

1. INTRODUCTION

CHAPTER 1

INTRODUCTION

PURPOSE OF DRAFT ENVIRONMENTAL IMPACT REPORT

This EIR has been prepared pursuant to the California Environmental Quality Act (CEQA), as amended, and the CEQA Guidelines issued by the California Office of Planning and Research. The City of Dixon (City) is the lead agency for the project evaluated in this EIR. The applicant is Milk Farm Associates (MFA).

This Environmental Impact Report (EIR) has been prepared to assess the potential environmental effects associated with a request from MFA for:

- General Plan amendment
- Sphere of Influence amendment
- Annexation
- Pre-zoning.

The four applications are the proposed project. This EIR also analyzes potential impacts related to three alternatives for the project, including a reconfigured on-site alternative, one alternative location for the proposed project, and the no project alternative.

The CEQA Guidelines require preparation of an EIR when a lead agency determines that a project may have a significant effect on the environment. The need to prepare an EIR for the project was determined by the Dixon Community Development Department in an Initial Study dated 12 May 2004 (Dixon, 2004a).

DETAIL OF ENVIRONMENTAL REVIEW

This EIR is a project EIR analyzing the impacts related to the four specific applications, it does not analyze a specific development plan for the project site. However, to evaluate potential impacts associated with possible site development, the applicant also submitted a conceptual development plan; that conceptual development plan has been used in this EIR to anticipate potential impacts and mitigation measures resulting from future site development. Those mitigation measures will be considered by the City when specific development proposals are received for the site in the future.

The subsequent development permit applications would be subject to further CEQA review. Subsequent CEQA document(s) [EIR(s) or Negative Declaration(s)] would incorporate information from, and “tier off,” this EIR. CEQA documents can tier off

previous EIRs that have described a project in general terms (such as EIRs on general plan amendments); the subsequent CEQA documents then provide site-specific analyses of a project while relying on the broader analyses of a previous document.

Because this document anticipates future development that may occur at the site, for the purpose of providing a comprehensive evaluation of future potential impacts, it presents two types of impacts and mitigation measures:

- Impacts and mitigation measures associated with the approval of the four applications (“Project Impacts and Project Mitigation Measures”);
- Impacts and mitigation measures that may be associated with site development. Since only a conceptual site plan has been submitted at this time, these mitigation measures will be considered by the City during the subsequent environmental review of specific development proposals (“Anticipated Future Impacts and Anticipated Future Mitigation Measures”).

This EIR will be used by the City of Dixon and the Solano County Local Agency Formation Commission (LAFCO) in their respective considerations of the applications for a General Plan amendment, Sphere of Influence amendment, annexation, and pre-zoning.

CONTENTS OF THIS EIR

This EIR contains the following sections:

Chapter 1 provides an introduction and overview describing the intended use of the EIR and the review and certification process.

Chapter 2 summarizes the EIR findings and identifies potential impacts and proposed mitigation measures associated with the proposed project as well as impacts and mitigation measures that may be anticipated following site development.

Chapter 3 provides a description of the proposed project, the location of the project, the applicant’s objectives in proposing the project, and required approvals for the project.

Chapter 4 presents a full discussion of the environmental impacts of the proposed project and possible future impacts that can be anticipated based on a conceptual site plan. Each section (e.g., air quality, hydrology) describes the environmental setting,

evaluates potential impacts resulting from implementation of the proposed project and future anticipated impacts, and recommends feasible mitigation measures for project-related and future anticipated impacts to reduce the impacts to a level of less than significant, if possible.

Chapter 5 provides CEQA-required discussions regarding the alternatives to the proposed project, cumulative impacts, significant unavoidable adverse impacts, and significant irreversible environmental changes.

Chapter 6 lists references, including persons consulted during EIR preparation.

Chapter 7 identifies the persons involved in EIR preparation.

ENVIRONMENTAL IMPACT REPORT REVIEW PROCESS

Notice of Preparation

The City of Dixon prepared and distributed a Notice of Preparation (NOP) to public agencies and interested citizens on 13 May 2004, asking for comments on the range of issues that should be analyzed in the EIR. CEQA Guidelines Section 15082(a) requires that the lead agency submit a notice to permit-issuing and trustee agencies regarding its intent to prepare an EIR; the purpose of the NOP is to ensure that agencies can inform the lead agency of the scope of the EIR to meet their respective needs for environmental review .

