

## 2

## REVISIONS TO THE DEIR TEXT

### 2.0 INTRODUCTION

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This chapter presents all of the revisions made to the Draft EIR in response to comments received or minor staff edits. It should be noted that the following revisions do not change the intent or content of the analysis or effectiveness of the mitigation measures presented in the Draft EIR.

### 2.1 DESCRIPTION OF CHANGES

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New text is double “underlined”, and deleted text is ~~“struck through”~~. Text changes are presented in the page order in which they appear in the DEIR.

#### 1. INTRODUCTION

Chapter 1 of the DEIR, page 1-1, first paragraph is hereby revised as follows:

...The City of Davis is the lead agency for the environmental review of the Wildhorse Ranch project (proposed project) evaluated herein and has the principal responsibility for approving the project...

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Chapter 1 of the DEIR, page 1-2, is hereby revised as follows:

Attached single-family townhome, 78 units (~~3630~~ are Middle Income for sale-attached units)

The above changes are for clarification purposes only and do not alter any of the conclusions contained within the DEIR.

Chapter 1 of the DEIR, page 1-3, fourth paragraph is hereby revised as follows:

The Final EIR is made available for a 10-day review by the public and commenting agencies.

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Chapter 1 of the DEIR, page 1-3, last paragraph is hereby revised as follows:

A Notice of Preparation (NOP) for this Draft EIR was released July 5, 2007 for a 30-day review (Appendix A). A public scoping meeting was held on July 18, 2007. Comments provided by the public and public agencies in response to the NOP were received by the City of Davis and are provided in Appendix B. In addition, an Initial Study was prepared to focus the scope of the Wildhorse Ranch EIR. It should be noted that the Initial Study was prepared for buildout of 259 residential units on the project site. The Initial Study was included as an attachment to the NOP (See Appendix A to this Draft EIR)...

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Chapter 1 of the DEIR, page 1-5, second paragraph is hereby revised as follows:

...The Initial Study prepared for the proposed project concluded that several environmental issues would result in a less-than-significant impact. The complete text of the Initial Study is contained in Appendix A as an attachment to the NOP. (See Chapter 4.0, Intro to Analysis for a list of discussion of impacts dismissed from the Initial Study from further analysis)

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

## **2. EXECUTIVE SUMMARY**

Chapter 2 of the DEIR, page 2-1, last paragraph is hereby revised as follows:

...73 detached single-family residences, and 78 two to three story attached single-family townhome units (including ~~36~~30 middle-income units) on 11.95-acres and 1.92-acres of attached affordable housing for a maximum of 40 units at ~~20~~1 du/ac...

The above changes are for clarification purposes only and do not alter any of the conclusions contained within the DEIR.

The following table beginning on page 2-10 of the Executive Summary chapter is hereby revised as follows:

**TABLE 2-1  
 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
<b>4.1 Land Use and Agricultural Resources</b>			
4.1-1 Consistency with the City of Davis General Plan.	LS	<i>4.1-1 None required.</i>	N/A
4.1-2 Consistency with the Davis Planned Development district process.	LS	<i>4.1-2 None required.</i>	N/A
4.1-3 Loss of prime agricultural land.	S	<i>4.1-3 The project applicant shall set aside in perpetuity active agricultural acreage at a minimum ratio of 2:1 based on the total project footprint of 25.79 acres, through granting a farmland conservation easement, a farmland deed restriction, or other farmland conservation mechanism to or for the benefit of the City and/or a qualifying entity approved by the City. The mitigation acreage shall be set aside prior to recordation of the final map(s). The location and amount of active agricultural acreage for the proposed project would be subject to the review and approval of the City Council.</i>	SU
4.1-4 Incompatibilities between future residential uses on the project site and surrounding uses.	S	<i>4.1-4(a) Consistent with Action AG 1.1(g) of the General Plan and the Davis Right-to-Farm Ordinance, the applicant/developer shall inform and provide recorded notice to prospective buyers within 1,000 feet of agricultural land in writing and prior to purchase, as prescribed by the City's Right to Farm Ordinance, about existing and on-going agricultural activities in the immediate area in the form of a disclosure statement. The notifications shall disclose that Davis and Yolo County are agricultural areas and residents of the</i>	LS

**TABLE 2-1  
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p><i>property may be subject to inconvenience or discomfort arising from the use of agricultural chemicals, and from pursuit of agricultural operations, including, but not limited to cultivation, irrigation, plowing, spraying, aerial application, pruning, harvesting, crop protection, and agricultural burning which occasionally generate dust, smoke, noise, and odor. The language and format of such notification shall be reviewed and approved by the Community Development Director prior to recording final maps. Each disclosure statement shall be acknowledged with the signature of each prospective property owner.</i></p> <p>4.1-4(b) <i>Prior to the use of pesticides on the orchard, the Home Owner’s Association and contractor(s) shall obtain a permit and comply with all regulations from the Yolo County Agricultural Commissioner. In addition, signage shall be posted at the perimeter of the orchard notifying the public that pesticides have been recently applied. The signage shall remain posted for the appropriate length, as determined during the permit process.</i></p> <p>4.1-4(c) <i>Prior to recordation of final map(s), in the event the Davis Sports Park is constructed adjacent and east of the proposed project, the applicant shall prepare and submit a disclosure statement for the review and approval of the Community Development Director which shall disclose the operations associated with the Davis Sports Park Project which will include ballfield</i></p>	

