presentation materials, an abbreviated Capital Improvement Program list of expansion project was provided. That list included an item for expansion of the wastewater treatment plant in two phases, the first to 1.87 mgd, and the second to 2.4 mgd.. This language should be added to the discussion for clarity.
69. **Page 284, mitigation measures 2-4:** These measures appear to be in conflict. J77 Measure 2 requires the applicant to demonstrate adequate capacity, while measure 4 requires the City to do so, and the applicant to pay fair share AB 1600 fees. Suggest deleting measure 2 as duplicative, and inconsistent with measure 4. Measure 5 requires the widening of South Lincoln Street. This is based not on wastewater collection facilities, but on unsubstantiated traffic impacts. Suggest deletion of the measure as not pertinent to the impacts identified in this section.
70. **Page 285, impact 3.13-B, mitigation measure 1:** This measure requires J78 compliance with future standards to reduce ground water infiltration into the system. The City standards, and the Waste Water Master Plan for this project, predict peak wet weather flows based on historical conditions in the City. If this measure were implemented and had a significant effect on reducing historical inflow and infiltration, then the project's predicted wastewater generation would be lower than predicted. This net impact should be noted.
71. **Page 285, impact 3.13-C, mitigation measure 2:** Per previous comments, this J79 measure should be deleted.

72. **Page 291, impact 3.14-A, mitigation measure 1:** Discusses the potential impacts on police department funding. No analysis is presented relating the positive impacts on the City General Fund from increased property and sales taxes that will be generated by the residences, residents and businesses that are planned. New development typically generates far more property tax revenues than existing established areas of the community, due to the limits of Proposition 13 constraints. New residents generate significant increases in local sales taxes resulting from initial purchases of materials and furnishings for their new homes. J80

Any future consideration of special taxes, benefit assessment districts, or other fees must show that the revenues from property taxes within the developing area, and the sales taxes generated in and from the benefit area, do not provide the same level of funding as do the rest of the existing community, prior to the development occurring.

73. **Page 321, Impact 3.18-B:** The document correctly recognizes the level of energy impact as less than significant. The document then discusses potential additional energy conservation measures, suggesting that the City encourage or require project applicants to meet the U.S. Green Building Council's LEED guidelines. The LEED system is a voluntary system, and should not be mandated or required. The discussion on this issue may be misleading. No differentiation is made between commercial and single family residential buildings. The LEED guidelines are specifically targeted toward large commercial or multiple family buildings, and not single family residential buildings. Maximum capture of LEED credits for a single family residential building could not come close to achieving either registration or subsequent certification. The LEED system requires a significant effort in preparing an application, becoming a registered project, then achieving certification after completion of the structure and occupation. As a member of the USGBC, Nolte has LEED accredited professionals on staff and has been involved with several applications for LEED registration and certification, some successfully completed in certification. All of these projects are large commercial office buildings. The effort and expense expended by the owner and the professionals hired to complete the application has been significant, well outside the ability of any one single family residential property to afford. It is not even remotely likely that a single family residence of the size proposed for this project area could afford this added financial burden. This partial presentation of the USGBC LEED program is misleading and could result in the additional requirements being placed upon this project that are not feasible. We recommend that this reference be deleted, or substantially modified to correctly refer to commercial and multi-family residential buildings only, not single family residential buildings. The reference to the City requiring LEED participation should be eliminated. J81

74. **Clearly, Alternative 4 does the most with the least impacts.** It should be the City Council's choice. J82

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75. General comment by Geoff Robinson, Bingham McCutchen, LLP

The EIR analyzes at least three potentially "significant impacts" that are not, in fact, project impacts under CEQA: J83

1. Seismic hazards to the new buildings and improvements (Section 2.1.1);
2. Noise impacts from I-80 and the railroad on project residents (Section 2.1.6); and
3. Health risks for future residents from residual agricultural chemicals in the soil and use of agricultural chemicals on adjacent lands (Section 2.1.8).

The EIR thereby confuses environmental effects *of* the project with environmental effects *on* the project. The former are reviewable under CEQA; the latter are not. This principle was affirmed in *Baird v. County of Contra Costa*, 32 Cal. App. 4<sup>th</sup> 1464, 1468 (1995). In *Baird*, petitioners challenged the proposed expansion of a drug and alcohol rehabilitation facility, contending an EIR was necessary because the site of the proposed expansion allegedly was contaminated by oil, mercury, wastewater and sewage. The Court concluded that even if these allegations were true, requiring an EIR would turn CEQA on its head: "The purpose of CEQA," the court reasoned, "is to protect the environment from proposed projects, not to protect proposed projects from the existing environment. CEQA is implicated only by adverse *changes* in the environment." 32 Cal. App. 4<sup>th</sup> at 1468 (emphasis in original, citation omitted).

The same principle prohibits the EIR from characterizing as "environmental impacts" the alleged effects of noise, seismic hazards and agricultural chemicals on the project. These are potential impacts from the existing environment on the project, not potential environmental impacts *of* the project.

CEQA explicitly provides that it shall not be interpreted "in a manner which imposes procedural or substantive requirements beyond those explicitly stated in" CEQA or its implementing guidelines. (Pub. Res. Code section 21083.1) To include, or require mitigation of, impacts of the existing environment on the project would impose requirements beyond those required by CEQA and is therefore prohibited. Accordingly, the discussion of these "impacts" and proposed mitigation should be deleted from the EIR.



**Response to Letter from Bridgette Williams, Nolte Associates**

- J1. The comment is correct that infrastructure has been planned to accommodate the additional units as well as commercial, industrial, and public uses on the plan area.
- J2. The comment is correct. The next to last sentence on page 9 of the DEIR will be deleted and replaced with the following:

"The parks will be obtained through dedication of land and in lieu fees paid by plan area developers whose property does not contain the two park sites."

This change does not alter the conclusions or recommendations of the DEIR.

- J3. The second sentence in the first paragraph on page 10 of the DEIR will be changed as follows:

"The fire station site would be dedicated to acquired by dedication by the City of Dixon (fax communication from Cathy Spence Wells, 5/03/02)."

The City would acquire the fire station site using AB 1600 funds, rather than requiring dedication of the site. The use of AB 1600 funds would help ensure that the Southwest Dixon development pays its proportionate share for the fire station, which would serve areas beyond the Southwest Dixon Specific Plan area. This change does not alter the conclusions or recommendations of the DEIR.

- J4. As suggested, the text will be revised to state:

"This buffer extends from west of Batavia Road 220 feet onto the Clark property. Further to the east, the buffer consists of the approximately 75-foot right of way for South Parkway."

It is accurate, as stated in the DEIR, that the eastern 75 foot buffer is the road right-of-way for the proposed South Parkway. This change does not alter the conclusions or recommendations of the DEIR.

- J5. The sentence shall be revised to state:

"The buffer would separate proposed low density residential and industrial (employment center) areas from agricultural areas to the south two proposed detention ponds:"

This change does not alter the conclusions or recommendations of the DEIR.

- J6. Based on coordination between the project applicant and City Staff subsequent to the circulation of the DEIR, the proposed project's circulation system has been modified eliminating the South Parkway connection between Evans Road and Batavia Road.

Consequently, the description of South Parkway on page 115 of the DEIR has been modified as follows:

"South Parkway – Extending from Batavia Evans Road to South Lincoln Street, South Parkway is proposed to be a two-lane minor collector (landscaped street corridor) and is designated as a parkway with bike lanes and no on-street parking. South Parkway is also proposed as a functional buffer between the Specific Plan and unincorporated Solano County to the south, west of Evans Road. "

While no specific traffic modeling has been done to evaluate traffic operations with and without the South Parkway connection between Evans Road and Batavia Road, the EIR traffic engineers note that the cumulative (Year 2025) peak hour traffic volumes on this roadway are projected to be less than 40 vehicles. The traffic engineers believe that the elimination of this section of the South Parkway would not have a significant effect on other study intersections.

- J7. The following shall be added to the end of the existing discussion of drainage on page 12 of the DEIR:

"Watershed areas east of the Dixon Ridge/Evans alignment will drain to Pond A, south of Porter Road. This area can be split into two areas, west of Pitt School Road and east of Pitt School Road. Areas west of Pitt School Road will drain to a storm drain main line located within the right of ways of the North and South Parkways. A new junction structure at the intersection of North Parkway and Pitt School Road will be constructed to connect the North Parkway storm drain system to the existing 84-inch storm drain line in Pitt School Road.

Like the North Parkway system, the South Parkway system will drain to the existing 84-inch storm drain line in Pitt School Road. A new junction structure will be constructed at the intersection of South Parkway and Pitt School Road.

At the North Parkway junction structure flows will be split, sending flows south into the existing 84-inch line in Pitt School Road, while diverting some flows into a 42-inch line east to South Lincoln Street. Once the flows diverted to the east through the 42-inch line reach South Lincoln Street, they are directed south to South Parkway through 48-inch/54-inch lines.

At the South Parkway junction structure flows will be split, sending flows south into the existing 84-inch line in Pitt School Road, while diverting some flows into a 42-inch/48-inch relief line east to South Lincoln Street. Once the flows diverted to the east through the 42-inch/48-inch line reach South Lincoln Street, they are combined with the flows coming from the north and are directed south to Porter Road through a 66-inch line.

At Porter Road, flows are directed southwest along Porter Road through a 66-inch line to a proposed junction structure just north of the existing 84-inch line, junction structure. Flows will be directed southeast through a new 66-inch line to be jack and bored under the Union Pacific Railroad tracks and then into Pond A.

Specific details on the amount of flow contributed to each storm drain line can be found in the Draft Specific Plan's Storm Drain Master Plan."

This change does not alter the conclusions or recommendations of the DEIR.

- J8. It should be noted that the project description contained in the DEIR is meant only as a summary of the many detailed reports that describe all project components. The draft infrastructure master plans are all on file for review at the Dixon City Hall. Nevertheless, the following will be added to the end of the discussion of wastewater on page 12 of the DEIR:

"The Pitt School Lift Station at the northwest corner of Pitt School Road and West "A" Street is located just off-site of the northeast corner of the plan area. The Lift Station serves the WASAD by pumping the flow from the area to the northwest to a 15-inch gravity line. The 15-inch gravity line conveys this flow to the existing South Dixon Sewer Trunk at the Dixon May Fair. According to the Morton & Pitalo Study, this line would operate under pressure conditions during peak flows if the West "A" Street area continues to use it.

The proposed plan area sewer system is to construct a 15-inch gravity sewer line from the Pitt School Lift Station, south in Pitt School Road to North Parkway. From there, an 18-inch line will convey the flow from the Lift Station and from the properties within the plan area on either side of Pitt School Road. From this point on flows are conveyed south in Pitt School Road, combined with flows from the east in South Parkway and conveyed to the east to South Lincoln Street and then south to Porter Street, Porter Street to the future juncture of Parkway Blvd., and then east under the Union Pacific Railroad tracks, all through a proposed 24-inch line. By constructing the 15-inch gravity line from the Pitt School Lift Station, south in Pitt School Road to North Parkway, the Pitt School Lift Station is proposed to be abandoned."

This change does not alter the conclusions or recommendations of the DEIR.

- J9. The text on page 15 of the DEIR will be changed to indicate that the net density of Low Density (LD) lots in the Evans Ranch development would be approximately 3.18 units per acre, as the commenter states.

"The LD lots, which would be located in the southwestern portion of the project site, would range in size from 7,018 to 14,167 square feet with a net density of 5.3 approximately 3.18 units per acre."

This change does not alter the conclusions or recommendations of the DEIR.

- J10. The commenter is correct. In the first paragraph for the Regional Water Quality Control Board (RWQCB) on page 21 of the DEIR, the statement that "The RWQCB must approve a project's Stormwater Pollution Prevention Plan (SWPPP)" will be deleted.

In the second paragraph, the first sentence will be revised as follows:

"The RWQCB will issue-has developed a General Construction Permits-for under which projects may file a notice of intent to seek coverage pursuant to the National Pollution Discharge Elimination System (NPDES).

The second sentence ("The RWQCB would use the EIR to determine the acceptability of mitigation measures before granting a permit") will be deleted. These changes do not alter the conclusions or recommendations of the DEIR.

The third paragraph ("As wetlands do not occur on the site and work within stream channels is not required, it is likely that RWQCB's authority for this project would be limited to issuance of General Construction Permits and review and approval of Stormwater Pollution Prevention Plans (SWPPPs)") will be deleted. This change will not result in any new or more severe impacts.

- J11. The Year 2005 scenario was evaluated to identify potential impacts with initial development in the proposed plan area if North Parkway and South Parkway were not constructed through property that will remain in Williamson Act contracts. The land use assumptions for this analysis were based on the tentative maps included in the April 5, 2002 Notice of Preparation. Based on this assumption, the trip generation estimate is correct. Therefore, the Year 2005 scenario represents a worst case analysis, since Measure B would only allow 300 dwelling units to be constructed by 2005. As stated in each mitigation discussion, a project-specific traffic impact study shall be prepared for each tentative map to confirm existing conditions and determine the specific mitigation timing that is required to maintain the City's LOS standard. Therefore, the mitigation will be project-specific and will occur as development occurs.
- J12. The *CEQA Guidelines* (Section 15126.4D) require an EIR to identify the environmental impacts of mitigation measures recommended in the DEIR. The DEIR is consistent with State law.
- J13. While the language of the Measure B ordinance does not "require" an 80/20 mix, it states that the City shall strive to meet this ratio and that it will be considered with the development of single-family housing. In addition, projects reviewed since adoption of the implementing ordinance have been reviewed in light of this ratio.
- J14. The difference is minor, and the DEIR does state "about" 475 acres. However, the DEIR text can be changed to state: " Development of the plan area would remove about 475 465 acres of prime farmland from production." This change does not alter the conclusions or recommendations of the DEIR.
- J15. Regardless of whether the plan was revised or amended, the City determined that changes to the Specific Plan required preparation of a new EIR.
- J16. It is accurate that the data from the earlier EIR were edited. This is because some of those data were out of date or deemed unnecessary. The geotechnical studies were not referenced in the DEIR. Subsequent comments from the commenter refer to these studies, and the responses include reference to these project geotechnical studies.

- J17. The comment is correct that the Midland Fault has been inactive for a long time, and the DEIR so states. However, it is always possible that such faults can become active again. More to the point, the commenter ignores the subsequent sentences on page 81 of the DEIR that identify seismic hazard from other regional faults which are considered active.

The comment is that the potential damage that could be caused by seismic events can be mitigated to a less than significant level solely by builders constructing improvements to conform with the Uniform Building Code requirements adopted in the City of Dixon building code. The DEIR recommends a geotechnical study prior to final project design. To date, the required geotechnical reports have been prepared for the Evans Ranch, the two Orchard Estates, the Clark Ranch Estates, and the Dixon Ridge projects. Those geotechnical reports recommend standards for development to withstand expected ground shaking. Similar geotechnical studies will be required for subsequent project applications within the plan area. No changes in the DEIR are needed.

- J18. The comment raises an interesting question. It is true that farming activities do cause erosion and sediment loss on a periodic basis. These activities receive little to no regulation. However, the proposed project is subject to CEQA and to governmental review and potential regulation. In addition, the potential impact of constructing the project would include earthwork causing erosion, and these activities would occur when active farming was not occurring. As such, the construction activities potentially causing erosion would be new or different actions than historical farming activities. For one or both of these reasons, the EIR preparers continue to recommend erosion control practices as listed on page 82 of the DEIR.

- J19. The EIR preparers concur with the commenter regarding Mitigation Measure No. 2 on page 82 of the DEIR. This mitigation measure shall be deleted and replaced with the following mitigation measure:

2. "Each project developer shall prepare and implement a Stormwater Pollution Prevention Program (SWPPP) for on-site and off-site activities. The SWPPP shall be consistent with the terms of the State NPDES General Permit for Discharges of Storm Water Associated with Construction Activities (General Permit). Each developer shall file a Notice of Intent with the State Water Resources Control Board, Division of Water Quality."

This replacement mitigation measure will also be made to the Impact and Mitigation Summary Table. This change will not result in any new or more severe impacts.

- J20. The revised mitigation measures listed above will apply to the specific projects. As the text for the impacts on page 83 references the mitigation measures for Impacts 3.1-A and 3.1-B, the above-described changes to the mitigation for Impact 3.1-B will carry over. These changes will not result in any new or more significant impacts.
- J21. Comment noted. The first paragraph on page 92 of the DEIR will be changed to indicate that the detention ponds would be designed to handle the increased runoff from the

drainage shed in the 100-year storm. This change will not alter the conclusions or recommendations of the DEIR.

- J22. The last sentence of Mitigation Measure 1 on page 93 of the DEIR will be revised to state as follows:

"The design of all features proposed by the project applicant shall be consistent with the most recent version of the City's Storm Drainage Guidelines and Criteria, and standard design and construction specifications and details, as modified by the approved Specific Plan Drainage Master Plan."

The Impact and Mitigation Summary Table will be revised to reflect this change. This change will not result in any new or more significant impacts.

- J23. Comment noted. The third sentence in the first paragraph under Impact 3.2-C (DEIR page 94) will be revised to delete the statement "...and the road has inadequate travelway to safely handle projected traffic volumes." In addition, the first mitigation measure for Impact 3.2-C (DEIR page 95) will be revised to state:

1. "Prior to approval of the first Tentative Subdivision Map, the applicant shall demonstrate that adequate width exists in South Lincoln Street between the plan area and Porter Road to construct the storm drain, water lines, and wastewater pipelines within the existing right-of-way. South Lincoln Street between the plan area and Porter Road shall be reconstructed to meet City and/or County standards for travelway and shoulder width upon completion of construction of underground infrastructure utilities such as storm drainage, water, and sewer pipes."

This change will also be made on the Impact and Mitigation Summary Table. Also, see Response J45 which identifies revisions to the mitigation measures for Impact 3.4-C. This change will not result in any new or more significant impacts.

- J24. In the second paragraph under Impact 3.2-C (DEIR page 94), the second sentence will be changed to state as follows: "The drainage line will consist of a 36-inch gravity discharge line..." (i.e., not a "force main"). The third sentence will be revised as follows: "The pipeline will be constructed outside and parallel to the southeastern edge of within the I-80 right-of-way in a separate easement over private lands, and project applicants will be responsible for obtaining access to that easement ~~that right-of-way.~~ Because the pipeline would be ~~within immediately adjacent and parallel to the freeway right-of-way~~ and the area it traverses is mainly open grassland or a ruderal (i.e., weedy) area, construction of this pipeline is not expected to result in any significant impacts to natural resources." This change will not affect the conclusions or recommendations of the DEIR.

- J25. See Response J23 for changes to the mitigation measure applicable to South Lincoln Street.

- J26. Mitigation Measure 2 for Impact 3.2-C, regarding approval for construction of the pipeline from the plan area to McCune Creek, is needed regardless of the location of the pipeline or the size, location, or extent of drainage facilities in any development in the plan area. Nevertheless, the mitigation measure will be revised to add the following as a second sentence:

"Alternatively, any request to delay approval of construction of the pipeline shall require that the applicant demonstrate and submit for approval by the City an acceptable interim alternative to address runoff from new development."

This change would also be made on the Impact and Mitigation Summary Table. This change will not result in any new or more significant impacts.

- J27. The first mitigation measure for Impact 3.2-D (DEIR page 95) will be deleted and a new measure added as follows:

1. "With each Tentative Subdivision Map approval, each project applicant shall comply with and adhere to the conditions of the RWQCB Statewide NPDES Permit and NPDES General Permit for General Construction Activities."

This change would also be made on the Impact and Mitigation Summary Table. This change will not result in any new or more significant impacts.

- J28. Use of groundwater does relate to the hydrology of the plan area, and therefore the impact is appropriately discussed in the hydrology and water quality section. The impact discussion also cross-references Section 3.1, Geology and Soils, and Section 3.12, Water, of the DEIR. Mitigation Measure 1 on page 96 is overly long and mainly codifies the requirements that DSMWS would require for proper siting of the well. It shall be deleted and replaced with the following measure:

"The location of the new well shall be approved by the Dixon-Solano Municipal Water Service."

This change will not result in any new or more significant impacts.

- J29. Comment noted. In the first paragraph under Impact 3.2-G, the second sentence will be revised as follows: "The Pheasant Run and Southpark projects is are located in a-two separate watersheds, ~~both of which~~ that extends through portions of the Southwest Dixon Specific Plan Area."

In the second paragraph, the second sentence (regarding the Southpark Planned Development Draft Subsequent Environmental Impact Report conclusions) will be deleted. These changes will not result in any revisions to the conclusions or recommendations of the DEIR.

- J30. The criterion in question relates to whether a project would interfere with wildlife movement, migration, or nursery sites. The discussion beneath the criterion states that the project would not interfere with migration or movement but would replace native

habitat. The commenter objects to the use of the word "native." It is of no importance to the subsequent impact discussions whether the reference is to "native" or "existing" (i.e., agricultural) habitat. The text could be changed to replace the word "native" with the word "existing." This change would have no effect on impact assessments included in the DEIR.

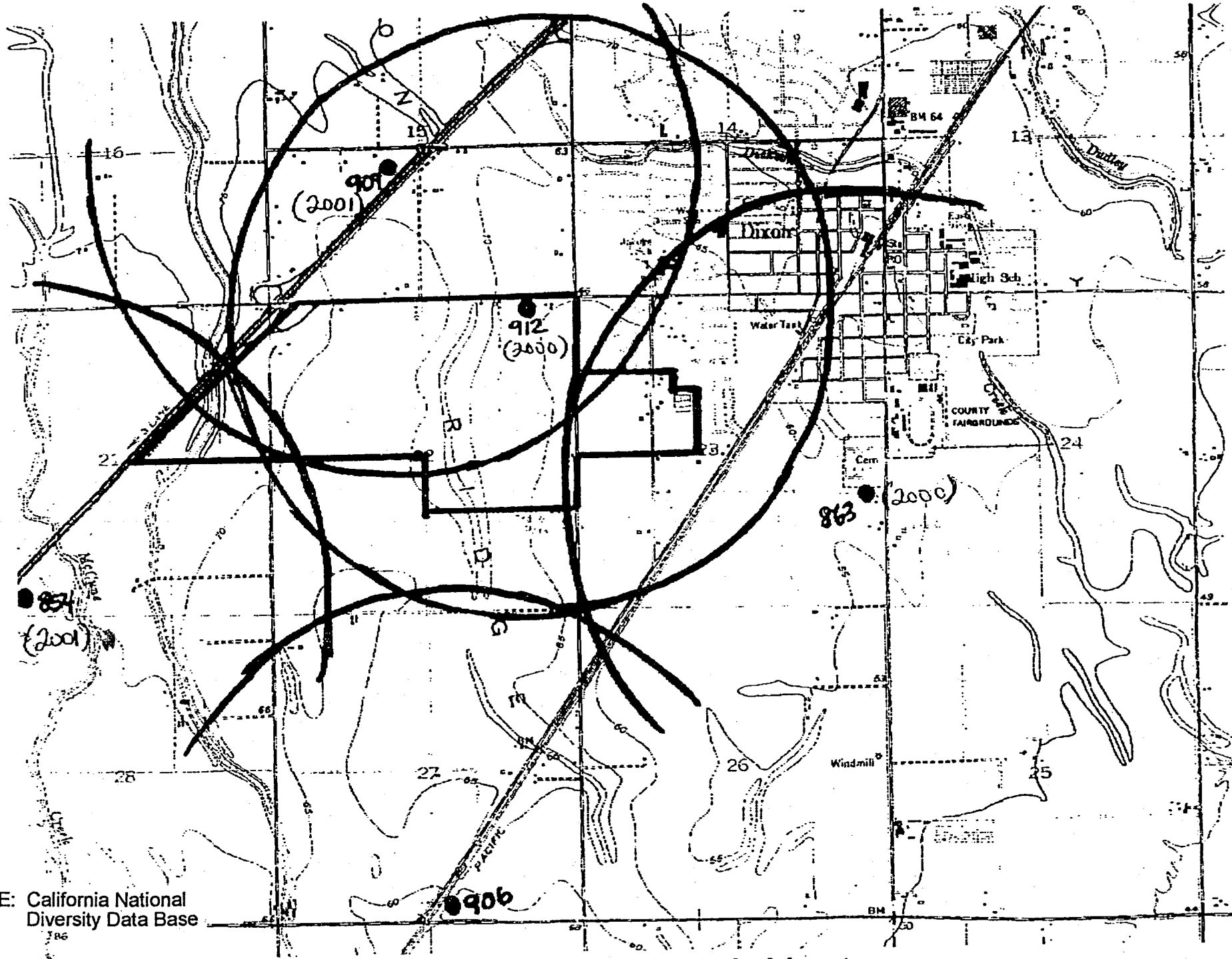
- J31. At the time the DEIR was prepared, Moore Biological Consultants conducted a search of the Department of Fish and Game's Natural Diversity Data Base for Swainson's hawk nests. Three nests were identified near the plan area. The entire plan area was within one mile of one of these nests. As part of this FEIR, Moore Biological Consultants conducted a new search of the Natural Diversity Data Base. The results showing the five nearest nest sites are shown on the following page. This map shows how the entire plan area is within one mile of one of the nest sites. The nests are numbered (i.e., their occurrence number), and the date of documented nesting is provided. The Department of Fish and Game's mitigation guidelines for Swainson's hawk define an active nest as one having been used at least once in the past five years. The nests were last documented as active in 2000-2001, so mitigation at 1:1 (as described in the DEIR) is appropriate at least until 2005-2006.
- J32. It is true that orchards and developed proportions of the plan area are not suitable Swainson's hawk foraging habitat. As such, Mitigation Measure 2 on page 102 of the DEIR will be changed as described below in Response J33.

This change will also be made to the Impact and Mitigation Summary Table. This change clarifies that the mitigation applies only to open land that is suitable Swainson's hawk foraging habitat.

- J33. The comment states that the first developments on the plan area would not fragment the habitat because there is already existing urban development adjacent to the plan area. This is incorrect. The existing development is around the edge of the plan area habitat and does not dissect it as would the Evans Ranch and Dixon Ridge projects. The fragmentation of habitat caused by the initial development would directly remove hawk foraging habitat in the areas developed and indirectly remove foraging habitat because the remaining undeveloped area would be in too small blocks to be actively used by Swainson's hawks.

The comment regarding the unfairness of requiring the first developers to fund the entire mitigation and to instead require mitigation on a project-by-project basis appears reasonable. The mitigation can be changed to require the mitigation on a project-by-project basis so long as full mitigation for the entire amount of foraging habitat on the plan area is eventually required, that is, that subsequent projects are required to fund mitigation even if the hawks have abandoned their nests during the previous five years due to initial development of the plan area. As such Mitigation Measure 2 on page 102 of the DEIR will be changed as described below:





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SOURCE: California National  
Diversity Data Base

Active Swainson's Hawk Nest

"For every acre of suitable Swainson's hawk habitat developed within the Specific Plan area, the developer of each project will be responsible for preserving one acre of Swainson's hawk habitat per the California Department of Fish and Game's *Staff Report Regarding Mitigation for Impacts to Swainson's Hawk (Buteo swainsoni) in the Central Valley of California* (CDFG, 1994). ~~Because the first development on the Specific Plan area will fragment the remaining habitat, the 1:1 mitigation will be required for the entire Specific Plan area prior to the start of construction for the first project. The first developers will be responsible for funding the plan area wide mitigation and will be repaid by future developers.~~ The area to be preserved will be confirmed as adequate Swainson's hawk habitat by CDFG. Proof of purchase of the property or a suitable conservation easement shall be provided to the City of Dixon prior to the start of construction of each project. The habitat purchase or purchase of development rights may be combined with land preserved to offset loss of agricultural lands as described in the mitigation for Impact 3.10-A."

This change will not result in any new or more significant impacts.

- J34. The peak hour signal warrant is not used to determine project impact. Intersection level of service (LOS) was used to determine project impacts. An evaluation of the peak hour volume signal warrant was used to determine if the installation of a traffic signal would be appropriate mitigation for unsignalized intersections that operate unacceptably with the addition of project traffic.
- J35. The plan area's roadway and circulation system was compared to the City's design standards to determine if the proposed project is consistent with standards related to intersection spacing, sight distance, and sidewalk treatments. The June 1, 2000 version of the *City of Dixon Engineering Design Standards & Construction Specifications* was the most current version available at the time the traffic impact analysis was prepared. Subsequent to its preparation, the specifications were updated in April 2003. The commenter is correct that standards adopted as part of a specific plan can vary from City standards. The proposed Specific Plan is substantially consistent with these standards. Variations to the standards proposed as part of the Draft Specific Plan will be evaluated as part of the Specific Plan review process.
- J36. See Response J6 regarding this same issue.
- J37. As discussed in Response J11, a project-specific traffic impact study shall be prepared for each tentative map to confirm existing conditions and determine the specific mitigation timing that is required to maintain the City's LOS standard. Therefore, the mitigation will be project-specific, will insure that no mitigation is implemented before it is warranted, and will be consistent with residential development levels allowed by Measure B.
- J38. Please refer to Response J37.
- J39. Similar to this project, the timing of off-site development assumed in the Year 2005 scenarios is uncertain. Therefore, a project-specific traffic impact study shall be

prepared for each tentative map to confirm existing conditions and determine the specific mitigation timing that is required to maintain the City's LOS standard. In some cases, development may be required to construct improvements prior to their programmed installation in the *City of Dixon AB 1600 Facilities and Equipment Study*, March 2000 (AB 1600). In these cases, the applicant and the City will negotiate to determine reimbursement using funds collected through AB 1600.

- J40. Please refer to Response J37. The approach identified in the comment would provide some direction; however, it would not eliminate the need for future technical studies. As expressed by the commenter "phasing cannot be determined with any certainty at this time," so identifying a staged improvement would be speculative at this time and outside the scope of the technical studies for the environmental document. A capital improvement plan (CIP) and financing plan are being prepared by the project applicant to identify the timing and responsibility for construction of improvements identified in the DEIR.
- J41. The commenter is referred to Table 12 and Figure 23 of the DEIR regarding this comment.
- J42. Comment noted. See Responses R1 through R3 to comments raised by the attorney for the owner of the Dixon Fruit Market.
- J43. Please refer to Response J37. The full improvements identified in Impact 3.4-A may be required depending on the results of the project-specific analysis, which will vary depending on the amount and location of development that occurs before the analysis is conducted.
- J44. Please refer to Response J35. The revised street cross-sections referenced in the comment have been reviewed by City staff and would be substantially consistent with the City's standards. Therefore, the mitigation measure for Impact 3.4-B (page 126 of the DEIR) will be revised to state:

"The project applicant shall modify the proposed street classifications and street cross-sections to be consistent with the standards identified in the *City of Dixon Engineering Design Standards & Construction Specifications or standards developed in the Specific Plan and approved by the City.* This modification would result in consistency of the Specific Plan with General Plan policy."

This change would also be made on the Impact and Mitigation Summary Table. This change will not result in any new or more significant impacts.

- J45. As identified in Impact 3.4-C, existing segments of Batavia Road, Pitt School Road, and South Lincoln Street do not meet current City of Dixon minimum roadway cross-section design standards. The addition of the specific plan traffic to these roadways will aggravate a currently unsafe condition (e.g., too narrow roadway width). It is acknowledged that the volume increases on these roadways in unincorporated Solano County are expected to be relatively low; however, this does not diminish the potential safety problems. The mitigation measure will be modified as follows to identify the

Solano County design standards for the segments of these roadways in unincorporated Solano County and to clarify what improvements are required for S. Lincoln Street.

1. "For segments of Batavia Road, Pitt School Road, and South Lincoln Street that are located within the Specific Plan area, the project applicant shall modify the proposed street classifications and roadway cross-sections to be substantially consistent with the standards identified in the City of Dixon Engineering Design Standards & Construction Specifications.
- ~~2. South Lincoln Street between the plan area and Porter Street shall be improved to standards identified in the City of Dixon Engineering Design Standards & Construction Specifications.~~
32. For segments of Batavia Road and Pitt School Road located outside the plan area in unincorporated Solano County, the project applicant shall make a fair-share contribution toward reconstruction of the road to meet ~~City of Dixon~~ Solano County standards. The fair-share contribution would be based on the project's traffic contribution relative to existing traffic on the roadway. South Lincoln Street between the plan area and Porter Road shall be reconstructed to meet City and/or County standards upon completion of construction of underground infrastructure utilities such as storm drainage, water, and sewer pipes. "

These changes will also be made on the Impact and Mitigation Summary Table. This change will not result in any new or more significant impacts.

- J46. It is true that over the long term (i.e., once all construction on the site is completed), there could be a reduction in the emission of PM10. However, the PM10 emissions from agricultural activities vary widely depending on the season and activities. Project construction emissions would be fairly consistent. As such, it is not appropriate to directly compare them when judging the significance. The Yolo-Solano AQMD requires dust control measures at construction sites, regardless of the precise amount of estimated PM10 emissions.

The EIR air quality consultants calculated emissions for agricultural activities on the plan area (using annual emissions reported by the California Air Resources Board emission inventory for Yolo and Solano Counties). Assuming active agricultural activity on 450 acres, the following daily emissions would occur:

Reactive Organic Compounds = 2.7 pounds  
Nitrogen Oxides = 9.5 pounds  
PM10 = 15.8 pounds

Table 16 describes the emissions from each project. The emission estimates are accurate and do not need to be changed because there are existing PM10 emissions in the area. Each project will need to comply with the mitigation measures to reduce dust regardless of the precise quantity of dust generated and regardless of how much may be currently produced by agricultural activities.

J47. Mitigation Measure 11 says "Install wind breaks, or plant trees/vegetative wind breaks at the windward side(s) of construction areas." Planting of trees is not mandated. Other forms of windbreak can be constructed. The effect of blowing dust on open fields in the area can be quite serious, and every effort should be made to control these emissions. Some form of windbreak (which can be moveable) needs to be constructed, but it need not be trees. Because Mitigation Measure 11 does not require tree planting, no text change is required.

J48. A review of the data provided by the EIR traffic consultant indicates that 190 PM peak hour trips would occur on South Lincoln Street under the "2025 plus Project" scenario. Under this same scenario, 135 trips would occur along the South Parkway. Noise levels generated by traffic on South Parkway would be approximately 2 dBA lower than the noise levels generated by traffic on South Lincoln Street. Thus, the cited section of the DEIR remains accurate, and no text change is required.

The requested daily traffic volumes for North Parkway and South Parkway are:

- North Parkway (Gateway to Evans) - 2,710
- North Parkway (Evans to Pitt School) - 2,310
- South Parkway (Batavia to Evans) - 1,230
- South Parkway (Evans to Pitt School) - 1,230

There is no traffic information for Evans Road south of North Parkway, and the table does not provide noise estimates for that road segment.

The comment regarding the streets being major or minor collectors as opposed to the stated arterials is noted for the record. The changes will be made to the Appendix. These changes would not affect the analyses, conclusions, or mitigations of the DEIR

J49. The comment is noted. The cited paragraph states that the EIR analysis is a worst case analysis and that future development will buffer some neighborhoods from freeway and railroad noise. The commenter may be correct that other new development has been allowed near the freeway and railroad. The City certainly has the ability to allow such new development even if noise levels are higher than what might be considered "normally acceptable." The EIR accurately identifies the future worst case noise environment to provide the City decisionmakers the information they need when considering the project and mitigation measures.

J50. The cited bullet item addresses "noise-generating activities." These noise-generating activities are what are prohibited on Saturdays, Sundays, and holidays. However, to make sure that this is clear the last sentence of Bullet No. 1 under Mitigation Measure 1 on page 163 of the DEIR will be changed to the following:

"No noise-generating construction activities within 500 feet of residences should occur on Saturdays, Sundays, or holidays."

This change will not result in any new or more significant impacts.

- J51. The noise generated by such facilities as pump stations is often heard as a constant hum, and this noise can be very irritating to many people. As such, more stringent noise mitigation is often required for such facilities. The EIR authors do not believe the mitigation measure should be altered. However, the commenter's opinion will be forwarded to the City Council for its consideration. If the City Council does decide to reduce the amount of mitigation required, the EIR authors recommend that future homebuyers within hearing distance of the pump station be notified of its existence at the time of home sale.
- J52. The comment is noted. The DEIR does not require the use of quiet pavement. It recommends design-level noise studies which will identify how open space buffers, noise barriers and/or use of quiet pavement can successfully reduce noise levels. The EIR authors agree that the City will need to review the use of quiet pavement as regards its acceptability regarding life span, re-paving, and other operations and maintenance considerations. The EIR preparers did confer with the City's Engineer when preparing these recommendations. On a preliminary basis, the use of such a paving technique is considered feasible. Any form of quiet pavement, including rubberized asphalt, could be considered.
- J53. At the southwestern corner of the plan area, the nearest residence on the plan area would be about 2,300 feet from the freeway. However, as one travels north on the freeway, the residences become closer so that about midway along the north-south length of the plan area, the nearest residence would be about 900 feet from the freeway.

It is accurate that views north of West A Street are of residences and other development near the freeway. However, the visual effect of this past development is not a reason why the DEIR should not identify the visual change along the Interstate 80 southern gateway to the City as potentially significant.

The commenter requests that the EIR authors reconsider whether the views of residences from Interstate 80 would be sufficiently significant to require mitigation. The commenter indicates that Mitigation Measures 1 through 3 on pages 186-187 of the DEIR should be required for the Employment Center development and not residential development. The EIR authors concur that the mitigation measure is primarily needed for development in the area designated Employment Center. Landscaping proposed along Batavia Road would provide sufficient buffering of residential areas to the east. As such, Mitigation Measures 1 on page 186 shall be changed as shown below. Mitigation Measure 2 on page 187 is then redundant and shall be deleted, and the subsequent mitigation measures renumbered..

1. "Prior to approval of development in the area designated Employment Center A a landscaping plan for the Interstate 80 frontage shall be designed by a qualified landscape architect. This plan shall include provisions for the following:" *(the remainder of the mitigation would remain unchanged).*

To make the DEIR internally consistent, references to the mitigation measures recommended for Impact 3.7-A in Impacts 3.7-F and 3.7-G will be deleted.

These changes will also be made on the Impact and Mitigation Summary Table. These changes will not result in any new or more significant impacts. These alternate mitigation measures would reduce the visual impact identified in Impact 3.7-A to a less than significant level.

J54. See Response J53 above which responds to this issue.

J55. There is no mention of any proposed soundwalls in the text of the Draft Specific Plan. It is true that the Street Section for West A Street (Figure 6-2A in the Draft Specific Plan) does show what appears to be a wall on the south side of West A Street (south of the sidewalk and landscaping strip). No dimensions are provided for this wall or any description of what it is intended to be. Scaling off the rest of the Figure, it appears the wall would be about 6 feet high.

If this fence/wall along West A Street, as well as other streets, is a part of the actual project description, then the commenter is correct that it would be difficult to see single-family residential development beyond the fence/wall. The comment suggests that the DEIR's conclusion that soundwalls would have an adverse aesthetic impact is subjective. It is true that aesthetic judgments are subjective. Further review shows that soundwalls are included in the City's street standards. Thus, the City has accepted the need for these walls. It is therefore concluded that such walls would not have a significant aesthetic impact. As such, Mitigation Measure 6 on page 190 and Mitigation Measure 4 on page 194 of the DEIR will be deleted. To ensure internal consistency of the EIR, the conclusions that construction of soundwalls would be a significant impact on page 191 (for Impact 3.7-B, page 195 for Impact 3.7-C, page 196 for Impacts 3.7-E and 3.7-F, and page 197 for Impacts 3.7-G and 3.7-H will be deleted. The impact of constructing new soundwalls or expanding existing soundwalls, consistent with City street standards, would be considered a less than significant impact.

J56. Mitigation Measure 2 on page 190 recommends that commercial signs along West A Street be kept to a minimum in number and that sign lighting be reviewed by the City to ensure that the lights are not excessively bright or otherwise aesthetically displeasing. Finally, the mitigation measure recommends banning the use of temporary signs. The comment states that this mitigation is unwarranted since future signs would be controlled by the City's sign ordinance.

Adopted ordinances may provide minimum requirements. However, an EIR may conclude that all environmental effects are not necessarily reduced to a less than significant level by complying with adopted ordinances. The City's Zoning Ordinance does not contain language addressing illumination intensity and temporary commercial signs. These temporary signs (e.g., banners at fast food outlets) are frequently much more visibly intrusive than permanent commercial signs and can have a significant aesthetic impact.

The commenter's opinion is noted for the record and will be forwarded to the City Council for its consideration. Unless the City Council finds otherwise, no change to the

DEIR text is necessary. If the mitigation measure is deleted by the City Council, the impact significance after mitigation would not change.

- J57. There are no standard City development requirements for soundwalls along streets. Projects are evaluated for the need for such soundwalls on an individual basis.
- J58. The cited sentence was intended to differentiate the residential landscaping along residential streets from the arterials and collectors where there is an official landscaping strip along the road edge. The EIR authors agree that front yard landscaping is typically provided when constructing new homes.
- J59. The comment is correct that no lots actually "front" the community park. However, a review of the subdivision maps shows 14 lots on the west side of Evans Road, 5 lots on the south side of the North Parkway, and 8 lots on the east side of a residential street all across the street from the proposed park.
- J60. The EIR authors concur with this comment. The mitigation measure will be clarified as follows:

~~"The mitigations required for Impact 3.7-A and Mitigation Nos. 4 and 6 for Impact 3.7-B shall apply to this project. For the recommended mitigation measures for Impact 3.7-B, the improvements to West A Street shall be completed prior to approval of project occupancy of any residential unit adjacent to West A Street."~~

This change will also be made on the Impact and Mitigation Summary Table. This change will not result in any new or more significant impacts.

- J61. The comment regarding the adequacy of the setbacks required in Permit Condition G is noted for the record. The recommendation in the DEIR that a minimum 200-foot buffer be provided between residential properties, parks, pedestrian paths, and bikelanes and adjacent agricultural properties was intended to include the 100-foot spray restriction area required under Permit Condition G. The remaining 100 feet can be either on the plan area or on the adjacent agricultural land.

The EIR preparers contacted the Solano County Agricultural Commissioner to obtain her position on adequate buffers between residential land use and agricultural use. The Commissioner stated that a 100-foot buffer was an inadequate buffer, both for reasons of potential spray drift as well as other potential conflicts (e.g., odors, noise, and dust). The Commissioner stated that the buffer should be 500 feet. She stated that she typically requests a 500-foot buffer to minimize complaints from residents and others regarding adjacent agricultural operations (Susan Cohen, personal communication). On this basis, no change is recommended to the DEIR recommendation of a 200-foot buffer.

- J62. The DEIR is incorrect in stating that no spray drift is allowed to drift off of a property. Further research into the law indicates that all spray drift is not forbidden. The California Food and Agricultural Code, Division 7, Chapter 2, Article 11, Section 12972 states "The use of any pesticide by any person shall be in such a manner as to prevent substantial drift to nontarget areas." The question of what is "substantial" is subjective. The



Agricultural Commissioner states that when she receives a complaint about spray drift, if she finds pesticide residue on the non-target property, she will require spray modifications to avoid such drift. The comment is correct that the spray restrictions are not technically an "easement." However, the spray restrictions would provide a buffer where spraying does not occur.

J63. The comment is that the 75-foot "buffer" along the southern edge of the plan area plus the 100-foot spray restrictions on the adjacent property are sufficient to protect the health of future residents, workers, and visitors. The EIR preparers disagree with this conclusion. First, the cited 75-foot "buffer" on the plan area is comprised of the South Parkway between South Lincoln Street and Batavia Road. Subsequent to preparation of the DEIR, the City has agreed that the segment of South Parkway between Evans Road and Batavia Road will not be constructed unless the area to the south of the plan area is developed in the future. A 100-foot right-of-way will be retained where this road was originally proposed. The following summarizes the buffer for each property:

- For the Schroeder property lying west of Batavia Road, a proposed detention basin, about 300 feet wide, would buffer the area between Batavia Road and the Weyand Canal. Further west, there are no details regarding buffers, as no project has been proposed for this site.
- On the Evans Ranch site, the buffer includes the South Parkway right-of-way and a proposed detention basin. This buffer will be about 300 feet between the plan area southern boundary and the proposed linear parkway between the residential lots and the detention basin site.
- On the Evans Ranch site, 10 residential lots are separated from the adjacent Schroeder property to the west by Batavia Road, which is proposed to be 85 feet wide. Drivers, pedestrians, and bicyclists on this road could be closer to the adjacent property. The Schroeder property is used for commercial agriculture, and there are no development plans for this property.
- On the Clark Ranch Estates site, a 300-foot buffer which includes the South Parkway right-of-way and the east end of the detention basin, occurs at the westernmost end of the site. Further east, the South Parkway was formerly proposed with a 75-foot buffer along at least a part of the southern boundary. Given the abandonment of the South Parkway until development to the south (see Response K1), it appears that as many as 6-7 lots would be within 0-60 feet of the southern boundary.
- On the Dixon Ridge site, 8 lots would be separated from agricultural uses on the Steil property to the south by the 75-foot wide South Parkway. Drivers, bicyclists, and pedestrians on South Parkway would be within 10-60 feet of the adjacent agricultural operations. Over time, the Steil property may develop (as it is part of the plan area). However, there are no current development plans, and the property is under a Williamson Act contract.

- On the east side of the Dixon Ridge site, 25 residential lots will border the adjacent Azevedo and Steil properties currently being used for commercial agriculture. There is no proposed buffer along this eastern border of the site. It is assumed that no buffer was proposed here because the Plan preparers assumed that these two eastern agricultural properties would soon be developed. In the case of the Azevedo property, this appears a reasonable assumption as development plans are being prepared for this property. However, there are no development plans for the Steil property, which remains under a Williamson Act contract.
- On the portion of the Steil property south of South Parkway, a functional buffer is shown on the Proposed Land Use Map (see Figure 6 in the DEIR). It appears that this buffer is 50-75 feet wide. No development is currently proposed on this property. However, future residential lots could be located closer than 100 feet from the plan area boundary, unless the proposed buffer were widened.
- On the portion of the Steil property located north of the South Parkway, the proposed buffer between the two Steil properties is the 75-foot South Parkway. It is assumed that if and when the owners of the Steil property seek to develop, they will develop their entire holding. Buffers should not be a problem for this northern parcel (i.e., there would be residential development on both sides of the South Parkway in this section).
- On the Orchard Estates-Sanders Property, 5 lots are separated from the adjacent agricultural property by the 75-foot wide South Parkway. Again, drivers, bicyclists, and pedestrians along this street may be nearer adjacent agricultural operations. East of South Lincoln Avenue 6 lots abut the southern plan area boundary with no buffer. To the west is the Steil property; 3 lots are located across Pitt School Road from that property.
- On the Orchard Estates-Garcia Property, 6 lots are located across Pitt School Road from the Azevedo Property. However, as described above, it is likely that commercial agricultural operations may soon cease on that property.