The NOP elicited comments from four agencies, including the U.S. Army Corps of Engineers, the Yolo-Solano Air Quality Management District (YSAQMD), the California Department of Transportation (Caltrans), and the City of Davis. A letter was also received from one private party. Table 1-1 summarizes the comments received from each respondent to the NOP and identifies how the requested analyses have been considered by the City of Dixon in this EIR. Copies of the letters received in response to the NOP are included in Appendix A.

A scoping session to solicit verbal comments from the public on the scope of the EIR was held in Dixon on 24 May 2004. The session was attended by City staff, the EIR consultant, the applicant, and 12 members of the public. Several residents adjacent to the project site on Hess Lane asked questions about the project's impacts to their properties. Other issues raised included effects to well water; sewer facilities; hazardous materials; floodplain; the electric grid; competition from nearby projects; agriculture planned on the site; design of fences, walls, and landscaping; seismicity; and Swainson's hawks. The comments from the

scoping session are also summarized in Tables 1-1 and 1-2 and the meeting minutes are included in Appendix A.

TABLE 1-1: Comments Received on Notice of Preparation and during Public Meeting in May 2004

Commentor	How Issue Is Addressed or Resolved in this EIR	Reference to EIR Section
U.S. Army Corps of Engineers		
<ul style="list-style-type: none"> • Recommends conducting a wetland delineation for the project site according to established federal standards, and to consider a range of alternatives for the project that would avoid impacts to any identified wetlands or jurisdictional “waters of the United States.” 	<p>The proposed project consists of four applications for a General Plan amendment, pre-zoning, sphere of influence amendment, and annexation. The EIR evaluates the environmental impacts associated with these actions, as well as anticipated future impacts that may be associated with future site development based on a conceptual site plan presented by the applicant.</p> <p>Section 4.7, Biological Resources, contains Anticipated Future Mitigation Measure 4.7-3a, which recommends that the City consider requiring submittal of a wetland delineation and preparation of a mitigation program, if required by the Corps, at the time of an actual development application for the site.</p>	Section 4.7, page 4.7-20
Yolo-Solano Air Quality Management District		
<ul style="list-style-type: none"> • Outlines the type of analysis that should be included in the air quality section. 	The analysis of anticipated future air quality impacts is consistent with the methodology outlined in the YSAQMD letter.	Section 4.9
<ul style="list-style-type: none"> • Recommends examples of specific mitigation measures that could be adopted to reduce construction and operational emissions from the project. 	The applicant has made environmental commitments to reduce emissions during construction and site operation, similar to the measures recommended by the YSAQMD letter.	Chapter 3, pages 3-11

TABLE 1-1: Comments Received on Notice of Preparation and during Public Meeting in May 2004