<b>TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES</b>			
<b>Impact</b>	<b>Level of Significance Prior to Mitigation</b>	<b>Mitigation Measures</b>	<b>Level of Significance After Mitigation</b>
		<i>lights, weekly games, tournaments etc. Language shall be included on the final map(s) to ensure that the disclosure of the Sports Park runs with the land, and is therefore provided to all prospective buyers of property.</i>	
4.1-5 Long-term impacts to Prime Farmland from the proposed project in combination with existing and future developments in the Davis area.	S	4.1-5 <i>Implement Mitigation Measure 4.1-3.</i>	SU
4.1-6 Consistency with the City of Davis' plans, policies, or ordinances.	LS	4.1-6 <i>None required.</i>	N/A
<b>4.2 Population, Housing, and Employment</b>			
4.2-1 Inconsistency with City of Davis affordable housing policies and Affordable Housing Ordinance.	LS	4.2-1 <i>None required.</i>	N/A
4.2-2 Inconsistency with Growth Management Action "e" of the Davis General Plan.	LS	4.2-2 <i>None required.</i>	N/A
4.2-3 Impacts to employment and housing.	LS	4.2-3 <i>None required.</i>	N/A
4.2-4 Long-term impacts to population, housing, and employment from the proposed project in combination with existing and future developments in the Davis area.	LS	4.2-4 <i>None required.</i>	N/A

**TABLE 2-1  
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
<b>4.3 Transportation and Circulation</b>			
4.3-1 Impacts to study intersections and roadways.	LS	4.3-1 <i>None required.</i>	N/A
4.3-2 Impacts related to the provision of efficient site access and circulation.	S	4.3-2 <i>Prior to approval of the Tentative Map, the project applicant shall ensure that the following items are incorporated into the project design, for the review and approval by the City Engineer:</i> <ul style="list-style-type: none"> <li>• <i>Provision of adequate sight distance at both project access intersections, by setting back any barrier walls far enough from the curb, and by ensuring that existing and new plantings do not obstruct drivers' views;</i></li> <li>• <i>Design of the internal roadways to meet City standards, and inclusion of internal traffic calming elements as may be determined to be necessary, subject to the review and approval of the City Engineer; and</i></li> <li>• <i>Provision of traffic control devices, if and where needed in the internal roadway system, based on an analysis of the internal traffic turning movements to be prepared when the project design is more detailed.</i></li> </ul>	LS
4.3-3 Impacts related to pedestrian and bicycle access and circulation.	S	4.3-3 <i>Prior to approval of the Tentative Map, the project applicant shall ensure that the pathway and sidewalk network meets ADA accessibility requirements, subject to the review and approval by the City Engineer.</i>	LS
4.3-4 Impacts related to transit access.	LS	4.3-4 <i>None required.</i>	N/A

**TABLE 2-1  
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
4.3-5 Impacts to traffic flow from construction traffic associated with grading and development of the project site.	S	4.3-5 <i>Prior to any on-site construction activities, the project applicant shall prepare a Construction Traffic Management Plan subject to the review and approval by the City Engineer. The Construction Traffic Management Plan shall include all measures for temporary traffic control, temporary signage and striping, location points for ingress and egress of construction vehicles, haul routes, staging areas, and shall provide for the timing of construction activity that appropriately limits hours during which large construction equipment may be brought onto or taken off of the site.</i>	LS
4.3-6 Cumulative impacts regarding the deterioration of the Second Street / Mace Boulevard intersection LOS.	S	4.3-6 <i>Prior to the issuance of building permits, or such other time as may be approved at the time of Tentative Map, the project applicant shall pay a fair share fee, as determined by the City Public Works Department, for improvements to the intersection of Second Street and Mace Boulevard; these improvements may include, but are not necessarily limited to: construction of a second left-turn lane on the northbound approach to the intersection of Second Street and Mace Boulevard, re-striping of the eastbound through lane to a shared through-left turn lane, and modification of the signal phasing to allow eastbound and westbound split phasing.</i>	LS
<b>4.4 Air Quality</b>			
4.4-1 Exhaust emissions and fugitive dust emissions from project-	S	4.4-1 <i>Prior to commencement of any ground disturbing activities, the applicant shall submit a dust control plan</i>	LS