Thus, all properties where there are explicit development application, except possibly for the Orchard Estates-Garcia Property, have residential lots proposed within 100 feet of the border with commercial agricultural properties. The South Parkway would place drivers, bicyclists, and pedestrians within 10-60 feet of those agricultural properties.

The DEIR recommends a minimum of 200 feet between the areas where spraying occurs and the nearest residential lot, park, and path/bikelane. The County Agricultural Commissioner recommends a minimum 500-foot setback. The EIR preparers do not propose to change the EIR recommendations either to reduce the setback width, as recommended by the commenter, or increase it as recommended by the Agricultural Commissioner. However, the recommendations of both the commenter and the Agricultural Commissioner will be forwarded to the City Council for its consideration.

- J64. The comment assumes that the buffer would occur entirely on the plan area. The DEIR suggests that the applicant could arrange with adjacent agricultural operators to not spray Category 1 or 2 materials within 200 feet of proposed development. Secondly, a permanent buffer partly or entirely on the plan area may not need weed control using herbicides, and even if herbicides were applied, they need not be Category 1 or 2 materials.
- J65. The comment suggests that residential lots adjacent to agricultural properties be 180 feet deep with a deed restriction on the 75 feet nearest the property boundary. The deed restriction would allow human use of the area, but would provide for additional notification of the adjacent agricultural use. In addition, a 6-foot high masonry wall would be constructed. The Agricultural Commissioner was contacted regarding these suggestions, and she stated that a 6-foot high masonry wall would have no benefit regarding spray drift and other agricultural nuisance problems (Susan Cohen, personal communication). The deed restriction would continue to allow human presence in areas potentially affected by spray drift. The commenter's suggestions are not recommended, but they will be forwarded to the City Council for its consideration.
- J66. The City may have approved other development within 200 feet of commercial agricultural operations. This does not alter the analysis and conclusions of this DEIR. See Response J61.

See Response J63 regarding the juxtaposition of each property to commercial agricultural uses. The comment is correct that the mitigation measures recommended for this impact would not apply to the Orchard Estates-Garcia Property since it would be buffered from agricultural uses by the Orchard Estates-Sanders Property development (assuming that the Azevedo property will soon be developed). It is also true that only the southwest corner of the Dixon Ridge project would be affected once the Steil property is developed. However, there is no current development application for the Steil property (which is in a Williamson Act contract). As such, commercial agricultural on the Steil property could continue for an unknown period of time after residences were constructed on Dixon Ridge. It is true that the Orchard Estates-Sanders Property borders agricultural property to the south that is within the Dixon City Limits and may be developed in the future. However, until such a development application is submitted, the EIR must assume continued agricultural use of that property. Based on this discussion, the text should be changed to eliminate the Orchard Estates-Garcia Property from the discussion. The following text changes are recommended:

"Impact 3.8-GThe five All the projects except the Orchard Estates-Garcia Property all abut agricultural properties where spray drift could adversely affect future residents and workers.

The potentially significant impact of constructing residential development and other facilities where the public would be exposed to agricultural spray drift was discussed under Impact 3.8-C. Each of the five projects, except the Orchard Estates-Garcia Property, is located adjacent to agricultural operations. The mitigation measures recommended for Impact 3.8-C would apply to each project except the Orchard Estates-Garcia Property."

This change would also be made in the Impact and Mitigation Summary Table. This change will not result in any new or more significant impacts.

The commenter is directed to the end of the responses to Comment Letter K, where a summary of the discussion regarding the agricultural buffer issue is presented.

- J67. The commenter is correct that the discussion on page 223 of the DEIR implies that the additional multi-family dwelling units would be substituted for proposed single-family units. To achieve consistency with Measure B, the DEIR recommends (as mitigation for Impact 3.9-E) that the Specific Plan be revised so that 20 percent (244 units) of the proposed 1,221 total housing units be multi-family. The alternatives evaluation (DEIR, pages 342-343) analyzes the other possibility, i.e., that the additional multi-family units necessary to achieve compliance with Measure B be provided in addition to the 1,221 units already proposed by the Specific Plan.
- J68 The staffing ratio of one firefighter per 1,000 population, while only a guideline, is a reasonable estimate of the additional staff needed to serve increases in population. However, additional staffing beyond this guideline is sometimes necessary, depending on the type of project and specific fire department needs.

The Southwest Dixon fire station would serve an area beyond the Specific Plan area, and therefore the staffing ratio for the Southwest Dixon development (four firefighters to serve 3,900 residents) is only a portion of what would be needed to staff the proposed fire station. To clarify this point, the following sentence will be added as the fourth sentence in the first paragraph under Impact 3.11-A on page 259 of the DEIR: "The fire station would serve areas beyond the Southwest Dixon Specific Plan area." This change will not affect the conclusions or recommendations of the DEIR.

Operating costs such as fire department staffing are typically funded by sales tax, vehicle license fees, and property taxes, rather than by development (AB 1600) fees. In this case, other development outside the Specific Plan area would help to pay for the additional staffing. Existing personnel would also be assigned to help meet the staffing needs (E-mail communication from Ric Dorris, Fire Chief, Dixon Fire Department, September 16, 2003). Neither the proposed Specific Plan policies, nor the mitigation measures recommended in the DEIR, require the Specific Plan applicant to fund fire department staffing.

- J69. The proposed fire station on the plan area is project number 410-106 on the City's Capital Improvement program. The CIP anticipates purchasing land within the next three or four years. Resources for this project are being collected through the AB 1600 Fee program applicable city wide. The changes to the Specific Plan that the commenter recommends cannot be made in the EIR, which evaluates the Specific Plan as submitted with the project application. The recommended changes do not affect the DEIR's conclusions regarding project impacts on fire protection services and the need for the new fire station (see Impact 3.11-A and related mitigation on pages 259-261 of the DEIR).

- J70. Comment noted. While the subdivisions currently within the plan area may not meet the SB 221 definition of "subdivision," future subdivisions may meet this definition. The sentence on page 272 of the DEIR will be revised to clarify this point, as follows:

"The Southwest Dixon Specific Plan would meet the SB 610 and ~~SB 221~~ definitions of 'project.' While currently proposed subdivisions may not meet the SB 221 definition of 'subdivision,' future subdivisions may meet this definition."

This change will not result in any new or more significant impacts.

- J71. Comment noted. The last sentence in Mitigation Measure 6 on page 273 of the DEIR will be revised as follows:

"Credit for the cost of construction against the developer's connection fees is a matter to be arranged between the developer and the City of Dixon DSMWS."

In addition, the following change will be made to Mitigation Measure 10 on page 274 of the DEIR:

"The developer shall pay connection fees and meter installation fees adopted by the DSMWS for each service from the system, ~~unless otherwise agreed between the developer and the City of Dixon.~~"

These changes will not result in any new or more significant impacts.

- J72. Comment noted. The mitigation measure does not state that the City of Dixon would collect plan check and inspection fees on the water system improvements.
- J73. The DEIR (page 268) states that the Solano Irrigation District "would require that all portions of the canal extending through a developed area be replaced with 'a pipeline of equal capacity that introduces no head loss in the system.'" The DEIR does not state that the costs of replacement of the Weyand Canal are the responsibility of any proposed development on property immediately adjacent to the canal, rather than the responsibility the Specific Plan applicant. The mitigation language in the DEIR was provided by the Solano Irrigation District (which owns the canal) and is appropriate.
- J74. Comment noted. The second sentence in the first paragraph under Impact 3.12-C (DEIR page 277) will be revised to delete the statement "...and, as described in the previous Traffic section, the road is too narrow for adequate traffic safety..." In addition, the first mitigation measure for Impact 3.2-C (DEIR page 95) will be revised as described in Response J23. This change will not result in any new or more significant impacts.
- J75. Comment noted. In the second paragraph on page 280 of the DEIR, the first sentence will be revised to state as follows:

"Dixon's wastewater treatment plant currently has the capacity to treat 1.4 million gallons per day (mgd) average wet weather flow (AWWF), assuming a 100-year rainfall season."

This change will not affect the conclusions or recommendations of the DEIR.

- J76. Comment noted. In the first paragraph under Impact 3.13-A (DEIR page 283), the text will be revised as follows:

"The proposed Specific Plan land uses are expected to generate approximately 1.78 million gallons per day (mgd) of sewage (peak wet-weather flow) (Draft Sanitary Sewer Master Plan Report for the Southwest Dixon Specific plan area, Nolte Associates, Inc., August 2002, page 6), which equates to approximately 0.62 mgd average dry weather flow (ADWF). The City has recently identified two capital improvement projects for the wastewater treatment plant that would bring the capacity of the plant to 1.69 mgd (ADWF). The first expansion would bring the interim capacity to 1.55 mgd (ADWF) by 2004. The second expansion would increase the capacity to 1.69 mgd (ADWF) in the future to accommodate growth through 2010. Assuming current ADWF into the treatment plant (approximately 1.3 mgd) remained the same, the expanded treatment plant could accommodate 0.39 of the 0.62 mgd ADWF generated by Specific Plan land uses. Recent improvements have reduced the amount of inflow and infiltration into the system, however, so that the existing ADWF is expected to be no more than 1.2 mgd. In addition, the City has identified a Stage 2 treatment plant expansion that would increase capacity to 2.4 mgd and would address ultimate buildout flows beyond 2010 to 2018, assuming an increase of three percent per year in flows to the treatment plant. For these reasons, the City expects the treatment plant to be able to handle flows from the Specific Plan area."

This change will not affect the conclusions or recommendations of the DEIR.

- J77. Comment noted. On DEIR page 284, the second mitigation measure will be deleted and the following measures renumbered. In addition, the final mitigation measure will be revised as follows:

"~~Widen~~ Address the width and reconstruction of South Lincoln Street as described in Mitigation No. 1 for Impact 3.2-C."

This change will also be made on the Impact and Mitigation Summary Table. This change will not result in any new or more significant impacts.

- J78. The measure requires that each individual project identify specific design features that will be incorporated into the wastewater line design and installation should no specific design criteria be adopted for the plan area prior to individual project approvals. At the individual project design level, the applicant can submit design recommendations for minimizing groundwater infiltration, based on the specific aspects of the project design, such as type of pipe material used, relationship of groundwater level to pipe depths, etc. The treatment plant's ultimate design capacity is based on using specific flows for groundwater infiltration. The City, through the project design review, will strive to minimize groundwater infiltration wherever possible. It is not known what the impact of applying this measure will ultimately have on the wastewater generation for the

treatment plant. As the City moves forward with its various expansion efforts for the treatment plant, wastewater generation flows will be evaluated as part of the expansion projects to determine future requirements for sizing the treatment plant.

- J79. The second mitigation measure under Impact 3.13-C (DEIR page 285) will be revised as follows:

~~"Widen~~ Address the width and reconstruction of South Lincoln Street as described in Mitigation No. 1 for Impact 3.2-C."

This change will also be made on the Impact and Mitigation Summary Table. This change will not result in any new or more significant impacts.

- J80. An analysis of impacts on the City General Fund from increased property and sales taxes, and the resulting impacts on Police Department funding, is outside the scope of the EIR. A Specific Plan financing element has not yet been prepared and therefore cannot be evaluated in the EIR. However, City staff believes this mitigation measure should be revised in light of the fact that the City is currently preparing a Police Department Strategic Plan which will address the issues of policing philosophies, policies, and staffing levels. As such Mitigation Measure 1 on page 291 of the DEIR will be deleted and replaced with the following:

"Project developers shall comply with adopted City standards set forth in the Police Department Strategic Plan. Increase Department staffing and/or budget as necessary. The Department shall monitor its ability to serve development in the Specific Plan area on an ongoing basis through analysis of (a) the number of calls for service and crimes associated with development in the plan area, (b) the ratio of number of officers to residential population (with the goal of providing 1.5 officers per 1,000 population), and (c) the adequacy of required impact fees and General Fund revenues to provide the necessary level of service. The City shall consider other funding options, such as special taxes, benefit assessment districts, and utility user taxes, as necessary to provide the necessary level of police service. This measure would assist in carrying out Specific Plan Policies 7.7.2 and 7.7.5, and Implementation Program 7.7e."

This change will not result in a new impact or increased severity of the existing impact. The mitigation, by ensuring that the Police Department can provide adequate service, will continue to reduce the impact to a less than significant level.

- J81. The inclusion of LEED standards was at the suggestion of City staff. The DEIR does not require compliance with these standards or guidelines. The commenter's statement is noted for the record. If the City Council does decide to require additional energy conserving facilities or design for the project, then the comments submitted by the commenter should be taken into consideration when framing those requirements.
- J82. The commenter's opinion regarding the best alternative is noted for the record. The DEIR did not find this the environmentally superior alternative since it would increase the number of residential units and therefore traffic, noise, air quality, and public service impacts. However, it would provide additional affordable housing.

J83. The *Baird* decision cited in the comment is a somewhat unique finding. As is explained in detail in the *Guide to the California Environmental Quality Act (CEQA)* (Remy et al) (this book is Cited as an Authoritative Source by the California Courts), the *Baird* decision runs counter to many of the requirements of the *CEQA Guidelines*. The State Resources Agency in updating the Guidelines in 1998 did not revise those Guidelines to reflect the *Baird* decision. The *CEQA Guidelines* continues to require EIRs to address problems associated with locating new human activities in areas with environmental constraints. For example, EIRs examine the impacts of placing residences or businesses in areas that are subject to flooding, earthquake hazards, unstable soils, landslides, toxic contamination, high noise levels, etc.

Based on the impacts typically found significant, as listed in the Environmental Checklist (Appendix G of the *CEQA Guidelines*), constructing new residences and businesses in areas with seismic hazards, excessive noise, soil contamination, and exposure to agricultural chemicals would result in potentially significant impacts to future residents, workers, and other people using the plan area.

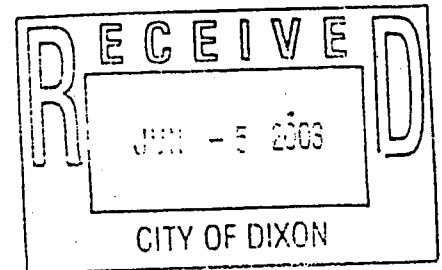
The EIR preparers believe the comment is incorrect in its interpretation of CEQA. As such, no changes in the DEIR are required.



June 5, 2003

Page 1

Steven A. Streeter  
Community Development Director  
City of Dixon  
600 East A St.  
Dixon, CA 95620-3697



RE: Southwest Dixon Specific Plan Draft EIR comments

Dear Mr. Streeter:

The following comments are concerns we have about our property as discussed in the Draft Environmental Impact Report. Our primary comments relate to the issues of A) South Parkway and B) functional buffer.

A) Southwest Dixon Specific Plan, page 115.2a. - Proposed Roadway System

On February 21, 2003, we submitted a letter to the Community Development Director concerning a proposed road located between Evans Road and Batavia Road on our property. As proposed, that segment of South Parkway would run directly through our home of nearly 14 years. We also presented our concerns to the Planning Commission on March 5, 2003. Later, we were given the impression from the City staff that this segment of road was indeed not needed for the Southwest development. So, you can imagine our shock and disappointment when the Draft EIR once again illustrated that segment of South Parkway running directly into our home. This unnecessary proposal would create a hardship for our family that we find disheartening. As our tentative map shows, we have always intended to keep our home, even with the development of our property. No development is planned south of our property for approximately 25 years, so why provide the road now? In the future, when development does occur, it should be the responsibility of that development as it pertains to any required roads, not ours. Why should our home be destroyed, and our family displaced for a road that is not needed? K1

We are confused and frustrated as to why this issue still remains part of the Southwest Dixon Specific Plan.

As presented in our February letter (the attached letter labeled 1, that is hereby incorporated by reference into these comments), the technical data does not substantiate the need for this road segment. We are requesting that the segment of South Parkway between Evans Road and Batavia Road be deleted from the circulation plan as shown in the Draft EIR.

The following comments pertain to the "analysis" that was presented in Section 3.8 Hazards and Hazardous Materials (pages 198 through 209). In particular, the comments focus on Impact 3.8-C, which attempts to address the potential impact associated with an aerial and ground agricultural spraying.

We believe that the City will be engaging in an abuse of discretion if the Southwest Dixon Specific Plan Draft EIR is certified as currently crafted. An "abuse of discretion is established if the agency has not proceeded in a manner required by law or if the determination or decision is not supported by substantial evidence" (Napa Citizens, at pp. 356-357). In this case, the City will be engaging in an abuse of discretion due to the unsubstantiated claims and conclusions re: Impact 3.8-C (DEIR, page 204). K2

An EIR must contain an accurate description of the project's environmental setting. An EIR "must include a description of the physical environmental conditions", which will normally "constitute the baseline physical conditions by which a lead agency determined whether an impact is significant." (Guidelines, Section 15125, subd. (a)). The very sparse Setting discussion for Hazards and Hazardous Materials (pages 198 through 199) provides no information on the types of chemicals that are used on the agricultural properties south of the project site. Section 3.8(A)(3) alleges to present the Setting discussion for the Use of Agricultural Chemicals (page 198). However, the author of the report states that "An Environmental Site Assessment (ESA) has not been conducted for the entire Specific Plan area. However, an ESA (Wallace Kuhl and Associates, 2/28/02) and Human Health Risk Assessment (Montgomery Watson Harza, 5/10/02) have been conducted for the 52-acre Azevedo property, located directly to the east of our property." K3

The reader of the document is left to wonder where the Azevedo property is located and its relationship to the ultimate conclusion in Impact 3.8.C that requires a 200-foot buffer along the south side of the Plan area. Figure 5 of the DEIR shows the Azevedo property to consist of 58± acres and is located along the eastern portion of the project site.

The superficial summary of chemicals used on an unknown piece of property does not begin to constitute an adequate Setting discussion upon which an impact can be concluded with precise certainty ("A ground spray application buffer of at least 200 feet..."). In addition, the date of the ESA's referenced are over 1-year old and thus are considered outdated. The impact discussion that follows from this Setting discussion cannot be made without a detailed description of chemicals currently used and requirements of all pertinent regulations pertaining to spray application.

The author makes another attempt in the impact discussion (3.8.C) to provide data on chemicals used. He/she begins by stating that "neighboring agricultural operations south of the plan area..." but then provides information for chemicals commonly used for crops grown ON THE PLAN AREA" (page 204) (emphasis added). This does not get to the heart of the issue, which is the continued application outside of the Plan area to the south. Therefore, the entire discussion fails to provide any information concerning current K4  
K5

application of materials that supposedly is resulting in the need for a 200-foot buffer on the south side of the Plan area.

The author alludes to regulations in the impact discussion when he/she states "(l)egally, agricultural operators cannot allow spray residue to drift beyond their property boundaries" (page 204). That one sentence opens up an entire list of questions that must be addressed within the Setting discussion. These questions include: (1) what are the legal requirements? (2) who has the authority to enforce the legal requirements (fed, state, local)?, (3) what is the reason for the legal requirements (environmental, political)?, etc. K6

On its face, that one sentence on page 204 of the Draft EIR leads one to question the nexus between the agricultural operations south of the project site and Mitigation 3.8.C. This issue cannot be resolved by deleting this sentence in the Final EIR. If the law mandates that no agricultural drift extend beyond their property lines, then what could possibly be the impact (provide substantial evidence) on other properties? It is not enough to say that wind could cause drift because the law supposedly states "agricultural operators CANNOT allow spray residue to DRIFT beyond their property boundaries." (emphasis added). K7

The author goes on to say that "(i)f agricultural operators need to use chemicals to control pests or disease, Permit Condition G of the Solano County Department of Agriculture requires that only Category three or four chemicals be used in proximity to residential area....." (page 204). The author adds "Category Three or Four materials have a very low toxicity levels" (page 204). The document states that County Permit Condition G allows for the use of Category One or Category Two chemicals if Category Three or Category Four Chemicals do not do the job (page 204). It is from this statement and the stated Permit Condition G conditions that the author concludes that an impact would result from aerial drift. However, the author completely fails to acknowledge that "legally, agricultural operators cannot allow spray residue to drift beyond their property boundaries." Additionally, Permit Condition G is not included for review within the document appendices. There is no way of knowing if Permit Condition G information is taken out of context. K8

The author concludes the impact discussion by stating that "(i)f sprayed chemicals did periodically drift onto residences or other places where people were present, this could pose a health risk. The potential spray drift of agricultural chemicals poses a potentially significant impact on human health." Solano County in general and Dixon in particular have many areas where residential development adjoins agricultural uses. These agricultural uses use Category One and Two chemicals. What is the evidence that this occurs (documented, meteorological modeling, etc.)? What were/are the effects (recorded, professional opinion)? If this is the case what is the City or County currently doing to assure that their existing residences are taken out of harms way? The analysis presents no substantial evidence whatsoever that an impact would occur. The author K9

cannot fall back on the provisions of the Specific Plan Goals, Policies, and Implementing Programs as this is a political document, not a technical document. The conclusions must be based on fact and substantial evidence in the record. Anything less would constitute a fatal flaw.

The analysis takes on dual personalities once again on page 206 when the author undermines their significance conclusion on page 206 by stating that "(t)echnically, there should be no impact since the law requires that agricultural operators restrict their chemicals to their properties. The recommended buffers included in the Specific Plan would not effectively increase the spray restriction buffers already included in Permit Condition G." The author has made a "legal" claim for no impact on page 204 and a "technical" claim for no impact on page 207 of the Draft EIR. Yet, the author seems determined to stand by their unsubstantiated, unsupportable claim that an impact would result and that a 200-foot buffer would take care of it. K10

Failing to provide its own data and analysis, the authors attempt to fall back on "the original EIR prepared for the Specific Plan area" and other jurisdiction requiring buffers. None of this other information is incorporated by reference and does not provide a scientific basis for concluding that an impact would result. Without this information, there is no way of understanding the context. Moreover, the examples are not relevant to what may be the case south of the Plan area. We cannot discern what chemical applications are being made south of the Plan area, however, we know that it is not similar to one of the examples provided (spraying of grapes in Mendocino or Ukiah Counties). K11

The mitigation cannot fall from the analysis. We have shown that the Setting and Impact Analysis are wholly inadequate, yet, the author is able to draw a precise line at a 200-foot buffer. There is absolutely no basis in fact or nexus that would justify this buffer. The author states that the Solano County Department of Agriculture stated that the Department did not require buffers. This is most likely due to the fact that "legally, agricultural operators cannot allow spray residue to drift beyond their property boundaries." Additionally, the County's Environmental Management Department does not oversee spraying or establish limits to spraying regimes and buffers. Lastly, the Author states that the City has no adopted policies regarding spray buffers. All of these agencies are tasked with protecting the health of the residents of Solano County, and none have buffer requirement. However, an unsubstantiated analysis conducted for the Southwest Dixon Specific Plan has identified a precise measurement of 200-feet based in no supportable facts.

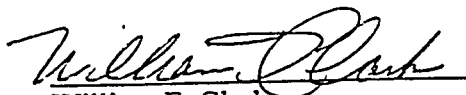
The final fatal flaw of the analysis is on page 208 under Impact Significance after Mitigation. The author states that it cannot be stated that occasional risk would not occur even with the stated mitigation. The author further states that it is not possible to calculate the potential exposure; however, the buffers recommended are considered sufficient to reduce this impact to a less than significant level. This type of reasoning has K12

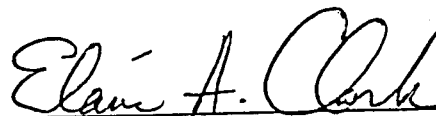
no place in a technical document intended to provide decision makers with adequate environmental information before a decision is made on a project. This statement is contradictory and wholly inadequate.

In conclusion, we believe that once all of the facts are presented about the regulatory provisions currently in place, that a less than significant impact is the only conclusion. Picking out select sentences from the author, we believe that "legally, agricultural operators cannot spray residue to drift beyond their property boundaries"....and that..."technically, there should be no impact since the law requires that agricultural operators restrict their chemicals to their properties." Therefore, a less than significant impact will result. K13

As shown by our technical data above, and the attached letter labeled 2 (this attachment letter is hereby incorporated by reference into these comments), it has not been proved what, if any, functional buffer is necessary. Yet, the results of such a buffer would be devastating to our property value. With the detention pond, and now a possible 200 feet functional buffer, we would lose approximately 1/3 of our land, resulting in our inability to sell our land, which is within the Southwest Dixon Specific Plan area. As you know, this area has long been planned for development. Anything less than what is planned for the majority of our property by Ryder Homes would create a severe hardship on our family. So why do we, one of the smallest land owners, have to bare such a burden when there is no technical data to support such a hardship? And for what? Our family home is currently surrounded on all four sides by agricultural property; however, none of our family members has experienced any health related issues pertaining to chemical exposures. And what of the hundreds of other Dixon residents currently adjacent to agricultural land (see the attached photos labeled 3, 4, and 5 hereby incorporated by reference into these comments)? Has there been an epidemic of agricultural chemically related health problems, apparently not? Will the new residents be more at risk than the residents currently living next to agricultural property? Until such technical data can definitively support specific additional agricultural spraying distances from residents, we reject the finding of the DEIR and request that section be deleted, and conclude the existing Permit Condition G adequately protects our citizens. K14

Sincerely,

  
William F. Clark

  
Elaine H. Clark K15

7711 George Lane  
Dixon, CA 95620  
(707) 678-6560

Steven A. Streater  
Community Development Director  
City of Dixon  
600 East A Street  
Dixon, CA 95620-3697

Subject: South Parkway

February 26, 2003

Dear Mr. Streater:

We have reviewed the most recent draft tentative map for our Clark Ranch Estates project from Nolte Associates, done in response to your instructions of November 2002. We believe that the issue of the section of South Parkway west of Evans Road has not yet been satisfactorily resolved. K16

It is our contention that this section of South Parkway would not serve the developments planned for the Southwest Specific Plan. This is because the natural traffic paths for traffic generated by the development area point towards the west, east and north; a road south of the development would not service these paths. At our last meeting on this issue, we believe you indicated that the draft traffic study for this Specific Plan may not support the need for a collector roadway in this location of the plan area and we agree with that conclusion. The Southwest Development west of Evans Road will be separated from South Parkway by a wall and by a retention pond for its entire length, thus functionally severing the two. This is quite different from the section of South Parkway east of Evans Road, which will be surrounded by development on both sides.

If that is the case and the traffic volumes generated by the Southwest Dixon Specific Plan do not warrant a collector roadway in this remote location of the plan area, the traffic can be sufficiently accommodated on the internal roadways of the various projects.

If the road will not serve the Southwest Development, then we should logically ask what purpose does it serve? We believe that the primary purpose of a road along this alignment would be to facilitate urban development of the Fox Property. However, the Fox property has a County General Plan designation of A-40 (Agricultural use, min. 40 acre parcels), is in the Williamson Act and outside Dixon's sphere of influence. Moreover, it is our understanding that the owner intends to maintain the current agricultural use indefinitely. The City apparently agrees with this, since it is the rationale behind the proposed 100' agricultural buffer zone. The effect of the road would thus be to generate pressure for development that is neither contemplated nor desired.

Based on the reasons described above, we believe that the portion of South Parkway west of Evans Road would serve no public purpose and would in fact be counter to good planning principles. We therefore request the Community Development Department to remove this portion of South Parkway from the General Plan until such time as urban development of the Fox Property becomes part of the General Plan, if ever.

Sincerely,

  
William and Elaine Clark

c.c. Ronald J. Tribbett, Director of Public Works  
Nick Ponticello, Ponticello Enterprises  
Jay Ryder, Ryder Homes  
Les Clark, Nolte Associates  
Archer & Ficklin

Attachment 1

James Louie, Community Development Director  
City of Dixon  
600 East A Street  
Dixon, CA 95620

Dear Mr. Louie,

Thank you for this opportunity to comment on the draft EIR for the Southwest Dixon Specific Plan. I understand that this is a draft document and will be made final following the drafting of responses to comments. It is also my understanding that the Response to Comments document together with the draft EIR comprises the final EIR. Lastly, I understand that the Response to Comments document may make changes to information contained in the draft EIR given public responses.

My review of Impact 3.2H - Conflicts Between Adjacent Agricultural and Select Urban Land Uses (DEIR, 3-13) reveals that the draft EIR authors concluded that two "potentially" significant impacts will result: 1) new residents not familiar with the possible dangers associated with pesticide applications may be inadvertently exposed to hazardous chemicals on the ground, and may be exposed to pesticide drift from aerial applications, and 2) buffers/greenbelts used to separate urban/ag uses to reduce the impact stated above may, itself, result in a significant impact on agricultural uses. For purposes of this discussion, I will refer to these impacts as Impact 3.2H(1) and 3.2H(2), respectively. We believe that both impacts are over stated and the only mitigation necessary is Mitigation Measure 3.2-7(a). K17

Page 3-13 of the draft EIR states:

Restrictions on Aircraft Application of Chemicals Near Residential Development. K18  
Aircraft operation in the vicinity of residential areas, as regulated by FAA, prohibits operation of crop-dusting aircraft near or over residential areas. Implementation of project developments would require adjacent farmers to restrict their aerial spraying practices. For instance, aircraft dusting these farms could be required to fly in only one direction and avoid project residences and recreational uses. This restriction would prohibit aerial spraying during adverse wind conditions.

It seems unusual, on its face, that if aerial spraying were prohibited during adverse wind conditions and operation of crop-dusting aircraft near or over residential areas is prohibited by FAA regulations, that new residents could be exposed to the dangers associated with pesticide applications.

Impact 3.2H(1) states that new residents *may be inadvertently exposed to hazardous chemicals on the ground, and may be exposed to pesticide drift from aerial applications, despite posted warnings.* The document does not explain how residents would be inadvertently exposed to hazardous chemicals on the ground. The temporary soil contamination that exists due to aerial spraying would occur on-site, i.e. on the agriculture land. Residents exposed to this soil contamination would be in an unauthorized area.

-92-

Attachment 2

Adequate fencing and posting would alleviate this problem. If exposed to aerial drift, the applicators would be violating FAA regulations which, according to the draft EIR, prohibits aerial spraying during adverse wind conditions (DEIR, 3-13).

Another regulation currently in place, not identified in the draft EIR, is Chapter 2A of the Solano County Code which states that properly conducted agricultural operations will not be deemed a nuisance. According to the Southpark draft EIR, the county ordinance requires the County to notify buyers of property in Solano County of the ordinance and its provisions (Southpark DEIR, 3.9-5). The Southpark draft EIR goes on to state that buyers of property located close to agricultural lands or operations must be informed that they may be subject to inconvenience or discomfort from properly conducted agricultural operations. Nothing in the ordinance prohibits a resident from complaining to an appropriate agency concerning any unlawful or improper agricultural practice. To assist in resolving problems between residential and agricultural land uses, an Agricultural Grievance Committee has been created in Solano County to arbitrate and mediate disputes concerning agricultural operations (Southpark DEIR, 3.9-5). The Southside Park draft EIR goes on to conclude that notification of all property purchasers regarding Chapter 2A of the County Code prior to the final sale of any property would adequately mitigate this potential impact. I do realize that the City of Dixon has a separate governmental makeup; however, the Southwest Dixon Specific Plan DEIR identified a similar ordinance that has been adopted by the Dixon City Council: K19

Mitigation Measure 3.2-7 (3-14)

- b. Right to Farm Notification. On-site residents shall be notified that the City has adopted a Right-to-Farm Ordinance to protect farmers from nuisance suits as a result of normal farming practices. Notification shall be provided in all Department of Real Estate Reports and in sales purchase agreements between builder/developer home sellers and buyers.

Environmental review and compliance was required prior to the adoption of the Right-to-Farm Ordinance by the Dixon City Council. Any measures required to mitigate impacts associated with this Ordinance were identified during environmental review for the Ordinance and were adopted by the Dixon City Council. The Southwest Dixon Specific Plan DEIR should have analyzed this Ordinance as part of the environmental setting and then determined if an impact would exist. It is not necessary, and in fact is not appropriate, to identify this Ordinance as a mitigation measure since this is already in effect.

The Right-to-Farm Ordinance and FAA regulations together with the fencing requirements would be adequate to assure that any potential impacts associated with contaminated ground and aerial drift exposure does not occur. Therefore, we believe that Mitigation Measure 3.2-7(b)(c)(d) and (e) are not necessary. As stated previously Mitigation Measure 3.2-7(a) is sufficient to keep new residents off of agricultural property where they may come into contact with contaminated soil. K20

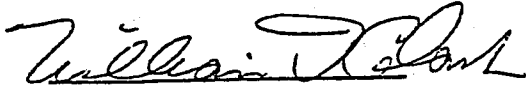


If the EIR authors determine that a buffer is still required to mitigate the perceived impact, we would like responses to the following questions:

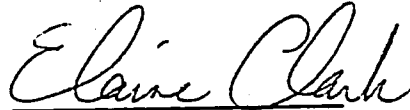
1. How will the buffer area be properly maintained? CEQA states that potentially significant impacts resulting from recommended mitigation measures need to be addressed in the EIR. Fire and exposure to herbicides/pesticides are two potentially significant impacts resulting from the proposed buffer. The buffer area will need to be maintained to assure that a fire hazard does not occur (especially near homes). Other Cities hire maintenance firms to assure that greenbelts/parkways are maintained. These maintenance firms typically use herbicides to remove weeds and other undesirables. This method of maintenance would obviously defeat the purpose of the buffer area. K21  
  
Other potential problems not addressed include potential graffiti and vandalism. Open areas, such as buffers, next to residential areas could potentially attract urban problems if not properly designed and maintained. The draft EIR does not discuss potential designs of the buffer, or whether public access will be permitted. K22
2. Who will finance the maintenance and security of the buffer area? Will all the citizens of the City of Dixon finance maintenance and security in perpetuity, or will an assessment district be established to assure proper maintenance and security? If an assessment district will be established, do the affected parties know that they will be assessed? K23
3. What becomes of the buffer strip in the future if adjacent ag properties shift land use? If the adjacent agricultural practices discontinue and land use shifts to some other form of urban use, the buffer will no longer be necessary. What will become of this property? I do not believe that land owners would be willing to finance maintenance of a buffer that is no longer necessary. K24
4. Question #3 also applies to the proposed deed disclosure statement. What becomes of the deed disclosure statement? A deed disclosure statement will carry with the property in perpetuity. This is a hardship that need not be incurred. We feel that notifying residents of the Ordinance, County Code and FAA regulations will be sufficient. K25
5. Why is it that this project will be required to follow through with these mitigation measures when other projects within the City of Dixon were not? As referenced in this letter, the Southpark draft EIR only requires that residents be notified of Chapter 2A of the Solano County Code. Another example is the Suffolk Downs portion of the Wiegand/Gill PUD which has a 25-foot landscaped area separating the proposed residences from nearby farmland. It seems as though these mitigation measures are inconsistent with previous projects of this type within the City of Dixon. K26

Again, we appreciate the opportunity to comment on the Southwest Dixon Specific Plan draft EIR and request that the responses to points made in this letter be sent to the address identified below.

With regards,

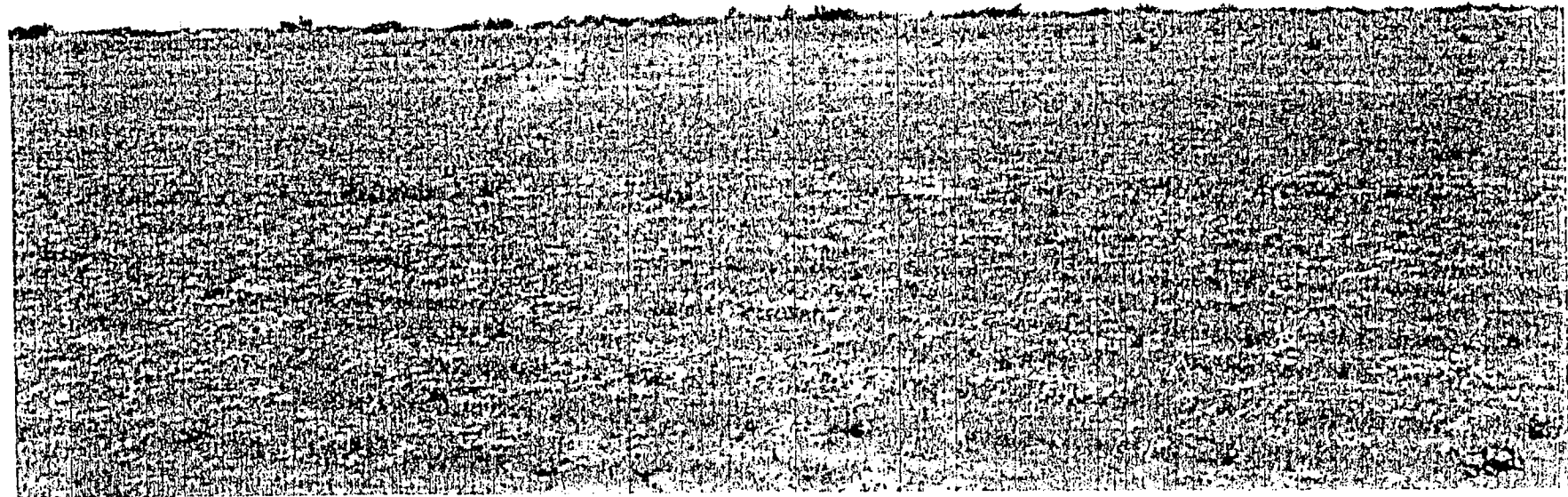


William Clark

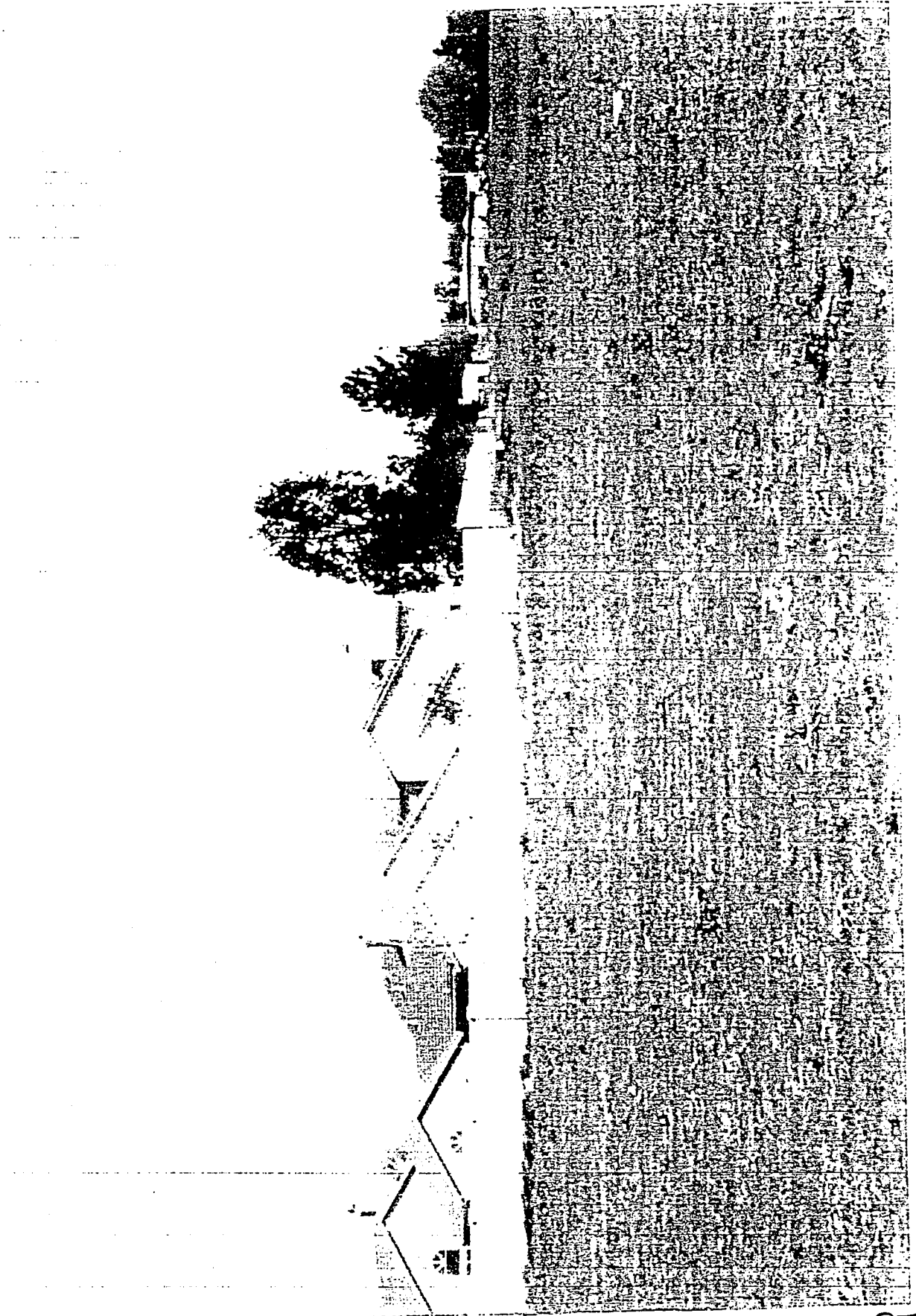


Elaine Clark

7711 George Lane  
Dixon, CA 95620



Attachment 3



Attachment 4



Attachment 5

## Response to Letter from William F. Clark and Elaine H. Clark

- K1. The DEIR assesses the impacts of the project as it was proposed by the applicant, in this case the Southwest Area Landowners Group, of which the commenters are a part. The Draft Specific Plan shows the South Parkway as running through the Clark's residence. However, as discussed in Response J6, the City has subsequently determined that South Parkway west of Evans Road, is not needed to serve buildout of the plan area. City staff has conferred with the EIR traffic engineers (Fehr & Peers) and determined that elimination of this section of the South Parkway would not significantly affect operations on other plan area roads or cause any new significant impacts on study roadways and intersections. Instead of the road, the City will require a buffer in the area previously proposed for the South Parkway. The buffer will be 100 feet wide to the east of the Clark residence and extend throughout the parcel. The buffer will not include the existing Clark residence. If future urban development in lands to the south are approved, South Parkway may be extended through the buffer area to serve that future development.
- K2. This legal opinion is noted for the record. As no specific questions are asked regarding the EIR, responses will be made to subsequent specific questions.
- K3. The comment confuses the soil contamination identified in the cited ESA and the recommendation for a 200-foot buffer between planned residences and areas sprayed with Category 1 or 2 materials. The results of the ESA done on the Azevedo property indicate soil contamination from past agricultural activities. As such, the DEIR recommends similar ESAs and Risk Assessments be done for each project within the plan area to ensure that workers and future residents are not exposed to harmful pollutants. As the comment notes, the ESA is outdated and needs to be done for each property.
- The DEIR describes agricultural chemicals and materials used in the plan area on page 204 of the DEIR. That list shows the category of the material. The second paragraph under Impact 3.8-C on page 204 of the DEIR explains how the Solano County Department of Agriculture controls the application of these materials.
- K4. The area to the south contains similar lands and crops as grown on the plan area. At the time the DEIR was prepared (Spring 2002), field surveys indicated that tomatoes were being grown south of the Schroeder and Evans Ranch properties; the property south of the Clark property was freshly disked awaiting planting; corn was being grown south of the Steil property; and oat hay was being grown south of the Orchard Estates-Sanders Property (west of S. Lincoln Street). On lands within the plan area where no development application has been made, the Schroeder property was disked and ready for planting, the Steil property was planted in corn, and the Azevedo property was planted in alfalfa. The type of crop grown can vary from year to year as can the use of agricultural chemicals. Specific chemical use for properties bordering the plan area was not identified. It is reasonable to assume that the same or similar chemicals are being used since similar crops (e.g., tomatoes, corn, hay, etc.) are being grown. Furthermore, even if all the chemicals listed on page 204 of the DEIR were not being used at any one moment, they are materials that could be used now or in the future.

- K5. The comment states that the DEIR requires a 200-foot buffer for properties bordering the south side of the plan area. However, as stated on page 207 of the DEIR (under Mitigation No. 1), the buffer is required "only if the adjacent agricultural operation uses Category One or Two materials." The adjacent property owner would need to agree to an easement prohibiting use of Category One or Two materials in order to avoid the need for the 200-foot buffer. Thus, if the commenter believes that Category One or Two materials are not now and will not in the future be used adjacent to the commenters' property, then the 200-foot buffer can be realized through a spray restriction easement on the neighboring property. Also, the DEIR mitigation recognizes that 100 feet of the buffer is on the neighboring agricultural property where spraying of Category 1 and 2 materials is prohibited 100 feet from the property line.
- K6. Pesticide manufacture, sales, transportation, and use are regulated under both Federal and State laws. Pesticide applications in all states must comply with pertinent Federal laws. In addition, California has established laws that are in some cases stricter than Federal laws. The California Code of Regulations contains the regulations, which are working rules, pertaining to pesticide use. These regulations are developed and implemented by the California Department of Pesticide Regulation (DPR). Other State agencies also monitor and regulate pesticide use. In addition, county agricultural commissioners develop pesticide use policies or conditions specific to the needs of their county. The DPR director must approve the county agricultural commissioner policies before they become operative.

The DPR and the county agricultural commissioner enforce State pesticide laws and regulations. Applicators who fail to comply with Federal and State laws and regulations are subject to fines and/or imprisonment. The offices of the State attorney general or local district attorneys prosecute violators. In addition, the county agricultural commissioner may issue citations and levy fines on violations of certain pesticide-use violations (the above summary of the regulatory environment for pesticides is taken from *The Safe and Effective Use of Pesticides* (Patrick O'Connor-Marer, University of California Statewide Integrated Pest Management Project, 2000, pp. 110-113).

The DEIR states that spray drift is not allowed to escape the target area. This is what has been reported to the EIR authors by several county agricultural commissioners. In response to the commenter's comments, the EIR authors looked up the pertinent law. The California Food and Agricultural Code, Division 7, Chapter 2, Article 11, Section 12972 states "The use of any pesticide by any person shall be in such a manner as to prevent substantial drift to nontarget areas."

As is explained on page 204 of the DEIR, the Solano County Department of Agriculture enforces Permit Condition G which limits the applications of pesticides when sensitive receptors (e.g., residences) are near the application area. The Solano County Agricultural Commissioner has the authority to enforce Permit Condition G. It is not the role of this EIR to postulate or explain why various governmental agencies have passed these laws and regulations.

- K7. The buffers are typically required because of the impracticality of stopping the drift of airborne pesticides at a property boundary, as well as to reduce other potential problems related to agricultural practices. While professional applicators are experienced and generally attempt to conduct spraying activities so that incidental spray does not drift off the target property, it is often, if not frequently, impossible to control all sprayed material on a site. As noted above, State law actually requires that the drift not be "substantial" (however, "substantial" is subjective, as what may make one person ill could be considerably less than what it might take to adversely affect the "normal" person; as such, agricultural commissioners attempt to control pesticide applications so as little spray as possible drifts onto sensitive properties). In recognizing the impracticality of such precise control, many county agricultural commissioners have developed spray restrictions, such as those codified in Solano County's Permit Condition G. Since these conditions have been approved by DPR, it is assumed that they are "legal."