Commentor	How Issue Is Addressed or Resolved in this EIR	Reference to EIR Section
<ul style="list-style-type: none"> • Recommends sample Transportation Demand Management (TDM) features that could be incorporated into the project design. 	<p>Anticipated Future Mitigation Measure 4.9-1 requires additional steps to reduce emissions during future site development, and Anticipated Future Mitigation Measure 4.9-2 requires that a Transportation Management Plan and Association be adopted prior to future site development and that the applicant pays a fair share of transit costs to the site.</p>	<p>Section 4.9, pages 4.9-12 to 4.9-15</p>
Caltrans		
<ul style="list-style-type: none"> • Identifies the data and analysis that the EIR should include to address impacts to Interstate 80 and State Route 113. 	<p>The analysis of transportation impacts on state facilities in Section 4.8 is consistent with the methodology outlined in the Caltrans letter:</p>	<p>Section 4.8, pages 4.8-28 to 4.8-38</p>
<ul style="list-style-type: none"> • States that mitigation measures should consider highway and non-highway improvements and services, and measures should be fully discussed, including financing, scheduling, implementation responsibilities, and lead agency monitoring. 	<p>Anticipated Future Mitigation Measures 4.8-3 and 4.8-4 in Section 4.8, Transportation and Circulation, recommend installation of specific improvements, e.g., traffic signals, at ramps of the Interstate 80/North First Street interchange prior to site development. Anticipated Future Mitigation Measure 4.8-5 requires the City to consider amendments to the City Capital Improvements Program for additional upgrades to the Interstate 80/North First Street interchange, based on a future Project Study Report. The financing, scheduling, implementation responsibilities, and lead agency monitoring for these improvements cannot be identified until the Project Study Report is completed. Anticipated future Mitigation Measure 4.8-10 also requires the applicant to pay a fair share of the cost of extending transit services to the project site prior to actual site development.</p>	<p>Section 4.8, pages 4.8-29 to 4.8-30</p>
City of Davis		
<ul style="list-style-type: none"> • Requests that the EIR address impacts of lighting on the regional dark sky. 	<p>Anticipated Future Impact and Mitigation Measure 4.5-1 address nighttime lighting in a rural area.</p>	<p>Section 4.5, page 4.5-11</p>

TABLE 1-1: Comments Received on Notice of Preparation and during Public Meeting in May 2004

Commentor	How Issue Is Addressed or Resolved in this EIR	Reference to EIR Section
<ul style="list-style-type: none"> • Requests that the EIR consider the irreversible loss of agricultural land by requiring easements. States that The City of Davis is highly interested in cooperating with the City of Dixon and the University of California, Davis, in pursuing mitigation at the Kidwell interchange. Agricultural mitigation for this project could greatly assist these efforts. Requests that the EIR consider the types of restrictions that are proposed for the part of the parcel that is to remain in agriculture. 	<p>One-half of the project site is currently designated as Agricultural and the proposed project includes 30 acres designated as Agricultural; five of those acres are not considered functional agricultural areas and Project Mitigation Measure 4.1-1 requires redesignating the five acres as Functional Open Space and placing a conservation easement on 25 acres of agricultural lands. The EIR does not require the applicant to mitigate by purchasing easements anywhere near the Kidwell Road interchange.</p>	<p>Section 4.1, page 4.1-18</p>
<ul style="list-style-type: none"> • Requests that the EIR include an assessment of air quality and traffic impacts caused by traffic on roads within Yolo County (Interstate 80 to the Yolo Causeway and Pedrick Road to Woodland). 	<p>This EIR analyzes air quality impacts for the project and determines that temporary emissions generated by future site development during construction and long-term air emissions from future traffic would both be significant and unavoidable (Anticipated Future Impacts 4.8-1 and 4.8-3). The City Engineering and Community Development departments considered the potential for traffic impacts to Yolo County streets, but determined those impacts from future site development to be less than significant.</p>	<p>Section 4.8, Section 4.9, pages 4.9-12 to 4.9-15</p>
<ul style="list-style-type: none"> • Asks that the EIR assess whether housing supply and amenities in Davis would meet the housing needs of the project's employees. 	<p>As part of the Initial Study prepared for the project, the City determined that there was no potential for significant anticipated future impacts related to housing and employment, so these issues have not been evaluated further in this EIR.</p>	<p>Section 4.12, page 4.12-13</p>
<ul style="list-style-type: none"> • Requests that the EIR include an assessment of traffic impacts on roads within Yolo County (Interstate 80 to the Yolo Causeway, Pedrick Road to Woodland, and the Interstate 80 interchanges in Davis). 	<p>The City Engineering and Community Development departments considered the potential for traffic impacts to Yolo County streets, but determined those impacts from future site development to be less than significant.</p>	<p>Section 4.8</p>

TABLE 1-1: Comments Received on Notice of Preparation and during Public Meeting in May 2004