**TABLE 2-1  
 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
associated construction activities.		<p><i>to the City Engineer and the Yolo-Solano Air Quality Management District <u>and the dust control plan shall be approved by the Yolo-Solano Air Quality Management District.</u> This plan shall ensure that adequate dust controls are implemented during all phases of project construction. The dust control best management practices (BMPs) <del>may</del> <u>shall</u> include but are not necessarily limited to the following:</i></p> <ul style="list-style-type: none"> <li>• <i>Apply nontoxic soil stabilizers according to manufacturer's specifications to all inactive construction areas (previously graded areas inactive for ten days or more);</i></li> <li>• <i>Reestablish ground cover in disturbed areas quickly;</i></li> <li>• <i>Water recently disturbed construction areas (ground disturbed within 10 days) at least twice daily to avoid visible dust plumes;</i></li> <li>• <i>Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;</i></li> <li>• <i>Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.);</i></li> <li>• <i>Enforce a speed limit of 15 MPH for equipment and vehicles operated in unpaved areas;</i></li> <li>• <i>All vehicles hauling dirt, sand, soil, or other</i></li> </ul>	

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 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p><i>loose materials shall be covered or should maintain at least two feet of freeboard; <del>and</del></i></p> <ul style="list-style-type: none"> <li>• <i>Sweep streets at the end of the day if visible soil material is carried onto adjacent public paved roads; <u>and</u></i></li> <li>• <i><u>All grading operations shall be suspended when wind speeds (as instantaneous gusts measured by an on-site anemometer) exceed 25 mph and dust has the potential to adversely affect adjacent residential properties. Wind speeds shall be measured with an anemometer on site a minimum of one time per day. Additional hourly anemometer measurements shall be conducted if wind conditions noticeably increase or are forecast to be greater than 15 mph.</u></i></li> </ul>	
4.4-2 New air pollutant emissions within the air basin resulting from operation of the proposed project.	LS	4.4-2 <i>None required.</i>	N/A
4.4-3 Increased carbon monoxide concentrations at project-area intersections.	LS	4.4-3 <i>None required.</i>	N/A
4.4-4 Long-term air quality impacts from the proposed project in combination with existing and future developments in the Davis area.	LS	4.4-4 <i>None required.</i>	N/A

**TABLE 2-1  
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Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
<b>4.5 Noise</b>			
4.5-1 Impacts associated with an increase of existing traffic noise levels on surrounding roadways.	LS	4.5-1 <i>None required.</i>	N/A
4.5-2 Noise impacts associated with existing agricultural activities.	LS	4.5-2 <i>None required.</i>	N/A
4.5-3 Short-term noise impacts from construction activities.	S	<p>4.5-3 <i>Compliance with the following measures shall be incorporated within the Final Planned Development with specific criteria and standards to be reviewed and approved by the Planning Commission:</i></p> <ul style="list-style-type: none"> <li>• <i>Construction activities shall be scheduled to occur during normal daytime working hours (i.e., 7:00 AM to 7:00 PM Monday through Friday and 8:00 AM to 8:00 PM Saturday and Sunday). These criteria shall be included in the Improvement Plans prior to initiation of construction. Exceptions to allow expanded construction activity hours shall be reviewed on a case-by-case basis as determined by the Community Development Director;</i></li> <li>• <i>All heavy construction equipment and all stationary noise sources (such as diesel generators) shall be fitted with factory-specified mufflers; and</i></li> <li>• <i>Equipment warm up areas, water tanks, and equipment storage areas shall be located in an area as far away from existing residences as</i></li> </ul>	LS

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SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<i>feasible.</i>	
4.5-4 Noise impacts associated with greenbelt and orchard maintenance activities.	S	4.5-4 <i>Prior to recordation of final map, disclosure statements advising that periods of orchard and greenbelt maintenance could result in elevated noise levels, shall be prepared and submitted for the review and approval of the Community Development Director. A copy of the approved disclosure statements shall be provided to all prospective buyers of property within the Wildhorse Ranch Subdivision. Language shall be included on the Final Map to ensure that the disclosure of elevated noise levels are provided at the time of all future sales.</i>	LS
4.5-5 Cumulative impact of traffic noise levels.	LS	4.5-5 <i>None required.</i>	N/A
4.5-6 Cumulative impact of traffic noise levels at outdoor activity areas proposed within the 60 dB Ldn contours.	LS	4.5-6 <i>None required.</i>	N/A
4.5-7 Cumulative impact of traffic noise levels at interior residential uses proposed within the 60 dB Ldn contours.	LS	4.5-7 <i>None required.</i>	N/A
<b>4.6 Biological Resources</b>			
4.6-1 Potential Impacts to the American Badger.	S	4.6-1(a) <i>A qualified biologist shall conduct pre-construction surveys for American badger in all construction areas identified as potential habitat located within the project area two weeks prior to initiation of construction activities. If an American badger or active burrow, indicated by the presence of badger sign (i.e. suitable</i>	LS