It is the EIR authors' understanding that one of the primary reasons that county agricultural commissioners and/or planning departments establish buffers is because counties wish to preserve agricultural production within their jurisdictions. At the same time, they wish to allow reasonable and planned urban development to meet the needs of the population. If residential development, such as the proposed Southwest Dixon Specific Plan development, is to be allowed while also maintaining agriculture, then buffers are a method of reducing the nuisance problems of inadvertent spray drift, dust, noise, trespass, etc. The Solano County Agricultural Commissioner has corroborated this claim and recommended that a 500-foot buffer be required between residential portions of the plan area and adjacent agricultural operations. See Response J61 for additional response regarding this issue.

The EIR authors would also point out that the commenters, who are members of the Southwest Area Landowners Group (the project applicant), have recognized this problem in the Draft Specific Plan. The Draft Specific Plan describes the potential for conflicts between agricultural and residential uses (page 3-3 of the Draft Specific Plan) and includes Implementation Programs that provide a 100-foot buffer for ground applications and a 500-foot buffer for aerial applications (pages 3-4 to 3-5 of the Draft Specific Plan). Thus, the project applicant (which includes the commenters) recognizes the reality of potential spray drift and the need for buffers.

- K8. Permit Condition G is displayed on the page following the responses to this Comment letter. See Response K7 regarding the setbacks established in Permit Condition G.
- K9. The impact discussion regarding sprayed chemicals is based on articles and conferences on pesticide spray drift some of which can be accessed on the Internet. Examples include the results of the Pesticide Spray Drift Conference held in September 2001 in Sacramento (at <http://www.cdpr.ca.gov/docs/drftinit/confs/2001/2001menu.htm>) or see the EPA's Topical and Chemical Fact Sheet on "Spray Drift of Pesticides" (at <http://www.epa.gov/pesticides/factsheets/spraydrift.htm>). The report *Can City and Farm Coexist?* (prepared by the Great Valley Center, 2002; available at [www.greatvalley.org](http://www.greatvalley.org)) describes how there is no "one size fits all" for buffers or setbacks. The report states that a setback of 200 feet is frequently recommended, but that there is no hard evidence that 200 feet is optimal or that it even works (see page 13 of the report). These and



numerous other reports, including those available through DPR describe how common pesticide spray drift is.

Currently, the Solano County Agricultural Commissioner is implementing Permit Condition G and when appropriate, recommending additional buffers. As noted in Response J61, she typically (and in this case) recommends a 500-foot buffer. The literature cited above, other literature that can be accessed through the Internet, and conversations with several county agricultural commissioners corroborate the evidence that there is a risk of spray drift of harmful chemicals from agricultural properties using Category One and Two chemicals. This is why buffers are recommended by Solano County and the Draft Specific Plan.

The EIR authors contacted the Solano County Agricultural Commissioner and shared with her this comment letter (she already had the DEIR). See Response J61 regarding her comments and recommendation.

The EIR authors believe there is a substantial body of evidence that pesticide spray drift occurs and that exposure to harmful pesticides can be a health hazard. The commenters have not provided any evidence to the contrary. In fact, the commenters, as part of the Southwest Area Landowners Group, have recommended buffers in the past.

- K10. See the Responses K5 through K9. The EIR preparers and the Solano County Agricultural Commissioner believe that there is a risk of spray drift onto the plan area and that the buffers proposed by the applicant are insufficient.
- K11. To address the comment's concern, the EIR authors contacted the Solano County Agricultural Commissioner to gain her opinion, as was noted above. The Commissioner is very familiar with chemicals used in the plan area. Her conclusions not only corroborate the recommendations of the DEIR but go further in recommending a 500-foot buffer.
- K12. The comment appears correct given the County Agricultural Commissioner's recommendation that the buffer should be 500 feet. As explained in Response J61, no change to the DEIR regarding this mitigation is recommended, but the opinions and recommendations of both the commenters and the County Agricultural Commissioner will be forwarded to the City Council for their consideration.
- K13. The comment concludes that the impact from spray drift is less than significant since legally spray drift is not allowed beyond the property boundary. As explained in the previous responses, 1) some spray drift almost always occurs; 2) the County recognizes this drift and establishes spray restrictions; 3) the applicant recognizes this and established buffers; and 4) the County Agricultural Commissioner has recommended that the buffer be expanded to 500 feet. On these bases, the EIR preparers continue to hold that the impact is potentially significant and that the mitigations recommended on pages 207 and 208 of the DEIR are needed to reduce this impact to a less than significant level.

- K14. The comment's concern about the impact of the buffer on their property is noted for the record. The commenters should be aware as described above in Response K5 that the buffer need not be on their property if an easement with the neighboring landowner to the south can be arranged to prohibit spraying of Category One and Two materials within 200 feet of the residential properties. At most, 100 feet of the buffer would be on the commenters' property.
- K15. The EIR authors recognize that other Dixon residents live near commercial agriculture. The long-term health of these residents is unknown. It is unknown whether plan area residents would bear any greater risk than current residents. However, this does not alter the conclusions and recommendations of this EIR.
- K16. This letter is noted for the record. As it is not a comment letter on the DEIR, no additional response is required. This letter supports the commenter's Comment K1; see Response K1 regarding that issue.
- K17. This and subsequent comments were actually submitted as comments on the 1995 Draft EIR prepared for the plan area. To the degree that those older comments apply to the current DEIR, responses will be provided.
- K18. The Draft Specific Plan includes buffers for ground and aerial pesticide applications. The applicant recognized the need for these buffers. See Responses K5 through K13 regarding the risk of pesticide exposure.
- K19. The Draft Specific Plan continues to include this Right-to-Farm Notification (page 3-4 of the Draft Specific Plan). However, this program does not eliminate the spray drift hazard.
- K20. The EIR authors disagree with the commenters. Buffers are needed to reduce the health risk of potential spray drift.
- K21. The buffer proposed in the Draft Specific Plan consists of the area around the two detention ponds, the South Parkway right-of-way, the South Parkway itself (between Evans Road and South Lincoln Street), and a functional buffer along the south edge of the Steil property. The South Parkway would include a sidewalk and landscaped corridor on its north side. This landscaping would be managed the same as other street landscaped corridors. It is assumed that the detention basins will be dedicated to the City who would be responsible for future maintenance. The City would be responsible for mowing and maintenance of those sites. Other functional buffers would be mowed and/or maintained by City staff. As described in Response J64, maintenance of these buffers need not include the use of Category 1 or 2 materials.

The City has not indicated it will own the buffer areas on the south end of the Clark Ranch Estates. These buffers may remain in private ownership. A determination on ownership will be made during project review for that project.

- K22. It is true that open areas can be targets of crime. However, if properly maintained, they can be beneficial public resources, providing open space and natural areas.

The buffer recommended in the DEIR would consist of a 100-foot wide area (or the South Parkway right-of-way and additional area or easement equal to a 100-foot buffer/spray setback along the southern edge of the plan area) in addition to the 100-foot spray setback required by Permit Condition G. If the buffer were entirely on the plan area, it could include road right-of-way. If pedestrian paths and/or bike lanes are installed along this road, then Mitigation Measure 2 on page 208 of the DEIR would apply. It is possible when approving the Specific Plan that the City will identify other uses of the plan area buffers.

- K23. The City would be responsible for maintaining the buffer and providing police response. See Response K21; the buffer may remain in private ownership.
- K24. Actual uses of the area in the future are unknown at this time.
- K25. The DEIR does not include a mitigation measure regarding deed disclosures.
- K26. The DEIR assesses potential impacts of the project on the environment and human safety. Where potentially significant environmental impacts are identified, the EIR recommends mitigation measures to eliminate or reduce the described impact. Whether such impacts were identified as potentially significant for other projects is not an issue for this EIR. However, the commenters' concerns will be forwarded to the City Council for its consideration.

### **Summary of Discussion Regarding Agricultural Buffers**

The following summarizes the responses to issues concerning the agricultural buffers recommended in the DEIR for Impact 3.8-C. Comments regarding the buffers were received from several plan area landowners or their representatives and include Comments J61 through J66, M51, N34, and most of the comments in Comment Letter K.

The DEIR recommends that a buffer of 200 feet be provided between the point of application of Category 1 or 2 materials and residential property lines or areas used by bicyclists and/or pedestrians (along public streets). Of this recommended buffer, 100 feet would occur on the neighboring agricultural property, as this 100-foot setback is already required by Condition G. The remaining 100 feet can either be on the plan area or on the neighboring agricultural property, as described in the DEIR-recommended mitigation measure for Impact 3.8-C. The EIR preparers have reviewed all comments regarding the need for this buffer and continue to recommend the buffer and other mitigation regarding signing previously recommended for Impact 3.8-C.

Several commenters have suggested alternative methods of providing buffering without the need for preserving a 100-foot undeveloped buffer on the plan area. Suggestions include:

- Making lots abutting agricultural property 180 feet deep and include a deed restriction on the rear 75 feet. The deed restriction would limit use of the restricted part of the lot to passive landscaping or gardening and note that there could be periodic spraying of Category 1 and 2 materials 100 feet or more from the back of the lot.

- Constructing a 6-foot high solid masonry wall along the property line with the agricultural property

Conversations with City staff indicated other possible mitigations could include:

- Construct a solid masonry wall along the south side of South Parkway.
- Construct a 10-foot high masonry wall along residential property lines and/or the south side of South Parkway
- Eliminate the sidewalk along the south side of South Parkway.

While all these suggestions could reduce exposure of people to Category 1 and 2 materials, they would not eliminate that impact. The Agricultural Commissioner has stated that masonry walls would be ineffective to preventing spray drift. People who owned deed-restricted lots would likely use the back portions of their lots. It is unlikely they would prohibit friends or visitors from using those areas. While people would be on notice that Category 1 and 2 materials may be used 100 feet from their property, that does not eliminate the fact of potential exposure. Eliminating the sidewalk along the south side of South Parkway would not address the potential exposure to bicyclists or people walking on the north side of South Parkway.

These measures could be added to Mitigation Measure 2 recommended in the DEIR (signing South Parkway to warn bicyclists and pedestrians when spraying of Category 1 or 2 materials were occurring) and would reduce the impact. However, unless one of the buffers recommended in Mitigation Measure 1 for Impact 3.8-C is implemented, the impact would remain significant. For properties along the southern plan area boundary, the following areas would have insufficient buffers (see more detailed discussion under Response J63:

- 6-7 lots on the eastern end of the Clark Ranch Estates would have a buffer of 100-160 feet (the buffer includes the 100-foot spray setback on the neighboring agricultural property as required by Permit Condition G);
- The entire south side of the Steil property would have a buffer of 150-175 feet; and
- 11 lots on the Orchard Estates-Sanders Property would have a buffer of 100-175 feet. The 6 lots east of S. Lincoln Street border land which appears to be an abandoned almond orchard, where future spraying of Category 1 or 2 materials is unlikely, though possible.

In addition, the following lots would have insufficient buffers from agricultural operations on lands within the plan area (properties adjoining the Azevedo property are not discussed here since there is an applicant proposing to develop this property):

- 10 lots on the Evans Ranch site would have a buffer of 185 feet from the Schroeder property;
- 8 lots on the Dixon Ridge site would have a 175-foot buffer from the Steil property; and

- 7 lots on the Dixon Ridge site would have a 100-foot buffer from the Steil property.

The EIR-recommended mitigation measures would result in neighboring agricultural operators being able to continue their normal farming operations. Per Permit Condition G, they would be prohibited from ground application of Category 1 and 2 materials within 100 feet of the plan area property line and aerial application of such materials within 500 feet of the property line. Other agricultural operations would be allowed (disking, planting, use of Category 3 and 4 materials, etc.) The spraying setback on their property could be increased if the plan area developers and agricultural operator reach a binding agreement restricting such spraying, as described in Mitigation Measure 1 for Impact 3.8-C.

If a buffer is established on the plan area, the ownership and future use of this buffer will be determined by the City. The City would be responsible for mowing and other maintenance and providing police response. Allowed use of the buffer can include a public street; detention basins; greenbelt; and walking and bicycling so long as the signing requirements of Mitigation Measure 2 for Impact 3.8-C are implemented.

SUSAN E. COHEN  
 AGRICULTURAL COMMISSIONER  
 SEALER OF WEIGHTS AND MEASURES  
 OFFICE PHONE (707) 421-7465



PERMIT CONDITION G

DEPARTMENT OF AGRICULTURE

2000 WEST TEXAS STREET  
 FAIRFIELD, CALIFORNIA 94533

TO: Users of Pesticides in Production Agriculture

SUBJECT: Use of Toxic Materials in Proximity of Residential Tracts, Shopping Centers, Schools, Hospitals, Recreation Areas, and Sensitive Areas

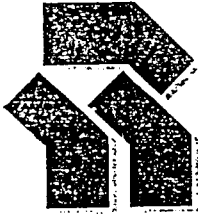
- I. Only the use of registered materials least toxic (Category Three or Four) to humans found to be effective for the control of a given pest may be allowed in proximity to residential tracts, shopping centers, schools, hospitals, recreation areas, and unprotected areas.
- II. Under no circumstances shall a highly or moderately toxic (Toxicity Category One or Two) material be applied unless the minimum distance between closest operating nozzle and nontarget areas (those mentioned in the first paragraph) is maintained as designated in the following table:

TYPE OF PESTICIDE APPLICATION EQUIPMENT	MINIMUM DISTANCE BETWEEN CLOSEST OPERATING NOZZLE AND THE NON-TARGET AREA
A. Aircraft	500 feet
B. Air blast orchard sprayer	100 feet
C. High boom ground rig in open field use	100 feet
D. Ground rig applying liquid or dust formulations of pesticides no more than 12 inches above the soil	100 feet
E. Ground rig applying liquid or gas below soil	100 feet
F. Ground rig applying dry pesticide pellets no more than 12 inches above the soil or below the soil	5 feet

All aircraft operations must comply with all the Federal Aviation Agency Regulations, particularly Section 137.51, operating over congested areas.

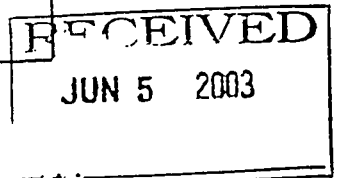
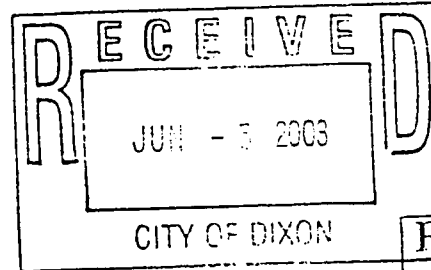
*Susan Cohen*  
 SUSAN E. COHEN  
 Agricultural Commissioner

-107-



**Ryder  
Companies**  
1425 Treat Boulevard  
Walnut Creek, CA 94597  
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(925) 935-9195-Fax  
www.ryderhomes.com

June 5, 2003



Steven A. Streeter  
Community Development Director  
City of Dixon  
600 East A Street  
Dixon, CA. 95620-3697

RE: Specific Comments to the Southwest Dixon Specific  
Plan Draft Environmental Impact Report (DEIR)

Dear Steven:

The following comments are the specific concerns that Ryder Homes wishes to express regarding the Southwest Dixon DEIR. We are only addressing here the items that we feel have a specific and significant impact on the Clark Ranch Estates project, which we are in contract to purchase from the Clark family. There are many pages of comments that I could make that impact all of the landowners in the Southwest Dixon Specific Plan Area, but I will let Nolte Engineering and some of the other landowners speak for us on those broader issues.

1. South Parkway – Segment between Evans Road and Batavia Road. (Page 115, 2a., Proposed Roadway System). There does not appear to be any specific discussion regarding the necessity of this segment of roadway in the DEIR. The traffic diagrams found within the DEIR show this segment as a minor collector and it appears that the roadway is located within city limits on the Plan Area's southern boundary. This segment of roadway is isolated from any development within the plan area other than connections at each end. In verbal discussions with City staff, the traffic consultant has noted low potential usage for the roadway at the 2025 buildout of the project area (only 500 ADT). Given the isolation of this roadway and the low level of traffic utilization, this roadway should be deleted from the circulation plan. It is not substantiated by any potential project impact and there is no nexus to support its inclusion. Furthermore, its inclusion would create a hardship for the Clark family who currently reside in a home located in the path of South Parkway as it is shown. In discussions with City staff, a future South Parkway alignment

L1

could be located to the south of the city boundary, which would avoid the Clark residence. This portion of South Parkway would be developed with future development to the south beyond the scope of the Southwest Dixon Specific Plan.

2. Functional Buffer relating to adjacent agricultural chemical use (Page 204, Impact 3.8-C). The issue that causes great concern to us is the proposed Ground Application Spray Buffer (Page 207 Mitigation Measures). The buffers, as proposed in the DEIR cause tremendous damage to our subdivision plans and could make the Clark parcel unfeasible to develop. The Clark parcel is the smallest parcel contracted by a development company in the Southwest Dixon Plan area. Because of the size and shape of the parcel and its agricultural edge, the amount of area required for buffer has a tremendous impact on the value of the parcel for development. The DEIR states that some or all of the total 200' buffer area could be located on the adjacent agricultural property. We cannot assume that we will get any cooperation from a neighboring farmer or landowner, so we must assume that the whole 200' will be on site. The requirement of 200' of combined buffer is not based on sound reasoning or fact. Agricultural operators are not allowed to have spray residue drift beyond their property boundaries. The condition cited from Permit G requires a minimum distance of 100' from the nozzle and the nearest non-target area. The permit requirements that currently exist in Solano County are deemed adequate to protect existing residential and other land uses at the agricultural edge. The DEIR, therefore, is stating that the current Solano County standard is inadequate. This escalation of regulatory requirement is unfounded. The DEIR suggests that a one time contact could be dangerous, but it does not provide evidence to substantiate the position. Furthermore, Permit Condition G places no specific restrictions on public roadways, bicycle paths, pedestrian paths or equestrian use. There is no substantiation for the requirement of 200' to any possible non-agricultural use.

L2

L3

Analysis of the topography for the area south of the Evans Ranch and Clark Ranch properties shows a farm road immediately south of the property line. The crop areas are not likely to be closer to the property line than 25 feet.

L4

It is with all of these facts considered that we strongly support a 75 foot wide buffer north of the property line as adequate. This would provide a 100' buffer to the edge of crops and therefore substantially exceeds the requirements in Permit Condition G. Uses within the 75 foot buffer area should be allowed to include public roadways and bicycle pedestrian trails.

L5

Land use buffers tend to become areas of concern, as there is no viable/active use for them and they often become neglected when they are not owned by private interests. An exclusive agricultural buffer would necessarily need to be City owned. The City would need to maintain that area, and may need to use herbicides to manage weed growth. As such, the purpose of buffering

L6



urban land uses from exposure to such herbicides can be obviated by the need to control weed growth within the buffer area.

It is strongly suggested that any agricultural buffer adjacent to the southern boundary of the plan area which is not within the City's sphere of influence, allow an option of including that buffer in the extended rear yards of proposed residential lots. Such lots would be a minimum of 180 feet deep, and include a deed restriction on the rear 75 feet. Such deed restriction would limit use of that portion of the lot to passive landscape or gardens, and note the potential accidental exposure from commercial agricultural operations. This option would provide positive notification and awareness of any property owner in the future. The deed restriction can be temporary, and be removed in the event that urban land uses supplant the commercial agricultural land uses on adjacent property. A depiction of this concept is shown on the attached diagram. L7

Redundant protection could be enhanced by the installation of a 6 foot high, solid masonry wall at the property line adjacent to the agricultural property. This wall could provide additional redundant protection from spray drift from adjacent agricultural operations.

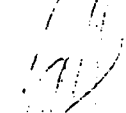
3. Impact 3.10-T (Page 252-253). We oppose the DEIR's proposed Mitigation Measure that conditions be placed on the Clark Ranch Estates Tentative Map that prohibit development until both the Evans Ranch and Dixon Ridge projects have developed. L8

We understand the concept of developing the area in an orderly, contiguous manner. But, there is no reason why both Evans Ranch and Dixon Ridge need to be started before Clark Ranch can start. If it is deemed imperative that development be contiguous, then the condition should not state that development of both Evans Ranch and Dixon Ridge are necessary. It would be logical to require only one of these projects. The most likely path of infrastructure development would indicate that Dixon Ridge would be the first contiguous development.

Furthermore, if we as developers of the Clark Ranch project are the only party ready to go at a certain point, we shouldn't be damaged by the inability of neighboring landowners to start their projects. If we have the ability to bring the necessary infrastructure to our site, then we should be allowed to proceed. We therefore ask that the entire section here be deleted and that no conditions of this nature be placed on the Clark Ranch Estates project.

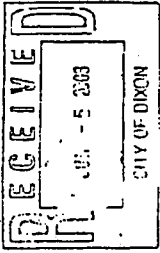
Please feel free to call me at any time for clarification of these DEIR comments. We look forward to working with you to finish the EIR process.

Sincerely,

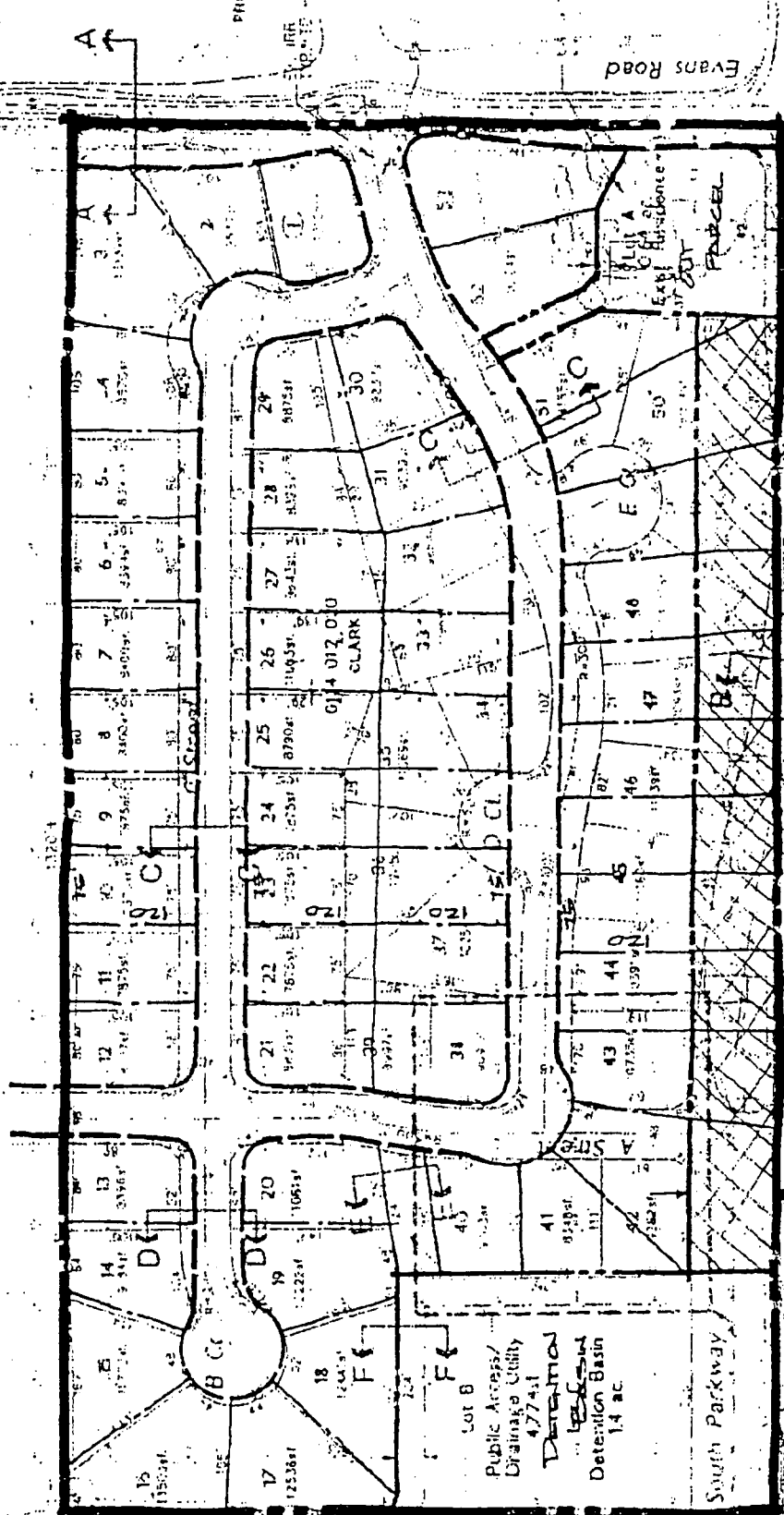


Jay Ryder, President  
Ryder Homes of California, Inc.

JR/ds  
Enclosure



ANGELI DIXON LLC  
PROPOSED SUBDIVISION  
(EVANS PARCEL)



LOTS BUFFER/DEED RESTRICTION  
STRUCTURES TO BE REMOVED

0314 020 0580  
FOX

SEE ALTERNATE PLAN  
THIS SHEET

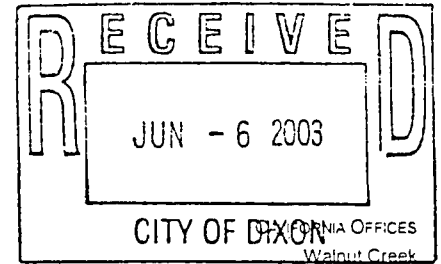
### Response to Letter from Jay Ryder, Ryder Homes

- L1. See Responses J36 and K1 regarding this comment.
- L2. See Responses K2 through K13 which respond to these same concerns.
- L3. Permit Condition G does apply to residential tracts, shopping centers, schools, hospitals, recreation areas, and unprotected areas. Sidewalks, bikelanes, and equestrian paths are all "unprotected areas" where humans could be exposed to pesticide drift. This is particularly true for the South Parkway where sidewalks would be immediately adjacent to ongoing agricultural uses (see Figure 6-2C of the Draft Specific Plan).
- L4. If that road remains (as conditioned by an approved easement from that property's landowner), the width of that road plus the 77-foot right-of-way proposed for the South Parkway (see Figure 6-2C of the Draft Specific Plan) would provide the 100-foot wide buffer on the plan area. However, it does not address the problem that the Draft Plan includes bikelanes and sidewalks on both sides of that street.
- L5. The comment is noted for the record. Please note that the DEIR allows pedestrian and bicycle facilities within this buffer if warning signs are posted during times Category 1 or 2 materials are sprayed within 200 feet of the southernmost sidewalk (see Mitigation Measure 2 on page 208 of the DEIR).
- L6. See Responses J64 and K21 regarding management of possible buffers. While the City may use herbicides for buffer management, the City can select Category 3 herbicides which have a much lower toxicity and are allowed for use in residential areas by Permit Condition G.
- L7. See Response J65 regarding this same comment and suggestion.
- L8. The comment is noted for the record. Mitigation Measure 1 on pages 252-253 of the DEIR will be revised as shown below.
  - 1. "As a condition of approval of the Clark Ranch Estates/Clark Property-Ryder Homes Tentative Subdivision Map, specify that the City of Dixon will not issue building permits for residential lots on the site until building permits for lots adjoining the Clark site on the Evans Ranch and or Dixon Ridge sites have been issued and infrastructure has been extended to the site."

This change will also be made to the Impact and Mitigation Summary Table. The change would not result in a new or more significant environmental impact.



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Los Angeles  
Richmond  
Corona

June 5, 2003

EDWARD L. SHAFFER  
eshaffer@archernorris.com  
925.952.5409

Stephen Streeter  
Community Development Director  
City of Dixon  
600 East A Street  
Dixon, CA 95620

**Re: Draft EIR for Southwest Dixon Specific Plan & Individual Projects  
(SCH #2002042037)**

Dear Mr. Streeter:

This letter is submitted on behalf of Western Pacific Housing, Inc., developer of the "Orchard Estates - Garcia" and "Orchard Estates - Sanders" subdivisions in the proposed Southwest Dixon Specific Plan. We have reviewed the Draft EIR on the Specific Plan and provide the following comments. The Final EIR should consider and respond to each comment. We are available to discuss details with City staff and the EIR consultants.

#### General Comments

1. **Clarify References to "Applicant":** Throughout the Draft EIR are unclear references to "applicant" implementing various mitigation measures. The EIR needs to clarify who is expected to carry out each task. Where the measure involves particular development projects, the individual developer might be responsible. However, many of the mitigation measures address followup planning efforts or other activities under the Specific Plan or area-wide public improvement projects, which can only be implemented by the City or another agency (e.g., Mitigation 3.2-E-1 re wells and water issues). Modifications to the Specific Plan (e.g., Mitigation 3.4-A-2 regarding road design) also will be implemented by the City as part of its approvals, not by an "applicant". M1
2. **Recognize Actual Impacts of Specific Plan:** The Draft EIR treats the Specific Plan as an entirely new planning effort, and gauges its impacts without reference to existing circumstances. For example, on page 28 the Draft EIR states that the Specific Plan will induce population growth of 3,907 people. In fact, the Specific Plan constitutes a part of the General Plan, providing more planning detail and making minor amendments. This area of the city could be developed today without a Specific Plan, subject to the land use designations and policies in the General Plan. Thus the Specific Plan only causes M2

impacts where there are changes from the current General Plan. Alternative 1b (p.334) covers this scenario, and recognizes that there are very few changes and impacts. This conclusion – that the Specific Plan differs very little from the land uses already allowed – should be better recognized in the EIR.

3. **Make Impact Statements More Specific:** Some of the short headings summarizing impacts are too general and suggest more serious problems than the followup text actually describes. One example is Impact 3.2-C (p.94) which suggests that multiple storm drain facilities may have impacts outside the Plan area, although the text clarifies that only one line creates this problem. Impact 3.3-A (p.101) broadly declares that development could impact “sensitive wildlife species” – but the impact actually only involves two species of concern. This can be a problem given that only the headings are repeated in the Summary (Table 3) – which may be all that some people read – and only the heading may be used in the Mitigation Monitoring and Reporting Program. Please clarify the true extent of potential significant impact in each impact statement, to avoid future confusion and controversy. M3
  
4. **Clarify Mitigation Timing:** Some of the mitigation measures require compliance “as a condition of approving any Tentative Subdivision Maps” (e.g., Mitigation 3.2-B-1 on p.94). This wording is ambiguous; we suspect that in many cases the EIR means to link the mitigation to final map approval, not tentative map approval. Please review every mitigation and clarify which really must be satisfied before a tentative map will be approved. Many do not require implementation before tentative map approval, and can safely be made conditions of approving the final map. Some can be deferred until the City issues grading or building permits. Other examples (this list is not all-inclusive): M4
  - Mitigation 3.1-B-1: prior to Grading Permit approvals
  - Mitigation 3.2-A-1,2,3: prior to Final Map approvals
  - Mitigation 3.2-B-1,2: prior to Final Map approvals
  - Mitigation 3.2-D-1: prior to Final Map approvals
  - Mitigation 3.2-E-1: prior to Final Map approvals
  - Mitigation 3.4-A-1, 2, 5, 6, 7, 8, 9, 10: prior to issuance of residential or commercial building permits based on actual traffic need.
  
5. **South Lincoln Street Widening:** According to the draft EIR, City staff believes that the paved portion of South Lincoln Street south of the Specific Plan area is not wide enough to accommodate various new utility lines, and also is too narrow for current traffic standards. As a result, several mitigation measures require widening the pavement to meet City standards for roadway and shoulder width, in order to satisfy two separate goals: covering the pipelines and making the road safer. M5

- a. We question this conclusion. The EIR should independently confirm that there is not enough room beneath the existing pavement to handle the new lines. In any case, it is not mandatory that the pipelines be placed beneath street pavement. Pipes also can be installed under the unpaved shoulders, so long as they remain within the public right-of-way. Street widening is not needed for this purpose.
  - b. It appears that the City considers the street pavement too narrow for existing traffic conditions. Thus widening the roadway is the City's responsibility. The Specific Plan will not add much new traffic to that road segment. The EIR's traffic analysis does not support shifting this burden to Specific Plan developers.
  - c. We understand that the current publicly owned right-of-way may not be wide enough to fully satisfy City standards for pavement and shoulders. Even if the developers have some responsibility to improve the roadway, the cost of buying land should be borne by the City.
6. **Revise Population Projections:** According to the EIR, ABAG estimates average household size in Dixon will increase from 3.16 persons per unit in 2000 to 3.20 persons in 2005, and then decrease over time to 3.17 persons in 2010 and only 3.14 persons in 2025 (see "Existing and Projected Household Size" on p.211). However, the EIR uses the year 2005 rate of 3.20 to calculate Specific Plan population (see Impact 3.9-A on p.217), even though commercial, industrial and residential development in the area will not build out until 2013 or later (see the Measure B allocation schedule on p.216 for residential phasing). The EIR does not explain why the higher rate is used. This affects analyses of several impacts and identification of needed mitigations in topics such as housing demand, water consumption, waste generation, police staffing, and required parkland. For example, a reduction of 70 people translates to requiring 1/3 acre less parkland (using the "5 acres per 1,000 people" standard). It would be more appropriate to use the long-term year 2025 rate to evaluate buildout; please revise all calculations of impacts and needed mitigations accordingly; Mb
7. **Clarify Status of New Off-Site Road:** The draft EIR mentions a future railroad crossing and arterial to be built connecting Pitt School Road and South First Street (Route 113), south of the Specific Plan area and running through the Southpark project. Various mitigation measures (noise, visual, land use, etc.) address potential impacts of the road. This road should not be linked to development of the Specific Plan area. M7

The discussion of Impact 3.10-B (bottom of page 235) states:

Buildout of the Specific Plan area does not require construction of a road connection between Pitt School Road and Highway 113. However, this connection would be needed to adequately accommodate cumulative

buildout of the Southwest Dixon Specific Plan area and the approved Southpark Specific Plan area. The connector road will cross agricultural properties within the jurisdiction of the County. However, this road connection was a required condition of approval for the Southpark project and will be constructed prior to development of Phase V of that project.

The traffic analysis (Section 3.4 on p.105+) shows a portion of the new road (Figure 18) and briefly mentions it in the discussion of "Year 2025 Cumulative Conditions" (p.117) that includes more than 20 years of development throughout the city. The introduction to cumulative traffic impacts (p.132) explains that the City is preparing to conduct an alignment study of the railroad crossing. Figure 12 on p.137 lists the new road (item #29) as a planned improvement included in the Street Master Plan. However, nowhere in Section 3.4 does the draft EIR indicate that development of the Specific Plan will trigger the need for this new road and railroad crossing or even will send any measurable amount of traffic along that new road. In fact, very few residents or businesses in the Specific Plan area will have any reason to rely on that road. It appears that the road is intended primarily to benefit Southpark residents.

To the extent that development in Dixon outside Southpark may generate some need for that new road, the Specific Plan area will not play a measurable role in that demand. The Specific Plan area should not be required to participate in mitigation measures for impacts related to the road, or pay any portion of the construction cost. The EIR should delete all statements that the Specific Plan area has any responsibility for construction of this arterial or for the impacts that may arise.

### Specific Comments

**Page 21 & 82 (RWQCB Doesn't Approve or Review SWPPP):** The EIR should recognize that the Water Board typically does not review or approve the SWPPP.

- a. The first bullet under Section B.2 (p.21) states in two places that the RWQCB approves a project's SWPPP. To our knowledge this is not correct.
- b. Mitigation 3.1-B-2 (p.82) states that the SWPPP is submitted to the Water Board along with the General Construction Permit. In fact, the Water Board may request such submission for review as part of the permit, but is not required to do so. We understand that the Central Valley RWQCB (in Sacramento) typically does not request or review the SWPPP unless there has been a complaint about implementation or some enforcement action is involved. Other Regional Water Board offices may routinely request copies of the SWPPP, but it appears that SWPPPs for Dixon are not submitted or reviewed.

M8



**Page 92 (Correct Drainage Basin Reference):** The first paragraph references Figure 6 for the location of proposed Batavia Pond and West Pond. Figure 6 only labels the two pond areas as "functional buffers". Figure 9 shows two "proposed detention basins". M9

**Page 93 (Change Timing of Impact 3.2-A Mitigations):** Mitigations 1,2 and 3 regarding drainage require satisfaction before approval of the first tentative map in the Specific Plan area. This should be changed to final map approval. Conditions of approval added to the tentative map can require compliance. Similar mitigations regarding sewer system capacity (p.284) are properly linked to final maps rather than tentative maps. M10

**Page 93 (Delete Mitigation 3.2-A-2):** We interpret this mitigation as requiring an applicant to prove that buildout of the Specific Plan will not interfere with planned drainage facilities outside the Plan area, before approval of the first tentative or final map (which is not clear from the wording). M11

- a. This is not needed, as the Storm Drainage Master Plan should cover this question and City approval of that Master Plan should mean there won't be a problem.
- b. In any event, conditions regarding drainage should treat the Specific Plan area as two separate subbasins, to be handled by separate drainage lines and basins. Development can occur on one side even if the other side is delayed.

**Page 94 (Clarify Timing for Mitigation 3.2-B-1):** We have two comments regarding timing.

- a. Please confirm that this mitigation adds a condition on tentative map approvals that adequate drainage capacity must be available before the City will approve the final map – not that the drainage capacity must be in place before the tentative map will be approved. M12
- b. The second part of this mitigation calls for the City to establish a maintenance district covering properties draining into Basin A. The wording is not clear if the mitigation is meant to be imposed as a condition to approving the final map or tentative map. In any case, the condition should not be applied to delay either map. So long as the drainage facilities are in place, construction and occupancy of new homes should be allowed. Development should not be delayed simply because the City has not yet completed formation of a new district. The City can impose conditions on each home requiring participation in the district and payment of necessary assessments when the district eventually is formed.

**Page 95 (Clarify Mitigation 3.2-D-2):** Please clarify that all the mitigations in Section 3.8 (regarding "Hazards and Hazardous Materials") will only apply to each project to the M13

extent applicable to address runoff contamination from that project. Mitigations regarding business uses may not be relevant to residential subdivisions.

**Page 96 (Revise Mitigation 3.2-E-1):** We have two concerns about this Measure.

- a. Mitigations listed for Impact 3.12-A regarding water supply are cross-referenced. M14  
Some of those mitigations are timed for approval of the first Final Subdivision Map, and allow prior approval of the tentative map. Why does Mitigation 3.2-E-1 require satisfaction before the first Tentative Map is approved? It should be sufficient to make compliance a condition of approval.
- b. Individual subdivision developers cannot implement this mitigation. We understand that the Water Master Plan and its followup implementation will cover all these concerns adequately. That is the responsibility of the City and DSMWS.

**Page 101 (Clarify Impact 3.3-A):** The impact heading states that development could impact M15  
“sensitive wildlife species.” However, the text states that only Swainson’s hawk and burrowing owl are of concern. This wording should be clarified to name the two species involved. This is especially important because the heading appears by itself in the Summary of Impacts (Table 3), making the impact sound more serious than it is.

**Page 102 (Clarify Mitigation 3.3-A-1):** Clarify in the first sentence that this particular M16  
preconstruction survey is meant for Swainson’s hawk.

**Page 102 (Correct Mitigation 3.3-A-2):** This measure contains two flaws. Our suggested changes should not alter the conclusion that the impact can be adequately mitigated.

- a. **1:1 Mitigation Ratio May Not Be Appropriate:** The Impact discussion (p.101) M17  
states that the Department of Fish and Game (DFG) requires 1:1 mitigation for development within one mile of a nest known to be active during the prior five years. According to the Biology Report in Appendix B (p.7), less mitigation is required for projects further away. It is not appropriate to automatically require 1:1 mitigation by every project in the Specific Plan area. At the time a particular property develops, the nearest qualifying nest might be more than one mile away (for example, the Draft EIR notes that a nest in the north part of the Specific Plan area has not been used for three years). Some portions of the area might not be developed for many years. The Mitigation should defer to DFG’s determination at the time of actual development of each parcel regarding how much – if any – replacement land must be preserved to mitigate conversion of the property.
- b. **First Project Should Not Have to Provide Full Mitigation:** For several reasons M18  
it is not appropriate to require the first developer to fund mitigation of the entire

477-acre Specific Plan area (at 1:1 or any other ratio). This Mitigation should be changed to require each development to fund its own habitat replacement as required by DFG at the time.

- (1) The EIR is incorrect to assume that the first development will fragment the remaining habitat. For example, the two Orchard Estates properties are contiguous to existing development. They will not fragment the remainder if they develop first. M19
- (2) The EIR presents no information supporting the assumption that hawks do not forage on farmland that is "fragmented." We understand that hawks in fact are known to forage in fields near development. M20
- (3) Portions of the area may not develop for many years. In the meantime they might continue to serve as potential hawk foraging and nesting habitat. Therefore it is premature to require funding replacement land for those properties. M21
- (4) As discussed above, portions of the area may not be within one mile of a qualifying nest at the time they develop, making the 1:1 ratio excessive. The existing (and recent) nesting locations in the vicinity should be mapped to allow better evaluation of the hawks' likely foraging range. M22
- (5) The EIR does not document that all 477 acres currently serve as hawk habitat requiring replacement. For example, we estimate that more than 10 acres are covered by roads, development, and the Weyand Canal. M23
- (6) Not all types of farmland qualify as foraging habitat. DFG is the only appropriate agency for final determination of impact & mitigation. M24

Pages 121+ (Clarify Timing of Intersection Improvements and Studies): Mitigation 3.4-F-1 and the ten mitigation measures for Impact 3.4-A should be clarified regarding when supplemental traffic studies are needed. M25

- a. The first sentence of Measure 3.4-F-1 (p.129) states that each separate project will submit a traffic analysis to determine traffic improvement obligations "as a condition of development approval." The second sentence reads that staff will approve the analysis before development approval. Please clarify timing – the phrase "development approval" is ambiguous. We understood that the analysis would be required for approval of the final subdivision maps, to establish what fees or intersection improvements would be required of each developer.

- b. The mitigations for Impact 3.4-A require the applicants to prepare a project-specific traffic analysis based on the EIR traffic study for each tentative map. We suspect this should refer to the final map instead.
- c. The wording in these mitigation measures is not clear regarding the purpose of this followup study. We understand that it is meant to measure traffic volumes at the time of each project's final map approval in order to determine if new traffic from the particular project will trigger needing improvements at any of the intersections listed in Impact 3.4-A (p.121), and to set the appropriate pro-rata fee for cumulative impact mitigation costs. Please clarify.

**Page 125 (Delete Mitigation 3.4-A-9):** It is not appropriate or practical to require developers to pay this charge as the City adjusts the signal from time to time in response to changing traffic patterns. First, this requirement does not address any legitimate CEQA environmental impact. Second, maintaining and adjusting signals is a normal and customary function of local government, financed by taxes and other charges collected by the City. Third, it would be too complicated to calculate the appropriate fee as individual buildings permit are issued over time; the formula would need to take into consideration what share should be borne by traffic from outside the Plan area, and how much traffic from each new home would use that intersection. M26

**Page 127/130 (Delete or Modify Transit Mitigations):** Mitigations 3.4-D-1 and 3.4-H-1 would require developers to pay for any transit vehicles that the City and the Transit District may decide are desired in the future. This amounts to an open checkbook, without any controls on what vehicles might be specified or any estimates of cost, which is not a reasonable CEQA mitigation. Bringing people into the area and thus generating potential demand for transit service does not trigger a legitimate CEQA environmental impact justifying this mitigation. It is the agencies' obligation to plan transit services, determine equipment and operating needs, and identify available and proper funding mechanisms. M27

**Page 128/131 (Revise Transit Mitigations):** Mitigation 3.4-E-1 requires the "applicant" to modify the Specific Plan to identify specific locations for bus stops and turnouts; it also directs the City and Fairfield-Suisun Transit to approve location, design, implementation and timing of park-and-ride lots, bus stops and bus turnouts before issuing building permits. Mitigation 3.4-I-1 requires modifying tentative maps for the five projects covered by the EIR to identify locations for bus stops and turnouts, and repeats that the City and transit agency must approve details of park-and-ride lots, bus stops and bus turnouts before building permits may be issued. These measures must be clarified and revised to better recognize practical realities of the situation. M28

- a. Modification of the Specific Plan is the City's responsibility, not each developer.

- b. It is not possible to identify locations for bus stops and turnouts until the transit agency establishes bus routes through the area. According to the Draft EIR (p.108), currently there are no fixed bus routes in Dixon; the city is served by curb-to-curb demand responsive transit service. There is no indication that fixed bus routes or other services requiring specified bus stops or turnouts are anticipated in the residential areas covered by most of the Specific Plan.
- c. The EIR (p.114) states that impacts should be considered significant only if the project would (1) disrupt existing transit services or facilities, (2) interfere with planned transit services or facilities, or (3) be inconsistent with adopted transit policies or standards. The two General Plan policies quoted on p.128 encourage improved transit service, but do not require fixed bus routes. The Specific Plan itself does not specify fixed bus routes, or envision bus stops in residential areas. Instead, the Specific Plan (p.6-21) calls for transit stops near the neighborhood commercial center, community park, and employment center (Policy 6.4.2 and Implementation Program 6.4b), a park-and-ride lot in the commercial area near the West A Street/I-80 interchange (Policy 6.4.3), and park-and-ride spaces in the shopping center parking lot (Implementation Program 6.4a).
- d. It may be important to eventually pin down locations and design the park-and-ride lot and major transit stops. However, the lack of these details in the Specific Plan does not violate the two General Plan policies cited by the EIR, disrupt existing transit services and facilities, or interfere with planned transit services and facilities. Nothing in the Specific Plan or the design of the five subdivisions prevents implementing fixed bus routes or designating bus stops in the future. We disagree with the EIR's conclusion that these facts give rise to significant impacts under CEQA warranting Mitigation Measures 3.4-E-1 and 3.4-I-1.
- e. It is not practical to require the five tentative maps covered by the EIR to identify bus stops, and it is not appropriate to delay building permits in those subdivisions until the City and transit agency finalize details for the parking lots and bus stops desired in other portions of the Specific Plan area.

**Page 129 (Spread Costs Under Mitigation 3.4-F-1):** This mitigation suggests that costs for traffic signals and intersection improvements will be borne only by the five subdivisions with pending applications. Please clarify that costs will be shared by all responsible parties, including other properties in the Specific Plan area, new development outside the Plan area, and the City as to general citywide traffic volumes. M29

**Page 133 (Clarify Impact 3.4-J Conclusions):** The EIR concludes that the cumulative traffic impact remains unavoidably significant because needed road improvements (1) "are M30

considered infeasible due to right-of-way constraints” and (2) are not included in the City of Dixon Draft Street Master Plan.