Commentor	How Issue Is Addressed or Resolved in this EIR	Reference to EIR Section
Adams, Broadwell, Joseph & Cardozo		
• Requests that notices of all hearings on the project be sent to its office.	Notices will be provided by the City	N/A
Public Meeting		
1. What kind of water well will be developed? How will it affect the surrounding landowners?	At the time of development, the site would receive water supplies from Dixon-Solano Municipal Water Service and Solano Irrigation District. No new wells are proposed on the project site.	Chapter 3, page 3-9
2. What about roads, overpass and their impact to adjacent landowners?	Anticipated Future Mitigation Measures 4.8-3 and 4.8-4 require the applicant to install specific improvements, e.g., a traffic signal, at ramps of the Interstate 80/North First Street interchange prior to site development. Anticipated Future Mitigation Measure 4.8-5 requires the City to consider amendments to the City Capital Improvements Program for additional upgrades to the Interstate 80/North First Street interchange.	Section 4.8. pages 4.8-29 to 4.8-31
3. How will sewer facilities be handled?	The project would be connected to the City of Dixon wastewater system.	Chapter 3, page 3-9
4. Will there be an industrial park?	The applicant has indicated that future site development may include research and development, specialty shops, a hotel, and/or a wellness center.	Chapter 3, page 3-7
5. Will there be hazardous materials used on site?	There are no specific proposals to use hazardous materials on the site. If such materials were used following site development, Anticipated Future Mitigation Measure 4.4-5 indicates that adherence to applicable federal, state, and local laws and regulations would reduce any potential impacts to less than significant.	Section 4.4, page 4.4-14
6. What about floodplain issues? How will they be addressed?	This EIR contains an analysis of flooding issues in Section 4.3, Hydrology and Water Quality.	Section 4.3, page 4.3-32

TABLE 1-1: Comments Received on Notice of Preparation and during Public Meeting in May 2004

Commentor	How Issue Is Addressed or Resolved in this EIR	Reference to EIR Section
7. Why is the preparation of an EIR projected for such a short time, i.e., 2-3 months when Magna is expected to take 18 months?	N/A	N/A
8. How will improvements to Hess Lane be handled?	The project under consideration in this EIR does not include proposals for roadway improvements. The applicant has indicated a commitment to work with Hess Lane residents to minimize project impacts in the project design process.	N/A
9. Address the substandard electric grid issues and problems.	Provision of electrical service to the site is addressed in Section 4.11, Public Services, and was found not to be a significant impact after future site development.	Section 4.11, page 4.11-11
10. Can the adjoining landowners meet with the project proponents for more detailed information regarding improvements?	The project under consideration in this EIR does not include proposals for project design and development. The applicant has indicated a commitment to work with area residents to minimize project impacts in the project design process.	N/A
11. There will be a lot of competition from the Flying J and Dixon Downs projects. Resident was more in support of Milk Farm since it is across the freeway and has historical significance.	This EIR does not address economic competition from other nearby projects because the California Environmental Quality Act specifically exempts economic and social issues from environmental impact analysis.	N/A
12. Where is city growing? How far north and west of Curry Road?	The City General Plan allows urban growth on this site, but not further north and no growth is planned west of Currey Road.	Section 4.1, pages 4.1-5 to 4.1-6
13. What happens to the old ponds at Milk Farm?	The old ponds would be removed as part of site grading activities.	Section 4.3, page 4.3-15
14. What type of agriculture will be at Milk Farm?	The type of agricultural activities would be developed in specific development proposals submitted to the City at a later date.	N/A
15. Will project roads be paved?	The project must conform with City of Dixon regulations, which require paving of roads.	N/A

TABLE 1-1: Comments Received on Notice of Preparation and during Public Meeting in May 2004

Commentor	How Issue Is Addressed or Resolved in this EIR	Reference to EIR Section
16. Where is the corn maze?	The future site development is at a conceptual stage at this time. Future specific development proposals would be subject to additional City review.	N/A
17. How will drainage and flooding be handled?	This EIR contains an analysis of flooding issues in Section 4.3, Hydrology and Water Quality.	Section 4.3, pages 4.3-2 to 4.3-7
18. What is the proposed design of the borders of Milk Farm-fences, walls, landscaping?	The applicant has not yet provided details for landscaping treatment of the borders of the site. Such design would be defined in subsequent submittals to the City and be subject to further environmental review.	N/A
19. What about listed species, i.e., Swainson's Hawk?	Section 4.7, Biological Resources, contains Anticipated Future Mitigation Measures 4.7-1b and 4.7-2, which require mitigation for impacts to protected species, including Swainson's hawk, if required by California Department of Fish and Game.	Section 4.7, pages 4.7-17 to 4.7-19
20. What about seismicity and soils analysis?	As part of the Initial Study prepared for the project, the City determined that there was no potential for significant impacts related to soils and seismicity, so these issues have not been studied further.	Section 4.12, page 4.12-2