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Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p><i>shape and burrow-size, scat) is found within the construction area during pre-construction surveys, the CDFG shall be consulted to obtain permission for animal relocation.</i></p> <p>4.6-1(b) <i>If the qualified biologist determines that potential dens are inactive, the biologist shall excavate these dens by hand with a shovel to prevent badgers from re-using them during construction.</i></p> <p>4.6-1(c) <i>If the qualified biologist determines that potential dens may be active, the entrances of the dens shall be blocked with soil, sticks, and debris for three to five days to discourage use of these dens prior to project disturbance. The den entrances shall be blocked to an incrementally greater degree over the three to five day period. After the qualified biologist determines that badgers have stopped using active dens within the project boundary, the dens shall be hand-excavated with a shovel to prevent re-use during construction.</i></p> <p><u><i>Prior to initiating passive relocation efforts, adjacent lands will be evaluated to confirm that suitable habitat and refugia for badgers is present adjacent to the active den site. If necessary, artificial dens will be created in suitable areas within close proximity (as close as is feasible) to reduce exposure to predation during relocation. If passive relocation is ineffective, active relocation techniques will be coordinated with CDFG</i></u></p>	

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Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p><i>and carried out by a qualified biologist. A suitable relocation site will be found in the vicinity of the project site and a relocation plan designed to minimize stress to the animal will be developed for approval by CDFG and the City.</i></p> <p>4.6-1(d) <i>If badger are determined to be actively using the site, a qualified biologist shall provide project contractors and construction crews responsible for site demolition and/or grading operations with a worker-awareness program before any ground disturbance work within the project area. This program shall be used to describe the species, its habits and habitats, its legal status and required protection, and all applicable mitigation measures.</i></p>	
4.6-2 Potential Impacts to Western Burrowing Owl.	S	<p>4.6-2(a) <i>Prior to commencement of construction-related activities for the project including, but not limited to, grading, staging of materials, or earthmoving activities and within 15 days of initiation of any grading or other construction activities, pre-construction surveys of all potential burrowing owl habitat shall be conducted by a qualified biologist within the project area and within 250 feet of the project boundary. Presence or sign of burrowing owl and all potentially occupied burrows shall be recorded and monitored according to the CDFG and California Burrowing Owl Consortium guidelines. If burrowing owls are not detected by sign or direct observation, construction may proceed.</i></p>	LS

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 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>4.6-2(b) <i>If potentially nesting burrowing owl are present during pre-construction surveys conducted between February 1 and August 31, grading or other construction related disturbance shall not be allowed within 250 feet of any active nest burrows during the nesting season (February 1 – August 31) unless approved by CDFG.</i></p> <p>4.6-2(c) <i>If burrowing owl are detected during pre-construction surveys outside the nesting season (September 1 – January 31), passive relocation and monitoring may be undertaken by a qualified biologist following the CDFG and California Burrowing Owl Consortium guidelines, which involve the placement of one-way exclusion doors on occupied and potentially occupied burrowing owl burrows. Owls shall be excluded from all suitable burrows within the project area and within a 250-foot buffer zone of the impact area. A minimum of one week shall be allowed to accomplish this task and allow for owls to acclimate to alternate burrows. These mitigation actions shall be carried out prior to the burrowing owl breeding season (February 1 - August 31) and the site shall be monitored weekly by a qualified biologist until construction begins to ensure that burrowing owls do not re-inhabit the site.</i></p> <p><u><i>If passive relocation is unsuccessful, the feasibility of active relocation will be discussed with CDFG and an alternate strategy evaluated. Any active relocation efforts must be approved by CDFG and the City, and</i></u></p>	

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Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p><i>carried out by a qualified biologist with similar burrowing owl relocation experience and according to an approved plan.</i></p> <p>4.6-2(d) <i>If burrowing owl or sign of burrowing owl are detected at any time on the project site, a minimum of 6.5 acres of foraging habitat per pair or individual resident bird, shall be acquired and permanently protected to compensate for the loss of burrowing owl habitat. The acreage shall be based on the maximum number of owls observed inhabiting the property for any given observation period, pre-construction survey, or other field visit. The protected lands shall be occupied burrowing owl habitat and at a location acceptable to CDFG. A report shall be submitted to the City describing the agreed upon location. First priority for habitat preservation shall be accomplished on-site. If the required acreage cannot be preserved on-site, second priority shall be given to habitat preservation at an off-site location within the Davis city limits that shall be acquired and preserved in perpetuity. Third priority shall be given to another off-site location outside of the Davis city limits. Habitat in the amount specified above shall be acquired, permanently protected, and enhanced through management for the benefit of the species, to compensate for the loss of burrowing owl habitat on the project site. Alternatively, the applicant can provide the required mitigation either through an in-lieu fee program, purchase of the required acreage in an</i></p>	