- a. The wording of Impact 3.4-J is not clear, but it seems to suggest that there will be unmitigated cumulative impacts along the full length of A Street and on two sections of State Route 113. The draft EIR does not appear to discuss these road segments anywhere else, or explain why improvements are not feasible so they are not included in the Street Master Plan. Did the City accept this as an unavoidable impact as part of adopting the General Plan (which allows a similar density of development)?
- b. We question the automatic assumption that development in the Specific Plan area will contribute to traffic along the full lengths of the impacted roads. For example, the EIR does not show that the southern end of Route 113 is likely to attract much traffic related to homes or businesses in the Specific Plan. Citywide cumulative development that causes impacts does not automatically mean that all development in the city is to blame.
- c. Note that the discussion on p.133 references Figure 23 – supposedly because it identifies the unachievable road improvements or the impacted roads. In fact, Figure 23 does not show any information on this topic. We suspect the EIR meant to refer to Figure 24. (As a related comment, please note that one symbol shown in the legend of Figure 23 refers to proposed new signals that are not funded – but I don’t see that particular symbol anywhere on the map.)

**Page 142 (Recognize Air Quality Offsets):** The EIR should acknowledge that eliminating agricultural activity in the Specific Plan area will provide substantial air quality benefits (e.g., PM<sub>10</sub> and PM<sub>2.5</sub>, toxic air contaminants, vehicle emissions). This should apply to reduce net emissions from development of the projects. M31

**Page 144 (Delete Vegetation Windbreaks):** Mitigation 3.5-A-11 suggests planting trees or other vegetation as temporary windbreaks to control dust from construction activity. This is not practical, as such plantings would take years to grow enough to be effective and could not be moved as construction progresses. M32

**Page 146 (Delete Mitigation 3.5-B-4):** This mitigation suggests that developers should finance school bus service, as a way to reduce vehicle emissions. This is not reasonable or workable and should be deleted. Subsidizing bus service requires an ongoing funding source, not one-time developer fees. This is a universal problem, and possible solutions should apply citywide rather than just within the Specific Plan area. Perhaps the City should consider a citywide assessment district for this purpose, or a fee charged on each schoolchild who does not walk or use a bus? M33

**Page 147 (Delete Electrical Outlet):** Mitigation 3.5-B-8 recommends providing 220-volt outlets in each residential garage suitable for electric car recharging, as part of mitigating vehicle emission impacts. The California Air Resources Board recently rescinded regulations requiring automakers to sell electric cars in California. Instead, hybrid vehicles that are self-charging are being promoted. Other technologies, such as hydrogen fuel cells, look promising. There is no reasonable expectation that vehicles requiring outlets for recharging will become common. The requirement is too speculative. M34

**Page 147 (Amend Title 24 Upgrade):** Mitigation 3.5-B-9 suggests requiring energy conservation construction measures (e.g., better insulation, windows and doors) that will reduce energy use by 15 percent below that assumed using established Title 24 standards. To our knowledge there is no realistic method for calculating energy savings in percentage terms using Title 24 as a baseline. This mitigation would be impractical to implement as worded and the percentage goal should be deleted. Western Pacific Housing is amenable to requiring two specific improvements which are known to provide energy saving benefits: low-e glass throughout; and dual climate-control zones in two-story houses. M35

**Page 161 (Clarify Conclusions About Existing Noise Barriers for Impact 3.6-B):** The second paragraph describes existing noise barriers (or lack thereof) along residential streets that may experience increased noise from Specific Plan traffic. The EIR states that visual inspections led to the conclusion that some existing barriers "were not designed to be able to mitigate traffic noise generated by the [Specific Plan]." This is too general and ambiguous. Masonry walls do offer noise reduction protection, and should not be dismissed. The EIR should allow developers an opportunity to confirm that existing walls are not adequate before requiring them to implement other mitigations. M36

**Page 161 (Clarify Mitigation 3.6-B-1):** This Mitigation is intended to protect existing residents from noise increases generated by increased traffic along West A Street and Pitt School Drive. Implementation details are not clear. M37

a. First, the EIR should clarify who would do the design level noise study recommended to identify construction measures. It appears this should be the City's responsibility since any improvements must be installed either within the public right-of-way or on private property outside the Specific Plan area.

b. The Mitigation lists as possible measures "quiet pavement", new or expanded sound barriers, and open space buffers:

(1) Only the City will be able to implement these measures – especially where it involves possible intrusion into private property. The draft EIR M38

recognizes this may be problematic; the EIR should elaborate on how these measures actually will be implemented.

- (2) Some forms of quiet pavement on the market may require higher-than-average future costs for maintenance. Before requiring such paving as a mitigation measure, the City should accept that such costs will be its responsibility and confirm the City will accept dedication of the roads. M39
- (3) Please clarify how open space buffers could be added between already-existing roads and already-existing homes. M40

**Page 164 (Clarify Mitigation 3.6-C-1):** Two of the bullet items require clarification.

- a. The sixth bullet recommends prohibiting “construction truck” traffic in the vicinity before 7:00 a.m. or after 7:00 p.m. Please clarify that this refers only to large commercial vehicles, and not pickups or similar private vehicles used by commuting construction workers entering or leaving the area. M41
- b. The eighth bullet requires notifying “adjacent” residents in writing of the construction schedule. Is this required beyond the homes directly bordering the project property? M42

**Page 166 (Clarify Non-Residential Noise Studies):** Mitigation 3.6-D-2 requires an acoustical study for all non-residential land uses. Please clarify if this is meant to apply to the proposed neighborhood park and fire station in the Orchard Estates – Sanders project. If so, the EIR should acknowledge that the studies must be undertaken by the City as part of designing and building the two public facilities. The subdivision developer is simply making the two sites available for the City to acquire and improve, using fees paid by other development in the area. M43

**Page 171 (Correct Impact 3.6-I):** The first paragraph following Table 20 states that the Orchard Estates – Sanders project proposes a fire station near the “easternmost” property boundary. Actually, the station site is on the western boundary, on Pitt School Road. Other portions of the EIR recognize this location. M44

**Page 170+ (Delete Noise Impact from I-80 and Railroad on Distant Projects):** Impacts 3.6-I and 3.6-J both conclude that the two Orchard Estates subdivisions will be exposed to excessive noise from I-80 and the railroad, and suggest that special mitigations might be needed. This determination ignores the distances involved, and the screening effect of future intervening landscaping and buildings. I-80 clearly is too far away to represent a significant post-development noise generator. The EIR does not have sufficient data to support claims that occasional train noise will cause a significant impact in these M45



subdivisions (see Table 3 on page 8 of Appendix C regarding Noise Measurement Location ST-11). Noise from adjoining streets will override any background noise from the distant sources, and no added mitigations should be required.

**Page 187 (Delete Link Between Subdivisions and I-80 Landscaping):** Mitigation 3.7-A-2 M46  
requires approval of a landscaping plan for the I-80 frontage before “approval of the first subdivision map” (which we assume means final map approval). It goes on to require installation of landscaping before the first home or business can be occupied. These requirements are not reasonable or necessary.

- a. Residential subdivision developers do not own or control the land fronting on I-80 and could not install landscaping even if they wanted.
- b. The Orchard Estates subdivisions are more than one mile away from I-80. These and other residential projects will be landscaped and attractively designed. We disagree with the conclusion that travelers along I-80 who briefly glimpse distant views of these projects will consider the experience a substantial adverse visual effect. This is especially true since any “impact” will only be temporary until there is frontage landscaping or intervening development.
- c. The EIR misinterprets the General Plan as requiring that distant subdivisions must be hidden from view. Impact 3.7-A (top of p.186) claims that the General Plan “calls for all development along I-80 to either be ‘attractive’ or not be visible from the freeway.” General Plan Policy 22 (not Policy 2 as cited on p.186) actually states: “The City shall ensure that all new development which may be built adjacent to Interstate 80 will either present an attractive appearance or not be visible from the freeway at all” (emphasis added). The term “adjacent” does not apply to subdivisions or other development beyond the area fronting I-80.

**Page 191+ (Reconsider Visual Impact of Soundwalls):** The EIR assumes that soundwalls are M47  
a visual impact to be avoided if possible. Impacts 3.7-B through 3.7-H all make this assumption, leading to mitigations saying to avoid soundwalls unless absolutely necessary to reduce noise impacts. We disagree with that assumption. What criteria does the EIR rely on to treat a wall as automatically a significant impact?

This conclusion is very subjective, especially in a community with many soundwalls. The EIR (p.189) recognizes that Specific Plan policies and programs will require street side landscaping and design guidelines that will mitigate visual impacts of residential development. Vegetation planted in front of soundwalls will soften appearances substantially. Soundwalls can be an attractive and functional urban amenity, especially when installed with landscaping along arterials. The EIR seems to reduce the value of attractive walls. Furthermore, modern wall design has advanced substantially and its

longevity supercedes that of wood fences, which would have different visual impacts as they deteriorate over time. This conclusion is subjective and does not relate to the specified impact criteria.

**Page 190 (Defer Timing of Mitigation 3.7-B-1):** This mitigation could substantially delay approval of the Specific Plan. It calls for a determination whether the tall tower sign is permitted, which by itself should not take the City long. However if the sign is allowed, the measure calls for adding an "implementation program" to the Specific Plan. Please clarify if the EIR expects some detailed provisions, or simply a statement such as: "the sign shall be designed by a qualified architect or sign designer." If the implementation program is intended to contain more detail, then we recommend specifying that it can be drafted and approved after adoption of the Specific Plan. M48

**Page 194 (Clarify Mitigation 3.7-C-2):** The mitigation states: "signs facing residential areas shall be prohibited". This wording is too absolute and needs elaboration. For example, subdivision entries may include monuments with project identification names, which should be allowed. In areas where roadways divide commercial and residential designations, the Specific Plan should allow businesses facing the road to have signs, even if they also face housing on the other side of the street. M49

**Page 197 (Delete Reference to I-80 Landscaping Mitigations):** Impact 3.7-G states that the visual effects of three residential projects (two Orchard Estates subdivisions and Clark Ranch) do not require any additional mitigation except that Mitigations 3.7-A-1 & 2 would apply. Those two mitigations deal with the landscaping buffer along the I-80 frontage. While the buffer may be a desirable goal, developers of these subdivisions do not control the property abutting I-80 and cannot implement the mitigation. Furthermore, the mitigation is not needed to address any impact caused by the subdivisions. This requirement should not serve to delay approval or construction of the residential projects. M50

**Page 207 (Justify Need for 200-Foot Buffer):** The EIR does not contain sufficient justification for requiring developers to arrange 200-foot-wide no-spray zones (Mitigation 3.8-C-1&2 and the mitigation for Impact 3.8-G). Farmers already operate under strict permitting conditions that provide enough protection. CEQA discourages speculating about theoretical impacts without evidence that there is a reasonable risk of such harm actually occurring. The 100-foot buffer suggested by the Specific Plan is adequate. M51

**Page 220 & 223 (Clarify Timing and Responsibility for Mitigations 3.9-C-1 & 3.9-E-2):** These mitigations discuss preparing housing strategies and programs regarding housing mix and affordability, with annual reports to the City, to help address ABAG housing needs and to implement Measure B's goal of ensuring development of multi-family housing concurrently with single-family housing. First, there is no single "applicant" responsible for the Specific Plan area who could implement such reporting or land use M52

requirements. The developers seeking approval of the five pending tentative maps for single-family subdivisions do not control the portions of the Specific Plan designated for multi-family use, and so cannot arrange for concurrent multi-family development on other property. This seems to be the City's responsibility, not the developers. The mitigations should be revised to clarify timing and confirm that the separate subdivisions may proceed without delay. This particularly applies to the two Orchard Estates subdivisions in the southeast corner of the Specific Plan.

**Page 228 (Display Current Land Use Designations):** The Draft EIR lists which current General Plan designations (p.228) and zoning districts (p.230) apply to the Specific Plan area. However, there are no maps showing the actual locations of these designations. This makes it difficult to understand where the proposed Specific Plan's land uses follow or change the current General Plan. M53

**Page 234 (Clarify Mitigation 3.10-A-1):** This measure requires developers to buy property to replace agricultural land, or pay a fee. The wording raises two questions. M54

- a. The mitigation does not specify how much replacement property must be bought, or how the fee will be set. Will it be based on a 1:1 ratio (acres developed to acres acquired)?
- b. The measure appears to allow developers a choice: buy land independently or contribute to the City's land conservation program. If a developer buys property, what happens afterwards? Can the developer retain ownership or sell it to a farmer, granting a conservation easement to the City or some other entity ensuring it won't be developed? These details should be clarified.
- c. The wording implies that replacement land must be acquired in fee title. The developer should be able to buy a conservation easement instead.

**Page 246 (Clarify Timing of Mitigation 3.10-I-1):** This mitigation calls for design criteria to reduce impacts on houses adjoining busy streets. The criteria are supposed to be incorporated "into the proposed Specific Plan and/or future design plans for [those] areas." Please revise the wording to specify that the Specific Plan include an implementation measure requiring design criteria as part of individual projects. There is no reason to delay Specific Plan adoption while global design criteria are prepared. Furthermore, it may not be appropriate to impose one set of design standards, because each project may involve unique circumstances warranting different solutions. M55

**Page 260 (Acceptance of Fire Station Site):** Specific Plan Implementation 7.7a requires the Fire Chief to certify suitability of the proposed fire station site. Has this occurred yet? M56





**Page 261 (Clarify Mitigation 3.11-A-1):** The mitigation calls for the new fire station to be operational by the time “30 percent of the plan area is developed.” To avoid future confusion, the EIR should clarify if this will be based on acreage, number of dwelling units, square footage of construction, or some other method of calculation. M57

**Page 261 (Add Mitigation to Expedite Fire Station):** The EIR recognizes the importance of the new fire station for the Specific Plan, other pending development, and existing residences and businesses in the area. We suggest a new mitigation for Impact 3.11A, recommending that the City recognize the value of approving the tentative map for Orchard Estates – Sanders and expediting development of that project as quickly as feasible to secure the fire station site and arrange for station construction. M58

**Page 264 (Explain Relationship of Fire Station to Other Projects):** The EIR indicates that the fire station proposed in the Specific Plan is needed to serve the Pheasant Run #7 and Southpark projects, and that without the station those developments will experience long response times. The EIR should report what mitigation measures and conditions of approval the City imposed on approval of those two projects, and clarify their responsibilities regarding fire station funding. M59

**Page 274 (Clarify Cal. Water Service Involvement):** Mitigation 3.12-A-11 addresses the fact that a small portion of the Specific Plan area is served by California Water Service rather than DSMWS. M60

- a. The mitigation incorrectly states that “portions of the Orchard Estates subdivisions east of South Lincoln Street” are in this service area. Only the Sanders property extends that far, not the Garcia property. Three separate parcels north of the Sanders property that are not part of the two Orchard Estates projects also would be served by California Water Service.
- b. The draft EIR states that this area is to be served by Cal. Water per a Settlement Agreement. However, it does not explain relevant terms of that Agreement and only briefly describes Cal. Water’s existing system (p.265). The EIR should confirm that Cal. Water has capacity to serve this area now, without delaying development and without adding new infrastructure. We do not anticipate this being difficult as that area adjoins existing development already served.

**Page 275 (Revise Linkage to SID Master Plan):** Mitigation 3.12-B-1 would delay approval of the first final subdivision map or occupancy permit until the SID Irrigation Master Plan is submitted to SID and the City. We understand that preparation of that Plan is subject to SID’s control. We are concerned that completion may be delayed through no fault of subdivision developers and outside the control of the City. In some cases (e.g., the Orchard Estates subdivisions), final map approval and development can safely proceed M61

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without the SID Plan because no major existing or planned SID improvements will be affected. The EIR should refine this measure and be selective about which aspects of Specific Plan mapping and development must await SID Plan completion.

**Page 283 (Clarify Sewage Figures):** The discussion of Impact 3.13-A states that the land uses **M62** proposed for the Specific Plan area will generate 1.78 mgd of sewage. Current volume from the entire city supposedly is 1.3 mgd (see p.280). Please clarify. The EIR also should elaborate on sewage system improvements needed to serve buildout of the Specific Plan.

**Page 283 (Describe Sewage System Benefit to City):** The discussion of Impact 3.1-A (third **M63** paragraph) states that the planned Specific Plan sewage collection system will “convey off-site sewage flows to provide relief to the [existing] Pitt School Road lift station.” The EIR should elaborate on how this benefits the City and identify what portions of the Specific Plan system (and their cost) serve this purpose. We understand that this pipeline segment may not be needed for development of the Specific Plan area.

**Page 291 (Delete Linkage to Police Services):** Mitigation 3.14-A-1 suggests that final maps **M64** might not be approved if the Police Department decides that it does not have adequate resources to serve the proposed development. We note that each project will pay impact fees that are set by the City to meet its needs and serve new development. That should be sufficient mitigation; it is not appropriate to suggest that CEQA requires delaying map approval for this reason. If the City ever finds there is an imminent public safety problem, it can pursue other funding sources and even declare an emergency moratorium.

**Page 302 (Recognize City Share of Park):** The draft EIR (4<sup>th</sup> bullet) explains that the **M65** neighborhood park proposed as part of the Orchard Estates – Sanders subdivision is intended to serve both the Specific Plan area and nearby neighborhoods that are not near a park. The EIR should acknowledge that the cost of the park cannot be imposed entirely on the Specific Plan developers, but will be partially funded by the City.

**Page 306 (Revise Timing of Specific Plan Requirement):** The EIR quotes Specific Plan **M66** Implementation Measure 7.6e, which would require a master lighting plan for parks, other public facilities and private recreation facilities using intensive lighting at the time of the first tentative map. This should be revised. There is no reason to delay approval of pending tentative maps while this new plan is prepared. Tentative map approvals do not include design details for lighting of parks; that will come later.

**Page 308 (Clarify Need for Larger Park):** Mitigation 3.16-B-1 and Mitigation 3.16-C-2 call **M67** for increasing the size of the neighborhood park proposed in the Orchard Estates – Sanders subdivision from 2.47 to 3.0 acres. We object to that requirement.

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- a. The EIR should document that the neighborhood park needs more land to function M68 adequately, and that three acres is not an arbitrary number. The Parks Master Plan recommends requiring three acres as the minimum size for a neighborhood park (p.12), but does not provide any evidence to support this standard or explain why a smaller park would not be adequate.
- b. The EIR must document its claim that sizing the park at 2.47 acres constitutes a significant CEQA impact (Impacts 3.16-B & C). Under CEQA, every discrepancy between a proposed project and an adopted policy or standard does not constitute a significant environmental impact. That conclusion is reserved for situations where the policy or standard involved was adopted to address some potential physical impact. Providing a smaller park does not satisfy this test.
- c. The developer will suffer a substantial burden if forced to enlarge the park, and M69 will have to eliminate lots and redesign the subdivision. The tentative map application was submitted two years ago and has been reviewed by staff, without any mention of this problem. Substantial sums have been spent in reliance on the understanding that the subdivision is acceptable to the City as designed.
- d. The City expects this park to serve existing residents in an area that currently does M70 not have a neighborhood park nearby. The developer should not be penalized for this fact. The project as designed fully satisfies General Plan policies regarding parkland. The Parks Master Plan imposes a new requirement to serve all areas within a certain radius – including residents outside the new development. This appears to exceed its authority under the General Plan.
- e. The EIR (p.310) reveals that the design for Southpark did not provide enough M71 parkland to satisfy General Plan standards, but the City relaxed the requirement and settled for fees. The Southwest Dixon Specific Plan already provides more parkland than required by the General Plan standard. How much below the General Plan and Parks Master Plan acreage requirement is the Southpark design, and what was their total fee requirement? When the City approved Southpark, what findings were adopted to justify reduced parkland? Please consider how the Southpark example affects requirements imposed on this Specific Plan and the five individual subdivisions.

**Page 315 (Recognize Multi-Family in School Generation):** Table 32 calculates student M72 generation for single-family and multi-family housing. The EIR calls for 118 single-family units to be switched to multi-family in order to satisfy the 20% requirement. That will reduce total student generation by 22 students. Please adjust student figures.



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**Page 329 (Remove New Street from List of Growth Inducers):** The EIR lists the proposed <sup>M73</sup> new street between Pitt School Road and South First Street as inducing growth, and suggests this is related to development of the Specific Plan. At the bottom of p.235, the EIR explains that this road is a required condition of approval for the Southpark project – and apparently will be built for Southpark even if the Specific Plan area does not develop. However, the EIR also says (on p.235) that the new road is needed for cumulative buildout of the Specific Plan and Southpark. Please reconsider this situation and clarify if the new road should be listed as a growth inducer attributable to the Specific Plan.

Thank you for this opportunity to comment on the City's draft EIR. I look forward to reviewing the responses.

Sincerely,

ARCHER NORRIS



Edward L. Shaffer

ELS:la

cc: David Dolter, Western Pacific Housing  
Reed Onate, Western Pacific Housing

## Response to Letter from Edward L. Shaffer, Archer-Norris

- M1. See the Mitigation Monitoring Program which identifies the responsible parties for EIR-recommended mitigation measures. The description of who the "applicant" is for various projects assessed in the DEIR is described on page 6 of the DEIR.
- M2. The *CEQA Guidelines* require an EIR to assess the impacts of a proposed project on the existing environment, regardless of whether that project is consistent with the jurisdiction's general plan (see *CEQA Guidelines* Section 15125). Mere conformity with a general plan does not justify a finding that the project will not have significant environmental effects (see the discussion under *CEQA Guidelines* Section 15125). An EIR assesses the impacts to physical resources that would result from a proposed project. It does not assess impacts that are merely different than those might occur under a jurisdiction's general plan.
- M3. The comment is noted for the record. The concern seems to be one of style. The EIR authors do not believe altering the wording of the two impacts given as an example would change the recommendations or conclusions of the EIR. No change to the text is proposed. However, the commenter's request will be forwarded to the City Council for its consideration. If such changes are made by the City Council, they would have no effect on the recommendations or conclusions of the EIR. In addition, the following will be added to the end of the discussion of the Impact and Mitigation Table on page 35 of the DEIR:

"The listing of mitigation measures in the table is intended to be a summary statement of the impact. The reader should refer to the full discussion under each impact in Chapter 3.0 of the EIR to fully understand the details of the impact."

This change will not affect the conclusions or recommendations of the DEIR.

- M4. The City has reviewed the mitigation measures. With respect to the specific mitigations identified in the comment, the following response is provided.
- Mitigation Measure 3.1-B-1. The Mitigation Measure has been reviewed and will remain as written. A comprehensive Sediment Monitoring Plan will be required for the plan area to ensure that post construction measures will be incorporated into the designs of each development. The timing for submittal of this plan will be changed to be required prior to approval of the first final map. The Specific Plan Applicant should take the necessary steps to commission the preparation of the Sediment Monitoring Program as soon as possible. The following change will be made to Mitigation Measure 1 for Impact 3.1-B on page 82 of the DEIR:

"Detention Pond A and the West Pond Complex will act as sedimentation ponds and will decrease downstream sediment loading. A pond sediment monitoring program will be developed and approved by the City prior to approval of the first Final Subdivision Map. This program will provide a

schedule for monitoring and removal of sediments and who will be responsible for those actions."

This change will also be made in the Impact and Mitigation Summary Table on page 36 of the DEIR. This change will not result in any new or more significant impacts.

- Mitigation Measures 3.2-A-1, 2, and 3. The Mitigation Measures have been reviewed and will remain as written.
- Mitigation Measures 3.2-B-1 and 2. The Mitigation Measures have been reviewed and will remain as written.
- Mitigation Measures 3.4-A-1, 2, 5, 6, 7, 8, 9, and 10. The Mitigation Measures have been reviewed and will remain as written

M5. See Responses J23 and J45 regarding the recommendation for widening South Lincoln Street.

M6. The DEIR uses the higher rate of 3.20 persons per household (the average household size projected for 2005) for two reasons: (1) if the Specific Plan is approved, housing approvals and construction in the plan area will have begun by 2005, as indicated in the housing allocation schedule on DEIR page 216; and (2) the 3.20-persons-per-household estimate represents a conservative estimate for purposes of environmental review. As a practical matter, using the lower estimates of 3.17 or 3.14 (the average household sizes projected for 2010 and 2025, respectively) would not make a substantive difference in the EIR's impact findings or mitigation measure recommendations. In addition, impacts must be mitigated as they occur. For this reason, the use of the 3.20-persons-per-household estimate is necessary to avoid the under-mitigation of impacts for twenty years until the average household size has reduced as currently anticipated.

M7. The proposed grade-separated crossing of the Union Pacific Railroad, connecting SR 113 and Pitt School Road, is a needed element of the City's General Plan to accommodate planned growth in the city, including development of the proposed Southwest Dixon Specific Plan. The new connection will provide an alternative to West A Street and will be used by residents in the plan area to access the planned new high school along SR 113 and by residents on the east side of the railroad to access commercial and employment opportunities planned for development in the proposed plan area.

M8. See Response J19 regarding SWPPPs. These SWPPPs shall be prepared and implemented regardless of whether the Central Valley RWQCB requests they be submitted. If the SWPPP is not prepared and implemented by each applicant, then there would be a remaining significant erosion impact.

M9. The reference will be corrected as requested. This change will not have any effect on the conclusions and recommendations of the EIR.

- M10. The EIR preparers believe that requiring these mitigations at the time of first Tentative Subdivision Map approval is appropriate, and therefore no changes have been made, except as noted in Response J22. The commenter's suggestion will be forwarded to the City Council for its consideration.
- M11. The EIR preparers believe the mitigation measure is appropriate. The measure states that it applies to storm drain improvements within the plan area, and that the review should occur before the first Tentative Subdivision Map. It is appropriate to review drainage facilities in the Specific Plan area as a whole. Approval of the Storm Drainage Master Plan does not imply that storm drain improvements will automatically be constructed. Additional measures are necessary to ensure that, as individual projects are approved, timely storm drainage facilities and financing are available to provide the necessary capacity.
- M12. Comment noted. Mitigation Measure 1 under Impact 3.2-B will be revised to state as follows:

"As a condition of approval for all Tentative Subdivision Maps in the plan area, the City of Dixon shall require and confirm that adequate storm drainage capacity will be in place before City approval of the Final Subdivision Map is available as a condition of approving any Tentative Subdivision Maps for the plan area."

This change will also be made on the Impact and Mitigation Summary Table. This change will not result in any new or more significant impacts.

In response to the second part of the comment, Mitigation Measure 2 under Impact 3.2-B will be revised to add the following sentence at the end of the mitigation measure:

"A provision for forming and participating in the maintenance district shall be addressed through conditions of a development agreement or other formal agreement at the Tentative Subdivision Map stage for each individual development project in the plan area."

The provision for forming and participating in a maintenance district will be addressed through conditions in a development agreement or some other type of formal agreement during the tentative map stage. Conditions would be imposed on the tentative map through this process. The City wants all development to be subject to the condition.

This change will not result in any new or more significant impacts.

- M13. The mitigation measures recommended in Section 3.8 (Hazards and Hazardous Materials) distinguish between mitigations required for individual projects and mitigations required for the Specific Plan area as a whole. The measures will assist in reducing runoff contamination (Impact 3.2-D), but also address other concerns identified in Section 3.8. It is clear which mitigation measures are appropriate for each project application, and no changes to the DEIR are warranted.

- M14. See the discussion of Mitigation Measure 3.2-E-1 in Comment M4. The mitigation measure needs to be satisfied prior to approval to the first Tentative Map in order to identify impacts, required mitigation, and costs that would be the responsibility of the plan area as a whole. Once the level of impact is known, it could be addressed through conditioning the tentative maps. The timing of the Mitigation Measure will remain as is written.
- M15. The comment is noted for the record. The EIR authors do not believe any change to the DEIR text is required. The requested change would not alter the conclusions or recommendations of the EIR.
- M16. See Response J32 which responds to this same comment.
- M17. See Response J33 regarding this comment. The EIR authors believe that the impact needs to be mitigated at the onset of plan area development. It is true that subsequent projects might be proposed when nests within one mile have not been used for the previous five years (the Department of Fish and Game considers a nest "active" if it has been used once in the previous five years). However, as described in the DEIR and in Response J33, the initial projects would fragment plan area foraging habitat thereby making it less likely that currently "active" nests would be used in the future (since nearby foraging habitat would have been developed or fragmented into unusable blocks. The recommended mitigation measure will be retained, as revised per Response J32. However, the commenter's concern will be forwarded to the City Council for its consideration.
- M18. See Response J33 regarding the comment about responsibility for funding the mitigation.
- M19. As discussed in Response J33, the Dixon Ridge and Evans Ranch projects will fragment the foraging habitat on the plan area into the portion between I-80 and Evans Ranch and a second portion between Dixon Ridge and the Orchard Estates projects. It is true that the two Orchard Estates projects would not fragment the habitat, but they would displace habitat. See Response J33.
- M20. The opinion regarding the impact of fragmentation on Swainson's hawk foraging practices was provided by Moore Biological Consultants who are technical experts in assessing impacts to that species. As the commenter has not provided any data that counter the DEIR conclusions, no change to the DEIR is proposed. See Response M19.
- M21. See Response M19 regarding the need for a coordinated mitigation plan.
- M22. As previously stated, direct loss of habitat and fragmentation of the remaining habitat would make it less likely that Swainson's hawks would use the nests on or near the plan area. The impact will occur once construction of the initial projects begin and should be so mitigated. See the map that follows Response J31 for the location of Swainson's hawk nests.

M23. See the changes to Mitigation Measure 2 on page 102 of the DEIR that were previously listed in Response J32 regarding this same issue.

M24. Mitigation Measure 2 on page 102 of the DEIR states that the preserved habitat will comply with the Department of Fish and Game guidelines for Swainson's hawk mitigation. DFG will be responsible for determining whether the target mitigation habitat is adequate per their guidelines.

To conclude, no changes to the text other than the changes to Mitigation Measure 2 on page 102 of the DEIR previously described in Responses J32 and J33 are required. However, the commenter's concerns and recommendations will be forwarded to the City Council for its consideration.

M25. Please see Response J37 regarding this comment.

M26. Mitigation 3.4-A-9 is necessary to reduce the impact caused by the addition of trips from the proposed project. The mitigation is appropriate for the impact caused at the West A Street/North Adams Street intersection. If the mitigation measure requires installation of a traffic signal, implementation of the mitigation measure would include installation of the traffic signal and development of a signal timing plan to accommodate expected traffic flows. In other words, the mitigation would include signal timing modifications, which are being proposed in Mitigation 3.4-A-9.

M27. The EIR authors agree with the comment, and Mitigation Measures 3.4-D-1, 3.4-E-1, 3.4-H-1, and 3.4-I-1 will be modified as follows:

~~1. The project applicant shall contribute its fair share of the capital cost associated with providing public transit service to the Specific Plan area. It is anticipated that new transit vehicles would be required to provide the additional service within the plan area. However, the final determination of additional capital equipment or other costs shall be determined by the City of Dixon and Fairfield-Suisun Transit. The fair share cost or a plan for providing the fair share cost over time shall be submitted to the City of Dixon prior to the issuance of building permits.~~

1. "Each project applicant shall confer with the City and per City direction, if warranted, identify bus stops on the Tentative Subdivision Map."

A second sentence will be added to the mitigation for Impact 3.4-E-1 to clarify the responsibility for providing a park-and-ride facility. The following will be the mitigation for that impact:

1. "Each project applicant shall confer with the City and per City direction, if warranted, identify bus stops on the Tentative Subdivision Map. The applicant for the commercial property on the Evans Ranch property shall be responsible for identifying the location of a park-and-ride facility."

These changes will also be made on the Impact and Mitigation Summary Table. This change will not result in any new or more significant impacts.

M28. Please refer to Response M27.

M29. Please refer to Responses J37 and J39.

M30. Please refer to Responses E5 and J41. The City of Dixon is developing a Street Master Plan (SMP) and financing plan to identify and fund roadway improvements of citywide significance. The SMP will identify traffic contributions by district for each roadway improvement included in the financing plan. Therefore, the traffic fees will be based on the location, amount, and type of new development. As described in the DEIR, segments of A Street and SR 113 will operate unacceptably under cumulative (Year 2025) conditions. The measures required to improve these conditions to an acceptable LOS C would require street widening. As described in Response E5, this widening would result in a number of significant environmental impacts. Given the potentially significant impacts of widening, the EIR considers such widening infeasible as the City would not approve such widening that would adversely affect existing residences and/or businesses and cause other significant environmental impacts.

Plan area development would add an increment of new traffic to the southern end of SR 113 as shown in Tables 9 through 11 on pages 134-136 of the DEIR. The plan area would contribute a portion of the traffic that would cause future traffic congestion.

Figure 23 is incorrectly referenced on page 133. The correct reference should be Figure 24. In addition, the symbol for a new traffic signal (full funding not secured) on Figure 23 is not used on that figure and can be ignored. Figure 23 shows Year 2025 programmed, planned and proposed roadway improvements. Figure 23 has been modified, removing the symbol for proposed new traffic signal from the legend. This change will not affect the conclusions or recommendations of the DEIR.

M31. See Response J46 which responds to this same concern.

M32. See Response J47 which responds to this same concern.

M33. The DEIR does not mandate financing of school buses, it simply suggests that this is one measure the City might consider. Further analysis shows that the School District does not provide bus service. However, many students do use the City's REDI-Ride system to get to and from school. The City could consider requiring developer financing of improvements to the REDI-Ride system to enhance its use by students. The air quality impact was found to be significant even if all eleven suggested mitigation measures were required. If the school transit mitigation (Mitigation Measure 4 on page 146) were deleted, the impact would remain significant (i.e., there would not be a change in impact significance if this mitigation measure were found to be infeasible and, thus, eliminated).

M34. The California Air Resources Board has a Zero Emission Vehicle Regulation that goes into effect in 2005. The Regulation was delayed and modified, but not rescinded.

Regardless of regulatory actions, providing electrical outlets provides the option for future residents to use electric vehicles, and use of these vehicles would reduce pollutant emissions.

M35. The comment is noted. The EIR authors agree that attempting to use a specific percentage reduction may prove difficult to measure. As such, the mitigation will be revised as follows:

9. "Encourage use of solar power. Consider use of solar water heating in commercial, industrial and residential units. As an alternative, use additional insulation, better windows and doors, and other energy conservation measures sufficient to reduce energy use by 15 percent below that assumed using minimum Title 24 standards."

This change will also be made to the Impact and Mitigation Summary Table. This change will not result in any new or more significant impacts.

M36. Visual inspection of the masonry barriers by the EIR acoustic consultants indicated that they were not designed to meet the normally acceptable exterior noise level including traffic noise generated by the Specific Plan. Six- to eight-foot high masonry barriers can only achieve between 5 to 8 dBA of noise reduction, assuming that receivers and roadways are at the same base elevation. Future project Ldn levels of 74 dBA along West A Street will be reduced to about 66 Ldn with an eight-foot masonry barrier. The noise reduction provided by these existing barriers was not dismissed in the EIR noise calculations. The mitigation measure for the cited impact recommends preparation of a design level noise study which will identify measures to reduce plan area-generated noise to less than a 3 dBA increase along West A Street. This design-level noise study can further assess the masonry walls to determine their effectiveness in noise reduction. While unlikely, it is possible that the design level study will show that the barriers are more effective than predicted in the DEIR. In any case, the masonry walls and/or other measures would be required to reduce future noise levels to less than a 3 dBA increase.

M37. The cited mitigation has been reviewed with City staff. Constructing new soundwalls off the plan area (e.g., along West A Street as it passes through the established residential neighborhood east of the plan area) would likely not be effective in reducing the impact and would not be feasible in any case. Thus, the mitigation measures will be clarified so that project applicants are not required to develop soundwall planning for areas where such walls would not be constructed. The mitigation will be revised as shown below.

"A design level noise study, as recommended for Impact 3.6-A, shall be conducted to identify feasible measures to reduce plan area-generated traffic to less than a 3 dBA increase along West A Street between Gateway Drive and Almond Street and along Pitt School Road between West H Street and South Parkway. Measures may include paving or re-paving with quiet pavement ~~and/or, construction of new sound barriers, expansion of existing soundwalls, and/or construction of open space buffers.~~"

The responsibility for preparing the noise study will be identified in the Mitigation Monitoring Program for the EIR. It is the EIR authors' recommendation that plan area



applicants would be responsible for the cost of the study, since the subsequent noise reduction measures identified by the study will be needed because of traffic generated by plan area development.

M38. The commenter is correct that the City would be responsible for repaving West A Street and Pitt School Road or for enlarging existing noise barriers on property not within the plan area. As noted above in Response M37, the mitigation measure will be revised to eliminate construction of new soundwalls off the plan area. As regards how extension of existing soundwalls would occur, it is assumed that the City would contact affected property owners once the design level noise study was completed. Affected property owners will be informed about projected noise increases on their property. They will be told how this noise could be reduced by expanding soundwalls. It would be up to the property owner whether he/she wished to have the soundwall reconstructed. If the property owner wished to have the soundwall built, then plan area developers would be responsible for the cost of that construction.

M39 Regarding the quiet pavement issue, please see Response J52 which responds to this same concern. Paving or repaving streets with quiet pavement would occur only if the City accepts the use of such pavement, in which case it is assumed the City would accept dedication of those roads.

M40. The use of open space buffers would be restricted to areas where there is not existing development immediately adjacent to the street.

M41. The comment is noted, and the EIR authors concur. The mitigation will be changed as follows:

- "Route all construction traffic to and from the project site via designated truck routes. Prohibit construction-related heavy truck traffic in residential areas where feasible. Prohibit construction-related heavy truck traffic in the project vicinity prior to 7:00 a.m. or after 7:00 p.m. on allowable construction days."

This change will also be made to the Impact and Mitigation Summary Table. This change will not result in any new or more significant impacts.

M42. As regards notifying residents, the mitigation will be clarified as follows:

- "Notify adjacent-residents to within 500 feet of the project site of the construction schedule in writing."

This change will also be made to the Impact and Mitigation Summary Table. This change will not result in any new or more significant impacts.

M43. The requirement for a noise study does not apply to the fire station which is assessed on page 171 of the DEIR. The noise study would be required for the community park and would be the responsibility of the plan applicant.

M44. The commenter is correct, the language will be changed to say western rather than eastern. This change will not affect the recommended mitigation measures or impact assessment.

M45. Noise measurements done for the EIR indicated that the Ldn noise levels resulting from distant sources (i.e., Interstate 80 and the railroad) are greater than 60 dBA Ldn. Please see the results for measurement location LT-4 as shown on page 13 of the complete noise report contained in Appendix C of the DEIR.

The recommended mitigation measures for the impact allow the project applicant to conduct design-level noise studies to show what size of soundwall would be required or if quiet pavement would adequately reduce exterior noise levels. It is recognized that the noise analysis done for the DEIR is a worst case analysis and that future development between the Orchard Estates site and Interstate 80 may reduce freeway-generated noise to a less than significant level. Regardless, as the commenter states, the traffic noise on Pitt School Road and South Lincoln Street will require mitigation. As stated on pages 169-170 of the DEIR, the heights of soundwalls, if needed, will be determined at the project design stage.

M46. See Responses J53 and J54 regarding this concern. The landscaping is no longer required prior to approval of the Orchard Estates subdivisions.

The last part of this comment, referring to the DEIR interpretation of the General Plan policy related to preserving views along Interstate 80, is noted for the record. The commenter is correct that Policy 22 does say "adjacent." However, as described on page 180 of the DEIR, the policy goes on to state that this adjacent new development must either present an attractive appearance or not be visible from the freeway at all. It is assumed that projects that would be visible from the freeway would need to follow the same guidelines (i.e., a pleasing appearance or non-visibility). Even if this policy were interpreted to apply solely to projects immediately adjacent to the freeway, it would not alter the EIR conclusions that new development could have adverse aesthetic impacts to people driving along I-80. The recommended mitigation measures would continue to be recommended. As such, no change to the DEIR is required.

M47. See Response J55 which responds to this issue.

M48. The comment is noted. Mitigation Measure 1 on page 190 of the DEIR will be changed as follows:

1. "Prior to Specific Plan approval, the City should determine whether the tall tower sign is allowable per the Zoning Ordinance. If the sign is not permitted, then reference to said sign should be deleted from the Specific Plan. If this sign is allowed, ~~an implementation program shall be added to the Specific Plan stating~~ that the sign shall be designed by a qualified architect or sign designer. The design and the information to be placed on the sign shall be subject to Design Review."

This same change will be made to the Impact and Mitigation Summary Table. This change will not result in any new or more significant impacts.

M49. The EIR authors believe that the mitigation measure as recommended in the DEIR is overly restrictive. Mitigation Measure 2 on page 194 will be changed as shown below:

2. "Commercial Signs facing residential areas shall be prohibited. limited in size and illumination so as to limit visual and light intrusion into residential areas. The signs can announce the presence of a business or subdivision but should not be so large or bright as to be visually prominent from adjacent residential areas."

This change will also be made to the Impact and Mitigation Summary Table. This change will not result in any new or more significant impacts.

M50. See Responses J53 and J54 regarding this concern. The landscaping is no longer required prior to approval of the Orchard Estates or Clark Ranch Estates subdivisions.

M51. See Response J61 regarding the spraying and buffer issue.

M52. Comment noted. Mitigation Measure 1 on page 220 of the DEIR will be revised as follows:

1. "Require the applicant to submit preparation of (a) a Project Housing Strategy that specifies project housing affordability goals, and (b) an associated Housing Mix and Affordability Monitoring Program that evaluates progress in meeting affordability goals. The responsibility for preparation of the strategy and program will be determined as part of the master development agreement for the plan."

In addition, Mitigation Measure 2 on page 223 of the DEIR will be revised as follows:

2. "Require the applicant to submit preparation of a Project Housing Strategy and a Housing Mix and Affordability Monitoring Program, as specified in the mitigation measure for Impact 3.9-C above, to provide a mechanism for ensuring 'development of multi-family housing concurrently with the development of any single-family housing,' as required by the Measure B implementing ordinance (City of Dixon, Ordinance No. 02-003, Section 1.01(k)). The responsibility for preparation of the strategy and program will be determined as part of the master development agreement for the plan."

These changes will also be made to the Impact and Mitigation Summary Table. These changes will not result in any new or more significant impacts.

M53. The requested maps follow the final page of the responses to this letter.

M54. See Response D4 regarding questions about the replacement ratio and how the fee will be developed. If a developer purchases the replacement land, a conservation easement can be granted to the City or an agency approved by the City. Alternatively, the developer can purchase a conservation easement on the land and grant it to the City or

an agency approved by the City. To clarify, Mitigation Measure 1 on page 234 will be revised as shown below:

1. Each developer will acquire off-site land or a conservation easement on such land within the Dixon Planning Area or within a ten-mile radius of the City, or each developer will participate in the City's master agricultural conversion program. Each developer will pay the fee established for this program at the time of the City's approval of the tentative subdivision map. If the developer opts to purchase land, the developer can re-sell the land to an agricultural operator or other party so long as a conservation agreement acceptable to the City is granted to the City or an agency or organization acceptable to the City. Alternatively, the developer can purchase a conservation easement which is acceptable to the City and grant this conservation easement to the City or an agency or organization acceptable to the City.

This same change will be made to the Impact and Mitigation Summary Table. This change will not result in any new or more significant impacts.

- M55. The EIR authors concur with the commenter. Mitigation Measure 1 on page 246 of the DEIR will be changed as shown below:

1. Add a section to Implementation Program 2.2 a of the Draft Specific Plan that requires that design criteria be prepared for individual projects ~~Incorporate design criteria into the proposed Specific Plan and/or future design plans~~ for areas where residential development would adjoin arterial or collector streets. These design criteria shall be ~~modified to~~ reflect the mitigation measures recommended in Sections 3.4, Traffic and Circulation, 3.5, Air Quality, 3.6, Noise, and 3.7, Aesthetics of this EIR.

This same change will be made to the Impact and Mitigation Summary Table. This change will not result in any new or more significant impacts.

- M56. Yes, according to City staff, the site is acceptable to the Fire Chief.

- M57. Comment noted. City staff has also requested that this mitigation be revised. See the section on changes recommended by staff following the comment letters and responses.

- M58. While the City recognizes the value of early development on the Orchard Estates-Sanders property, adding the mitigation measure suggested by the commenter is not necessary or appropriate. However, the commenter's recommendation will be forwarded to the City Council for its consideration.

- M59. See Response J69. The fire station is part of the City's Capital Improvement Program and is being financed through the AB 1600 program on a city wide basis.

- M60. Comment noted. In response to this comment, Mitigation Measure 11 will be revised as follows:

11. "The portions of the Orchard Estates-Sanders Property subdivisions east of South Lincoln Street are to be served by Cal Water..."

This same change will be made to the Impact and Mitigation Summary Table. This change will not result in any new or more significant impacts.

To address the second part of the comment, the following paragraph will be added as the second-to-last paragraph before the "Mitigation Measures" heading on page 272 of the DEIR:

"Portions of the Orchard Estates-Sanders Property subdivision east of South Lincoln Street would be served by Cal Water, which has adequate capacity to serve the anticipated development. The number of connections added to the Cal Water service area as a result of the proposed Orchard Estates-Sanders development would not trigger the need for an SB 610 or SB 221 study. (Personal communication with Frank Volpi, Manager, Cal Water)"

This change will not affect the conclusions or recommendations of the DEIR.

- M61. The mitigation measure linking approval of the first Final Subdivision Map or occupancy permit to submittal of the SID Irrigation Master Plan is necessary to ensure the orderly development of the plan area. No changes to the DEIR text are recommended. However, the commenter's recommendation will be forwarded to the City Council for its consideration.
- M62. Comment noted. Please refer to Response J76 regarding these issues.
- M63. The paragraph noted by the commenter describes the Sanitary Sewer Master Plan, which is a component of the Specific Plan. As such, the EIR evaluates the master plan as proposed by the applicant. It is not necessary for the EIR to elaborate on the benefits to the City, which portions of the system serve this purpose, or the costs.
- M64. The commenter is correct that each development in the Specific Plan area would pay impact fees. Please note that Mitigation Measure 1 on page 291 of the DEIR will be changed as described in Response J80.

City staff has reviewed the timing recommended in the DEIR mitigation measures. See, for example, Response M4. The commenter is directed to the revised Impact and Mitigation Summary table at the end of this Final EIR to see the changes in timing made following this review.

- M65. The commenter is correct that the Specific Plan developers would not be entirely responsible for the costs of the neighborhood park in the Specific Plan area. As noted on page 300 of the DEIR, the City levies AB 1600 fees on residential development to support parks and recreational facilities. These fees, collected from new residential developments throughout the City, would help to offset the costs of the neighborhood park.