Initial Study

The City of Dixon prepared an Initial Study, which was attached to the NOP. The Initial Study determined that potential impacts related to aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology/seismicity/soils, hazardous materials, hydrology/water quality, land use/planning, noise, public services, transportation, and utilities should be analyzed further in the EIR. The project impacts found not to be potentially significant by the Initial Study (mineral resources, population/housing, and recreation) are not analyzed further in this EIR. Upon further review of the applicant's environmental commitments included as part of the project, the issue of geology/seismicity/soils was also found to be less than significant and is not

analyzed further in this EIR. Section 4.12 provides additional information on the topics found to be less than significant.

Draft EIR Review

This draft EIR is available for a 45-day public review period during which time the City will receive written comments on the adequacy of the environmental analysis.

Final EIR Preparation and Certification

Following the public review period, the City will respond to all the comments received from public agencies and the public. The comments may result in revisions or clarifications to the draft EIR analyses. The responses to comments will be presented in a final EIR, which will consist of copies of all the comment letters and summaries of verbal comments received during the public review period, the response to the comments, and revisions to the draft EIR, as necessary. The final EIR will also include a draft Mitigation Monitoring Program indicating the responsibilities for ensuring the implementation of the mitigation measures and the timing and frequency of monitoring the mitigation measure implementation.

The final EIR will be submitted to public agencies ten days prior to being considered by the Planning Commission. The Planning Commission will consider the final EIR and make recommendations to the City Council to certify the final EIR, if it finds that the final EIR adequately discloses the environmental impact associated with the project in accordance with the requirements of CEQA.

Approval of the Project

Upon review and consideration of the environmental impacts, the Dixon City Council will determine whether to approve, reject, or revise the proposed project and/or any of the alternatives. Approval of the project, as proposed or revised, would be accompanied by written findings for each significant environmental effect identified in the final EIR. Findings must be accompanied by a brief explanation of the rationale for each finding and will indicate that: 1) mitigation measures to reduce adverse impacts to less-than-significant levels have been adopted; 2) mitigation measures to reduce adverse impacts to insignificant levels are within the jurisdiction of another public agency and either have been or should be adopted by that agency; or 3) specific effects are unavoidable and substantially unmitigable, but are considered acceptable because overriding considerations indicate that the benefits of the project outweigh adverse effects. When making findings, the City must also adopt the Mitigation Monitoring Program. The City Council approval

would consist of approval of the General Plan amendment and pre-zoning requests. The City Council would then adopt a resolution directing City staff to submit a Sphere of Influence amendment and annexation to LAFCO.

The LAFCO application must be accompanied by a map and legal description of the affected territory; a response to LAFCO standards with supporting documentation; and an application processing fee. After the application is accepted as complete, a Certificate of Filing is issued and the application is scheduled for hearing before the Commission. The Executive Officer notifies affected agencies of the pending application, reviews the application, and prepares a staff report for the Commission.

The Commission conducts a public hearing on the application during which the applicant, affected agencies, and the public may testify. The Commission may amend an application's proposed boundaries and/or recommended conditions, and may either deny, approve, or approve the application with conditions. Within 35 days of the adoption of the Commission's resolution making determinations, and following a 30-day reconsideration period, the Executive Officer sets the proposal for hearing and gives proper notice. If the Commission receives no objection from land owners and registered voters and gains consent from the affected agencies, the Commission may choose to waive the protest hearing. If a proposal has not been terminated or brought to an election through the protest hearing phase, and unless otherwise conditioned by the Commission, the effective date of the change or organization or reorganization is the date a Certificate of Completion is recorded.