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SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p><i>approved mitigation bank, or an approved Habitat Conservation Plan (HCP).</i></p> <p>4.6-2(e) <i>If burrowing owl are determined to be actively using the site, a qualified biologist shall conduct an education session for project contractors and construction crews responsible for site demolition and/or grading operations before any ground disturbance work within the project area. The education session, shall include includes photos of burrowing owl for identification purposes, habitat description, limits of construction activities in the project area, and guidance regarding general measures being implemented to conserve burrowing owl as they relate to the project. A qualified biologist shall provide materials and instructions to train new workers whose jobs involve initial ground disturbance, grading, or paving. Training for personnel finalizing exteriors and interiors would not be required.</i></p> <p>4.6-2(f) <i>A monitoring report of all activities associated with pre-construction surveys, avoidance measures, and passive relocation of burrowing owls shall be submitted to the City and CDFG no later than three days before initiation of grading.</i></p>	
4.6-3 Potential Impacts to Nesting Birds.	S	4.6-3(a) <i>The removal of any buildings, trees, or shrubs shall occur from September 1 through December 15, outside of the avian nesting season. If removal of buildings, trees, or shrubs occurs, or construction begins between February 1 and August 31 (nesting season for passerine</i>	LS

**TABLE 2-1  
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p><i>or non-passerine land birds) or between December 15 and August 31 (nesting season for raptors), a nesting bird survey shall be performed by a qualified ornithologist within 15 days prior to the removal or disturbance of a potential nesting structure, tree, or shrub, or the initiation of other construction activities. During this survey, a qualified biologist shall inspect all potential nesting habitat (trees, shrubs, structures, grasslands, etc.) for nests in and immediately adjacent to the impact areas. A report of the survey findings shall be provided to the City and CDFG.</i></p> <p>4.6-3(b) <i>All vegetation and structures with active nests shall be flagged and an appropriate non-disturbance buffer zone shall be established around the nest site. The size of the buffer zone shall be determined by the project biologist in consultation with CDFG and shall depend on the species involved, site conditions, and type of work to be conducted in the area.</i></p> <p>4.6-3(c) <i>A qualified biologist shall monitor active nests to determine when the young have fledged and are feeding on their own. The project biologist and CDFG shall be consulted for clearance before construction activities resume in the vicinity.</i></p>	
4.6-4 Potential Impacts to Special-Status Bat Species.	S	4.6-4(a) <i>A pre-construction survey for roosting bats shall be performed by a qualified biologist within 30 days prior to any removal of trees or structures on the site. If no active roosts are found, then no further action would be</i>	LS

**TABLE 2-1  
 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p>warranted. If either a maternity roost or hibernacula (structures used by bats for hibernation) is present, the following mitigation measures shall be implemented.</p> <p>4.6-4(b) <i>If active maternity roosts or hibernacula are found in trees or structures which will be removed as part of project construction, the project shall be redesigned to avoid the loss of the tree or structure occupied by the roost to the extent feasible as determined by the City. If an active maternity roost is located and the project cannot be redesigned to avoid removal of the occupied tree or structure, demolition shall commence before maternity colonies form (i.e., prior to March 1) or after young are volant (flying) (i.e., after July 31). Disturbance-free buffer zones, as determined by a qualified biologist in coordination with CDFG, shall be observed during the maternity roost season (March 1 - July 31).</i></p> <p>4.6-4(c) <i>If a non-breeding bat hibernacula is found in a tree or structure scheduled for removal, the individuals shall be safely evicted, under the direction of a qualified biologist (as determined by a Memorandum of Understanding with CDFG), by opening the roosting area to allow airflow through the cavity. Demolition shall then follow at least one night after initial disturbance for airflow. This action should allow bats to leave during darkness, thus increasing their chance of finding new roosts with a minimum of potential</i></p>	

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		<p><i>predation during daylight. Trees or structures with roosts that need to be removed shall first be disturbed at dusk, just prior to removal that same evening, to allow bats to escape during the darker hours.</i></p> <p>4.6-4(d) <i>If special-status bats are found roosting within trees or structures on-site that require removal, appropriate replacement roosts shall be created at a suitable location on site or off site in coordination with a qualified biologist, CDFG, and the City.</i></p>	
4.6-5 Potential Impacts to Nesting Swainson’s Hawk.	S	<p>4.6-5(a) <i>In order to ensure that nesting Swainson’s hawks will not be affected by construction on the project site, a qualified biologist shall conduct pre-construction surveys according to the CDFG and Swainson’s hawk Technical Advisory Committee guidelines (2000). Survey Period I occurs from January 1 – March 20, Period II from March 20 – April 5, Period III from April 5 – April 20, Period IV from April 21 – June 10, and Period V from June 10 – July 30. Three surveys shall be completed in at least each of the two survey periods immediately prior to a project’s initiation and shall encompass the area within one half mile of the project site.</i></p> <p>4.6-5(b) <i>Because of the potential for Swainson’s hawk to nest on-site, potential adverse affects to this species shall be avoided by establishment of CDFG approved buffers around any active nests. No construction activities shall take place within 0.25 mile of the nest until the young</i></p>	LS

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 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