M66. Comment noted. The changes to the Specific Plan that the commenter recommends cannot be made in the EIR, which evaluates the Specific Plan as submitted with the project application. However, the following measure will be added as Mitigation Measure 4 for Impact 3.16-A (DEIR, page 307):

4. "Revise Specific Plan Implementation Program 7.6e to state as follows: '...The Master Lighting Plan shall be required at the time of the first tentative map require approval with or prior to any tentative subdivision maps for adjacent properties in the Plan Area and shall be approved by the City.'"

This change will not result in any new or more significant impacts.

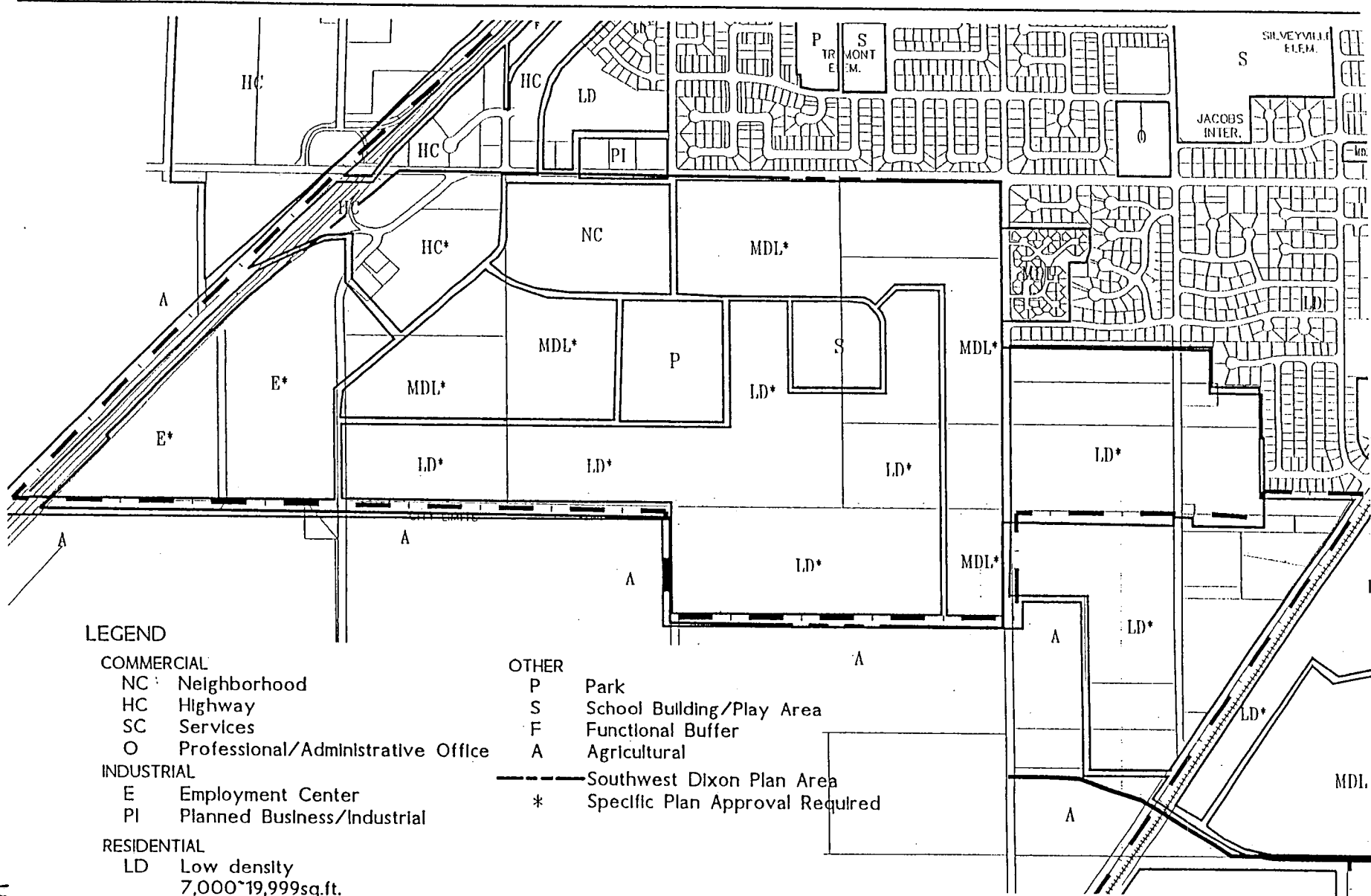
M67. Impact 3.16-C (DEIR, page 308) indicates that the proposed 2.47-acre neighborhood park is inconsistent with the City's Parks Master Plan, which calls for a three-acre neighborhood park in the Southwest Dixon area. Since development in the Specific Plan area would increase demand for parks and recreational facilities, and the proposed neighborhood park does not meet the acreage requirement set forth in the Parks Master Plan, the DEIR identifies a potentially significant impact on parks and recreational facilities. This conclusion is based on the significance criteria listed on page 303 of the DEIR, which state that the impact would be significant if the project would "increase the need for new parks..." or "conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect."

M68. The fact that the proposed park does not meet the Parks Master Plan standard is an adequate basis for finding a significant impact under CEQA. Using the significance criterion noted above, it is reasonable to consider the Parks Master Plan an "applicable plan" that has been "adopted for the purpose of avoiding or mitigating an environmental effect." The proposed park's conflict with that plan is therefore a significant impact under CEQA.

M69. The recommended mitigation measures for Impact 3.16-C include redesign of the Orchard Estates–Sanders Property tentative subdivision map to increase the size of the neighborhood park to three acres. The recommended mitigation measures would reduce the impact to a less-than-significant level, as noted on page 309 of the DEIR. Evaluation of the fiscal burden that this measure would impose on the developer is outside the scope of the EIR.

M70. The DEIR (page 308) explains that the Parks Master Plan implements the General Plan and that "the Parks Master Plan parkland requirement is based on the General Plan policy for five acres of parkland per 1,000 residents, but is higher because it also reflects service radius requirements; for example, to provide a neighborhood park within one-half mile (the required service radius for neighborhood parks), a 3.0-acre neighborhood park is needed in the Southwest Dixon area. The Parks Master Plan requirements are therefore the most applicable to the proposed Specific Plan..." Further evaluation of the relationship between the General Plan and Parks Master Plan is outside the scope of the EIR.

- M71. The Southpark (Valley Glen) development provided a five-acre neighborhood park. Applying the General Plan standard of five acres of parkland per 1,000 residents, a total of 12.5 acres of parkland would have been required (Southpark Planned Development Draft Subsequent Environmental Impact Report, EIP Associates and Raney Planning and Management, August 2000, page 4.6-9). In the case of the Southpark project, the City chose to require less parkland than suggested by the General Plan standard due to the potential for citywide parkland acreage to exceed the necessary amount at that time. Furthermore, the five-acre neighborhood park size and location was consistent with the Parks Master Plan. In lieu of the additional parkland, the City required payment of fees, estimated at \$6,000-\$7,000 per dwelling unit. The City's adopted findings for the Southpark project referred to the Parks Master Plan, the amount of citywide planned parkland, and spheres of service for neighborhood parks. In the case of Southwest Dixon, City staff believes that the 23 acres of parkland called for by the Parks Master Plan are necessary to meet parkland needs, and therefore would recommend allocation of parkland rather than payment of in-lieu fees. (Personal communication with Jeff Matheson, Recreation and Community Services Director, City of Dixon, September 18, 2003.)
- M72. The DEIR evaluates the Specific Plan as proposed, not the Specific Plan as mitigated by measures recommended in the DEIR. Table 32 of the DEIR lists student generation estimates for the Specific Plan as proposed. It would not be appropriate to adjust the estimates to show the effects of substituting 118 multi-family units for 118 single-family units. The commenter is correct, however, that this change would slightly reduce total student generation. This reduction in the number of students would not alter the DEIR's conclusions regarding impacts on schools.
- M73. The commenter is correct that the cited new arterial is required for the approved Southpark project. As such, it should be deleted as a growth-inducing factor for the Southwest Dixon Specific Plan. The deletion on page 329 of the DEIR is hereby made. However, this deletion would not change the conclusion of the DEIR that the approval of the Specific Plan could have significant adverse growth-inducing impacts.



**LEGEND**

**COMMERCIAL**

- NC Neighborhood
- HC Highway
- SC Services
- O Professional/Administrative Office

**INDUSTRIAL**

- E Employment Center
- PI Planned Business/Industrial

**RESIDENTIAL**

- LD Low density  
7,000\*19,999sq.ft.
- MDL Medium Density Low  
3,000\*6,999sq.ft.
- MDH Medium Density High  
2,000\*2,999sq.ft.

**OTHER**

- P Park
- S School Building/Play Area
- F Functional Buffer
- A Agricultural

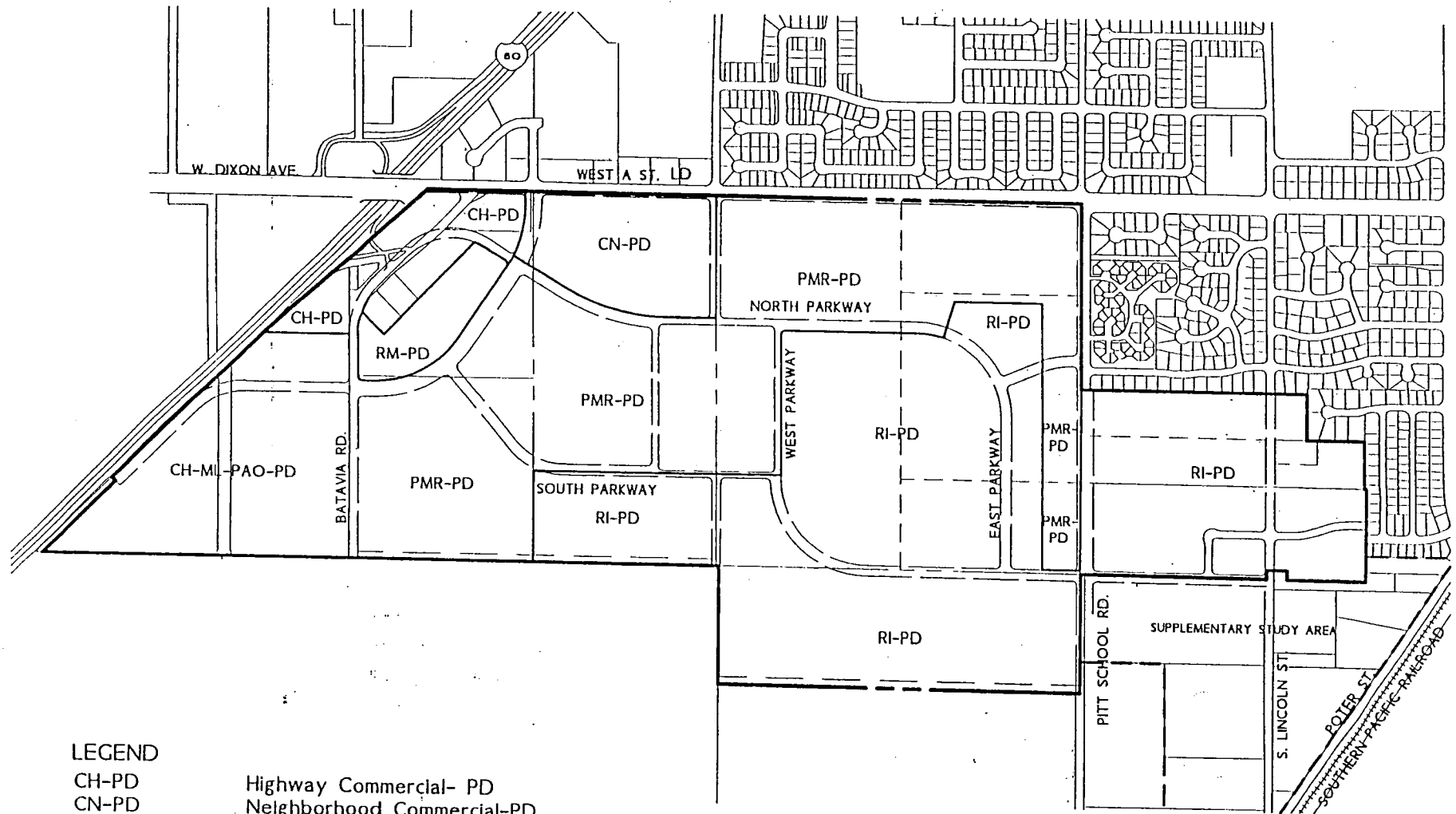
- - - Southwest Dixon Plan Area
- \* Specific Plan Approval Required

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**EXISTING GENERAL PLAN  
LAND USE DIAGRAM**





LEGEND

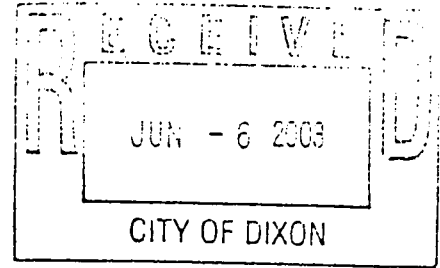
- CH-PD Highway Commercial- PD
- CN-PD Neighborhood Commercial-PD
- CH-ML-PAO-PD Office Professional
- RI-PD One Residential District-PD
- PMR-PD Planned Multiple Family District
- RM-PD Multiple Family District-PD



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EXISTING ZONING & JURISDICTIONAL BOUNDARIES



June 5, 2003

Stephen Streeter  
Community Development Director  
CITY OF DIXON  
600 East A Street  
Dixon, California 95620

RE: COMMENTS - DEIR FOR SOUTHWEST DIXON SPECIFIC PLAN &  
INDIVIDUAL DEVELOPMENT PLAN APPLICATIONS  
(SCH#2002042037)

Dear Mr. Streeter:

We appreciate the opportunity to provide comments to the above DEIR. Please note that our comments apply to both the text and Table 3 (Impact and Mitigation Summary) both of which would require modification for consistency. Likewise, our comments on specific mitigations apply equally to referenced subsequent mitigations.

At the outset, we recommend that the State Clearinghouse number be included on the cover and inside front cover of the document for ease of reference. N1

More importantly, the identity and role of the various parties should be clarified for purposes of mitigation implementation and monitoring. For example, some specific plan mitigations are properly the responsibility of the City of Dixon; e.g., *Housing Mix and Affordability Monitoring Program* (Page 220). N2

The balance of our comments follows:

1. Page 1 (1.1): The first sentence should elaborate and state that the development applications include tentative subdivision map applications. This paragraph should also clarify, at the outset, that the document is both a programmatic and project-specific EIR. Additionally, Section 1.1 should clearly indicate that a goal of the document is to facilitate the use of negative declarations and/or mitigated negative declarations for subsequent "projects" needed to implement the subject specific plan, the infrastructure needed to support the specific plan as well as the individual development projects. This infrastructure includes, but is not limited to, the Southwest Water Facility, various storm drain facilities (including retention/detention ponds, park construction, road and street improvements (including rail and canal crossings) and the development of N3

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a D. R. Horton Company

any fire station site. Subsequent approvals also include detachment proceedings with LAFCO and SID and the approval of development agreement(s).

2. Page 9 (Community and Neighborhood Parks): The statement that "...both parks would be dedicated to the City..." is not necessarily correct and may stem from a misunderstanding of the application of AB 1600 fees and requirements of the Quimby Act for residential subdivision approval. N4
3. Page 17 (Single Family Residential Development): We do not believe that the phasing description is current. Residential development will begin in the southeast quadrant and would be phased based on the availability of infrastructure financing. N5
4. Page 20 (2.): This section should be revised to distinguish between entitlements that are subject to CEQA and those that are not. For example, final maps, design review, building permits and certificates of occupancy are not subject to CEQA. We expect project-specific development agreements to be approved concurrently with tentative subdivision maps. N6
5. Page 20 (B1.): The author should reaffirm that the U.S. Bureau of Reclamation is not involved with any potential impact to irrigation canals. N7
6. Page 22 (B2.): The State Department of Conservation does not approve Williamson Act cancellations. The Department of Conservation's role limited to responsibility for interpretation of the Williamson Act, research of related issues and policies and implementing assistance. N8
7. Page 26 (6.): Beginning here, and elsewhere in the DEIR, there are references to "quiet pavement" as potential noise mitigation. The "quiet pavement" referenced is OGFC or "open graded friction course". Use of this mitigation is premature unless the City agrees that it will accept for maintenance and repair streets of this type. Additionally, there are other "quiet pavement" types not mentioned in the DEIR including stone-matrix asphalt and dense-graded hot mix. N9
8. Page 28 (10.): The actual acreage of "prime farmland" should be recalculated to net out the Weyand Canal, CalTrans ROW, existing commercial uses, existing roadways and existing rural residential uses. N10
9. Page 29 (10.): A brief description of the "City's proposed agricultural conversion program would be useful in this section. N11

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10. Page 31 (17.): It would be useful to add a sentence noting that payment of school fees is full mitigation for school impacts under CEQA. N12
11. Page 82 (Mitigation Measures for Impact 3.1-B): SWPPP's are not submitted to the RWQB for approval. Also, the descriptions of the types of BMP's are misleading and sometimes incorrect. It is recommended that the mitigation simply refer to compliance with the General Permit. N13
12. Page 93 (Mitigation Measures): The last sentence of Mitigation 1 should be revised to clarify that the Drainage Master Plan contains exceptions to the City's Storm Drainage Guidelines and Criteria. When adopted, the Drainage Master Plan will be the controlling document. N14
13. Page 94 (Mitigation Measures): Mitigation 2 should be revised to include language that assures reimbursement if facilities are oversized or provided in advance of actual need. N15
14. Page 94 (Impact 3.2-C): We do not believe the 36-inch drainage line is a force main. Moreover, we do not believe this line is constructed within the I-80 ROW. N16
15. Page 96 (Mitigation Measure): The Water Master Plan (and implementation thereof) is the mitigation for the alleged impact. There is no nexus between an individual project tentative map approval and any requirement for a regional hydro-geologic study. N17
16. Page 121 (Mitigation Measure #1): This section should include language assuring a mechanism for reimbursements and fee credits. N18
17. Page 123 (Mitigation Measure #2): This section should include language assuring a mechanism for reimbursements and fee credits. N19
18. Page 123 (Mitigation Measure #5): This section should include language assuring a mechanism for reimbursements and fee credits. N20
19. Page 125 (Mitigation Measure #7): AB 1600 does not provide reimbursements. The City of Dixon, in compliance with the mechanism described in AB 1600 and other statutes, provides reimbursements. N21
20. Page 125 (Mitigation Measure #8): This section should include language assuring a mechanism for reimbursements and fee credits. N22

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21. Page 127 (Impact 3.4-C): It is unclear as to which impact is considered "potentially significant"; traffic or utility under-grounding. N23
22. Page 130 (3.4-H): The impact statement needs to be reconciled with the impact statement in 3.4-D. N24
23. Page 130 (3.4-H Mitigation Measure): This mitigation measure cannot be implemented because there is no transit master/capital improvement plan upon which to base a "fair share" calculation. N25
24. Page 133 (Mitigation Measure): We recommend the following revision to this mitigation measure: "The project applicant shall participate in a road financing program designed to address project impacts. The road financing program will be approved by the City before final map approvals". N26
25. Page 154 (IP 1): While we realize that the DEIR is merely reciting a policy contained in the General Plan, a determination that "...the proposed development is compatible with natural processes" seems to be a vague, subjective and essentially unenforceable policy. N27
26. Page 159 (Mitigation Measure #1): This mitigation measure should be revised to limit design-level noise studies to the portion of each project allegedly exceeding 60 dBA Ldn. Also, reference to any type of alleged "quiet pavement" should be eliminated unless the City of Dixon indicates it would approve improvement plans showing this feature and that it would accept an offer to dedicate such improvements. N28
27. Page 166 (Mitigation Measure #5): This mitigation is inconsistent with both discussed impacts and other mitigations. We recommend that a specific dBA level be assigned as a performance measure consistent with ambient levels. N29
28. Page 187 (Mitigation Measure #2): There is no nexus between the filed and applied-for tentative map approvals and preparing and approving an I-80 freeway frontage landscape plan. Several applicants are not near this location nor do any of the applicants own the property on which the landscaping could be installed. N30
29. Page 190 (Mitigation Measure #2): This mitigation usurps the City's scheme for regulating signs. N31

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30. Page 193 (Impact 3.7-C - "From New Streets and Residences Within the Specific Plan Area"): The third sentence in the first paragraph under the above heading is incorrect. We install front-yard landscaping and a tree with each home in over ninety percent of our projects and are proposing to do the same in the Specific Plan area. N32

31. Page 202 (Mitigation Measure #1): This mitigation measure appears over-reaching and open-ended. Essentially, this mitigation puts the City in the duplicative position of regulating hazardous materials. The existing state and county regulatory scheme is sufficient and well known to the applicants and provides sufficient mitigation. A statement to this effect exists in the "Impact Significance After Mitigation" section. N33

The entire discussion of agricultural spraying and buffers is confusing and disjointed. This leads to the question of whether the potential impacts are correctly stated and whether the mitigations are appropriate. We note that there is little site-specific discussion of the different settings for each project. For example, Orchard Estates/Garcia does not border an agricultural lands. Orchard Estates/Sanders borders City SOI lands to the south that are potentially developable. N34

32. Page 220 (Mitigation Measure): This mitigation measure requiring an annual "housing mix and affordability monitoring program" is acceptable so long as it is clearly understood that it is a City responsibility consistent with the requirements of its Housing Element. It is an unreasonable burden to require residential developers to provide on-going affordability studies. N35

33. Page 259 (Impact 3.11-A): This section requires revision to reconcile the staffing requirements noted in therein with the staffing ratio referred to on page 255 under A.1. N36

34. Page 272 (First full paragraph after 1P 7.2d): This paragraph should be revised to clarify that the provisions of SB 610 apply to the proposed Specific Plan and that compliance has been achieved (see Appendix D). SB 221 applies only to tentative map applications of 500 or more lots. Since none of the tentative map applications exceed the 500-lot threshold, SB 221 does not apply. N37

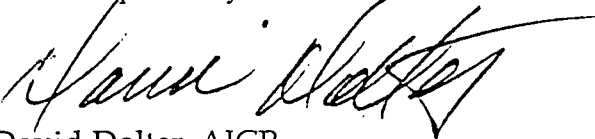
35. Page 273 (Mitigations, generally): There should be a clear distinction and description of fee responsibilities between the City and DSMWS, which is a separate and distinct agency. N38

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36. Page 276 (Mitigation Measure #2): The applicants will have no responsibility for the Weyand Canal unless one of them, by means of its development plan, affects the canal. N39
37. Page 284 (Mitigation Measures, generally): These measures require revision to reference the Sewer Master Plan that will contain the appropriate mitigations. N40
38. Page 306 (Mitigation Measure #1): the words "Quimby Act" should be added to the referenced revision language. Likewise, the Quimby Act should be referenced in the second full paragraph on page 309. N41
39. Page 325 (3.19-A): We do not believe that Section 15064.5 of the CEQA *Guidelines* makes reference to structures more than 50 years old. N42

Again, we appreciate the opportunity to comment. Please contact me if you have any questions.

Most respectfully,



David Dolter, AICP  
Vice President

C's: MD; RO; BS  
Edward L. Shaffer, Esq.

## Response to Letter from David Dolter, Western Pacific Housing

- N1. The State Clearinghouse Number is 2002042037. It has been placed on the Final EIR cover and title page.
- N2. The comment is noted. The Mitigation Monitoring Program that will accompany this Final EIR when it is considered by the City will identify mitigation responsibility.
- N3. The complete description of the Draft Specific Plan and the five project applications is presented on page 6 of the DEIR. The Program EIR will facilitate future CEQA review. However, it is possible that focused EIRs may be needed for future projects, and not simply Negative Declarations or Mitigated Negative Declarations as suggested by the commenter. The infrastructure needed to serve plan area buildout is a part of the project and has been assessed in the DEIR. The DEIR provides sufficient environmental analysis to cover the CEQA requirements for approval of the Specific Plan, agreements required from other agencies, construction of off-plan area improvements, and the five project applications. Future project applications will need to be assessed by the City to determine what additional CEQA analysis will be required for those projects.
- N4. See Response J2 to this same issue.
- N5. The description was provided by the applicant. No specific phasing plan was made available at the time the DEIR was prepared. It is possible that the comment is correct. However, where the development would first occur in the plan area is not critical to identifying environmental impacts. Any change in the cited description would not affect the conclusions or recommendations of the DEIR.
- N6. The cited discussion is a list of the approvals that the various projects must obtain. It is intended to describe to the reader the City's decision-making process for the projects. The commenter is correct that some of these approvals are not subject to CEQA (since they would occur subsequent to CEQA review and the decisions that are subject to CEQA). However, that does not mean that these approvals would not be required. No change to the text is required. However, it is noted that the commenter is correct that the approvals cited by the commenter are post-CEQA approvals for the projects.
- N7. The comment is incorrect. Refer to Comment Letter P from the Solano Irrigation District regarding U.S. Bureau of Reclamation requirements.
- N8. The comment is correct. See the Department of Conservation's comment letter (Letter D in this FEIR) wherein the Department describes its authority to administer Williamson Act contracts. That letter describes the Department's concerns regarding Williamson Act contract properties on the plan area.
- N9. See Responses J52 and M37 regarding these same issues.
- N10. See Response J14 regarding this same comment.



- N11. The City has not yet developed this program. However, the City is currently preparing a draft ordinance that may be available for review prior to certification of this EIR.
- N12. The Draft Specific Plan (Implementation Program 7.8b) states that building permits in the plan area will not be approved unless the Superintendent of Schools certifies that there is adequate capacity in existing schools or funding for the creation of sufficient school capacity at all grade levels to serve students generated by plan area projects. Thus, the applicant has mitigated possible impacts to schools over and above the payment of developer fees.
- N13. See Responses J18 to J20 regarding these same comments.
- N14. Comment noted. The last sentence of Mitigation Measure 1 on page 93 of the DEIR will be revised to state as follows (added language underlined):

"The design of all features proposed by the project applicant shall be consistent with the most recent version of the City's Storm Drainage Guidelines and Criteria, and standard design and construction specifications and details, as modified by the approved Specific Plan Drainage Master Plan."

This same change will be added to the Impact and Mitigation Summary Table. This change will not result in any new or more significant impacts.

- N15. City staff does not believe the mitigation measure needs to be altered. The change would not improve the mitigation to the environment. However, the commenter's recommendation will be forwarded to the City for its consideration.
- N16. See Response J24 to this same concern.
- N17. Please refer to Responses J28, M4, and M14. The Dixon-Solano Municipal Water Service Water Master Plan contains guidelines for placement of new DSMWS wells, but does not provide specific analysis of impacts on private wells within the plan area. The Southwest Dixon Specific Plan Draft Water Master Plan also does not address these issues. The mitigation measure recommended in the DEIR applies to the Southwest Area Landowners Group as a whole, not to individual subdivision developers within the plan area
- N18. At this time, a financing mechanism has not been developed to collect fees to fund improvements that are needed to mitigate impacts from development of the proposed project. However, the project applicant is developing a capital improvement program (CIP) and financing plan that will fund these improvements. Absent a CIP and financing plan, each applicant would be responsible for funding identified improvements based on project-specific traffic studies for each tentative map submitted to the City. The issue of reimbursements and fee credits is not an EIR issue. The EIR is responsible for identifying impacts and feasible mitigation measures to address those impacts. While this DEIR does at times attempt to lay out fiscal responsibility for mitigations, the City will be responsible for the final determination of fiscal responsibility, fair share payments, reimbursements, and credits at the time it approves the Specific Plan.

- N19. Please refer to Response N18
- N20. Please refer to Response N18.
- N21. Mitigation Measure 3.4-A-7 will be modified to say that the City of Dixon and the applicant will negotiate reimbursement for the cost of improvements included in the AB 1600 that are constructed prior to their programmed installation in AB 1600.

“In addition, provide right-turn overlap phasing on the southbound, eastbound, and westbound approaches. Installation of the traffic signal is included in the *City of Dixon AB 1600 Facilities and Equipment Study* (March 2000) as being funded by traffic impact fees imposed on new development. However, the proposed project could require implementation of the improvements prior to their programmed installation in AB 1600. Therefore, the project applicant shall prepare a project-specific traffic analysis based on the EIR traffic study for each tentative map to confirm existing conditions and determine the specific mitigation timing that is required to maintain the City’s LOS thresholds identified in General Plan Transportation and Circulation Element Policy 1. Once triggered, implementation of this mitigation measure shall be completed prior to the issuance of building permits for that individual tentative map. If this intersection requires signalization and widening prior to the programmed installation of these improvements in AB 1600, then the project applicant shall be required to install the improvements and the City will negotiate with the applicant to determine reimbursement ~~shall be reimbursed by AB 1600~~. If the traffic signal is installed prior to the programmed installation of these improvements in AB 1600, then the project applicant shall be responsible for widening the intersection and modifying the signal. Implementation of this mitigation measure would provide acceptable LOS C operations during a.m. peak hour and LOS B operations during the p.m. peak hour under existing plus project conditions.”

This same change regarding reimbursement will be made to Mitigation 3.4-A-10. These changes will not result in any new or more significant impacts.

- N22. Please refer to Response N18.
- N23. Please refer to Response J45. The traffic impact is considered potentially significant. The mitigation text has been modified to reflect this distinction.
- N24. Please refer to Responses M27 and M28.
- N25. Please refer to Responses M27, M28, and N18.
- N26. The recommendation is not needed to mitigate the impact. The recommendation will be forwarded to the City Council for consideration.
- N27. The commenter is correct that the cited statement is from the City's General Plan. The cited section was not used for assessing noise impacts in the DEIR.

- N28. The design-level noise study would identify the impacted areas where mitigation is required. See Responses J52 and M37 which respond to the concern about quiet pavement.
- N29. See Response J51 which responds to this same concern.
- N30. See Responses J53, J54, and M46 which respond to this same concern.
- N31. The opinion is noted for the record. This mitigation would apply only if the City adopts the mitigation, in which case the City would have determined that this is how it wants to regulate signs within the plan area.
- N32. The correction is noted. This information was not provided in the Draft Specific Plan which is what the DEIR was based on. However, this change would not alter the conclusions or recommendations of the DEIR, since no mitigation regarding front-yard landscaping was recommended.
- N33. The comment is noted for the record. The recommended mitigation measure does not require the City to regulate hazardous materials. Instead, the mitigation requires businesses using and storing potentially hazardous materials on the plan area to notify the Solano County Department of Environmental Health, the agency with responsibility for overseeing planning and hazard reduction for projects using, storing, or transporting hazardous materials. The EIR authors believe this mitigation is necessary to protect future residents and workers from possible spills or releases of hazardous materials used or stored in the area. However, the commenter's recommendation will be forwarded to the City Council for its consideration.
- N34. See Responses J61 and J65 regarding the spraying issues.
- N35. Comment noted. Please refer to Response M52 regarding this same issue.
- N36. Please refer to Response J68 regarding this same issue.
- N37. The obligation of the EIR is to provide the SB 610 water assessment of the project. Ultimately, the City of Dixon must make the finding regarding whether water supplies are adequate to serve the project.

While currently proposed Tentative Subdivision Maps may not meet SB 221's definition of "subdivision," future tentative maps could provide for larger subdivisions that would trigger SB 221. This type of evaluation is outside the scope of the EIR. SB 221 does not mandate that the water analysis it requires be included in a project's CEQA document.

- N38. Please refer to Responses J71 and J72.
- N39. As discussed under Impact 3.12-B (DEIR page 274), the Solano Irrigation District (SID) Irrigation Master Plan included in the Specific Plan indicates that the Weyand Canal

would eventually be replaced with an underground pipe in accordance with SID policy. Since the Irrigation Master Plan is part of the Specific Plan, the mitigation measure regarding replacement of the canal refers to the Specific Plan applicant (Southwest Area Landowners Group) as a whole. Allocation of costs among individual property owners is outside the scope of this EIR.

- N40. The EIR authors do not agree that the Sewer Master Plan alone will contain the appropriate mitigations. For example, there are no provisions that address the timing of the master planning effort. Therefore, Mitigation Measure 1 on page 284 is necessary to ensure that sewage plans are in place before the Final Subdivision Map is approved. Since Mitigation Measure 3 adequately addresses the need to confirm adequate sewer capacity, Mitigation Measure 2 on DEIR page 284 will be deleted:

~~2. "Before approval of each Final Subdivision Map in the Specific Plan area, the applicant shall demonstrate that wastewater treatment plant capacity is adequate to serve the flows generated by new development covered by the Subdivision Map."~~

The remaining mitigation measures will be renumbered accordingly. These changes will also be added to the Impact and Mitigation Summary Table. This change will not result in any new or more significant impacts.

- N41. Comment noted. Mitigation Measure 1 (DEIR, page 306) will be revised as follows:

1. "Revise Specific Plan Implementation Program 7.6a to state as follows: 'Require developers of new residential subdivisions in Southwest Dixon to dedicate land and to pay fees for the development of parkland, or to pay a comprehensive fee in lieu of dedication for the acquisition and development of recreation facilities to serve the new population, in accordance with Dixon General Plan, Parks Master Plan, Subdivision Ordinance (Quimby Act), and Assembly Bill (AB) 1600 fee requirements.'

In addition, the first sentence in the second paragraph on page 309 of the DEIR will be revised as follows:

"The residential portions of the five projects will be subject to parkland dedication/acquisition and development fee requirements levied by the City of Dixon in accordance with the City's Subdivision Ordinance (which carries out the provisions of the Quimby Act) and Assembly Bill (AB) 1600."

The change to the mitigation measure will also be added to the Impact and Mitigation Summary Table. This change will not result in any new or more significant impacts.

- N42. Structures over 50 years old are eligible to be historic resources. Until detailed studies are done to determine whether buildings over 50 years old meet the other criteria used to judge whether the structure is a historical resource, it must be presumed that such structures are potential historic resources. It is accurate that the *CEQA Guidelines* do

not use the 50-year age as a criterion. That criterion is used by the State Office of Historic Preservation to determine whether a structure is an historical resource.

SOLANO COUNTY  
TRANSPORTATION DEPARTMENT

333 Sunset Avenue, Suite 230  
Suisun City, California 94585



Charlie A. Jones Jr., P.E.  
Director of Transportation

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

June 20, 2003

Mr. Stephen Streeter  
Community Development Director  
City of Dixon  
600 East A Street  
Dixon, CA 95620

RE: Southwest Dixon Specific Plan: Draft Environmental Impact Report (DEIR)

Dear Mr. Streeter:

The Solano County Transportation Department has been concerned with the impact of growth and the cumulative impact of the traffic that will be generated by the growth as outlined in the Southwest Dixon Specific Plan. We have the following comments on the above referenced DEIR:

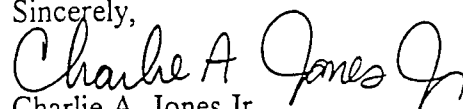
1. Impact 3.4-C states the project will add traffic to existing segments of Batavia Road, Pitt School Road and South Lincoln Street within the unincorporated area under Solano County jurisdiction. Mitigation measure 3 for this section states that the project applicant shall make a fair-share contribution toward reconstruction of these roads based on the project's traffic contribution relative to existing traffic on the roadway. 01

The Solano County Transportation Department agrees in principle with the mitigation measure. A method that includes these improvements in the road financing program or some other means to finance the improvements needs to be established before the projects are approved.

2. Table 12, Summary of Roadway Improvements, Project Number 14. The limits of the Batavia Road improvements and the length appear to be incorrect. 02
3. Table 12, Summary of Roadway Improvements, Project Number 16. The limits of the S. Lincoln Street improvements and the length appear to be incorrect. 03

Thank you for considering our comments. If you have any questions feel free to call Gary Crawford of my staff at 421-6069.

Sincerely,

  
Charlie A. Jones Jr.  
Director of Transportation

cc: Environmental Management

**Response to Letter from Solano County Transportation Department**

- O1. See Responses J23 and 45 regarding responsibility for road reconstruction
- O2. Table 12 will be modified to identify the Batavia Road improvements from the Specific Plan area to Midway Road.
- O3. Table 12 will be modified to identify the S. Lincoln Street improvements from the Specific Plan area and Porter Street.

DIRECTORS  
MARION "MAC" MAGINNIS  
PRESIDENT - DIV. #3

ROBERT HANSEN  
VICE PRESIDENT - DIV. #5

ROBERT S. CURREY  
DIV. #1

BOB BISHOP  
DIV. #2

GUIDO E. COLLA  
DIV. #4



OFFICERS  
ROBERT L. ISAAC  
SECRETARY / MANAGER

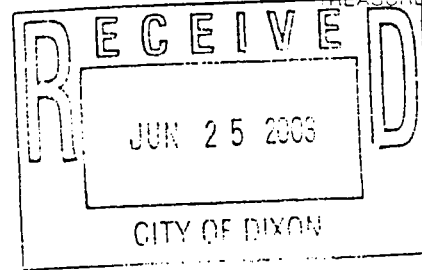
JOSEPH B. SUMMERS  
DISTRICT ENGINEER

MINASIAN, SPRUANCE BABER,  
MEITH, SOARES & SEXTON  
ATTORNEYS

STEPHEN J. CARBONARO  
TREASURER

June 25, 2003

Stephen Streeter, Director  
Community Development Department  
City of Dixon  
600 East A Street  
Dixon, Ca. 95620-3697



Subject: **Southwest Dixon Specific Plan April, 2003 Draft Environmental Impact Report  
Review Comments**

Dear Stephen:

The Southwest Dixon Specific Plan Draft EIR was received by Solano Irrigation District on April 25, 2003. It was reviewed by James S. Daniels, Director of Engineering, and review comments are presented below.

1. Impact 3.12-B, page 275, Wevand Lateral B-5. SID does not propose to relocate this lateral. <sup>P1</sup>  
The latest plan will be reflected in the SWD Irrigation Master Plan report.
2. Impact 3.12-B, Mitigation 5, page 67 - Lands served by Cal Water. Lands served by Cal <sup>P2</sup>  
Water must detach from Solano Irrigation District in accordance with the requirements of the District, Solano LAFCO and the U.S. Bureau of Reclamation. This is in addition to adjusting the boundary between DSMWS and Cal Water per Impact 3.12-A, Mitigation 11.

There may yet be requirements and comments based on ongoing discussions of the Irrigation Master Plan being prepared by Nolte. Thank you for the opportunity to review and comment on this project. If you have any questions, please contact Jim Daniels at the District office, phone (707) 448-6847, extension 32.

Sincerely,

James S. Daniels  
Director of Engineering

cc: Suzanne Butterfield  
Paul Fuchslin  
Ron Tribbett  
Nick Ponticello

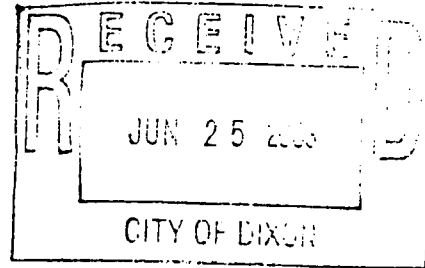
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**Response to Letter from Solano Irrigation District**

- P1. This comment is noted for the record. The text will be changed to indicate this comment. That change will not result in any changes to the conclusions or recommendations of the DEIR.
- P2. This requirement is noted for the record. The change will be made as requested to Mitigation Measure 5 on page 277 of the DEIR, as shown below:
5. The applicant shall pay detachment fees for any properties detached from the SID service area. The applicant will request that the lands currently served by Cal Water be detached from Solano Irrigation District per the requirements of the Solano Irrigation District, Solano LAFCo, and the U.S. Bureau of Reclamation.

This change will also be made in the Impact and Mitigation Summary Table. This change will not result in any new or more significant impacts.



June 25, 2003

Stephen Streater, Director  
Community Development Department  
City of Dixon  
600 East A Street  
Dixon, Ca. 95620-3697

Subject: **Southwest Dixon Specific Plan April, 2003 Draft Environmental Impact Report Review Comments**

Dear Stephen:

The Southwest Dixon Specific Plan Draft EIR was received by Solano Irrigation District on April 25, 2003. It was reviewed by James S. Daniels, Director of Engineering and DSMWS Engineer, on behalf of DSMWS and review comments are presented below.

1. Fire Flow Requirement. As stated in several places in the Draft EIR (Policy 31 quoted on page 257, IP 7.7d on page 262, and the Dixon Fire Department's letter dated November 15, 2001 which is included in Appendix A), the Fire Department is requesting a standard of providing a sustained fire flow of 4,000 gpm for a period of at least two hours. Per the DSMWS Master Plan for the Water Supply and Delivery System through Buildout, dated January, 2000 (the DSMWS Master Plan), on page 27, the highest fire flow requirement is 3,500 gpm for three hours. Per discussions among the staff of DSMWS, City Fire and Public Works, the standard fire flow requirement is 3,500 gpm. Pending correspondence from the City Fire Department will indicate their concurrence. Q1

2. Impact 3.7-C. Mitigation 5. page 58 – Location of Southwest Facility. The Batavia Road locations are acceptable and preferable. Remember there will be a diesel-powered emergency generator on site, and allowable noise levels in residential neighborhoods will be lower than in the functional buffers. The location is also better hydraulically since it will place the majority of the development between two sources of water flow and pressure, being the new Southwest Facility and the existing DSMWS system. Q2

3. Impact 3.12-A. Mitigation 2. page 65 – Master Plan Requirement for a Well. Table 3, page 65, Mitigation 2 for this impact calls for an update of the DSMWS Master Plan to include a well for the Southwest Dixon development. The DSMWS Master Plan already does, and it is referred to as the Southwest Facility. This is referred to often in the Draft EIR. Q3

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4. Impact 3.12-A. Mitigation 6. page 66 – Construction of the Southwest Facility. Line 3 says the facility may be built by the developer with DSMWS inspection. DSMWS has decided that for contractual and administrative reasons the facility will be built by DSMWS as the developer's expense. Q4

5. Section 3.2.2. Groundwater Resources. page 85. Reference to the Water Supply Assessment in Appendix D might be helpful here and in other sections of the Draft EIR. Q5

6. Figure 27. preceding page 266 – Water Line in Pitt School Road. If development of the Steil property includes improvement of Pitt School Road (on its eastern boundary), a 12" water pipeline must be installed on the east side of the street centerline. This pipeline would be part of the half-mile grid of 12" pipelines required in the DSMWS Master Plan. If the roadway is not improved, construction of this pipeline can be deferred until it is constructed. Q6

There may yet be requirements and comments based on ongoing discussions of the Water Master Plan being prepared by Nolte. Thank you for the opportunity to review and comment on this project. If you have any questions, please contact Jim Daniels at the District office, phone (707) 448-6847, extension 32.

Sincerely,



James S. Daniels  
Director of Engineering, Solano Irrigation District  
DSMWS Engineer

cc: Suzanne Butterfield  
Paul Fuchslin  
Ron Tribbett  
Nick Ponticello

## Response to Letter from Dixon-Solano Municipal Water Service

- Q1. Policy 31 quoted on page 257 of the DEIR is a Dixon General Plan policy that cannot be modified through this EIR. IP 7.7d quoted on DEIR page 262 is a proposed Southwest Dixon Specific Plan implementation measure. The City of Dixon may wish to consider requiring revision of this implementation measure, if appropriate. Therefore, the following statement will be added on DEIR page 262:

"Implementation of these measures, combined with measures recommended in Section 3.12, Water, of this EIR, would ensure that adequate fire suppression water is available in the plan area. The impact would be reduced to a less than significant level, and no additional mitigation is required. To reflect recent discussions among the Dixon-Solano Municipal Water Service and City of Dixon Fire Department and Public Works Department staff, however, the City may wish to consider requiring revision of IP 7.7d to indicate that the water storage and distribution systems should be capable of providing 3,500 gallons per minute of sustained flow for three hours (rather than 4,000 gallons per minute for at least two hours)."

Reducing the available fireflow requirement to 3,500 gallons per minute for three hours will continue to provide ample water to suppress fires on the plan area. The impact would remain mitigated to a less than significant level. The City will need to amend the part of General Plan Policy 31 referring to the minimum fireflow requirement of 4,000 gallons of water per minute for two hours.

- Q2. The comment's recommendation is noted for the record and will be forwarded to the City Council for its consideration when determining the location of the Southwest Facility. The final location of the facility will be decided by the City and DSMWS.
- Q3. Comment noted. The DSMWS Water Master Plan does identify a well on the Steil property in the plan area. This location is consistent with one of the locations shown in the proposed draft Southwest Dixon Specific Plan Water Master Plan. A correction will be made as requested to Mitigation Measure 2 on page 272 of the EIR, as shown below:

2. The City and DSMWS shall update the DSMWS Water Master Plan and fee schedule, as needed (for example, if the proposed well site is moved from the Steil property, as shown in the DSMWS Water Master Plan, to another location); ~~to include the development of a well to serve project development.~~ The location and phasing of the well and related facilities shall be described in greater detail in the Specific Plan Public Facilities Financing Plan and Capital Improvements Plan. Individual projects proposed within the plan area shall pay for the construction of the new well. Facilities required prior to buildout shall be advanced by the developer and be subject to later reimbursement or credit.

This change will also be made to the Impact and Mitigation Summary Table. This change will not result in any new or more significant impacts.

Q4. This decision is noted for the record. Mitigation Measure 6 on page 273 of the DEIR will be changed as shown below:

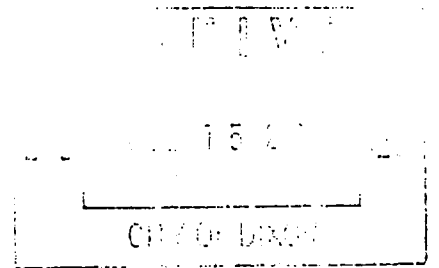
6. An additional well, tank booster, and pump station ("Southwest Water Facility") are required to meet the demands of the new development. This was established in the 2000 Water Master Plan prepared by the DSMWS. The facility shall be designed and constructed by the DSMWS, and plans and specifications shall be provided by the DSMWS. ~~Construction may be contracted by the DSMWS, or the developer with inspection by the DSMWS.~~ The facility shall be built at the developer's expense. Credit of the cost of construction against the developer's connection fees is a matter to be arranged between the developer and the City of Dixon DSMWS.

This same change will also be made to the Impact and Mitigation Summary Table. This change will not result in any new or more significant impacts.

Q5. The comment is noted for the record. The reference is not required as it would not change the conclusions or recommendations of the DEIR.

Q6. Mitigation Measure 1 on page 272 of the DEIR requires DSWMS approval of the Specific Plan Water Master Plan prior to approval of the first Final Subdivision Map for the plan area. It is assumed that this requirement for a 12-inch line on Pitt School Road adjacent to the Steil property would be required by DSWMS at that time. The comment is noted for the record and will be forwarded to the applicant for inclusion in the Final Water Master Plan. Please note that Figure 27 is titled "Proposed Preliminary Water Distribution System," implying that the distribution system shown may be subject to change.