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		<p><i>have fledged, or authorization has been obtained from CDFG. Weekly monitoring reports summarizing nest activities shall be submitted to the City and CDFG until the young have fledged and the nest is determined to be inactive. Trees containing nests that must be removed as a result of project implementation shall be removed during the non-breeding season (late September to March) and in accordance with the CDFG “Staff Report Regarding Mitigation for Impacts to Swainson’s Hawks in the Central Valley of California,” November 8, 1994.</i></p> <p>4.6-5(c) <i>Replacement trees for any potential Swainson’s hawk nest trees removed as part of project construction must be planted either on-site or at a nearby site, and/or an in-lieu fee must be paid to the City of Davis Tree Preservation Fund as detailed in Mitigation Measure 4.6-7. <u>The implementation of this measure is not intended to be duplicative of the mitigation for loss of trees contained in Mitigation Measure 4.6-7(c).</u> Accordingly, mitigation provided under MM 4.6-7(c) may also serve as mitigation under this measure, provided that the standards of this measure are met.</i></p>	
4.6-6 Potential Impacts to Swainson’s Hawk Foraging Habitat.	S	<p><del>4.6-6(a) — The applicant shall be responsible for mitigating the loss of any Swainson’s hawk foraging habitat. The extent of any necessary mitigation shall be determined by the City in consultation with CDFG; past recommended mitigation for loss of foraging habitat has been at a ratio of one acre of suitable foraging habitat for every one acre utilized by the proposed project. An “Agreement</del></p>	LS

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 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p><i>Regarding Mitigation for Impacts to Swainson's Hawk Foraging Habitat in Yolo County" was executed in August, 2002, between the Cities of Davis, West Sacramento, Winters, Woodland, the County of Yolo, and CDFG. The agreement currently requires 1.0 acre of habitat management lands as mitigation for each 1.0 acre of Swainson's hawk foraging habitat lost.</i></p> <p>4.6-6(b) <i>The project proponent will compensate for the loss of Swainson's hawk foraging habitat by providing Habitat Management lands (HM lands) to CDFG as defined in the Staff Report Regarding Mitigation for Impacts to Swainson's Hawks in the Central Valley of California (published by California Department of Fish and Game in 1994). If the proposed project is located within 1 mile of an active nest (<u>used during one or more of the last five years</u>, to be determined with preconstruction surveys) the loss of habitat will be compensated at a ratio of 1:1 (HM lands:urban development). The project proponent will provide HM lands through an in-lieu fee process prior to <u>commencement of construction-related activities for the project including, but not limited to, grading, staging of materials, or earthmoving activities, groundbreaking</u> per the Agreement to Yolo County HCP/NCCP Joint Powers Agency. Credits will be purchased through the in-lieu fee program due to the lack of mitigation credits currently available at a bank. As of January 2007, the cost per acre for the in-lieu fee is \$8,660 payable to the Joint Powers Agency. Should</i></p>	

**TABLE 2-1  
 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p><i>the in-lieu fee be increased prior to clearance to grade the project site, the project proponent shall pay the in-lieu fee in effect at that time. The project proponent will issue a check to the Joint Powers Agency if mitigation is required. It is estimated that a total of 15.5 acres of Swainson's hawk foraging habitat would be removed as a result of the project. The applicant shall pay the in-lieu fee for the 15.5 acres based on the removal of this Swainson's hawk foraging habitat.</i></p> <p><i>-Or-</i></p> <p><i>Prior to commencement of construction-related activities for the project including, but not limited to, grading, staging of materials, or earthmoving activities, the project proponent shall place and record one or more Conservation Easements that meet the acreage requirements of CDFG's Swainson's Hawk foraging habitat mitigation guidelines. The conservation easement(s) shall be executed by the project proponent and a Conservation operator. The City may, at its discretion, also be a party to the conservation easement(s). The conservation easement(s) shall be reviewed and approved in writing by CDFG prior to recordation for the purpose of confirming consistency. The purpose of the conservation easement(s) shall be to preserve the value of the land as foraging habitat for the Swainson's hawk.</i></p>	

**TABLE 2-1  
 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
4.6-7 Potential Impacts to Tree Removal.	S	<p>4.6-7(a) <i>Prior to commencement of construction-related activities for the project including, but not limited to, grading, staging of materials, or earthmoving activities, a tree preservation plan, in compliance with Ordinance 37.03.010 in the City of Davis Municipal Code, shall be submitted to the Community Development Department and City Arborist for review and approval, which shall ensure the following measures:</i></p> <ul style="list-style-type: none"> <li>• <i>Trees shall be cordoned off with chain link fence prior to construction as specified;</i></li> <li>• <i>Soil compaction under trees is to be avoided;</i></li> <li>• <i>The fence shall prevent equipment traffic and storage under the trees and should extend beyond the drip-line;</i></li> <li>• <i>Excavation within this zone shall be accomplished by hand, and roots ½” and larger shall be preserved;</i></li> <li>• <i>Proper fertilization and irrigation prior to and during the construction period shall be provided as specified;</i></li> <li>• <i>New landscaping under existing trees shall be carefully planned to avoid any grade changes and any excess moisture in trunk area. Existing plants which have compatible irrigation requirements and which complement the trees’ color, texture and form are to be saved;</i></li> <li>• <i>Trenching within the drip-line shall be</i></li> </ul>	LS