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Donald S. Frick, 107084

July 13, 2003

City of Dixon  
Community Development Department  
600 East A Street  
Dixon, CA 95620

ATTENTION: Stephen Streeter  
Community Development Director

Re: Draft Environmental Impact Report (DEIR)  
Southwest Dixon Specific Plan

I am writing this letter on behalf of Ebrahim (Abe) Sadeghinia, 1655 Torrey Pines Road, Lafayette, La Jolla, CA 92307.

Mr. Sadeghinia did not receive a copy of the DEIR report until July 1, 2003, and respectfully requests you accept and consider this letter and the following comments on behalf of Mr. Sadeghinia.

Impact and Mitigation Table Section 3.4-A 2:

Mr. Sadeghinia objects to the "less than significant impact" description set forth in 3.4-A2. R1

Adopting the elimination of the connection of Batavia Road to the east bound I-80 on/off ramps. The elimination of the connection of Batavia Road to the east bound I-80 on/off ramps would have a adverse financial impact on my business and value of my property, i.e., The Dixon Fruit Market, located just to the South and East of the connection of Batavia Road to the east bound I-80 on/off ramps.

In the past, Mr. Sadeghinia has suggested an alternate solution that would not have the adverse financial impact on the business and the value of the property. Specifically, Mr. Sadeghinia recommends leaving the off ramp from I-80 to Batavia Road open so traffic may proceed either north or south on Batavia Road. Erect a dividing barrier R2

Stephen Streeter  
Re: DEIR, Southwest Dixon Specific Plan  
July 13, 2003

Page 2

between the north bound lane of Batavia Road and the on ramp to I-80. Such a barrier would tend to eliminate traffic problems and avoid possible accidents.

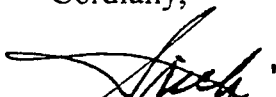
Mr. Sadeghinia iterates his objection in response to Paragraph 4 subparagraph a.2 <sup>R3</sup> (Page 122, DEIR). Adopting the proposed mitigation would, for all intents and purposes result in an adverse financial impact, i.e., the Dixon Fruit Market would be hard pressed to survive based on the elimination of access to traffic if Batavia Road was closed at the connection with the east bound on/off ramps from I-80. Additionally, the value of the property would be adversely affected.

Mr. Sadeghinia wants to emphasize that Paragraph 3.8-A 1 (Appendix Page 29) <sup>R4</sup> clarifies the information set forth in the initial study. Specifically, the three underground tanks at the Dixon Fruit Market were removed in about 1990. "Prior to removal, soil and groundwater testing was done, and the testing showed non-detectable levels of total petroleum hydrocarbons, gasoline, benzene, toluene, xylene, and ethylbenzene".

Mr. Sadeghinia respectfully requests that alternate traffic measures be adopted that will <sup>R5</sup> preclude the elimination of the connection of Batavia Road to the east bound I-80 on/off ramps inasmuch as it could result in adverse economic results of the Dixon Fruit Market and the property value of the Dixon Fruit Market, that has been in existence for many years.

Please respond directly to Mr. Sadeghinia with a courtesy copy to me.

Cordially,

  
Donald S. Frick

cc: Ebrahim (Abe) Sadeghinia

## Response to Letter from Donald Frick

- R1. The commenter's opinion is noted for the record. Financial impacts are not environmental impacts. The cited mitigation measure does allow the existing access to commercial uses to remain. Mitigation Measure 3.4-A(2) reads as follows:

"The project applicant shall modify the Specific Plan to eliminate the connection of Batavia Road to the eastbound I-80 on- and off-ramps and install a signal system to accommodate project traffic along West A Street. Existing access to commercial uses at the intersection could remain. Although the traffic volumes at this intersection would satisfy the peak hour volume warrant for signalization, the installation of a traffic signal at the Eastbound I-80 Ramps/Batavia Road intersection is not feasible because there would be insufficient storage for queued vehicles on the eastbound off-ramp, causing potential vehicle spillback onto I-80.

The elimination of this connection will cause a redistribution of traffic to the West A Street/Gateway Drive and West A Street/Batavia Road intersections. These intersections will provide access to I-80 and the office and commercial land uses in the western portion of the Specific Plan with the elimination of the connection. To accommodate the traffic redistribution, traffic signals shall be installed on West A Street at Batavia Road and Gateway Drive to provide a signal system that can be coordinated, which will minimize vehicle queues and improve vehicle progression along West A Street.

In November 1999, a detailed plan-line study was initiated that identified and evaluated intersection improvement options at the I-80/West A Street interchange. Summary figures and tables from the plan-line study are available for review and are on file with the Dixon Community Development Department. Alternative 1 from this study identified signalization, coordination, and turn lane improvements at the West A Street/Gateway Drive and West A Street/Batavia Road intersections that would provide acceptable operations through year 2010, without the Batavia Road connection to the I-80 eastbound ramps, and without reconstruction of the interchange. The following lane configurations, which are based on Alternative 1, shall be provided at the West A Street/Gateway Drive and West A Street/Batavia Road intersections:

### West A Street/Gateway Drive

- Dual exclusive left-turn lanes and a shared through/right-turn lane on the northbound approach;
- One exclusive left-turn lane and a shared through/right-turn lane on the southbound approach;
- Dual exclusive left-turn lanes, two through lanes, and an exclusive right-turn lane on the eastbound approach;
- One exclusive left-turn lane, two through lanes, and an exclusive right-turn lane on the westbound approach;



### West A Street/Batavia Road

- One exclusive left-turn lane and one exclusive right-turn lane on the northbound approach;
- One through lane and an exclusive right-turn lane on the eastbound approach; and
- One exclusive left-turn lane and one through lane on the westbound approach.

No project-specific phasing program has been submitted with the Specific Plan and no housing allocations have been awarded, so mitigation timing is unknown at this time. The timing of improvements would depend on the location and amount of development. Furthermore, not all of the improvements (i.e., traffic signals on West A Street) may be necessary with the elimination of the Batavia Road/I-80 ramps connection. Therefore, the project applicant shall prepare a project-specific traffic analysis based on the EIR traffic study for each tentative map to confirm existing conditions and determine the specific mitigation timing that is required to maintain the City's LOS thresholds identified in General Plan Transportation and Circulation Policy 1. If triggered, implementation of this mitigation measure shall be completed prior to the issuance of building permits for that individual tentative map. If the studies indicate that a project does not trigger an improvement, the project applicant shall pay a fair share for future improvements."

The recommended mitigation would reduce the significance of identified traffic-related impacts to a less than significant level. Therefore, the impact statement identified for Impact 3.4-A is correct.

- R2. Some clarification is needed. Mitigation Measure 3.4-A(2) would allow existing access to commercial uses at the intersection to remain. Mitigation Measure 3.4-A(2) states that "Existing access to commercial uses at the intersection could remain." The mitigation refers to the elimination of Batavia Road (south of the existing commercial development) to prohibit new development within the Specific Plan area from using the EB I-80 Ramps/Batavia Road intersection. Traffic from new development would have to use an alternate route, such as Gateway Drive, to access I-80 or West A Street.
- R3. Please refer to Response R2. The proposed mitigation would only eliminate access to/from the south (south of the existing commercial uses) on Batavia Road. Therefore, the proposed mitigation would likely not result in a significant reduction in traffic to the existing commercial uses, since there is little through traffic on Batavia Road south to Midway Road.
- R4. The comment which reiterates the statements in the DEIR is noted for the record.
- R5. The request is noted for the record. See Responses R2 and R3.

## CHANGES TO THE DEIR TEXT

### Changes That Do Not Affect the Conclusions Or Recommendations of the DEIR

Based on the comments received, the following changes will be made to the text of the Draft EIR. The changes listed below either correct misstatements or clarify the intent of the DEIR and do not affect the conclusions or recommendations of the DEIR.

**Page 9.** Delete the next to last sentence and replace it with the following: "The parks will be obtained through dedication of land and in lieu fees paid by plan area developers whose property does not contain the two park sites."

**Page 10.** Revise the second sentence in the first paragraph to state: "The fire station site would be ~~dedicated to~~ acquired by dedication by the City of Dixon (fax communication from Cathy Spence Wells, 5/03/02)."

**Page 10.** Revise the third sentence under "Other Uses" to state: "This buffer extends from west of Batavia Road 220 feet onto the Clark property. Further to the east, the buffer consists of the approximately 75-foot right of way for South Parkway."

**Page 10.** Revise the sixth sentence under "Other Uses" to state: "The buffer would separate proposed low density residential and industrial (employment center) areas from agricultural areas to the south ~~two proposed detention ponds.~~"

**Page 12.** The following shall be added to the end of the section on "Drainage:"

"Watershed areas east of the Dixon Ridge/Evans alignment will drain to Pond A, south of Porter Road. This area can be split into two areas, west of Pitt School Road and east of Pitt School Road. Areas west of Pitt School Road will drain to a storm drain main line located within the right of ways of the North and South Parkways. A new junction structure at the intersection of North Parkway and Pitt School Road will be constructed to connect the North Parkway storm drain system to the existing 84-inch storm drain line in Pitt School Road.

Like the North Parkway system, the South Parkway system will drain to the existing 84-inch storm drain line in Pitt School Road. A new junction structure will be constructed at the intersection of South Parkway and Pitt School Road.

At the North Parkway junction structure flows will be split, sending flows south into the existing 84-inch line in Pitt School Road, while diverting some flows into a 42-inch line east to South Lincoln Street. Once the flows diverted to the east through the 42-inch line reach South Lincoln Street, they are directed south to South Parkway through 48-inch/54-inch lines.

At the South Parkway junction structure flows will be split, sending flows south into the existing 84-inch line in Pitt School Road, while diverting some flows into a 42-inch/48-inch relief line east to South Lincoln Street. Once the flows diverted to the east through the 42-inch/48-inch line reach South Lincoln Street, they are combined with the flows coming from the north and are directed south to Porter Road through a 66-inch line.

At Porter Road, flows are directed southwest along Porter Road through a 66-inch line to a proposed junction structure just north of the existing 84-inch line, junction structure. Flows will be directed southeast through a new 66-inch line to be jack and bored under the Union Pacific Railroad tracks and then into Pond A.

Specific details on the amount of flow contributed to each storm drain line can be found in the Draft Specific Plan's Storm Drain Master Plan."

Page 12. The following will be added to the end of the discussion of wastewater:

"The Pitt School Lift Station at the northwest corner of Pitt School Road and West "A" Street is located just off-site of the northeast corner of the plan area. The Lift Station serves the WASAD by pumping the flow from the area to the northwest to a 15-inch gravity line. The 15-inch gravity line conveys this flow to the existing South Dixon Sewer Trunk at the Dixon May Fair. According to the Morton & Pitalo Study, this line would operate under pressure conditions during peak flows if the West "A" Street area continues to use it.

The proposed plan area sewer system is to construct a 15-inch gravity sewer line from the Pitt School Lift Station, south in Pitt School Road to North Parkway. From there, an 18-inch line will convey the flow from the Lift Station and from the properties within the plan area on either side of Pitt School Road. From this point on flows are conveyed south in Pitt School Road, combined with flows from the east in South Parkway and conveyed to the east to South Lincoln Street and then south to Porter Street, Porter Street to the future juncture of Parkway Blvd., and then east under the Union Pacific Railroad tracks, all through a proposed 24-inch line. By constructing the 15-inch gravity line from the Pitt School Lift Station, south in Pitt School Road to North Parkway, the Pitt School Lift Station is proposed to be abandoned."

Page 15. Revise the first sentence of the second paragraph to state: "The LD lots, which would be located in the southwestern portion of the project site, would range in size from 7,018 to 14,167 square feet with a net density of ~~5.3~~ about 3.18 units per acre."

Page 21. In the first paragraph under the Regional Water Quality Control Board (RWQCB) section, the statement that "The RWQCB must approve a project's Stormwater Pollution Prevention Plan (SWPPP)" will be deleted.

In the second paragraph, revise the first sentence to state: "~~The RWQCB will issue~~ has developed a General Construction Permits for ~~under which~~ projects may file a notice of intent to seek coverage pursuant to the National Pollution Discharge Elimination System (NPDES). "

The second sentence ("The RWQCB would use the EIR to determine the acceptability of mitigation measures before granting a permit") will be deleted.

The third paragraph ("As wetlands do not occur on the site and work within stream channels is not required, it is likely that RWQCB's authority for this project would be limited to issuance of General Construction Permits and review and approval of Stormwater Pollution Prevention Plans (SWPPPs)") will be deleted.

**Page 28.** Revise the first section under "Land Use" to state: "Development of the plan area would remove about 475 465 acres of prime farmland from production."

**Page 35.** Add the following to the end of the discussion of the Impact and Mitigation Table: "The listing of mitigation measures in the table is intended to be a summary statement of the impact. The reader should refer to the full discussion under each impact in Chapter 3.0 of the EIR to fully understand the details of the impact."

**Page 92.** Replace the reference to Figure 6 with Figure 9 in the second sentence.

**Page 92.** Revise the third sentence to state: "These facilities would be designed to handle surface water flows from a 100-year storm (i.e., a storm of a magnitude likely to occur once every 100 years)."

**Page 94.** Revise the second sentence in the second paragraph under Impact 3.2-C to state: "The drainage line will consist of a 36-inch gravity discharge line..."

**Page 94.** Revise the third and fourth sentences in the second paragraph under Impact 3.2-C to state: "The pipeline will be constructed outside and parallel to the southeastern edge of within the I-80 right-of-way in a separate easement over private lands, and project applicants will be responsible for obtaining access to that easement ~~that right-of-way~~. Because the pipeline would be ~~within~~ immediately adjacent and parallel to the freeway right-of-way and the area it traverses is mainly open grassland or a ruderal (i.e., weedy) area, construction of this pipeline is not expected to result in any significant impacts to natural resources."

**Page 97.** Revise the second sentence in the first paragraph under Impact 3.2-G to state: "The Pheasant Run ~~and Southpark~~ projects is are located in a ~~two~~ separate watersheds, ~~both of which~~ that extends through portions of the Southwest Dixon Specific Plan Area."

**Page 98.** The first full sentence (starting "The Southpark Planned...") will be deleted.

**Page 133.** The reference to Figure 23 on the next to the last line on the page shall be changed to reference Figure 24.

**Page 143.** Revise the second sentence of the fourth paragraph to state: "Construction activities are subject to YSAQMD Regulations ~~VIII~~ II, Rule 2.5 Nuisance, which require suppressing dust emissions from all sources using water, chemical stabilizers, and/or vegetative ground cover." The seventh paragraph, first sentence will be revised accordingly to state: "As previously mentioned, the YSAQMD requires dust control measures at construction sites (Regulation ~~VIII~~ II, Rule 2.5, Nuisance)."

**Page 171.** Revise the first sentence in the second full paragraph to state: "The project also proposes a fire station near the ~~easternmost~~ western property boundary of the Orchard Estates-Sanders parcel."

**Page 193.** The third sentence under the heading "From New Streets and Residences Within the Specific Plan Area" will be revised as follows: "Streets within residential areas would

include sidewalks ~~but no~~ and developer-constructed landscaping (i.e., any trees or other landscaping along streets would be the responsibility of future landowners)."

**Page 204.** The reference to Dustin Robinson was inaccurately cited. The reference should say "Data provided by Dustin Robinson, an ~~agricultural operator on the plan area~~ of the Solano County Department of Agriculture, indicate.."

**Page 259.** Add the following sentence to the end of the first paragraph under Impact 3.11-A: "The fire station would serve areas beyond the Southwest Dixon Specific Plan area."

**Page 272.** Revise the first sentence of the fourth full paragraph to state: "The Southwest Dixon Specific Plan would meet the SB 610 and ~~SB 224~~ definitions of 'project.' ~~While currently proposed subdivisions may not meet the SB 221 definition of 'subdivision,' future subdivisions may meet this definition.~~"

**Page 272.** Add the following paragraph as the second-to-last paragraph before the "Mitigation Measures" heading: "Portions of the Orchard Estates-Sanders Property subdivision east of South Lincoln Street would be served by Cal Water, which has adequate capacity to serve the anticipated development. The number of connections added to the Cal Water service area as a result of the proposed Orchard Estates-Sanders development would not trigger the need for an SB 610 or SB 221 study. (Personal communication with Frank Volpi, Manager, Cal Water)"

**Page 275.** Revise the discussion of Weyand Lateral B-5 as follows: "Weyand Lateral B-5. This future location of this segment of the system will be determined in the SWD Irrigation Master Plan report ~~may be abandoned with development of the proposed Southpark project to the southeast. SID proposes to relocate the lateral through the plan area from the intersection of Pitt School Road and North Parkway to the plan area's southern boundary. Alternatively, the lateral would need to be reconstructed with the reconstruction of South Lincoln Street using a 30-inch pipeline.~~"

**Page 277.** Revise the second sentence in the first paragraph under Impact 3.12-C to state: "In addition, according to City staff South Lincoln Street between the plan area and Porter Street is too narrow to support the several pipelines that will be constructed within its right of way, ~~and, as described in the previous Traffic section, the road is too narrow for adequate traffic safety (Tribbett, personal communication).~~"

**Page 280.** Revise the first sentence under Impact 3.13-A to state: "Dixon's wastewater treatment plant currently has the capacity to treat 1.4 million gallons per day (mgd) average wet weather flow (AWWF), assuming a 100-year rainfall season."

**Page 283.** Revise the second sentence under Impact 3.13-A to state: "The proposed Specific Plan land uses are expected to generate approximately 1.78 million gallons per day (mgd) of sewage (peak wet-weather flow) (*Draft Sanitary Sewer Master Plan Report for the Southwest Dixon Specific plan area*, Nolte Associates, Inc., August 2002, page 6), which equates to approximately 0.62 mgd average dry weather flow (ADWF). The City has recently identified two capital improvement projects for the wastewater treatment plant that would bring the capacity of the plant to 1.69 mgd (ADWF). The first expansion would bring the interim capacity to 1.55 mgd (ADWF) by 2004. The second expansion would increase the capacity to 1.69 mgd (ADWF) in

the future to accommodate growth through 2010. Assuming current ADWF into the treatment plant (approximately 1.3 mgd) remained the same, the expanded treatment plant could accommodate 0.39 of the 0.62 mgd ADWF generated by Specific Plan land uses. Recent improvements have reduced the amount of inflow and infiltration into the system, however, so that the existing ADWF is expected to be no more than 1.2 mgd. In addition, the City has identified a Stage 2 treatment plant expansion that would increase capacity to 2.4 mgd and would address ultimate buildout flows beyond 2010 to 2018, assuming an increase of three percent per year in flows to the treatment plant. For these reasons, the City expects the treatment plant to be able to handle flows from the Specific Plan area."

**Page 309.** The first sentence in the second paragraph will be revised as follows: "The residential portions of the five projects will be subject to parkland dedication/acquisition and development fee requirements levied by the City of Dixon in accordance with the City's Subdivision Ordinance (which carries out the provisions of the Quimby Act) and Assembly Bill (AB) 1600."

**Page 311.** Table 30 on page 311 will be revised as shown in Comment H1.

**Page 314.** The beginning of the final paragraph was inadvertently omitted from the DEIR. The paragraph should begin with the words: "As also noted in the "Setting" section..."

**Page 329.** Delete the bullet that states: "The proposed new arterial between Pitt School Road and South First Street would extend through undeveloped lands within the County's jurisdiction."

**Figure 23.** Revise Figure 23 to delete the symbol for proposed new traffic signals (full funding not secured) from the legend.

## Changes Recommended by City Staff

City staff has reviewed the comments and responses included in this report as well as the original recommendations of the Draft EIR. A number of the revisions recommended above (and summarized in the following section of this report) were recommended by City staff. In addition to those changes already made or agreed to by staff, staff has requested that the wording of a number of mitigation measures be revised to clarify their intent and the responsibility for implementing them. The additional changes recommended by staff are listed below. See the revised Impact and Mitigation Summary table at the end of this report which shows these changes as well as the other changes recommended in this Final EIR.

Impact 3.2-A; Mitigation Measures 1 and 2. Replace the City Public Works Department with the Engineering Department, as this department will now be the responsible department.

Impact 3.2-A, Mitigation Measure 4. Delete the word "citywide" as it is not needed.

Impact 3.2-B; Mitigation Measure 2. Revise the reference document cited since a new document has been adopted. Add the following to the end of the mitigation measure: "The City will handle the process for creating a Community Facilities District, with costs borne by developers."

Impact 3.2-C; Mitigation Measure 3. Add the following to the end of the mitigation: "...that were anticipated in the design capacity for the Pond A expansion."

Impact 3.5-B; Mitigation Measure 10. Revise as follows: "Woodburning restrictions. The City should consider not allowing the use of any woodburning devices in new residences on the plan area. At a minimum, any new woodburning devices must comply with the most current EPA requirements for emissions. If the City adopts a policy or an ordinance restricting the use of inefficient combustion wood stoves and fireplaces, based on regional air quality conditions, residences or commercial establishments not yet constructed will be required to comply with the new policy or ordinance."

Impact 3.6-D; Mitigation Measure 3. Revise the measure as follows: "Construct ballfields on the community park site as near the south end of the park site as feasible. If an alternate location is proposed closer to West A Street, the City Parks and Recreation Commission will consider appropriate mitigation measures to reduce noise to nearby residents during the design and approval process for the ballfields."

Impact 3.6-H; Mitigation Measure 1. Revise the second sentence of the second paragraph to state: "Given the future predicted noise levels, noise barriers would likely range in height from six feet to fourteen feet assuming the noise source or barrier and outdoor use areas are at the same elevation. A future noise analysis will determine the height of noise barriers (expected to be between six and fourteen feet, assuming the noise source, barrier, and outdoor use areas are at the same elevation)."

Impact 3.7-B; Mitigation Measure 4. Delete the reference to the specific section of the City Zoning Ordinance, so that the measure refers simply to the Zoning Ordinance. This change is made because section numbers change when the ordinance is revised.

Impact 3.8-A; Mitigation Measures 1 and 2. Replace the reference to the Solano County Department of Environmental Health with Solano County Department of Environmental Management.

Impact 3.9-E; Mitigation Measure 3. Revise as follows: "Address compliance with Measure B growth limitations in a future master development agreement(s) or for individual development agreements for individual projects within the Specific Plan area."

Impact 3.10-A; Mitigation Measure 1. Revise as follows: "Each developer will acquire off-site land within the Dixon Planning Area or within a ten-mile radius of the City, or each developer will participate in the City's master agricultural conversion program. Each developer will pay the fee established for this program at the time of the City's approval of the tentative subdivision map or as otherwise specified in a development agreement."

Impact 3.10-R; Mitigation Measure 1. Add the following to the end of the mitigation measure: "Applicable mitigation measures for each residential development will be included within the resolution of approval specific to the impacts particular to that development."

Impact 3.11-A; Mitigation Measure 1. Revise the mitigation to state; "Ensure that the new on-site fire station is constructed, staffed ~~with a minimum of six firefighters/paramedics,~~ and equipped ~~with one fire engine by the time that 30 percent of the plan area is developed.~~ based on City policy." Staff believes that City decisionmakers should determine future staffing and equipping of the fire station rather than have a project-specific EIR determine when and how the station would be built, equipped, and staffed."

Impact 3.13-A; Mitigation Measures 1 through 3. Replace each reference to the Final Subdivision Map to Tentative Subdivision Map.

Impact 3.14-A; Mitigation Measure 2. Revise as follows: "~~Before~~ As part of the approval of any Tentative Subdivision Map approval process for each development within the Specific Plan area, require applicant compliance with Police Department requirements for street layout and emergency access. This measure would assist in carrying out Specific Plan Policy 7.7.3. The Police Department would work in conjunction with the ~~Public Works~~ Engineering Department and Fire Department."

None of these changes would result in any new impacts or increase the severity of any impacts identified in the DEIR. The changes are made to clarify when, where, and how mitigation measures will be implemented.



## **Changes To DEIR Conclusions and Mitigation Measures Resulting From Public Comments Received**

The following changes that affect the conclusions or mitigations of the DEIR will be made.

**South Parkway.** Revise all maps to delete the extension of South Parkway east of Evan Road.

**Page 82.** Revise Mitigation Measure 1 for Impact 3.1-B as follows: "Detention Pond A and the West Pond Complex will act as sedimentation ponds and will decrease downstream sediment loading. A pond sediment monitoring program will be developed and approved by the City prior to approval of the first Final Subdivision Map. This program will provide a schedule for monitoring and removal of sediments and who will be responsible for those actions."

**Page 82.** Mitigation Measure 2 for Impact 3.1-B will be deleted and replaced with the following: "Each project developer shall prepare and implement a Stormwater Pollution Prevention Program (SWPPP) for on-site and off-site activities. The SWPPP shall be consistent with the terms of the State NPDES General Permit for Discharges of Storm Water Associated with Construction Activities (General Permit). Each developer shall file a Notice of Intent with the State Water Resources Control Board, Division of Water Quality."

**Page 93.** Revise the last sentence of Mitigation Measure 1 to state: "The design of all features proposed by the project applicant shall be consistent with the most recent version of the City's Storm Drainage Guidelines and Criteria, and standard design and construction specifications and details, as modified by the approved Specific Plan Drainage Master Plan."

**Page 94.** Revise the first mitigation under Impact 3.2-B to state: "As a condition of approval for all Tentative Subdivision Maps in the plan area, the City of Dixon shall require ~~and confirm~~ that adequate storm drainage capacity will be in place before City approval of the Final Subdivision Map ~~is available as a condition of approving any Tentative Subdivision Maps for the plan area.~~"

**Page 94.** Revise Mitigation Measure 2 under Impact 3.2-B to add the following sentence as the third sentence of the mitigation measure: "A provision for forming and participating in the maintenance district shall be addressed through conditions of a development agreement or other formal agreement at the Tentative Subdivision Map stage for each individual development project in the plan area."

**Page 94.** Revise the third sentence under Impact 3.2-C to state: "City staff has determined that South Lincoln Street south of the plan area has inadequate width to allow construction of storm drains, water mains, and wastewater collectors within its existing paved travelway, ~~and the road has inadequate travelway to safely handle projected traffic volumes (Tribbett, personal communication).~~"

**Page 95.** Revise Mitigation Measure 1 under Impact 3.2-C to state: "Prior to approval of the first Tentative Subdivision Map, the applicant shall demonstrate that adequate width exists in South Lincoln Street between the plan area and Porter Road to construct the storm drain, water lines, and wastewater pipelines within the existing right-of-way. South Lincoln Street between the plan area and Porter Road shall be reconstructed to meet City and/or County standards ~~for~~

travelway and shoulder width upon completion of construction of underground infrastructure utilities such as storm drainage, water, and sewer pipes."

Page 95. Revise Mitigation Measure 2 under Impact 3.2-C to state: "Approval for construction of the pipeline from the plan area to McCune Creek shall be obtained prior to construction of any improvements generating new runoff to Batavia Pond. Alternatively, any request to delay approval of construction of the pipeline shall require that the applicant demonstrate and submit for approval by the City an acceptable interim alternative to address runoff from new development."

Page 95. Delete Mitigation Measure 1 under Impact 3.2-D and replace it with the following: "With each Tentative Subdivision Map approval, each project applicant shall comply with and adhere to the conditions of the RWQCB Statewide NPDES Permit and NPDES General Permit for General Construction Activities."

Page 96. Delete Mitigation Measure 1 on page 96 and replace it with the following: "The location of the new well shall be approved by the Dixon-Solano Municipal Water Service."

Page 102. Revise Mitigation Measure 2 to state: "For every acre of suitable Swainson's hawk habitat developed within the Specific Plan area, the developer of each project will be responsible for preserving one acre of Swainson's hawk habitat per the California Department of Fish and Game's *Staff Report Regarding Mitigation for Impacts to Swainson's Hawk (Buteo swainsoni) in the Central Valley of California* (CDFG, 1994). ~~Because the first development on the Specific Plan area will fragment the remaining habitat, the 1:1 mitigation will be required for the entire Specific Plan area prior to the start of construction for the first project. The first developers will be responsible for funding the plan area wide mitigation and will be re-paid by future developers. The area to be preserved will be confirmed as adequate Swainson's hawk habitat by CDFG. Proof of purchase of the property or a suitable conservation easement shall be provided to the City of Dixon prior to the start of construction of each project. The habitat purchase or purchase of development rights may be combined with land preserved to offset loss of agricultural lands as described in the mitigation for Impact 3.10-A.~~

Page 115. Revise the description of South Parkway to state: "South Parkway – Extending from Batavia Evans Road to South Lincoln Street, South Parkway is proposed to be a two-lane minor collector (~~landscaped street corridor~~) and is designated as a parkway with bike lanes and no on-street parking. South Parkway is also proposed as a functional buffer between the Specific Plan and unincorporated Solano County to the south, west of Evans Road."

Pages 121-125. Revise Mitigation Measures 1 for Impact 3.4-A to state:

1. "West A Street/Schroeder Road Intersection. The project applicant shall install a traffic signal at the West A Street/Schroeder Road intersection and provide right-turn overlap phasing with the southbound left-turn movement. No project-specific phasing program has been submitted with the Specific Plan and no housing allocations have been awarded, so mitigation timing is unknown at this time. Therefore, the project applicant shall prepare a project-specific traffic analysis based on the EIR traffic study for each tentative map to confirm existing conditions and determine the specific mitigation timing that is required to

maintain the City's LOS thresholds identified in General Plan Transportation and Circulation Element Policy 1. If triggered, implementation of this mitigation measure shall be completed prior to the issuance of building permits for that individual tentative map. If the studies indicate that a project does not trigger an improvement, the project applicant shall ~~pay a fair share for future improvements~~ participate in the financing plan for future public facility improvements approved in the Southwest Dixon Specific Plan. Implementation of this mitigation measure would provide acceptable LOS B operations during both the a.m. and p.m. peak hours under existing plus project conditions."

Each reference in Mitigation Measures 2 and 5 for Impact 3.4-A (on pages 121-123 of the DEIR) to the steps required if the subsequent traffic studies indicate that an improvement is not required will be replaced with the following sentence:

"If the studies indicate that a project does not trigger an improvement, the project applicant shall participate in the financing plan for future public facility improvements approved in the Southwest Dixon Specific Plan. "

**Pages 124-125.** Revise the final paragraph of Mitigation Measure 7 to state:

"In addition, provide right-turn overlap phasing on the southbound, eastbound, and westbound approaches. Installation of the traffic signal is included in the *City of Dixon AB 1600 Facilities and Equipment Study* (March 2000) as being funded by traffic impact fees imposed on new development. However, the proposed project could require implementation of the improvements prior to their programmed installation in AB 1600. Therefore, the project applicant shall prepare a project-specific traffic analysis based on the EIR traffic study for each tentative map to confirm existing conditions and determine the specific mitigation timing that is required to maintain the City's LOS thresholds identified in General Plan Transportation and Circulation Element Policy 1. Once triggered, implementation of this mitigation measure shall be completed prior to the issuance of building permits for that individual tentative map. If this intersection requires signalization and widening prior to the programmed installation of these improvements in AB 1600, then the project applicant shall be required to install the improvements and the City will negotiate with the applicant to determine reimbursement ~~shall be reimbursed by AB 1600.~~ If the traffic signal is installed prior to the programmed installation of these improvements in AB 1600, then the project applicant shall be responsible for widening the intersection and modifying the signal. Implementation of this mitigation measure would provide acceptable LOS C operations during a.m. peak hour and LOS B operations during the p.m. peak hour under existing plus project conditions."

**Page 125.** Revise Mitigation Measure 10 to state:

"West A Street/First Street Intersection. The project applicant shall install a traffic signal at the West A Street/First Street intersection and re-stripe the eastbound and westbound approaches to provide one exclusive left-turn lane and a shared through/right-turn lane, which will require the elimination of about 24 existing on-street parallel parking spaces. These improvements are consistent with the recommendations that were identified in the City of Dixon First Street (SR 113) and A Street Intersection Operations Study (January

10, 2001). Installation of the traffic signal is included in the City of Dixon AB 1600 Facilities and Equipment Study (March 2000). This improvement is funded with construction anticipated in 2003. If construction of this improvement does not occur as anticipated, the project applicant shall prepare a project-specific traffic analysis based on the EIR traffic study for each tentative map to confirm existing conditions and determine the specific mitigation timing that is required to maintain the City's LOS thresholds identified in General Plan Transportation and Circulation Policy 1. Once triggered, implementation of this mitigation measure shall be completed prior to the issuance of building permits for that individual tentative map. If this intersection requires signalization and re-striping prior to the programmed installation of these improvements in AB 1600, then the project applicant shall be required to install the improvements and the City will negotiate with the applicant to determine reimbursement shall be reimbursed by AB 1600. Implementation of this mitigation measure would provide acceptable LOS C operations during a.m. peak hour and LOS B operations during the p.m. peak hour under existing plus project conditions."

**Page 126.** Revise Mitigation Measure 1 to state: "The project applicant shall modify the proposed street classifications and street cross-sections to be consistent with the standards identified in the *City of Dixon Engineering Design Standards & Construction Specifications* or standards developed in the Specific Plan and approved by the City. ~~This modification would result in consistency of the Specific Plan with General Plan policy."~~

**Page 127.** Revise the three mitigation measures for Impact 3.4-C to state:

1. "For segments of Batavia Road, Pitt School Road, and South Lincoln Street that are located within the Specific Plan area, the project applicant shall modify the proposed street classifications and roadway cross-sections to be substantially consistent with the standards identified in the *City of Dixon Engineering Design Standards & Construction Specifications*.
- ~~2. South Lincoln Street between the plan area and Porter Street shall be improved to standards identified in the *City of Dixon Engineering Design Standards & Construction Specifications*.~~
- ~~3. For segments of Batavia Road and Pitt School Road located outside the plan area in unincorporated Solano County, the project applicant shall make a fair-share contribution toward reconstruction of the road to meet City of Dixon Solano County standards. The fair-share contribution would be based on the project's traffic contribution relative to existing traffic on the roadway. South Lincoln Street between the plan area and Porter Road shall be reconstructed to meet City and/or County standards upon completion of construction of underground infrastructure utilities such as storm drainage, water, and sewer pipes."~~

**Page 127.** Delete Mitigation Measure 1 under Impact 3.4-D and replace it with the following: "Each project applicant shall confer with the City and per City direction, if warranted, identify bus stops on the Tentative Subdivision Map."

**Page 128.** Delete Mitigation Measure 1 under Impact 3.4-E and replace it with the following: "Each project applicant shall confer with the City and per City direction, if warranted, identify bus stops on the Tentative Subdivision Map. The applicant for the commercial property on the Evans Ranch property shall be responsible for identifying the location of a park-and-ride facility."

**Page 129.** Add the following two mitigation measures to the mitigations recommended for Impact 3.4-F:

2. "The project applicant shall install a traffic signal at the Pitt School Road/Westbound I-80 ramps intersection. No project-specific phasing program has been submitted with the Specific Plan and no housing allocations have been awarded, so mitigation timing is unknown at this time. Therefore, the project applicant shall prepare a project-specific traffic analysis based on the EIR traffic study for each tentative map to confirm existing conditions and determine the specific mitigation timing that is required to maintain the City's LOS thresholds identified in General Plan Transportation and Circulation Element Policy 1. If triggered, implementation of this mitigation measure shall be completed prior to the issuance of building permits for that individual tentative map. If the studies indicate that a project does not trigger an improvement, the project applicant shall participate in the financing plan for future public facility improvements approved in the Southwest Dixon Specific Plan."
3. "The project applicant shall install a traffic signal at the Pitt School Road/Any Lane intersection. No project-specific phasing program has been submitted with the Specific Plan and no housing allocations have been awarded, so mitigation timing is unknown at this time. Therefore, the project applicant shall prepare a project-specific traffic analysis based on the EIR traffic study for each tentative map to confirm existing conditions and determine the specific mitigation timing that is required to maintain the City's LOS thresholds identified in General Plan Transportation and Circulation Element Policy 1. If triggered, implementation of this mitigation measure shall be completed prior to the issuance of building permits for that individual tentative map. If the studies indicate that a project does not trigger an improvement, the project applicant shall participate in the financing plan for future public facility improvements approved in the Southwest Dixon Specific Plan."

**Page 130.** Delete Mitigation Measure 1 under Impact 3.4-H and replace it with the following: "Each project applicant shall confer with the City and per City direction, if warranted, identify bus stops on the Tentative Subdivision Map."

**Page 131.** Delete Mitigation Measure 1 under Impact 3.4-I and replace it with the following: "Each project applicant shall confer with the City and per City direction, if warranted, identify bus stops on the Tentative Subdivision Map."

**Page 137.** Revise Table 12. Item 14 shall be revised to state that Batavia Road would be improved from the north end of the Specific Plan area to Midway Road. Item 16 shall be revised to state that S. Lincoln Street would be improved from the Specific Plan area to Porter Street.

**Page 144.** Revise Mitigation Measure 15 to state: "~~If Where feasible, 20 percent of mobile construction equipment used at the site should be considered "new" (i.e., manufactured after 1996) of the heavy-duty off-road equipment included in the construction inventory shall be powered by CARB certified off-road engines (i.e., 175hp-750hp, 1996 and newer engines; 100hp-174hp, 1997 and newer engines, and 50hp-99hp, 1998 and newer engines).~~ Construction contractors will maintain records to demonstrate compliance."

**Page 144.** Revise Mitigation 17 to state: "At least once per month, the ~~YSAQMD~~ City of Dixon Engineering Department shall ensure that construction mitigation measures are in place."

**Page 147.** Revise Mitigation Measure 9 to state: "Encourage use of solar power. Consider use of solar water heating in commercial, industrial and residential units. As an alternative, use additional insulation, better windows and doors, and other energy conservation measures sufficient to reduce energy use ~~by 15 percent below that assumed using minimum Title 24 standards.~~"

**Page 161.** Revise Mitigation Measure 1 to state: "A design level noise study, as recommended for Impact 3.6-A, shall be conducted to identify feasible measures to reduce plan area-generated traffic to less than a 3 dBA increase along West A Street between Gateway Drive and Almond Street and along Pitt School Road between West H Street and South Parkway. Measures may include paving or re-paving with quiet pavement and/or, ~~construction of new sound barriers, expansion of existing soundwalls, and/or construction of open space buffers.~~"

**Page 163.** Revise the final sentence under the first bullet item under Mitigation Measure 1 to state: "No noise-generating construction activities within 500 feet of residences should occur on Saturdays, Sundays, or holidays."

**Page 163-4.** Revise the sixth bullet under Impact 1 to state: "Route all construction traffic to and from the project site via designated truck routes. Prohibit construction-related heavy truck traffic in residential areas where feasible. Prohibit construction-related heavy truck traffic in the project vicinity prior to 7:00 a.m. or after 7:00 p.m. on allowable construction days."

**Page 164.** Revise the second bullet on the page to state: "Notify ~~adjacent-residents to~~ within 500 feet of the project site of the construction schedule in writing."

**Page 186.** Revise Mitigation Measure 1 to state: "Prior to approval of development in the area designated Employment Center A a landscaping plan for the Interstate 80 frontage shall be designed by a qualified landscape architect. This plan shall include provisions for the following:" *(the remainder of the mitigation would remain unchanged).*

**Page 187.** Delete Mitigation Measure 2 and renumber the subsequent mitigation measures.

**Page 190.** Revise Mitigation Measure 1 to state: "Prior to Specific Plan approval, the City should determine whether the tall tower sign is allowable per the Zoning Ordinance. If the sign is not permitted, then reference to said sign should be deleted from the Specific Plan. If this sign is allowed, ~~an implementation program shall be added to the Specific Plan stating that the sign shall be designed by a qualified architect or sign designer.~~ The design and the information to be placed on the sign shall be subject to Design Review."

Page 190. Delete Mitigation Measure 6 and renumber Mitigation Measure 7 to Mitigation Measure 6.

Page 191. Delete the final sentence under the section titled "Impact Significance After Mitigation" for Impact 3.7-B.

Page 194. Revise Mitigation Measure 2 to state: "Commercial Signs facing residential areas shall be prohibited. limited in size and illumination so as to limit visual and light intrusion into residential areas. The signs can announce the presence of a business or subdivision but should not be so large or bright as to be visually prominent from adjacent residential areas."

Page 194. Delete Mitigation Measure 4 and renumber the subsequent mitigation measures.

Page 195. Delete the final two sentences under the section titled "Impact Significance After Mitigation" for Impact 3.7-C.

Page 196. Delete the final sentence under the section titled "Impact Significance After Mitigation" for Impact 3.7-E. Delete the final sentence under the section titled "Impact Significance After Mitigation" for Impact 3.7-F.

Page 196. Revise the mitigation measure for Impact 3.7-F to state: "The mitigations required for Impact 3.7-A and Mitigation Nos. 4 and 6 for Impact 3.7-B shall apply to this project. For the recommended mitigation measures for Impact 3.7-B, the improvements to West A Street shall be completed prior to approval of project occupancy of any residential unit adjacent to West A Street."

Page 197. Revise the mitigation measure for Impact 3.7-G to state: "No additional mitigation is required for these three projects, ~~other than the required landscaping recommended in Mitigation Measures No. 1 and No. 2 for Impact 3.7-A would apply.~~

Page 197. Delete the final sentence under the section titled "Impact Significance After Mitigation" for Impact 3.7-G. Delete the final sentence under the section titled "Impact Significance After Mitigation" for Impact 3.7-H.

Page 209. Revise the impact and the discussion under Impact 3.8-G to state:

~~"Impact 3.8-G~~The five All the projects except the Orchard Estates-Garcia Property all abut agricultural properties where spray drift could adversely affect future residents and workers.

The potentially significant impact of constructing residential development and other facilities where the public would be exposed to agricultural spray drift was discussed under Impact 3.8-C. Each of the five projects, except the Orchard Estates-Garcia Property, is located adjacent to agricultural operations. The mitigation measures recommended for Impact 3.8-C would apply to each project except the Orchard Estates-Garcia Property."

**Page 220.** Revise Mitigation Measure to state: "~~Require the applicant to submit preparation of~~ (a) a Project Housing Strategy that specifies project housing affordability goals, and (b) an associated Housing Mix and Affordability Monitoring Program that evaluates progress in meeting affordability goals. The responsibility for preparation of the strategy and program will be determined as part of the master development agreement for the plan."

**Page 223.** Revise Mitigation Measure 2 to state: "~~Require the applicant to submit preparation of~~ a Project Housing Strategy and a Housing Mix and Affordability Monitoring Program, as specified in the mitigation measure for Impact 3.9-C above, to provide a mechanism for ensuring 'development of multi-family housing concurrently with the development of any single-family housing,' as required by the Measure B implementing ordinance (City of Dixon, Ordinance No. 02-003, Section 1.01(k)). The responsibility for preparation of the strategy and program will be determined as part of the master development agreement for the plan."

**Page 234.** Mitigation Measure 1 on page 234 will be revised to state: "Each developer will acquire off-site land or a conservation easement on such land within the Dixon Planning Area or within a ten-mile radius of the City, or each developer will participate in the City's master agricultural conversion program. Each developer will pay the fee established for this program at the time of the City's approval of the tentative subdivision map. If the developer opts to purchase land, the developer can re-sell the land to an agricultural operator or other party so long as a conservation agreement acceptable to the City is granted to the City or an agency or organization acceptable to the City. Alternatively, the developer can purchase a conservation easement which is acceptable to the City and grant this conservation easement to the City or an agency or organization acceptable to the City."

**Page 246.** Revise Mitigation Measure 1 for Impact 3.10-J to state: "Add a section to Implementation Program 2.2 a of the Draft Specific Plan that requires that design criteria and development standards be prepared for individual projects ~~Incorporate design criteria into the proposed Specific Plan and/or future design plans~~ for areas where residential development would adjoin arterial or collector streets. These design criteria shall ~~be modified to reflect the mitigation measures recommended in Sections 3.4, Traffic and Circulation, 3.5, Air Quality, 3.6, Noise, and 3.7, Aesthetics of this EIR.~~"

**Page 252** Revise Mitigation Measure 1 under Impact 3.10-T to state: "As a condition of approval of the Clark Ranch Estates/Clark Property-Ryder Homes Tentative Subdivision Map, specify that the City of Dixon will not issue building permits for residential lots on the site until building permits for ~~lots adjoining the Clark site on the Evans Ranch and~~ or Dixon Ridge sites have been issued and infrastructure has been extended to the site."

**Page 261.** Revise Mitigation Measure 1 for Impact 3.11-A to state: "Ensure that the new on-site fire station is constructed, ~~staffed with a minimum of six firefighters/paramedics, and equipped based on City policy with one fire engine by the time that 30 percent of the plan area is developed.~~"

**Page 262.** Add the following statement: "Implementation of these measures, combined with measures recommended in Section 3.12, Water, of this EIR, would ensure that adequate fire suppression water is available in the plan area. The impact would be reduced to a less than significant level, and no additional mitigation is required. To reflect recent discussions among



the Dixon-Solano Municipal Water Service and City of Dixon Fire Department and Public Works Department staff, however, the City may wish to consider requiring revision of IP 7.7d to indicate that the water storage and distribution systems should be capable of providing 3,500 gallons per minute of sustained flow for three hours (rather than 4,000 gallons per minute for at least two hours)."

**Page 272.** Revise Mitigation Measure 2 as follows: "The City and DSMWS shall update the DSMWS Water Master Plan and fee schedule, as needed (for example, if the proposed well site is moved from the Steil property, as shown in the DSMWS Water Master Plan, to another location), ~~to include the development of a well to serve project development.~~ The location and phasing of the well and related facilities shall be described in greater detail in the Specific Plan Public Facilities Financing Plan and Capital Improvements Plan. Individual projects proposed within the plan area shall pay for the construction of the new well. Facilities required prior to buildout shall be advanced by the developer and be subject to later reimbursement or credit."

**Page 273.** Revise Mitigation Measure 6 as follows: "An additional well, tank booster, and pump station ("Southwest Water Facility") are required to meet the demands of the new development. This was established in the 2000 Water Master Plan prepared by the DSMWS. The facility shall be designed and constructed by the DSMWS, ~~and plans and specifications shall be provided by the DSMWS. Construction may be contracted by the DSMWS, or the developer with inspection by the DSMWS.~~ The facility shall be built at the developer's expense. Credit for the cost of construction against the developer's connection fees is a matter to be arranged between the developer and the ~~City of Dixon~~ DSMWS."

**Page 274.** Revise Mitigation Measure 10 as follows: "The developer shall pay connection fees and meter installation fees adopted by the DSMWS for each service from the system, ~~unless otherwise agreed between the developer and the City of Dixon.~~"

**Page 274.** Revise the first sentence of Mitigation Measure 11 to state: "The portions of the Orchard Estates ~~Sanders Property~~ subdivisions east of South Lincoln Street are to be served by Cal Water..."

**Page 277.** Revise Mitigation Measure 5 to state: "The applicant shall pay detachment fees for any properties detached from the SID service area. The applicant will request that the lands currently served by Cal Water be detached from Solano Irrigation District per the requirements of the Solano Irrigation District, Solano LAFCo, and the U.S. Bureau of Reclamation."

**Page 284.** Delete Mitigation Measure 2 and renumber the remaining mitigations. The final mitigation will be revised to state: "Widen Address the width and reconstruction of South Lincoln Street as described in Mitigation No. 1 for Impact 3.2-C."

**Page 285.** Revise Mitigation Measure 2 under Impact 3.13-C to state: "Widen Address the width and reconstruction of South Lincoln Street as described in Mitigation No. 1 for Impact 3.2-C."

**Page 291.** Delete Mitigation Measure 1 for Impact 3.14-A and replace it with the following: "Project developers shall comply with adopted City standards set forth in the Police Department Strategic Plan."

**Page 306.** Revise Mitigation Measure 1 to state: "Revise Specific Plan Implementation Program 7.6a to state as follows: "Require developers of new residential subdivisions in Southwest Dixon to dedicate land and to pay fees for the development of parkland, or to pay a comprehensive fee in lieu of dedication for the acquisition and development of recreation facilities to serve the new population, in accordance with Dixon General Plan, Parks Master Plan, Subdivision Ordinance, the Quimby Act, and Assembly Bill (AB) 1600 fee requirements."

**Page 307.** Add the following as Mitigation Measure 4 for Impact 3.16-A: "Revise Specific Plan Implementation Program 7.6e to state as follows: "The Master Lighting Plan shall require approval with or prior to any tentative subdivision maps for adjacent properties in the Plan Area and shall be approved by the City."

## **Revised Impact and Mitigation Summary Table**

The following pages present the DEIR Impact and Mitigation Summary Table as revised per the revisions listed in the previous section.

TABLE 3 - IMPACT AND MITIGATION SUMMARY

IMPACTS		SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
<b>3.1</b>	<b>Geology</b>			
3.1-A	New residences, commercial and employment center businesses, and other Specific Plan area land uses could fail during an earthquake.	PS	1. Require a geotechnical study prior to final design of each project within the Specific Plan area. The geotechnical study will be prepared by a registered geotechnical engineer or engineering geologist. The design report will contain specific construction recommendations for all buildings, roads, and other improvements to ensure that those improvements can withstand the maximum probable earthquake predicted for the area. The geotechnical report shall also provide construction guidelines to address expansive soils and any other soil constraints identified by the geotechnical consultant. Final project design will include the recommendations contained in the geotechnical report.	LS
3.1-B	Construction of Specific Plan area improvements could result in substantial soil erosion..	PS	1. Detention Pond A and the West Pond Complex will act as sedimentation ponds and will decrease downstream sediment loading. A pond sediment monitoring program will be developed and approved by the City prior to approval of the first Final Subdivision Map. This program will provide a schedule for monitoring and removal of sediments and who will be responsible for those actions.  2. Each project developer shall prepare and implement a Stormwater Pollution Prevention Program (SWPPP) for on-site and off-site activities. The SWPPP shall be consistent with the terms of the State NPDES General Permit for Discharges of Storm Water Associated with Construction Activities (General Permit). Each developer shall file a Notice of Intent with the State Water Resources Control Board, Division of Water Quality.	LS
3.1-C	Development of the Specific Plan area has the potential for being inconsistent with Dixon General Plan policies that address protecting residents and improvements from geologic and soils constraints and hazards.	LS	No mitigation is required beyond the measures recommended for Impacts 3.1-A and B.	LS
3.1-D	Improvements constructed for the five projects could fail during an earthquake..	PS	The mitigation measure recommended for Impact 3.1-A would also apply to each project.	LS
3.1-E	Construction of the five projects and off-site improvements could result in substantial soil erosion.	PS	The mitigation measure recommended for Impact 3.1-B would also apply to each project.	LS
3.1-F	Development of Specific Plan area projects would combine with other anticipated projects to increase erosion and sedimentation.	PS	The mitigation measure recommended for Impact 3.1-B would also apply to each project.	LS

NOTE: S = Significant PS = Potentially Significant  
 LS = Less than Significant B = Beneficial

**TABLE 3 - IMPACT AND MITIGATION SUMMARY**  
(Continued)

IMPAIRMENTS	SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION	
<b>3.2</b>	<b>Hydrology</b>			
3.2-A	Development of new residences, commercial and employment center businesses, and other Specific Plan area land uses would create new impervious surfaces, increasing the rate and amount of stormwater runoff. This runoff could contribute to local or downstream flooding.	PS	<ol style="list-style-type: none"> <li>1. Before the first Tentative Subdivision Map approval for the plan area, the Specific Plan Drainage Master Plan shall be completed and submitted for City of Dixon review and approval. The Drainage Master Plan shall demonstrate that the system contains specific storm drainage design features to control increased runoff from the project site and will not increase runoff over current conditions. This may be achieved through one or more of the following: on-site conveyance and detention facilities, off-site detention facilities, and/or channel modification, or equally effective measures to control the rate and volume of runoff. To demonstrate the effectiveness of the proposed system to prevent additional flooding at off-site (downstream) locations, all necessary hydrologic and hydraulic calculations and assumptions and design details shall be submitted to the City Engineering Department for review and approval. The design of all features proposed by the project applicant shall be consistent with the most recent version of the City's Storm Drainage Guidelines and Criteria, and standard design and construction specifications and details, as modified by the approved Specific Plan Drainage Master Plan.</li> <li>2. Before the first Tentative Subdivision Map approval for the plan area, the project applicant shall demonstrate to the City Engineering Department that development of the Specific Plan will not preclude future installation and operation of storm drain improvements anticipated in the plan area and that facility improvements will be consistent with the Specific Plan Storm Drainage Master Plan.</li> <li>3. Before the first Tentative Subdivision Map approval for the plan area, the project applicant shall demonstrate that an appropriately sized and located storm drainage system shall be installed or adequately financed (through fair-share payment of fees or other means).</li> <li>4. All project applicants shall pay their fair share toward drainage improvements, as identified in the City's Assembly Bill (AB) 1600 fee program.</li> </ol>	LS

**NOTE:**     S    = Significant                     PS    = Potentially Significant  
                   LS    = Less than Significant         B     = Beneficial

**TABLE 3 - IMPACT AND MITIGATION SUMMARY  
(Continued)**

IMPACTS		SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
3.2-B	The impervious surfaces and associated storm water runoff created by development in the Specific Plan area would affect the capacity of stormwater facilities in Basin A identified in the City's 1999 Storm Drain Report.	PS	<ol style="list-style-type: none"> <li>As a condition of approval for all Tentative Subdivision Maps in the plan area, the City of Dixon shall require that adequate storm drainage capacity will be in place before City approval of the Final Subdivision Map.</li> <li>As a condition of approving any Tentative Subdivision Maps in the plan area, the project applicant shall, in accordance with the AB 1600 fee program, fund a fair share of the drainage facilities improvements identified by the City of Dixon in the 1999 Storm Drain Report for Basin A and the City of Dixon AB 1600 Facilities and Equipment Study. In addition, the City of Dixon shall establish a maintenance district encompassing properties using Basin A facilities to pay a fair share of the maintenance costs. A provision for forming and participating in the maintenance district shall be addressed through conditions of a development agreement or other formal agreement at the Tentative Subdivision Map stage for each individual development project in the plan area. The City will handle the process for creating a Community Facilities District, with costs borne by developers.</li> </ol>	LS
3.2-C	Storm drain facilities constructed to serve development in the Specific Plan area have the potential to cause environmental effects outside the plan area.	PS	<ol style="list-style-type: none"> <li>Prior to approval of the first Tentative Subdivision Map, the applicant shall demonstrate that adequate width exists in South Lincoln Street between the plan area and Porter Road to construct the storm drain, water lines, and wastewater pipelines within the existing right-of-way. South Lincoln Street between the plan area and Porter Road shall be reconstructed to meet City and/or County standards upon completion of construction of underground infrastructure utilities such as storm drainage, water, and sewer pipes.</li> <li>Approval for construction of the pipeline from the plan area to McCune Creek shall be obtained prior to construction of any improvements generating new runoff to Batavia Pond. Alternatively, any request to delay approval of construction of the pipeline shall require that the applicant demonstrate and submit for approval by the City an acceptable interim alternative to address runoff from new development.</li> <li>Carry out mitigation measures identified for Impact 3.2-A above. These measures would require the Drainage Master Plan for the Specific Plan area to demonstrate that the storm drain system would not increase runoff over current conditions that were anticipated in the design capacity for the Pond A expansion.</li> </ol>	LS
3.2-D	Runoff from new impervious surfaces would contain urban contaminants that could degrade the quality of receiving waters.	PS	<ol style="list-style-type: none"> <li>With each Final Subdivision Map approval, each project applicant shall comply with and adhere to the conditions of the RWQCB Statewide NPDES Permit and NPDES General Permit for General Construction Activities.</li> <li>The project applicant shall comply with mitigation measures identified in Section 3.8, Hazards and Hazardous Materials, of this EIR.</li> </ol>	LS

**NOTE:** S = Significant                      PS = Potentially Significant  
 LS = Less than Significant            B = Beneficial

**TABLE 3 - IMPACT AND MITIGATION SUMMARY**  
(Continued)

IMPACTS		SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
3.2-E	Use of groundwater as a domestic water supply for development in the Specific Plan area could result in changes in groundwater levels or groundwater areas of influence or induce subsidence.	PS	1. The location of the new well shall be approved by the Dixon-Solano Municipal Water Service.	LS
3.2-F	Development of the five projects would increase demands on storm drain facilities and contribute to water quality degradation and groundwater effects.	PS	The mitigation measures recommended for Impacts 3.2-A to 3.2-E apply to the five projects.	LS
3.2-G	Development in accordance with the Specific Plan, combined with development of other anticipated projects in the Dixon planning area, would contribute to cumulative demands on storm drain facilities and cumulative water quality degradation and groundwater effects.	PS	Carry out mitigation measures recommended for Impact 3.2-A and 3.2-F.	LS
<b>3.3 Wildlife and Vegetation</b>				
3.3-A	Future Specific Plan area development could adversely impact sensitive wildlife species.	PS	<p>1. Pre-construction surveys within 0.25 miles of any development on the Specific Plan area and for plan area-required off-site pipeline and roadway improvements are recommended prior to construction activities that would occur between March 1 and August 15. In the event that a Swainson's hawk nest is located within 0.25 miles of the project site, seasonal construction restrictions may be necessary to eliminate the potential for noise disturbance to nesting hawks. The necessity of such restrictions is dependent on the location of the nest with respect to construction and should be determined by a qualified biologist.</p> <p>2. For every acre of suitable Swainson's hawk habitat developed within the Specific Plan area, the developer of each project will be responsible for preserving one acre of Swainson's hawk habitat per the California Department of Fish and Game's <i>Staff Report Regarding Mitigation for Impacts to Swainson's Hawk (Buteo swainsoni) in the Central Valley of California</i> (CDFG, 1994). The area to be preserved will be confirmed as adequate Swainson's hawk habitat by CDFG. Proof of purchase of the property or a suitable conservation easement shall be provided to the City of Dixon prior to the start of construction of each project. The habitat purchase or purchase of development rights may be combined with land preserved to offset loss of agricultural lands as described in the mitigation for Impact 3.10-A.</p> <p>3. For all development within the Specific Plan area and for plan area-required off-site pipeline and roadway improvements, pre-construction surveys for burrowing owl should be conducted as outlined in CDFG's (1995) <i>Staff Report on Burrowing Owl (Athene cunicularia) Mitigation</i>. If active burrows are found, a qualified biologist should determine temporal restrictions on construction and/or grading activities. If owls need to be moved, they should be passively relocated prior to February 1 or after August 31 using standard methodologies described in CDFG's <i>Staff Report on Burrowing Owl Mitigation</i> (CDFG, 1995). As construction will likely take several years and owls could move on the site</p>	LS

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY**  
(Continued)

IMPACTS		SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
			during the duration of construction, pre-construction surveys should be repeated prior to each phase of ground disturbance.	
3.3-B	Future development of the Specific Plan area could be inconsistent with the Dixon General Plan.	PS	The mitigation required for Impact 3.3-A applies.	LS
3.3-C	Future development of the five proposed projects could adversely impact sensitive wildlife species.	PS	<ol style="list-style-type: none"> <li>1. Each development will be responsible for the pre-construction surveys described under the mitigation measures for Impact 3.3-A and will abide by the guidelines listed in those mitigation measures if Swainson's hawks or burrowing owls are found on the subject property or within 0.25 miles of the property for Swainson's hawk.</li> <li>2. Each new developer will be responsible for their fair share of the cost of acquiring and protecting Swainson's hawk habitat as described under Mitigation Measure No. 2 under Impact 3.3-A.</li> </ol>	LS
3.3-D	Future development of the Specific Plan area plus other projects could adversely impact sensitive wildlife species.	PS	No mitigation beyond those recommended for Impacts 3.3-A and 3.3-C is required.	LS
<b>3.4</b>	<b>Traffic and Circulation</b>			
3.4-A	Implementation of the proposed Specific Plan would cause an increase in a.m. and p.m. peak hour traffic volumes at study intersections, causing unacceptable levels of service and warranting the installation of traffic signals.	PS	<ol style="list-style-type: none"> <li>1. <u>West A Street/Schroeder Road Intersection.</u> The project applicant shall install a traffic signal at the West A Street/Schroeder Road intersection and provide right-turn overlap phasing with the southbound left-turn movement. The project applicant shall prepare a project-specific traffic analysis based on the EIR traffic study for each tentative map to confirm existing conditions and determine the specific mitigation timing that is required to maintain the City's LOS thresholds identified in General Plan Transportation and Circulation Element Policy 1. If triggered, implementation of this mitigation measure shall be completed prior to the issuance of building permits for that individual tentative map. If the studies indicate that a project does not trigger an improvement, the project applicant shall participate in the financing plan for future public facility improvements approved in the Southwest Dixon Specific Plan. Implementation of this mitigation measure would provide acceptable LOS B operations during both the a.m. and p.m. peak hours under existing plus project conditions.</li> <li>2. <u>West A Street/Batavia Road Intersection.</u> The project applicant shall modify the Specific Plan to eliminate the connection of Batavia Road to the eastbound I-80 on- and off-ramps and install a signal system to accommodate project traffic along West A Street. Existing access to commercial uses at the intersection could remain. Although the traffic volumes at this intersection would satisfy the peak hour volume warrant for signalization, the installation of a traffic signal at the Eastbound I-80 Ramps/Batavia Road intersection is not feasible because there would be insufficient storage for queued vehicles on the eastbound off-ramp, causing potential vehicle spillback onto I-80.</li> </ol> <p>The elimination of this connection will cause a redistribution of traffic to the</p>	LS

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY  
(Continued)**

IMPACTS	SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
		<p>The elimination of this connection will cause a redistribution of traffic to the West A Street/Gateway Drive and West A Street/Batavia Road intersections. These intersections will provide access to I-80 and the office and commercial land uses in the western portion of the Specific Plan with the elimination of the connection. To accommodate the traffic redistribution, traffic signals shall be installed on West A Street at Batavia Road and Gateway Drive to provide a signal system that can be coordinated, which will minimize vehicle queues and improve vehicle progression along West A Street.</p> <p>In November 1999, a detailed plan-line study was initiated that identified and evaluated intersection improvement options at the I-80/West A Street interchange. Summary figures and tables from the plan-line study are available for review and are on file with the Dixon Community Development Department. Alternative 1 from this study identified signalization, coordination, and turn lane improvements at the West A Street/Gateway Drive and West A Street/Batavia Road intersections that would provide acceptable operations through year 2010, without the Batavia Road connection to the I-80 eastbound ramps, and without reconstruction of the interchange. The following lane configurations, which are based on Alternative 1, shall be provided at the West A Street/Gateway Drive and West A Street/Batavia Road intersections:</p>	
		<p><u>West A Street/Gateway Drive</u></p> <ul style="list-style-type: none"> <li>• Dual exclusive left-turn lanes and a shared through/right-turn lane on the northbound approach;</li> <li>• One exclusive left-turn lane and a shared through/right-turn lane on the southbound approach;</li> <li>• Dual exclusive left-turn lanes, two through lanes, and an exclusive right-turn lane on the eastbound approach;</li> <li>• One exclusive left-turn lane, two through lanes, and an exclusive right-turn lane on the westbound approach</li> </ul> <p><u>West A Street/Batavia Road</u></p> <ul style="list-style-type: none"> <li>• One exclusive left-turn lane and one exclusive right-turn lane on the northbound approach;</li> <li>• One through lane and an exclusive right-turn lane on the eastbound approach; and</li> <li>• One exclusive left-turn lane and one through lane on the westbound approach.</li> </ul>	

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY**  
(Continued)

IMPACTS	SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
		<p>No project-specific phasing program has been submitted with the Specific Plan and no housing allocations have been awarded, so mitigation timing is unknown at this time. The timing of improvements would depend on the location and amount of development. Furthermore, not all of the improvements (i.e., traffic signals on West A Street) may be necessary with the elimination of the Batavia Road/I-80 ramps connection. Therefore, the project applicant shall prepare a project-specific traffic analysis based on the EIR traffic study for each tentative map to confirm existing conditions and determine the specific mitigation timing that is required to maintain the City's LOS thresholds identified in General Plan Transportation and Circulation Policy 1. If triggered, implementation of this mitigation measure shall be completed prior to the issuance of building permits for that individual tentative map. If the studies indicate that a project does not trigger an improvement, the project applicant shall participate in the financing plan for future public facility improvements approved in the Southwest Dixon Specific Plan.</p> <p>3. <u>Eastbound I-80 Ramps/Batavia Road Intersection.</u> The project applicant shall implement Mitigation Measure 2 above, which would provide acceptable LOS B operations during both the a.m. and p.m. peak hours under existing plus project conditions.</p> <p>4. <u>West A Street/Gateway Drive Intersection.</u> The project applicant shall implement Mitigation Measure 2 above, which would provide acceptable LOS B operations during a.m. peak hour and LOS C operations during the p.m. peak hour under existing plus project conditions.</p> <p>5. <u>West A Street/Evans Road Intersection.</u> The project applicant shall install a traffic signal at the West A Street/Evans Road intersection and widen the northbound, southbound, eastbound, and westbound approaches to provide the following turn lane configurations:</p> <ul style="list-style-type: none"> <li>• One exclusive left-turn lane and a shared through/right-turn lane on the northbound approach;</li> <li>• One exclusive left-turn lane, a shared through/right-turn lane, and exclusive right-turn lane on the southbound approach;</li> <li>• One exclusive left-turn lane, one through lane, and a shared through/right-turn lane on the eastbound approach; and</li> <li>• One exclusive left-turn lane, one through lane, and a shared through/right-turn lane on the westbound approach.</li> </ul>	

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY**  
(Continued)

IMPAIRMENTS	SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
		<p>No project-specific phasing program has been submitted with the Specific Plan and no housing allocations have been awarded, so mitigation timing is unknown at this time. Therefore, the project applicant shall prepare a project-specific traffic analysis based on the EIR traffic study for each tentative map to confirm existing conditions and determine the specific mitigation timing that is required to maintain the City's LOS thresholds identified in General Plan Transportation and Circulation Element Policy 1. If triggered, implementation of this mitigation measure shall be completed prior to the issuance of building permits for that individual tentative map. If the studies indicate that a project does not trigger an improvement, the project applicant shall participate in the financing plan for future public facility improvements approved in the Southwest Dixon Specific Plan. Implementation of this mitigation measure would provide acceptable LOS C operations during both the a.m. and p.m. peak hours under existing plus project conditions.</p> <p>6. <u>Pitt School Road/Eastbound I-80 Ramps Intersection.</u> The project applicant shall install a traffic signal at the Pitt School Road/Eastbound I-80 Ramps intersection and widen the eastbound approach to include an exclusive left-turn lane, one through lane, and an exclusive right-turn lane. In addition, provide right-turn overlap phasing on the northbound, eastbound, and westbound approaches. Installation of the traffic signal is included in the City of Dixon AB 1600 Facilities and Equipment Study (March 2000) as being funded by traffic impact fees imposed on new development. However, the proposed Specific Plan could require implementation of the improvements prior to their programmed installation. Therefore, the project applicant shall prepare a project-specific traffic analysis based on the EIR traffic study for each tentative map to confirm existing conditions and determine the specific mitigation timing that is required to maintain the City's LOS thresholds identified in General Plan Transportation and Circulation Policy 1. Once triggered, implementation of this mitigation measure shall be completed prior to the issuance of building permits for that individual tentative map. If this intersection requires signalization and widening prior to the programmed installation of these improvements, then the project applicant shall be required to install the improvements and shall be reimbursed. If the traffic signal is installed prior to the programmed installation of these improvements, then the project applicant shall be responsible for widening the intersection and modifying the signal. Implementation of this mitigation measure would provide acceptable LOS C operations during both the a.m. and p.m. peak hours under existing plus project conditions.</p> <p>7. <u>West A Street/Pitt School Road Intersection.</u> The project applicant shall install a traffic signal at the West A Street/Pitt School Road intersection and widen the northbound, eastbound, and westbound approaches to provide the following turn lane configurations:</p>	

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY  
(Continued)**

IMPAIRMENTS	SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
		<ul style="list-style-type: none"> <li>• One exclusive left-turn lane and a shared through/right-turn lane on the northbound approach;</li> <li>• One exclusive left-turn lane, two through lanes, and an exclusive right-turn lane on the eastbound approach; and</li> <li>• One exclusive left-turn lane, two through lane, and an exclusive right-turn lane on the westbound approach.</li> </ul> <p>In addition, provide right-turn overlap phasing on the southbound, eastbound, and westbound approaches. Installation of the traffic signal is included in the City of Dixon AB 1600 Facilities and Equipment Study (March 2000) as being funded by traffic impact fees imposed on new development. However, the proposed project could require implementation of the improvements prior to their programmed installation in AB 1600. Therefore, the project applicant shall prepare a project-specific traffic analysis based on the EIR traffic study for each tentative map to confirm existing conditions and determine the specific mitigation timing that is required to maintain the City's LOS thresholds identified in General Plan Transportation and Circulation Element Policy 1. Once triggered, implementation of this mitigation measure shall be completed prior to the issuance of building permits for that individual tentative map. If this intersection requires signalization and widening prior to the programmed installation of these improvements in AB 1600, then the project applicant shall be required to install the improvements and the City will negotiate with the applicant to determine reimbursement. If the traffic signal is installed prior to the programmed installation of these improvements in AB 1600, then the project applicant shall be responsible for widening the intersection and modifying the signal. Implementation of this mitigation measure would provide acceptable LOS C operations during a.m. peak hour and LOS B operations during the p.m. peak hour under existing plus project conditions.</p> <p>8. <u>West A Street/Lincoln Street Intersection.</u> The project applicant shall install a traffic signal at the West A Street/Lincoln Street intersection and widen the northbound and southbound approaches to include a shared through/left-turn lane and an exclusive right-turn lane. In addition, provide right-turn overlap phasing on the northbound, southbound, and eastbound approaches. The project applicant shall prepare a project-specific traffic analysis based on the EIR traffic study for each tentative map to confirm existing conditions and determine the specific mitigation timing that is required to maintain the City's LOS thresholds identified in General Plan Transportation and Circulation Policy 1. Once triggered, implementation of this mitigation measure shall be completed prior to the issuance of building permits for that individual tentative map. Implementation of this mitigation measure would provide acceptable LOS C operations during both the a.m. and p.m. peak hours under existing plus project conditions.</p>	

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(Continued)

IMPACTS	SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
		<p>9. <u>West A Street/North Adams Street Intersection.</u> The project applicant shall reimburse the City for the cost to modify the traffic signal cycle length and green time allocations "splits" at the West A Street/North Adams Street intersection. Signal timing modifications are done on a routine basis to account for change in demand and hourly variations in traffic flow. The reimbursement shall be completed prior to the issuance of building permits. Implementation of this mitigation measure would provide acceptable LOS C operations during a.m. peak hour and LOS B operations during the p.m. peak hour under existing plus project conditions.</p> <p>10. <u>West A Street/First Street Intersection.</u> The project applicant shall install a traffic signal at the West A Street/First Street intersection and re-stripe the eastbound and westbound approaches to provide one exclusive left-turn lane and a shared through/right-turn lane, which will require the elimination of about 24 existing on-street parallel parking spaces. These improvements are consistent with the recommendations that were identified in the City of Dixon First Street (SR 113) and A Street Intersection Operations Study (January 10, 2001). Installation of the traffic signal is included in the City of Dixon AB 1600 Facilities and Equipment Study (March 2000). This improvement is funded with construction anticipated in 2003. If construction of this improvement does not occur as anticipated, the project applicant shall prepare a project-specific traffic analysis based on the EIR traffic study for each tentative map to confirm existing conditions and determine the specific mitigation timing that is required to maintain the City's LOS thresholds identified in General Plan Transportation and Circulation Policy 1. Once triggered, implementation of this mitigation measure shall be completed prior to the issuance of building permits for that individual tentative map. If this intersection requires signalization and re-striping prior to the programmed installation of these improvements in AB 1600, then the project applicant shall be required install the improvements and the City will negotiate with the applicant to determine reimbursement. Implementation of this mitigation measure would provide acceptable LOS C operations during a.m. peak hour and LOS B operations during the p.m. peak hour under existing plus project conditions.</p>	
3.4-B	Implementation of the proposed Specific Plan would create inconsistencies with roadway-related standards of the City of Dixon Engineering Design Standards & Construction Specifications (June 1, 2000).	1. The project applicant shall modify the proposed street classifications and street cross-sections to be consistent with the standards identified in the <i>City of Dixon Engineering Design Standards &amp; Construction Specifications</i> or standards developed in the Specific Plan and approved by the City.	LS
3.4-C	The project would add traffic to existing segments of Batavia Road, Pitt School Road, and South Lincoln Street which currently do not meet City of Dixon minimum roadway cross-section design standards.	1. For segments of Batavia Road, Pitt School Road, and South Lincoln Street that are located within the Specific Plan area, the project applicant shall modify the proposed street classifications and roadway cross-sections to be substantially consistent with the standards identified in the City of Dixon Engineering Design Standards & Construction Specifications or standards developed in the Specific Plan and approved by the City.	LS

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY  
(Continued)**

IMPACTS	SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
		<p>2. For segments of Batavia Road and Pitt School Road located outside the plan area in unincorporated Solano County, the project applicant shall make a fair-share contribution toward reconstruction of the road to meet Solano County standards. The fair-share contribution would be based on the project's traffic contribution relative to existing traffic on the roadway. South Lincoln Street between the plan area and Porter Road shall be reconstructed to meet City and/or County standards upon completion of construction of underground infrastructure utilities such as storm drainage, water, and sewer pipes.</p>	
3.4-D	Implementation of the proposed Specific Plan would increase demand for public transit service.	<p>1. Each project applicant shall confer with the City and per City direction, if warranted, identify bus stops on the Tentative Subdivision Map.</p>	LS
3.4-E	Implementation of the proposed Specific Plan would create inconsistencies with transit-related policies in the Dixon General Plan.	<p>1. Each project applicant shall confer with the City and per City direction, if warranted, identify bus stops on the Tentative Subdivision Map. The applicant for the commercial property on the Evans Ranch property shall be responsible for identifying the location of a park-and-ride facility.</p>	LS
3.4-F	Implementation of the five proposed projects would cause an increase in a.m. and p.m. peak hour traffic volumes at study intersections, causing unacceptable levels of service and warranting the installation of traffic signals.	<p>1. As a condition of all development approvals, each project applicant shall prepare a project-specific traffic analysis based on the traffic study presented in this EIR to determine their responsibilities for intersection improvements and pro-rata share of mitigations for cumulative impacts. City staff shall review and approve each project-specific traffic analysis before development approval.</p> <p>2. The project applicant shall install a traffic signal at the Pitt School Road/Westbound I-80 ramps intersection. No project-specific phasing program has been submitted with the Specific Plan and no housing allocations have been awarded, so mitigation timing is unknown at this time. Therefore, the project applicant shall prepare a project-specific traffic analysis based on the EIR traffic study for each tentative map to confirm existing conditions and determine the specific mitigation timing that is required to maintain the City's LOS thresholds identified in General Plan Transportation and Circulation Element Policy 1. If triggered, implementation of this mitigation measure shall be completed prior to the issuance of building permits for that individual tentative map. If the studies indicate that a project does not trigger an improvement, the project applicant shall participate in the financing plan for future public facility improvements approved in the Southwest Dixon Specific Plan.</p> <p>3. The project applicant shall install a traffic signal at the Pitt School Road/Ary Lane intersection. No project-specific phasing program has been submitted with the Specific Plan and no housing allocations have been awarded, so mitigation timing is unknown at this time. Therefore, the project applicant shall prepare a project-specific traffic analysis based on the EIR traffic study for each tentative map to confirm existing conditions and determine the specific mitigation timing that is required to maintain the City's LOS thresholds identified in General Plan Transportation and Circulation Element Policy 1. If triggered,</p>	LS

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(Continued)

IMPACTS		SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
			implementation of this mitigation measure shall be completed prior to the issuance of building permits for that individual tentative map. If the studies indicate that a project does not trigger an improvement, the project applicant shall participate in the financing plan for future public facility improvements approved in the Southwest Dixon Specific Plan.	
3.4-G	Implementation of the five proposed projects would create inconsistencies with roadway-related standards of the City of Dixon Engineering Design Standards & Construction Specifications (June 1, 2000).	PS	<ol style="list-style-type: none"> <li>The proposed Specific Plan roadway circulation system, including street classifications and cross-sections, shall be modified as described in the mitigation measures for Impacts 3.4-B and 3.4-C above. The five proposed projects shall be modified as necessary to reflect these changes.</li> <li>City of Dixon staff shall review the revised individual project plans and apply any necessary conditions of Tentative Subdivision Map approval to ensure compliance with the roadway-related standards of the City of Dixon Engineering Standards &amp; Construction Specifications (June 1, 2000).</li> </ol>	LS
3.4-H	Implementation of the five proposed projects would increase demand for public transit service.	PS	<ol style="list-style-type: none"> <li>Each project applicant shall confer with the City and per City direction, if warranted, identify bus stops on the Tentative Subdivision Map.</li> </ol>	LS
3.4-I	Implementation of the five proposed projects would create inconsistencies with transit-related policies in the City of Dixon General Plan.	PS	<ol style="list-style-type: none"> <li>Each project applicant shall confer with the City and per City direction, if warranted, identify bus stops on the Tentative Subdivision Map.</li> </ol>	LS
3.4-J	Development of the proposed Specific Plan would generate about 53,250 daily vehicle trips, adversely affecting cumulative peak hour traffic operations.	PS	<ol style="list-style-type: none"> <li>The project applicant shall participate in the road financing program in effect at the time for Specific Plan approval. A financing program is being developed to fund the improvements identified in the City of Dixon Draft Street Master Plan. The fee mechanism shall be established to fully fund necessary roadway/freeway improvements prior to approval of any tentative maps or issuance of building permits within the boundaries of the Specific Plan. These fees shall subsequently be charged for all development that proceeds in the Specific Plan area.</li> </ol>	S
<b>3.5</b>	<b>Air Quality</b>			
3.5-A	Construction associated with buildout of the Specific Plan area would generate substantial emissions of ozone precursors and PM10 that could contribute to both local and regional violations of the ambient air quality standards for both PM10 and ozone.	PS	<p>Measures recommended by YSAQMD plus additional measures to reduce PM10 and ozone precursor pollutants include:</p> <ol style="list-style-type: none"> <li>Water all active construction areas at least twice daily and more often during windy periods. Active areas adjacent to residences should be kept damp at all times.</li> <li>Cover all hauling trucks or maintain at least two feet of freeboard. Dust-proof chutes shall be used as appropriate to load debris onto trucks during demolition.</li> <li>Pave, apply water daily, or, as appropriate, apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.</li> </ol>	LS

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(Continued)**

IMPACTS		SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
			<ol style="list-style-type: none"> <li>4. Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas and sweep streets daily (with water sweepers) if visible soil material is deposited onto the adjacent roads.</li> <li>5. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas that are inactive for 10 days or more).</li> <li>6. Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles.</li> <li>7. Limit traffic speeds on any unpaved roads to 15 mph.</li> <li>8. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.</li> <li>9. Replant vegetation in disturbed areas as quickly as possible.</li> <li>10. Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.</li> <li>11. Install wind breaks, or plant trees/vegetative wind breaks at the windward side(s) of construction areas.</li> <li>12. Suspend excavation and grading activity when winds exceed 25 mph and dust clouds extend beyond construction areas.</li> <li>13. Limit the area subject to excavation, grading, and other construction activity at any one time.</li> <li>14. Properly maintain construction equipment and avoid unnecessary idling near residences.</li> <li>15. Where feasible, 20 percent of the heavy-duty off-road equipment included in the construction inventory shall be powered by CARB certified off-road engines (i.e., 175hp-750hp, 1996 and newer engines; 100hp-174hp, 1997 and newer engines, and 50hp-99hp, 1998 and newer engines). Construction contractors will maintain records to demonstrate compliance.</li> <li>16. Where reasonable and feasible, use cleaner burning (low NOx and low PM) diesel fuels.</li> <li>17. At least once per month, the City of Dixon Engineering Department shall ensure that construction mitigation measures are in place.</li> </ol>	
3.5-B	Future use of the Specific Plan area development would emit levels of ozone precursor pollutants and fine particulate matter	PS	The following mitigation measures would indirectly reduce air pollutant emissions. The City should consider requiring these design recommendations as Specific Plan	S

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IMPAIRMENTS	SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
	(PM10) that exceed quantitative long-term emissions thresholds established by the YSAQMD.	<p>development standards.</p> <ol style="list-style-type: none"> <li>1. Pedestrian facilities. Pedestrian access should be maximized for each project within the plan area. Developers should provide pedestrian egress at the ends of cul-de-sacs wherever feasible. Similarly, access should be provided from medium/high density residential homes to the shopping area facing Gateway Drive.</li> <li>2. Street standards. To encourage walking and bicycling, the City could require narrower streets. The City may wish to consider limiting on-street parking on local streets and cul-de-sacs. However, it is recognized that the City may determine that narrower streets are not desirable due to safety and emergency access needs. If long road sections are allowed, then traffic calming features should be incorporated into the design.</li> <li>3. Safe crossing points. Safe crossings should be designated at all intersections along Gateway Drive, North Parkway, and South Parkway. These crossings should utilize well-marked crosswalks, where warranted, and a central median (refuge). These safe crossings should be developed with input from the Dixon Unified School District.</li> <li>4. School transit. Because parents driving children to and from school is a major source of local trips, the City could require that developers finance school bus service to serve all projects within the plan area.</li> <li>5. Commuter facilities. The park and ride facility described in Policy 6.4.3 of the Draft Specific Plan shall be developed. The City shall determine the location and size of this facility. Consistent with Implementation Program 6.4a of the Draft Specific Plan, commercial facilities within 0.5 mile of Interstate 80 should designate 5 percent or more of their peripheral parking spaces for park and ride use. These spaces should be near Interstate 80 on and off ramps.</li> <li>6. Transit infrastructure. Consistent with Implementation Program 6.4b of the Draft Specific Plan, provide bus turnouts, covered benches, signage, and other facilities that serve local residents. The City and local transit providers should determine the location of these facilities.</li> <li>7. Shade trees and landscaping. Trees (approved by the City) should be planted along streets and in parking lots sufficient to shade approximately 50 percent of the asphalt on a typical summer afternoon within 10 years.</li> <li>8. Encourage use of electrical/natural gas appliances and vehicles. For all dwelling units, provide outdoor electrical outlets and encourage use of electrical landscape maintenance equipment. Also, provide electrical outlets for recharging electrical automobiles in commercial and industrial parking lots as well as new residences. Provide 220 V outlets in each residential garage</li> </ol>	

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			<p>suitable for electrical auto recharging. Provide a natural gas outlet at the back of each unit.</p> <p>9. Encourage use of solar power. Consider use of solar water heating in commercial, industrial and residential units. As an alternative, use additional insulation, better windows and doors, and other energy conservation measures sufficient to reduce energy use.</p> <p>10. Woodburning restrictions. If the City adopts a policy or ordinance restricting the use of inefficient combustion wood stoves or fireplaces, based on regional air conditions, residences or commercial establishments not yet constructed will be required to comply with the new policy or ordinance.</p> <p>11. Neighborhood commercial development. To reduce motor vehicle trips, the City could consider allowing or requiring small neighborhood commercial centers (e.g., convenience market, video rentals, etc.) on the North Parkway and/or Pitt School Road.</p>	
3.5-C	Traffic generated by buildout of the Specific Plan area would increase carbon monoxide levels at congested intersections.	LS	No mitigation is required.	LS
3.5-D	Future industrial projects could generate toxic air contaminants and/or odors.	PS	<p>1. As a condition of approval, new projects in the Southwest Dixon Specific Plan Area shall comply with all rules of the YSAQMD regarding control of toxic air contaminants and odors.</p> <p>2. All new applications for industrial and commercial projects will submit a list of all materials and processes that could possibly emit toxic air contaminants or odors into the environment. The City will request YSAQMD to review the list to determine whether there is a potential for human health risk from these materials and processes. If YSAQMD determines that there is a risk that contaminants or odors could escape into the air and potentially cause a risk or nuisance to residents in the area, a Human Health Risk Assessment shall be prepared. If that Assessment determines that emissions would result in exceedances of YSAQMD, State, or Proposition 65 standards, the project will be denied unless changes are made to reduce emissions or odors to safe levels.</p>	LS
3.5-E	Future development of the plan area could be inconsistent with policies of the Dixon General Plan.	LS	No mitigation is required.	LS
3.5-F	Future development of the five proposed projects could adversely impact air quality.	PS	No mitigation is required beyond the mitigations required for Impacts 3.5-A and 3.5-B.	LS
3.5-G	Future development of the plan area and other areas could have significant air quality impacts.	PS	No mitigation is required beyond the mitigations required for Impacts 3.5-A and 3.5-B.	S
<b>3.6</b>	<b>Noise</b>			
3.6-A	Development of the Specific Plan area would introduce residential land uses onto sites located in a noise environment	PS	1. A design-level noise study shall be performed for all subdivision maps where noise would exceed 60 dBA Ldn. The noise study will include noise attenuation	S

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY  
(Continued)**

IMPACTS	SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION	
	that would be considered "conditionally acceptable" or "normally unacceptable" for those uses.		<p>design features to reduce exterior noise levels to below 60 dBA Ldn, or to the maximum degree feasible if a level of 60 dBA Ldn cannot be achieved. If quiet pavement is proposed, the noise study shall determine whether this paving adequately reduces noise levels to below 60 dBA Ldn, or whether additional mitigation is required. A report shall be prepared for the City of Dixon for all single-family residential units proposed within the 60 dBA Ldn noise contour distances of local streets to show that future noise levels will not exceed 60 dBA Ldn or not exceed the ambient noise caused by I-80 and the railroad.</p> <p>2. Incorporate noise insulation treatments in residential units as necessary to achieve "acceptable" interior noise levels.</p> <p>All single- and multi-family residential land uses located within the 60 dBA Ldn noise contour distances shall be designed such that the indoor Ldn level shall not exceed 45 dBA. The designs for housing shall be reviewed by an acoustical specialist, and the necessary noise control treatments included in the project design. All such units shall be provided forced-air mechanical ventilation systems so that windows may be closed for noise control at the occupants' discretion. Additional noise control treatments could include sound rated windows and doors. A report shall be prepared following the requirements of Title 24, Part 2 of the California Administrative Code for all multi-family housing proposed within the 60 dBA Ldn noise contour distances. A similar report shall be prepared for the City of Dixon for all single-family residential units proposed within the 60 dBA Ldn noise contour distances to show how interior noise levels will be reduced to below 60 dBA Ldn, or not exceed ambient noise levels generated by traffic on I-80 and by the railroad operations.</p>	
3.6-B	Development of the Specific Plan area would permanently increase the noise environment at existing noise-sensitive land uses as a result of vehicular traffic accessing the plan area.	PS	<p>1. A design level noise study, as recommended for Impact 3.6-A, shall be conducted to identify feasible measures to reduce plan area-generated traffic to less than a 3 dBA increase along West A Street between Gateway Drive and Almond Street and along Pitt School Road between West H Street and South Parkway. Measures may include paving or re-paving with quiet pavement and/or expansion of existing soundwalls.</p>	S
3.6-C	The construction of the proposed project would temporarily elevate noise levels at existing and future noise-sensitive land uses.	PS	<p>1. Implement construction noise control measures at all construction sites. The following measures are recommended and should be added as implementation programs.</p> <ul style="list-style-type: none"> <li>• Noise-generating activities at the construction site or in areas adjacent to the construction site associated in any way with new development on the plan area should be restricted to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday. No noise-generating construction activities within 500 feet of residences should occur on Saturdays, Sundays, or holidays.</li> <li>• Equip all internal combustion engine driven equipment with intake and exhaust mufflers which are in good condition and appropriate for the</li> </ul>	LS

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY**  
(Continued)

IMPACTS		SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
			<p>equipment.</p> <ul style="list-style-type: none"> <li>• Unnecessary idling of internal combustion engines should be strictly prohibited.</li> <li>• Avoid staging of construction equipment within 200 feet of residences and locate all stationary noise-generating construction equipment, such as air compressors and portable power generators, as far practical from existing noise-sensitive receptors. Construct temporary barriers to screen stationary noise-generating equipment when located in areas adjoining noise sensitive land uses.</li> <li>• Utilize "quiet" air compressors and other stationary noise sources where technology exists.</li> <li>• Route all construction traffic to and from the project site via designated truck routes. Prohibit construction-related heavy truck traffic in residential areas where feasible. Prohibit construction-related heavy truck traffic in the project vicinity prior to 7:00 a.m. or after 7:00 p.m. on allowable construction days.</li> <li>• Control noise from construction workers' radios to the point where they are not audible at existing residences bordering the project site.</li> <li>• Notify residents within 500 feet of the project site of the construction schedule in writing.</li> <li>• Designate a "noise disturbance coordinator" who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and would require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule. (The City should be responsible for designating a noise disturbance coordinator and the individual project sponsor should be responsible for posting the phone number and providing construction schedule notices.)</li> </ul>	
3.6-D	Future non-residential land uses on the Specific Plan area would generate noise.	PS	<ol style="list-style-type: none"> <li>1. An acoustical study prepared by a qualified acoustical consultant will be required for any proposed hotels or motels. The study will recommend design-level mitigation measures to provide acceptable interior levels within the guest rooms.</li> <li>2. An acoustical study prepared by a qualified acoustical consultant will be</li> </ol>	LS

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY  
(Continued)**

IMPAIRMENTS	SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
		<p>required for any other type of non-residential land use. This study will identify all on-site noise sources, including groundborne noise and vibrations, generated by the project and the effect on nearby residences. On-site noise generated by the proposed project will not be allowed to create additional noise at nearby residences that would exceed 60 dBA Ldn in the outdoor living space or 45 dBA Ldn in interior living spaces. If the noise levels at existing residences exceed 60 dBA Ldn prior to project operation, then the project-generated noise would not be allowed to exceed the then existing Ldn. The acoustical study may recommend mitigation measures that would reduce noise impacts to the acceptable levels described above.</p> <p>Groundborne vibrations will not be allowed to be noticeable at the nearest residence.</p> <p>The acoustical study shall also examine periodic noise events such as back-up beepers, idling delivery trucks, and periodic machine noise. Design-level mitigation measures shall be included to ensure that nearby residents are not exposed to periodic noise occurring on a regular basis.</p> <p>3. Construct ballfields on the community park site as near the south end of the park site as feasible. If an alternate location is proposed closer to West A Street, the City will consider appropriate mitigation measures to reduce noise to nearby residents during the design and approval process for the ballfields.</p> <p>4. As part of the project-level CEQA review for the future arterial between Pitt School Road and South First Street, conduct an acoustic analysis of the effects of traffic on that street on residences near the street. If noise levels would increase ambient noise levels by greater than 3 dBA Ldn, require the use of quiet pavement or other noise reduction techniques that reduce the noise increase to less than 3 dBA Ldn, or provide soundwalls or berms between the road and residences to reduce the noise increase to less than 3 dBA Ldn.</p> <p>5. Insulate the pump at the Southwest Water Facility so that it is inaudible at the nearest residential property.</p>	
3.6-E	Future development of the Specific Plan area could be inconsistent with the Dixon General Plan.	No additional mitigation measures beyond those identified in Impacts 3.6-A to 3.6-D are required.	LS
3.6-F	Future development could generate excessive groundborne vibrations and/or noise, and future residents could be exposed to excessive groundborne vibrations and/or noise.	Mitigation Measure No. 2 for Impact 3.6-D applies to this impact.	LS
3.6-G	The construction of the five projects would temporarily elevate noise levels at existing and future noise-sensitive land uses.	Implement construction noise control measures at all construction sites as stated in Impact 3.6-C.	LS

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY**  
(Continued)

IMPAIRMENTS		SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
3.6-H	The Evans Ranch project would introduce residential land uses onto sites located in a noise environment that would be considered "conditionally acceptable" or "normally unacceptable" for those uses.	PS	<p>1. Construct open space buffers or noise barriers to shield common outdoor use areas in multi-family residential developments and private outdoor use areas of single-family residential units from traffic noise generated along arterial and collector roadways or noise generated by commercial land uses where noise levels exceed 60 dBA Ldn.</p> <p>The specific heights and limits of noise barriers or open space buffer zones cannot be determined until final grading plans are developed for the project. A future noise analysis will determine the height of noise barriers (expected to be between six and fourteen feet, assuming the noise source, barrier, and outdoor use areas are at the same elevation). The final design of the noise barriers will be reviewed by an acoustic engineer prior to approval of the subdivision map for the project. A report shall be prepared for the City of Dixon for all single-family residential units proposed within the 60 dBA Ldn noise contour distances to show that future noise levels will remain below 60 dBA Ldn or not exceed ambient noise levels generated by traffic on I-80 and by the railroad operations.</p>	S
			<p>2. Alternatively, pave or re-pave streets with "quiet" pavement. A design-level acoustical study will be conducted to show whether such paving reduces traffic-generated noise on local streets to less than 60 dBA Ldn or does not exceed ambient noise levels generated by traffic on I-80 and by the railroad operations. It is possible that noise barriers may not be required on all or some of the affected streets if such alternate methods are employed.</p> <p>3. Incorporate noise insulation treatments in residential units as necessary to achieve "acceptable" interior noise levels. All single- and multi-family residential land uses located within the 60 dBA Ldn contour distances should be designed such that the indoor Ldn level shall not exceed 45 dBA. The designs for housing shall be reviewed by an acoustical specialist and the necessary noise control treatments included into the project design. All such units shall be provided forced-air mechanical ventilation systems so that windows may be closed for noise control at the occupants' discretion. Additional noise control treatments could include sound rated windows and doors. A report shall be prepared following the requirements of Title 24, Part 2 of the California Administrative Code for all multi-family housing proposed within the 60 dBA Ldn noise contour distances.</p>	
3.6-I	The Orchard Estates - Sanders Property project would introduce residential land uses onto sites located in a noise environment that would be considered "conditionally acceptable" or "normally unacceptable" for those uses.	PS	The same mitigations recommended for Impact 3.6-H are required. If sound barriers are required, they would need to be 6-9 feet in elevation.	S
3.6-J	The Orchard Estates - Garcia Property project would introduce residential land uses onto sites located in a noise environment that would be considered "conditionally acceptable" or "normally unacceptable" for those uses.	PS	The same mitigations recommended for Impact 3.6-H are required. If sound barriers are required, they would need to be 6-9 feet in elevation.	S
3.6-K	The Dixon Ridge project would introduce residential land uses	PS	The same mitigations recommended for Impact 3.6-H are required. If sound barriers are	S