**TABLE 2-1  
 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p><i>performed only with prior approval of the Park and General Services Department. Boring is preferred when feasible;</i></p> <ul style="list-style-type: none"> <li>• <i>All paving plans and specifications shall clearly prohibit the use of soil sterilants adjacent to preserved trees; and</i></li> <li>• <i>Grade changes greater than one foot within the drip-line shall be avoided, and nothing other than a saw shall be used for root cutting.</i></li> </ul> <p>4.6-7(b) <i>Prior to commencement of construction-related activities for the project including, but not limited to, grading, staging of materials, or earthmoving activities, a sheet shall be included with the project plans, which indicates all of the trees identified. The tree report with corresponding descriptions of each tree by species, health, etc. should also be included. In addition, notes shall be included on the plans which clearly state protection procedures for trees that are to be preserved. Any tree care practices, such as cutting of roots, pruning the top, etc., shall be adequately described and shall have the approval of a representative of the Parks and General Services Department prior to execution. In the event of damage to existing trees, a penalty clause shall be replacement tree(s) of equal size in D.B.H. unless specified otherwise by the Parks and General Services Department.</i></p> <p>4.6-7(c) <i>Trees identified on the site as Trees of Significance, that</i></p>	

**TABLE 2-1  
 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p><i>are proposed for removal, shall be replaced either on site or at a nearby site deemed acceptable by the Director of the City of Davis Parks and General Services Department. The Director may require an in-lieu fee to be paid to the City of Davis Tree Preservation Fund instead of or in addition to tree replacement. The recommendations for avoidance of trees contained in Chapter 37 of the City of Davis Municipal Code (Tree Planting, Preservation, and Protection) should be adopted if feasible. If infeasible, the applicant should identify trees slated for removal on the site plan, including those with encroachments within 30-feet of the drip line of trees and develop a tree replacement plan that shall be reviewed and approved by the City prior to issuance of the grading permit. Tree replacement shall be implemented according to options outlined in Section 37.03.070 of the City's Municipal Code as follows:</i></p> <ul style="list-style-type: none"> <li><i>(i) Replanting a tree(s) on site: Trees shall be planted in number and size so that there is no net loss in tree diameter at breast height (DBH). For example, if one tree is removed with a 12-inch DBH size, mitigation may consist of a replacement of equal size, two trees each 6-inch DBH, or four trees each 3-inch DBH. The replanted tree(s) shall be minimum 5 gallon size and of a species that will eventually equal or exceed the removed tree in size.</i></li> <li><i>(ii) Replanting a tree(s) off site: If there is</i></li> </ul>	

**TABLE 2-1  
 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p><i>insufficient space on the property for the replacement tree(s), required planting shall occur on other property in the applicant's ownership or in City-owned open space or park, subject to the approval of the City Arborist and authorized property owners.</i></p> <p><i>(iii) Payment to the Tree Preservation Fund in lieu of replacement: If in the City Arborist's determination no feasible alternative exists to plant the required mitigation, or there are other considerations for alternative mitigation, the applicant shall pay into the Tree Preservation Fund an amount determined by the Director based upon the ISA appraisal guidelines or other approved method. If the Director approves another method of appraisal guideline, the Director shall publish notice of that approval and notify the permit applicant at the time the permit application is issued.</i></p>	
4.6-8 Cumulative loss of biological resources in the City of Davis and the effects of ongoing urbanization in the region.	LS	4.6-8 <i>None required.</i>	N/A
<b>4.7 Aesthetics</b>			
4.7-1 Impacts related to altering the existing character of the project site and obstructing views from existing homes.	S	4.7-1 <i>None feasible.</i>	SU

**TABLE 2-1  
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
4.7-2 Impacts related to light and glare.	S	<p>4.7-2(a) <i>Prior to issuance of the first building permit, the developer shall submit a street lighting plan for review and approval by the City Engineer. Street lightning shall be limited to reduced height low-profile fixtures. The Plan shall comply with Chapter 6 of the Davis Municipal Code- Article VIII: Outdoor Lighting Control.</i></p> <p>4.7-2(b) <i>Prior to the issuance of building permits, the developer shall submit a lighting plan for the review and approval of the Chief Building Official of the City of Davis. The lighting plan shall include shielding on all light fixtures and shall address-limiting light trespass and glare through the use of shielding and directional lighting methods, including but not limited to, fixture location and height. The Plan shall comply with Chapter 6 of the Davis Municipal Code- Article VIII: Outdoor Lighting Control.</i></p>	LS
4.7-3 Impacts to scenic resources.	LS	4.7-3 <i>None required.</i>	N/A
4.7-4 Long-term impacts to the visual character of the region from the proposed project in combination with existing and future developments in the Davis area.	S	4.7-4 <i>None feasible.</i>	SU
<b>4.8 Hydrology, Water Quality, and Drainage</b>			
4.8-1 Exposure of people and structures to flood hazards on the project site.	LS	4.8-1 <i>None required.</i>	N/A