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY  
(Continued)**

IMPACTS	SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION	
	onto sites located in a noise environment that would be considered "conditionally acceptable" or "normally unacceptable" for those uses.		required, they would need to be 6-13 feet in elevation.	
3.6-L	The Clark Ranch Estates/Clark Property-Ryder Homes project would introduce residential land uses onto sites located in a noise environment that would be considered "conditionally acceptable" or "normally unacceptable" for those uses.	LS	No mitigation is required.	LS
3.6-M	Traffic generated by Specific Plan development plus other new development would increase noise levels along roadways.	PS	The same mitigation measures recommended for Impact 3.6-B will apply. It is possible that the use of quiet pavement could reduce year 2005 cumulative noise impacts to less than a 3 dBA increase. If use of this pavement does not adequately reduce noise, then sound barriers could be required due to the combination of plan area buildout and other new development in the City. The City will monitor traffic noise on the affected streets and determine if and when sound barriers are needed. Specific Plan area developers and other new development generating traffic on the affected streets will pay for this monitoring. If sound walls are required, they will be financed by Specific Plan area developers and other new development.	S
<b>3.7</b>	<b>Aesthetics</b>			
3.7-A	Future development of the Specific Plan area would alter views from Interstate 80.	PS	<p>The following mitigations will be added as Implementation Programs under Goal 2.2 of the Specific Plan.</p> <ol style="list-style-type: none"> <li>1. Prior to approval of development in the area designated Employment Center a landscaping plan for the Interstate 80 frontage shall be designed by a qualified landscape architect. This plan shall include provisions for the following: <ol style="list-style-type: none"> <li>a. The species of trees to be planted will be trees capable of growing and surviving in the Dixon climate.</li> <li>b. The trees will be capable of growing to a height of at least 30-feet tall within the shortest time feasible, but no more than ten years.</li> <li>c. Trees shall be planted close enough together to provide thorough screening. Alternatively, the trees that will eventually provide canopy screening can be interplanted with shrubs or small trees in the foreground that will provide dense screening from 6-12 feet in height.</li> <li>d. The City should consider whether the landscaping should provide more than a "screen." Given the importance of this freeway frontage, the landscaping plan should include a variety of native and non-native shrubs west of the trees. These shrubs should include flowering species. The City may also wish to require plantings of native and non-native wildflowers west of the shrubs to provide additional color and visual interest.</li> </ol> </li> </ol>	LS

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY  
(Continued)**

IMPACTS	SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
		<ul style="list-style-type: none"> <li>e. The landscaping plan shall show how each of these landscape components would be placed within the landscaping buffer. If the City requires more than simply a line of screening trees, then the buffer may need to be widened in order to provide foreground flowers, midground flowering shrubs and small trees, and background taller evergreen trees. The width of the landscaping buffer will be determined once a satisfactory landscaping plan is designed and adopted by the City. In some locations, it is expected that the buffer would need to be at least 50-feet wide.</li> <li>f. A complete fertilization, irrigation, and landscape maintenance program shall be included for all landscape components.</li> </ul> <ul style="list-style-type: none"> <li>2. The Specific Plan shall identify which entity is responsible for the planting of the Interstate 80 frontage landscaping and its maintenance. The responsible entity will ensure that all trees and shrubs that die are replanted within the next growing season. Maintenance and replanting of dead or diseased trees and shrubs will be the responsibility of the responsible entity for at least 10 years or whatever duration determined desirable by the City of Dixon. Similarly, if wildflowers or other flowering herbaceous species are required for the foreground portion of the landscape buffer, the responsible entity will be responsible for replanting said species if they do not naturally reseed. The City will determine when the flowering plant population has declined to a point where it needs to be replanted or supplemented with additional seeding/plantings.</li> <li>3. An overall design plan shall be prepared by the developer for the General Commercial development on the Evans Ranch property. Subsequent applications to develop other General Commercial, Highway Commercial, and Employment Center sites will be required to be consistent with the design motif of the commercial development on the Evans Ranch site unless the City determines that an alternative design motif is aesthetically pleasing and acceptable.</li> <li>4. Night lighting of non-residential buildings will be limited to the minimum number needed. Other lighting requirements include: <ul style="list-style-type: none"> <li>a. Lighted commercial signs, other than the Gateway tower sign discussed in Impact 3.7-B, should not be visible from the freeway south of West A Street.</li> <li>b. All lighting shall be shielded and directed downward.</li> <li>c. Lighting elements will be recessed within fixtures to prevent glare.</li> </ul> </li> </ul>	

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY  
(Continued)**

IMPAIRMENTS	SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
		<ul style="list-style-type: none"> <li>d. High-angle, high-candela lighting distribution shall be prohibited.</li> <li>e. Lighting fixtures will be selected so they can be further shielded after installation, if a problem is identified.</li> <li>f. Because light trespass effects are subjective and site-specific, quantifiable criteria (such as controlling the amount of luminescence or restricting certain angles of lighting) usually cannot be identified. For this reason, project applicants shall consult a lighting design specialist to determine light source locations, light intensities, and types of light sources for all non-residential development. A lighting plan for non-residential development, roadways, and public areas shall be developed and incorporated into final project plans.</li> </ul>	
3.7-B	Future development of the Specific Plan area would alter views from West A Street.	<p>The following mitigation measures shall be added as Implementation Programs under Goal 2.2, Community Design, of the Specific Plan.</p> <ul style="list-style-type: none"> <li>1. Prior to Specific Plan approval, the City should determine whether the tall tower sign is allowable per the Zoning Ordinance. If the sign is not permitted, then reference to said sign should be deleted from the Specific Plan. If this sign is allowed, the sign shall be designed by a qualified architect or sign designer. The design and the information to be placed on the sign shall be subject to Design Review.</li> <li>2. Commercial signs facing residential areas shall be limited in size and illumination so as to limit visual and light intrusion into residential areas. The signs can announce the presence of a business or subdivision but should not be so large or bright as to be visually prominent from adjacent residential areas</li> <li>3. A lighting plan and the other lighting mitigations recommended under Mitigation Measure No. 6 for Impact 3.7-A shall be required.</li> <li>4. The landscaping along the south edge of West A Street will include shrubs and small trees planted between the larger trees proposed in the Specific Plan. The aim of this landscaping will be to provide a vegetative screen towards the commercial center and highway commercial uses. The landscaping buffer along the frontage of the commercial development shall be of sufficient width to allow screening of parked cars; this width may exceed the minimum widths set forth in the Dixon Zoning Ordinance. While the screening will not be total due to intervening streets and driveways, the resulting screening will soften the appearance of the new commercial development and parking lots. This additional landscaping will be included as a component in a landscaping plan which will be required for all new non-residential development fronting West A Street. The landscaping could also include low-growing flowering plants. All landscaping will be subject to a landscape maintenance plan.</li> </ul>	S

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY  
(Continued)**

IMPACTS		SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
			<p>5. An overall design plan shall be prepared by the developer for the General Commercial development on the Evans Ranch property. Subsequent applications to develop other General Commercial, Highway Commercial, and Employment Center development will be required to be consistent with the design motif of the commercial development on the Evans Ranch site unless the City determines that an alternative design motif is aesthetically pleasing and acceptable.</p> <p>6. Prior to development of the Community Park, a lighting plan shall be prepared consistent with Implementation Program 7.6e of the Draft Specific Plan. As far as feasible, ballfield lighting shall be directed and/or shielded so as to not create glare at existing residences on the north side of West A Street and the east side of Pitt School Road south of West A Street. Developers of all residences adjacent to the community park that are to be constructed prior to full park development shall notify in writing potential buyers that a park complete with lighted ballfields will be constructed on the park site.</p>	
3.7-C	Future development of the Specific Plan area would affect views from other vantage points adjacent to or on the Specific Plan area.	PS	<p>The following mitigation measures shall be added as Implementation Programs under Goal 2.2 of the Specific Plan.</p> <p>1. A landscaping plan shall be required for all new General Commercial and Employment Center projects. The landscaping plan will include tree screening and other landscaping similar to that described for Mitigation Measure No. 1 for Impact 3.7-A between all non-residential buildings and adjacent residential areas.</p> <p>2. Commercial signs facing residential areas shall be limited in size and illumination so as to limit visual and light intrusion into residential areas. The signs can announce the presence of a business or subdivision but should not be so large or bright as to be visually prominent from adjacent residential areas.</p> <p>3. Lighting facing residential areas shall be kept to a minimum and shielded so no glare extends to residential areas.</p> <p>4. The Southwest Water Facility should be relocated immediately east or west of Batavia Road. If this facility is not relocated as recommended, then a design and landscaping plan shall be prepared and approved by the City. This plan shall include extensive landscaping to ensure that the tank and attendant facilities are screened to the extent possible from adjacent public streets and residences.</p> <p>5. When constructing the new arterial connecting Pitt School Road and South First Street, provide landscaping, berms, or fencing to screen views of the new road from residences within 150 feet of that new road. The future CEQA study that</p>	S

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY**  
(Continued)

IMPACTS		SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
			will be conducted for this future project may require additional landscaping or design mitigation measures.	
3.7-D	Future development of the Specific Plan area could be inconsistent with City General Plan policies and other City regulations.	PS	The other mitigations recommended for Aesthetics apply to this impact.	LS
3.7-E	Future development of the Evans Ranch project would alter views from public and private vantage points.	PS	1. The mitigations required for Impacts 3.7-A, 3.7-B, and 3.7-C will apply to this project. For the recommended mitigation measures for Impact 3.7-B, the improvements to West A Street shall be completed prior to approval of project occupancy.  2. The landscaping plan must include sufficient landscaping between residential units and parking lots so that parked cars will not be visible from residential units.	S
3.7-F	Future development of the Dixon Ridge project would alter views from public and private vantage points.	PS	Mitigation Nos. 4 and 6 for Impact 3.7-B shall apply to this project. For the recommended mitigation measures for Impact 3.7-B, the improvements to West A Street shall be completed prior to approval of occupancy of any residential unit adjacent to West A Street	S
3.7-G	Future development of the Clark Ranch Estates, Orchard Estates - Sanders Property, and Orchard Estates - Garcia property projects would alter views from public and private vantage points.	PS	No additional mitigation is required for these three projects.	S
3.7-H	Future development of the General Commercial development on the Evans Ranch and adjacent Highway Commercial development would combine with development on the Gateway Center and the Pheasant Run site to impact views along West A Street.	PS	No additional mitigation measures are feasible.	S
<b>3.8</b>	<b>Hazards and Hazardous Materials</b>			
3.8-A	Future commercial and light industrial businesses could use hazardous materials which could escape into the environment.	PS	1. The following section shall be added to Implementation Program 5.2a:  Hazardous Materials  Each project proposal shall provide the Solano County Department of Environmental Management with a complete list of all chemicals and other potentially hazardous materials that will be used, stored, or sold on the project site.  If the Solano County Department of Environmental Management determines that the materials used, stored, or sold could pose a potential safety hazard, the applicant shall provide a Hazardous Materials Business Plan with the Solano County Department of Environmental Management, and the applicant shall implement the adopted plan. Such a plan will identify the plans, as applicable, for storage and use of all hazardous materials, describe the safety procedures to be employed by workers, and detail the proposed notification and emergency	LS

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY  
(Continued)**

IMPACTS		SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
			<p>response actions in the event of an accidental release of chemicals from the facility. The plan shall contain similar information pertaining to the storage and use of gasoline, diesel fuel, or other fuels. Material storage areas shall include appropriate containment for hazardous materials used in the operation of each project.</p> <p>Each project will comply with all pertinent State and Federal laws regarding hazardous materials transport, handling, and storage and worker safety. Each project shall prepare any additional information requested by the Solano County Department of Environmental Management and shall comply with any additional requirements established by the City and/or the Solano County Department of Environmental Health.</p> <p>2. The addition described above shall also be added as Implementation Program 5.1d to ensure that the same protections are provided for commercial business that may use hazardous materials.</p>	
3.8-B	The Specific Plan area contains areas of contamination that could pose a safety hazard for workers and residents.	PS	<p>Add the following mitigation measures as a new policy and/or implementation programs to the Specific Plan.</p> <p>1. A Phase I Environmental Site Assessment of the Specific Plan area or for each project shall be prepared pursuant to the requirements set forth in ASTM E 1527-97. If this Site Assessment determines there are potential soil or groundwater contamination, the areas of contamination shall be evaluated to determine the level of remediation needed to satisfy the requirements of the Solano County Department of Environmental Management and the recommendations shall be implemented.</p> <p>2. Risk Assessments of each project site shall be conducted to determine the health risk from workers and residents being exposed to chemical residues in the soil. Even if those Risk Assessments determine that chemical residue levels are not a significant health risk and are below Proposition 65 no significant risk levels, the City may require that engineering controls, as recommended by the Solano County Department of Environmental Management, and warnings to workers and future residents be implemented.</p>	LS
3.8-C	The use of agricultural chemicals by neighboring agricultural operators could pose a health risk for residents and workers in the Specific Plan area.	PS	<p>Revise Implementation Program 3.1b of the Specific Plan to incorporate the following mitigation measures:</p> <p>1. A ground spray application buffer of at least 200 feet will be provided between the point of spray application and the nearest residential property or park on the plan area. This buffer is required only if the adjacent agricultural operation uses Category One or Two materials. This buffer can be on the Specific Plan area and/or on adjacent agricultural properties. The following options are possible:</p> <p>a. The buffer can be located entirely on the Specific Plan area.</p>	LS

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY  
(Continued)**

IMPAIRMENTS	SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION	
		<p>b. The buffer can be entirely on the adjacent agricultural property. Developers of Specific Plan area properties will be required to provide evidence of an easement with the neighboring landowner that binds the owner that the point of spraying of Category One or Two materials will be at least 200 feet from the nearest non-target portion of the Specific Plan area. The easement must be in a form that is acceptable to the City.</p> <p>c. The buffer can be partly on the Specific Plan area and partly on adjacent agricultural properties. Because Permit Condition G already requires a 100-foot spray restriction, the remaining 100 feet of buffer could be entirely or partly on the Specific Plan area.</p> <p>2. If pedestrian paths and/or bike lanes are provided along South Parkway, then at least a 200-foot buffer will be provided between spray operations and the pedestrian path and/or bikelane or the pedestrian and bicycle facilities shall be signed to warn users of spray operations when Category One or two materials will be sprayed within 200 feet of the path or bike facility. Signs shall be placed at each street intersecting South Parkway. Southwest Dixon Specific Plan policies shall be modified to permit sign posting on Specific Plan properties.</p>		
3.8-D	Development of the Specific Plan area has the potential for being inconsistent with Dixon General Plan policies that address protecting residents from hazardous materials.	PS	The mitigation required for Impact 3.8-C applies to this impact.	LS
3.8-E	The five project sites could include areas of soil and groundwater contamination. Exposure to this contamination could pose a significant health risk.	PS	The mitigation measure required for Impact 3.8-B would apply to each future project.	LS
3.8-F	The Evans Ranch project includes commercial development which could use, store, or handle hazardous materials.	PS	The mitigation required for Impact 3.8-A would apply to this project	LS
3.8-G	All the projects except the Orchard Estates-Garcia Property abut agricultural properties where spray drift could adversely affect future residents and workers.	PS	The mitigation measure recommended for Impact 3.8-C would apply to each project.	LS
<b>3.9</b>	<b>Population and Housing</b>			
3.9-A	The Specific Plan would induce a substantial increase in population in the plan area.	LS	No mitigation is required.	LS
3.9-B	Development in accordance with the Specific Plan may displace existing housing units and residents in the plan area.	LS	No mitigation is required.	LS
3.9-C	If residential development in the Specific Plan area fails to meet the affordability needs of a range of households and income levels, it might not comply with the Association of Bay Area Governments' regional housing need determinations and related Dixon General Plan policies.	PS	1. Require preparation of (a) a Project Housing Strategy that specifies project housing affordability goals, and (b) an associated Housing Mix and Affordability Monitoring Program that evaluates progress in meeting affordability goals. Incorporate these documents into the affordable housing provisions of the applicable development agreements. The responsibility for preparation of the	LS

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY  
(Continued)**

IMPACTS		SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
			<p>strategy and program will be determined as part of the master development agreement for the plan.</p> <p>The Project Housing Strategy should identify (a) the City's remaining affordable housing needs, based on ABAG's housing needs determinations; and (b) fair share housing responsibilities and mechanisms that will be incorporated into future development plans for individual properties within the Specific Plan area.</p> <p>The Housing Mix and Affordability Monitoring Program should consist of an annual housing report to the City to provide a basis for evaluating whether the Project Housing Strategy housing type and affordability goals are being met. The annual reports could coincide with the annual review of the Specific Plan provided for by Specific Plan Policy 8.3.2 and Implementation Program 8.3a. The results of these annual reports should be considered in the review and approval of future individual project subdivision plans.</p>	
3.9-D	Development in accordance with the Specific Plan has the potential to affect the citywide jobs/housing balance.	LS	No mitigation is required.	LS
3.9-E	Residential development proposed by the Specific Plan has the potential to conflict with the City of Dixon's Measure B, as well as the City ordinance implementing this measure and the related Dixon General Plan policy specifying a mix of 80 percent single-family and 20 percent multi-family housing.	PS	<ol style="list-style-type: none"> <li>1. Require the applicant to revise the Specific Plan so that 20 percent (244 units) of the proposed 1,221 total housing units are multi-family.</li> <li>2. Require preparation of a Project Housing Strategy and a Housing Mix and Affordability Monitoring Program, as specified in the mitigation measure for Impact 3.9-C above, to provide a mechanism for ensuring "development of multi-family housing concurrently with the development of any single-family housing," as required by the Measure B implementing ordinance (City of Dixon, Ordinance No. 02-003, Section 1.01(k)). The responsibility for preparation of the strategy and program will be determined as part of the master development agreement for the plan.</li> <li>3. Address compliance with Measure B growth limitations in a future master development agreement(s) or for individual development agreements for individual projects within the plan area.</li> </ol>	LS
<b>3.10</b>	<b>Land Use</b>			
3.10-A	Development of the Specific Plan area would displace "Prime Farmland."	PS	<ol style="list-style-type: none"> <li>1. Each developer will acquire off-site land or a conservation easement on such land within the Dixon Planning Area or within a ten-mile radius of the City, or each developer will participate in the City's master agricultural conversion program. Each developer will pay the fee established for this program at the time of the City's approval of the tentative subdivision map or as otherwise specified in a development agreement. If the developer opts to purchase land, the developer can re-sell the land to an agricultural operator or other party so long as a conservation agreement acceptable to the City is granted to the City or an agency or organization acceptable to the City. Alternatively, the</li> </ol>	S

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY  
(Continued)**

IMPACTS		SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
			developer can purchase a conservation easement which is acceptable to the City and grant this conservation easement to the City or an agency or organization acceptable to the City.	
3.10-B	Development of the Specific Plan area could result in agricultural operators within and adjacent to the Specific Plan area being required to restrict their operations and/or to cease those operations.	PS	The mitigation measures recommended for Impact 3.8-C apply.	LS
3.10-C	Development of the Specific Plan area could be inconsistent with the Williamson Act.	PS	1. Relocate the Southwest Water Facility as recommended in Mitigation No. 5 for Impact 3.7-C.	LS
3.10-D	Development of the Specific Plan area has the potential for being inconsistent with Dixon General Plan policies that address the preservation of agriculture and agricultural soils.	LS	No mitigation is required beyond those required for Impacts 3.10-A and B.	LS
3.10-E	Development of the Specific Plan area has the potential to be inconsistent with Dixon General Plan policies and zoning provisions that address future land use patterns.	LS	No mitigation is required.	LS
3.10-F	The Specific Plan would create the potential for conflicts between on-site residential uses and commercial and employment center uses.	PS	1. Modify the proposed Design Guidelines and Standards (Specific Plan Appendix A) to include the following guideline (which is already provided for highway commercial use – see Specific Plan Appendix A, page A-19):  "Provide a satisfactory buffer where community commercial or employment center use adjoins multi-family residential use. A minimum planter width of five feet is needed, with plantings which will provide a 15-foot high evergreen screen within five years. To avoid glare problems affecting neighboring residential use, lighting on community commercial or employment center property shall be strictly controlled in keeping with the Zoning Ordinance. Organize use of the property so that trash collection areas and other noise-producing activities are located away from the common property boundary with residential use."	LS
3.10-G	The Specific Plan would create the potential for conflicts between on-site residential uses and the community and neighborhood parks.	LS	No additional mitigation is required.	LS
3.10-H	The Specific Plan would create the potential for conflicts between new development and existing lower density, rural residential development within the Specific Plan area that would remain as the plan area develops.	LS	No additional mitigation is required.	LS
3.10-I	Proposed single-family and multi-family residential areas may differ in character and scale, creating the potential for building shadowing, view blockage, traffic, noise, and other land use-related effects.	LS	No additional mitigation is required.	LS
3.10-J	In several locations (along West A Street, Pitt School Road, Evans Road, Gateway Drive, and North Parkway), proposed residential development would adjoin proposed major (arterial or commercial collector) streets. The location of these residential areas next to these future busy roads has the potential to	PS	1. Add a section to Implementation Program 2.2a of the Draft Specific Plan that requires that design criteria and development standards be prepared for individual projects for areas where residential development would adjoin arterial or collector streets. These design criteria shall reflect the mitigation measures recommended in Sections 3.4, Traffic and Circulation, 3.5, Air Quality, 3.6,	LS

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY  
(Continued)**

IMPACTS		SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
	create visual, noise, and air quality problems for project residents.		Noise, and 3.7, Aesthetics of this EIR.	
3.10-K	The Specific Plan would create potential land use conflicts and safety hazards by allowing urban development adjoining the existing Weyand Canal and two proposed detention ponds (Batavia Pond and West Pond).	PS	1. As a condition of approval for development on the Schroeder property, require applicant compliance with SID requirements for undergrounding or fencing of the Weyand Canal. (See Section 3.12, Water, of this EIR.) 2. As a condition of approval for development on the Andrews-Dixon (Evans Ranch) property, require applicant compliance with safety measures (e.g., fencing, setbacks) adjacent to the proposed Batavia and West Ponds. (See Section 3.2, Hydrology and Water Quality, of this EIR.) (See also Section 3. Project-Specific Impacts below.)	LS
3.10-L	Proposed development of the Specific Plan area would alter the existing agricultural/rural residential land use character of the south Dixon vicinity by introducing urban development, road modifications, project-related traffic and noise, and other changes.	LS	No mitigation is required.	LS
3.10-M	Development of the five projects would result in loss of Prime Farmland and adversely affect neighboring agricultural operations.	LS	No mitigation is required.	LS
3.10-N	The Evans Ranch project would create the potential for conflicts between on-site residential uses and commercial uses.	PS	1. Carry out mitigation measures recommended for Impact 3.10-F, and apply the relevant performance standards and design guidelines to the Evans Ranch project. Also carry out mitigation measures recommended for Impact 3.6-G in Section 3.6, Noise, of this EIR.	LS
3.10-O	The Dixon Ridge and Orchard Estates-Sanders projects would create the potential for conflicts between residential uses and parks.	LS	No mitigation is required.	LS
3.10-P	On the Clark site, proposed residential development would create the potential for conflicts with the existing rural residence on the site, which would be preserved.	LS	No mitigation is required.	LS
3.10-Q	On the Evans Ranch and Dixon Ridge sites, proposed single-family and multi-family residential areas would differ in character and scale, creating the potential for building shadowing, view blockage, traffic, noise, and other land use-related effects.	LS	No mitigation is required.	LS
3.10-R	On the Evans Ranch, Dixon Ridge, Orchard Estates-Garcia, and Orchard Estates-Sanders sites, proposed residential development would adjoin proposed major (arterial or commercial collector) streets. The location of these residential areas next to these future busy roads has the potential to create visual, noise, and air quality problems for project residents.	PS	1. Carry out mitigation measures recommended for Impact 3.10-J, and apply the relevant design criteria to the Evans Ranch, Dixon Ridge, Orchard Estates-Garcia, and Orchard Estates-Sanders projects. Applicable mitigation measures for each residential development will be included within the resolution of approval specific to the impacts particular to that development.	LS
3.10-S	On the Evans Ranch and Clark sites, low density housing would adjoin the proposed West Pond detention basin, creating the potential for land use conflicts and safety hazards.	PS	1. As conditions of approval for the Evans Ranch and Clark Ranch Estates/Clark Property-Ryder Homes Tentative Subdivision Maps, require that the areas adjoining the detention basin be fenced, or that the applicants demonstrate to City satisfaction that the basin is designed so as not to represent a safety	LS

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY  
(Continued)**

IMPACTS		SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
			risk.	
3.10-T	Development of the Clark site has the potential to be inconsistent with General Plan policies calling for phasing of development in an orderly, contiguous manner.	PS	1. As a condition of approval of the Clark Ranch Estates/Clark Property-Ryder Homes Tentative Subdivision Map, specify that the City of Dixon will not issue building permits for residential lots on the site until building permits for the Evans Ranch or Dixon Ridge sites have been issued and infrastructure has been extended to the site.	LS
3.10-U	Development of the cumulative projects would result in loss of Prime Farmland and adversely affect neighboring agricultural operations.	PS	No additional mitigation is feasible.	S
3.10-V	Development in accordance with the Specific Plan, combined with development of other anticipated projects in the Dixon planning area, would contribute to cumulative changes in the land use character of the south Dixon area.	LS	No additional mitigation is required.	LS
<b>3.11</b>	<b>Fire Protection and Emergency Medical Response</b>			
3.11-A	New residences, commercial and employment center businesses, and other Specific Plan area land uses would generate calls for fire response. The proposed Specific Plan would provide for a 0.47-acre fire station site within the plan area.	PS	1. Ensure that the new on-site fire station is constructed, staffed, and equipped based on City policy.  2. Require alarm systems and sprinklers in commercial buildings as required by the local fire code.	LS
3.11-B	New residences, commercial and employment center businesses, and other Specific Plan area land uses would generate calls for emergency medical aid.	PS	The mitigations required for Impact 3.11-A would apply.	LS
3.11-C	Development in the Specific Plan area may increase the demand for water to suppress fires.	PS	No additional mitigations beyond those required under Section 3.12, Water, are required	LS
3.11-D	Development in the Specific Plan area has the potential to be inconsistent with Dixon General Plan policies that address Dixon Fire Department service capabilities and adequate water flow for fire suppression.	PS	Mitigation measures recommended for Impacts 3.11-A and 3.11-C would resolve the potential inconsistencies with Dixon General Plan policies.	LS
3.11-E	Development of the five projects would increase calls for fire and emergency medical aid and demands for emergency water.	PS	No additional mitigation is required	LS
3.11-F	Development in accordance with the Specific Plan, combined with development of other anticipated projects in the Dixon planning area, would contribute to cumulative demands for fire protection services, emergency medical services, and emergency water.	PS	Mitigation measures recommended for Impacts 3.11-A and 3.11-C apply.	LS
<b>3.12</b>	<b>Water</b>			
3.12-A	New residences, commercial and employment center businesses, and other Specific Plan area land uses would generate demand for water service.	PS	1. Before the first Final Subdivision Map approval for the Specific Plan area, the Specific Plan Water Master Plan shall be completed and submitted to the DSMWS and the City of Dixon for review and approval.  2. The City and DSMWS shall update the DSMWS Water Master Plan and fee	LS

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY  
(Continued)**

IMPACTS	SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
		<p>schedule, as needed (for example, if the proposed well site is moved from the Steil property, as shown in the DSMWS Water Master Plan, to another location). The location and phasing of the well and related facilities shall be described in greater detail in the Specific Plan Public Facilities Financing Plan and Capital Improvements Plan. Individual projects proposed within the plan area shall pay for the construction of the new well. Facilities required prior to build-out shall be advanced by the developer and be subject to later reimbursement or credit.</p> <ol style="list-style-type: none"> <li>3. Before approval of the first Final Subdivision Map, the project applicant shall provide confirmation that adequate fire flow exists throughout the development to meet the current DSMWS standards for fire flow and meets the approval of the City Engineer, DSMWS Engineering Staff, and Fire Chief.</li> <li>4. In its findings for future development agreements and other approvals carrying out the Specific Plan, the City of Dixon shall address water availability in accordance with SB 610 and SB 221.</li> <li>5. The applicant shall comply with mitigation measures identified for impacts on groundwater supply (Impact 3.2-E) in Section 3.2, Hydrology and Water Quality, of this EIR.</li> <li>6. An additional well, tank booster, and pump station ("Southwest Water Facility") are required to meet the demands of the new development. This was established in the 2000 Water Master Plan prepared by the DSMWS. The facility shall be designed and constructed by the DSMWS. The facility shall be built at the developer's expense. Credit for the cost of construction against the developer's connection fees is a matter to be arranged between the developer and the DSMWS.</li> <li>7. Sizing of the main water pipelines throughout the development area shall be determined by the DSMWS Engineer using computer modeling, which shall be done at the developer's expense.</li> <li>8. Plans and specifications for the water system construction shall be submitted to the DSMWS for review and approval. The DSMWS plan review fees apply and shall be due upon submittal of the maps or plans for review.</li> <li>9. The water distribution system shall be installed at the developer's expense. All construction shall conform to the DSMWS rules, regulations, and standards. All water system construction shall be inspected by the DSMWS at the developer's expense, the cost of which is not included in the DSMWS connection fees. The Southwest Water Facility site shall be one acre in size unless DSMWS approves a smaller size.</li> </ol>	

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY**  
(Continued)

IMPAIRMENTS	SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION	
		<p>10. The developer shall pay connection fees and meter installation fees adopted by the DSMWS for each service from the system.</p> <p>11. The portions of the Orchard Estates-Sanders Property subdivision east of South Lincoln Street are to be served by Cal Water per the Settlement Agreement and Mutual General Release among the Solano Irrigation District, City of Dixon, and California Water Service Company, dated July 8, 1992 (the Settlement Agreement). Any revision of the boundary would require an amendment to the Settlement Agreement and shall be coordinated between the DSMWS and Cal Water.</p>		
3.12-B	Development in accordance with the Specific Plan would include relocation or abandonment of various Solano Irrigation District (SID) irrigation facilities located in the plan area.	PS	<p>1. Before the first Final Subdivision Map approval and/or issuance of an occupancy permit for the Specific Plan area, the Specific Plan SID Irrigation Master Plan shall be completed and submitted to the SID and the City of Dixon for review and approval.</p> <p>2. The applicant shall be responsible for the costs of replacement of the existing Weyand Canal with an underground pipe. Alternatively, if the Weyand Canal is to be retained, the applicant shall apply for and receive approval of a variance from the SID policy requiring replacement of open canals with underground pipes in developed areas. To receive a variance from this SID policy, the developer would be required to submit a formal Letter Request for approval by the SID Board of Directors.</p> <p>3. Laterals in developed areas shall be reconstructed using rubber gasketed-reinforced concrete pipe. In addition, if agricultural irrigation service to a development area is waived or the land is detached from the SID, the capacity of the lateral through that area shall be sufficient to ensure that the rate of flow leaving the area is the same as that entering the area.</p> <p>4. The applicant shall be required to buy back any unused or abandoned SID easements that are not replaced with new rights-of-way. In all cases involving abandonment or realignment of facilities, the applicant shall enter into a standard SID Agreement for the Protection, Relocation or Reconstruction of District Facilities with the SID that specifies any required reimbursements.</p> <p>5. The applicant shall pay detachment fees for any properties detached from the SID service area. The applicant will request that the lands currently served by Cal Water be detached from Solano Irrigation District per the requirements of the Solano Irrigation District, Solano LAFCo, and the U.S. Bureau of Reclamation.</p>	LS
3.12-C	Water facilities constructed to serve development in the Specific Plan area have the potential to cause environmental effects, for example by interfering with existing utilities and other facilities.	PS	<p>1. The project applicant shall identify any existing underground utilities prior to construction and avoid these utilities if possible. If avoiding interference with the utility is not feasible, the project applicant shall coordinate with the utility in question to alleviate the interference.</p>	LS

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY  
(Continued)**

IMPACTS		SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
			2. Address the width and reconstruction of South Lincoln Street between the plan area as described in Mitigation No. 1 for Impact 3.2-C.	
3.12-D	Development of the five projects would increase demand for water service and require alteration in SID facilities.	PS	The mitigation measures recommended for Impacts 3.12-A to 3.12-C apply.	LS
3.12-E	Development in accordance with the Specific Plan, combined with development of other anticipated projects in the Dixon planning area, would contribute to cumulative demands on water facilities.	PS	The mitigation measures recommended for Impacts 3.12-A to 3.12-D apply.	LS
<b>3.13</b>	<b>Wastewater Collection, Treatment, and Disposal</b>			
3.13-A	New residences, commercial and employment center businesses, and other Specific Plan area land uses would generate demand for wastewater collection, treatment, and disposal service.	PS	<ol style="list-style-type: none"> <li>1. Before the first Tentative Subdivision Map approval for the Specific Plan area, the Specific Plan Sanitary Sewer Master Plan shall be completed and submitted to the City of Dixon for review and approval.</li> <li>2. Before approval of each Tentative Subdivision Map, the City of Dixon shall ensure that adequate sewer capacity is available in the conveyance system and at the wastewater treatment plant.</li> <li>3. Before approval of any Tentative Subdivision Map in which wastewater generated from development would exceed treatment or conveyance capacity, the City shall identify the program for plant capacity expansion and the project applicant shall agree to pay their fair share, in accordance with the AB 1600 fee program, of the wastewater treatment and collection facilities improvements identified by the City of Dixon.</li> <li>4. Address the width and reconstruction of South Lincoln Street as described in Mitigation No. 1 for Impact 3.2-C.</li> </ol>	LS
3.13-B	Groundwater could infiltrate the sewage collection system proposed for the Specific Plan area, causing flows into the conveyance line or the City's wastewater treatment plant to exceed capacity.	PS	<ol style="list-style-type: none"> <li>1. The Specific Plan shall require that the sewer collection system be designed to reduce the potential for groundwater infiltration. The design shall comply with criteria established by the City, when such criteria are adopted. If such criteria have not been adopted before the first Tentative Subdivision Map approval for the plan area, each individual project shall identify specific design features that will be incorporated into wastewater line design and installation to minimize groundwater infiltration into the conveyance line and the wastewater treatment plant to ensure that these facilities are not adversely affected.</li> <li>2. Off-site infrastructure connections to the wastewater treatment plant shall be constructed at the start of project construction.</li> </ol>	LS
3.13-C	Sewer facilities constructed to serve development in the Specific Plan area have the potential to cause environmental effects, for example by interfering with existing utilities and other facilities.	PS	<ol style="list-style-type: none"> <li>1. The project applicant shall identify any existing underground utilities prior to construction and avoid these utilities if possible. If avoiding interference with the utility is not feasible, the project applicant shall coordinate with the utility in question to alleviate the interference.</li> <li>2. Address the width and reconstruction of South Lincoln Street as described in</li> </ol>	LS

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY  
(Continued)**

IMPACTS		SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
			Mitigation No. 1 for Impact 3.2-C.	
3.13-D	Development of the five projects would increase demand for wastewater collection, treatment, and disposal service and create the potential for groundwater infiltration into the sewage collection system.	PS	The mitigations recommended for Impacts 3.13-A to 3.13-C apply.	LS
3.13-E	Development in accordance with the Specific Plan, combined with development of other anticipated projects in the Dixon planning area, would contribute to cumulative demands on wastewater facilities.	PS	The mitigations recommended for Impacts 3.13-A to 3.13-C apply.	LS
<b>3.14</b>	<b>Police Services</b>			
3.14-A	New residences, commercial and employment center businesses, and other Specific Plan area land uses would generate calls for police response.	PS	<ol style="list-style-type: none"> <li>1. Project developers shall comply with adopted City standards set forth in the Police Department Strategic Plan.</li> <li>2. As part of the Tentative Subdivision Map approval process for each development within the Specific Plan area, require applicant compliance with Police Department requirements for street layout and emergency access. This measure would assist in carrying out Specific Plan Policy 7.7.3. The Police Department would work in conjunction with the Engineering Department and Fire Department.</li> <li>3. Before approval of any Final Subdivision Map in the Specific Plan area, require applicant compliance with Police Department requirements for (a) emergency access and surveillance (e.g., visible building entries), (b) distinct street names, and (c) visible address numbers. This measure would assist in carrying out Specific Plan Policies 7.7.3 and Implementation Program 7.7c. The Police Department would work in conjunction with the City Clerk and Fire Department.</li> </ol>	LS
3.14-B	Development in the Specific Plan area has the potential to be inconsistent with Dixon General Plan policies that address Dixon Police Department service capabilities.	PS	Mitigation measures recommended for Impact 3.14-A would resolve the potential inconsistencies with Dixon General Plan policies.	LS
3.14-C	Development of the five projects would increase calls for police services.	PS	Carry out mitigation measures recommended for Impact 3.14-A.	LS
3.14-D	Development in accordance with the Specific Plan, combined with development of other anticipated projects in the Dixon planning area, would contribute to cumulative demands for police services.	PS	Carry out mitigation measures recommended for Impact 3.14-A.	LS

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**TABLE 3 - IMPACT AND MITIGATION SUMMARY  
(Continued)**

IMPACTS		SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
<b>3.15</b>	<b>Solid Waste Services</b>			
3.15-A	New residences, commercial and employment center businesses, and other Specific Plan area land uses would increase demand for solid waste collection and disposal services.	LS	No mitigation is required.	LS
3.15-B	Development of the five projects would increase demand for solid waste collection and disposal services.	LS	No mitigation is required.	LS
3.15-C	Development in accordance with the Specific Plan, combined with development of other anticipated projects in the Dixon planning area, would contribute to cumulative demands for solid waste services and specifically for capacity at the B&J Landfill. B&J Landfill is expected to have adequate capacity to accept solid waste generated by cumulative development, however.	LS	No mitigation is required.	LS
<b>3.16</b>	<b>Parks and Recreation</b>			
3.16-A	New residences, commercial and employment center businesses, and other Specific Plan area land uses would generate demand for parks and recreational facilities. The proposed Specific Plan would provide for a 20-acre community park and a 2.47-acre neighborhood park. Certain Specific Plan provisions would need to be revised, however, to achieve consistency with Subdivision Ordinance requirements as well as Dixon General Plan and Parks Master Plan policies (see also Impact 3.16-B).	PS	<ol style="list-style-type: none"> <li>1. Revise Specific Plan Implementation Program 7.6a to state as follows: "Require developers of new residential subdivisions in Southwest Dixon to dedicate land and to pay fees for the development of parkland, or to pay a comprehensive fee in lieu of dedication for the acquisition and development of recreation facilities to serve the new population, in accordance with Dixon General Plan, Parks Master Plan, Subdivision Ordinance, the Quimby Act, and Assembly Bill (AB) 1600 fee requirements."</li> <li>2. Further revise Specific Plan Implementation Program 7.6a to delete the following two sentences, which are not necessary and may create confusion in determining applicable parkland dedication requirements: "Based on this standard, and baseline densities, a minimum of 18.3 acres of parkland would be required for residential buildout of the Plan Area. The Specific Plan proposes a total of 22.47 acres of parkland, including neighborhood and community parks."</li> <li>3. Carry out mitigation measures identified for Impact 3.16-B.</li> <li>4. Revise Specific Plan Implementation Program 7.6e to state as follows: "...The Master Lighting Plan shall require approval with or prior to any tentative subdivision maps for adjacent properties in the Plan Area and shall be approved by the City."</li> </ol>	LS
3.16-B	Park development in the Specific Plan area has the potential to be inconsistent with (1) Dixon General Plan provisions that address the location of the community park site in the plan area, and (2) Parks Master Plan provisions for the acreage of neighborhood parkland provided..	PS	<ol style="list-style-type: none"> <li>1. Revise the Specific Plan land use map to increase the size of the neighborhood park site to three acres, and make corresponding revisions to the Specific Plan text.</li> </ol>	LS

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(Continued)**

IMPACTS		SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
3.16-C	Development of the five projects would increase demand for parks and recreational facilities. The proposed 2.47-acre neighborhood park in the Orchard Estates-Sanders project would be inconsistent with the Parks Master Plan, which calls for a three-acre neighborhood park in the Southwest Dixon area.	PS	<ol style="list-style-type: none"> <li>1. Require each project to comply with the parkland dedication/acquisition and development fee requirements levied by the City of Dixon in accordance with the City's Subdivision Ordinance and Assembly Bill (AB) 1600.</li> <li>2. Revise the Orchard Estates-Sanders tentative subdivision map to increase the size of the neighborhood park to three acres, in accordance with the Dixon Parks Master Plan.</li> <li>3. Require each project to comply with applicable Specific Plan provisions and mitigation measures identified for Impacts 3.16-A and 3.16-B.</li> </ol>	LS
3.16-D	Development in accordance with the Specific Plan, combined with development of other anticipated projects in the Dixon planning area that have a residential component, would contribute to cumulative demands on parks and recreational facilities.	PS	Carry out mitigation measures recommended for Impacts 3.16-A through 3.16-C.	LS
<b>3.17</b>	<b>Schools</b>			LS
3.17-A	The 1,221 new residences proposed for the Specific Plan area would be expected to house an estimated 855 students who would need to be accommodated in Dixon Unified School District schools.	LS	No mitigation is required.	LS
3.17-B	Development in the Specific Plan area has the potential to be inconsistent with Dixon General Plan provisions that call for (1) provision of a school site in the plan area (General Plan land use map), and (2) certification from the Dixon Unified School District that all major requirements imposed by the District have been met (Public Services and Facilities Element Policy 34).	LS	No mitigation is required.	LS
3.17-C	Residential development proposed by the five projects would produce students who would need to be accommodated in Dixon Unified School District schools. The District's schools are currently operating over-capacity, and do not have room for additional students.	LS	No mitigation is required.	LS
3.17-D	Development in accordance with the Specific Plan, combined with development of other anticipated projects in the Dixon planning area that have a residential component, would contribute to cumulative demands for school services.	LS	No mitigation is required.	LS
<b>3.18</b>	<b>Energy</b>			LS
3.18-A	Construction and future use of new development within the Specific Plan area would use large amounts of energy.	LS	No mitigation is required.	LS
3.18-B	Construction and future use of new development within the five projects would use large amounts of energy.	LS	No mitigation is required.	LS
3.18-C	Construction and future use of new development plus other cumulative projects would use large amounts of energy.	LS	No mitigation is required.	LS

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IMPACTS		SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
<b>3.19</b>	<b>Cultural Resources</b>			
3.19-A	Development of the Specific Plan area could demolish historical resources.	PS	<p>The following should be added to the Specific Plan as implementation measures.</p> <ol style="list-style-type: none"> <li>1. Prior to approval of tentative subdivision maps for any property containing a structure over 50 years old on the Specific Plan area, a qualified architectural historian will conduct a preliminary assessment of each structure to determine whether its structural integrity is intact (i.e., that it has not been modified, thereby destroying its historic integrity). If the structural integrity remains, then the architectural historian will prepare a Historic Evaluation Report on each of those structures. This Evaluation will include a discussion of the construction of the building, an architectural description, an architectural evaluation, drawings of the building and its important features, and photographs to document the structure. Once this Historic Evaluation Report is completed and accepted by the City, the structures can either be demolished, restored, rehabilitated, reconstructed, or moved. If the structure is restored, reconstructed, or rehabilitated, the work shall comply with the Secretary of Interior's <i>Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings</i> or the <i>Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings</i>.</li> <li>2. Where feasible, future developers should strive to preserve any building identified as a historical resource.</li> <li>3. Where feasible, historical resources that cannot be preserved <i>in situ</i> should be moved to the proposed park, functional buffer areas, and/or Specific Plan area entryways.</li> </ol>	LS
3.19-B	Development of the Specific Plan area could damage archaeological resources.	PS	<p>Add the following mitigation measures as a policy or implementation programs to Chapter 3 of the Specific Plan.</p> <ol style="list-style-type: none"> <li>1. In the event that archaeological artifacts are encountered during project construction, work in the area shall halt until a qualified archaeologist evaluates the nature and significance of the find.</li> <li>2. If archaeological artifacts are encountered, a qualified archaeologist shall monitor subsequent excavations and spoils in the vicinity of the find for additional archaeological resources.</li> <li>3. If the archaeologist determines the discoveries are of importance, the resources shall be properly recovered and curated. The archaeologist shall prepare a summary outlining the methods followed and summarizing the results of the mitigation program. The report shall outline the methods followed, list and describe the resources recovered, map their exact locations and depths, and include other pertinent information. The lead agency shall submit the</li> </ol>	LS

**NOTE:**      S    = Significant                      PS   = Potentially Significant  
                   LS   = Less than Significant        B    = Beneficial

**TABLE 3 - IMPACT AND MITIGATION SUMMARY  
(Continued)**

IMPACTS		SIGNIFICANCE BEFORE MITIGATION	MITIGATION	SIGNIFICANCE AFTER MITIGATION
			report to the appropriate Information Center and the California State Historic Preservation Officer.  4. In the event that human remains are encountered, the state shall contact the Solano County Coroner in accordance with Section 7050.5 of the State Health and Safety Code.	
3.19-C	Development of the five proposed projects could demolish historical resources.	PS	The mitigation measure recommended for Impact 3.19-A will apply to each project.	LS
3.19-D	Development of the five proposed projects could damage archaeological resources.	PS	The same mitigations required for Impact 3.19-B will apply.	LS

NOTE:    S    = Significant                      PS    = Potentially Significant  
           LS    = Less than Significant        B     = Beneficial