<b>TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES</b>			
<b>Impact</b>	<b>Level of Significance Prior to Mitigation</b>	<b>Mitigation Measures</b>	<b>Level of Significance After Mitigation</b>
4.8-2 Increased stormwater runoff from the project site contributing to downstream flooding.	S	4.8-2 <i>In conjunction with the submittal of a tentative map, the project applicant shall submit a design-level engineering report on the stormwater detention and conveyance system to the City Engineer demonstrating that the proposed project peak flows into the existing 36-inch storm drain would not exceed 6.2 cfs. The report shall also demonstrate that peak flows from the site do not coincide with peak flows within Channel "A" and demonstrate how the system would function to adequately treat stormwater runoff prior to being discharged into Channel "A." Stormwater detention and conveyance plans shall be reviewed and approved by the City Engineer.</i>	LS
4.8-3 Construction-related impacts to surface water quality.	S	4.8-3 <i>Prior to commencement of construction, the applicant shall obtain a NPDES General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit), which pertains to pollution from grading and project construction. Compliance with the Permit requires the project applicant to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Storm Water Pollution Prevention Plan (SWPPP) prior to ground disturbance. The SWPPP would incorporate Best Management Practices (BMPs) in order to prevent, or reduce to the greatest extent feasible, adverse impacts to water quality from erosion and sedimentation. A copy of the SWPP including BMP implementation provisions shall be submitted to the Chief Building Official.</i>	LS

**TABLE 2-1  
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
4.8-4 Long-term water quality degradation associated with urban runoff from the project site.	LS	4.8-4 <i>None required.</i>	N/A
4.8-5 Long-term increases in peak stormwater runoff flows from the proposed project in combination with existing and future developments in the Davis area.	LS	4.8-5 <i>None required.</i>	N/A
4.8-6 Cumulative impacts related to degradation of water quality.	S	4.8-5 <i>Implement Mitigation Measures 4.8-2 and 4.8-3.</i>	LS
<b>4.9 Public Services and Facilities</b>			
4.9-1 Ability of Existing Water Conveyance Facilities to Meet Project Water Demands.	S	<p>4.9-1(a) <i>Prior to issuance of building permits, the East Area Tank, the East Area Main Upsize, and the West Area Main Upsize shall be included within the City's Capital Improvement Plan and fully funded for construction.</i></p> <p>4.9-1(b) <i>If the following is not included in the City's water connection charge at the time the water charge is paid for any unit in the project, then, in addition to the water connection charge, the project shall pay fair share fees for the above-listed improvements at the time of building permit issuance. This fair share shall include any additional costs that the City may incur to accelerate the timing of the above-listed projects.</i></p>	LS
4.9-2 Long-term availability of water supply to meet the project water	S	4.9-2 <i>The project applicant shall pay fair share fees for the future water supply project(s) required to meet City</i>	LS

**TABLE 2-1  
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
demand.		<i>demand beyond 2020 at the time of building permit issuance.</i>	
4.9-3 Increased demand for wastewater disposal.	S	4.9-3 <i>Prior to the approval of a tentative map for the Wildhorse Ranch project, the applicant shall submit a design-level wastewater report for the proposed project that demonstrates how the project's wastewater will be delivered to the Wastewater Treatment Plant. Included in the report shall be a determination of the capacity of downstream sewer lines and what improvements, if any, need to be constructed to accommodate and convey the project's additional wastewater, and the construction and operational costs of the options. The wastewater report shall be subject to approval by the City Engineer. The applicant shall be required to fully fund and construct the necessary wastewater improvements determined by the wastewater report.</i>	LS
4.9-4 Increased demand for fire protection services.	S	4.9-4 <i>Prior to the issuance of <del>building permits</del> <u>Certificates of Occupancy</u>, the applicant shall <del>contribute funds to the Davis Fire Department for the provision of facilities needed to provide adequate fire protection service to the proposed project. These facilities may include but are not necessarily limited to a fourth City fire station and a ladder truck. The amount of funding shall be pay all applicable major project impact fees per the impact fee schedule determined by the Community Development Director and the Davis Fire Chief.</del></i>	SU
4.9-5 Increased demand for law enforcement protection services.	<u>LS</u>	4.9-5 <del><i>Prior to the issuance of building permits, the project applicant shall contribute funding to the Davis Police Department needed to provide an additional 0.57</i></del>	<u>LSN/A</u>

**TABLE 2-1  
 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<p><del>officer. Funding options include, but are not necessarily limited to the following:-</del></p> <ol style="list-style-type: none"> <li><del>1) Provide an endowment fund that would provide for the hiring of approximately 60 percent law enforcement officer and the support equipment and materials for the officer;</del></li> <li><del>2) Contribute toward hiring new officers, their equipment and materials with the goal of improving community relations as a good steward of the community; or</del></li> <li><del>3) The project applicant shall present an alternative and acceptable means, as determined by the Police Chief, whereby the required law enforcement officer will be provided in the long term.</del></li> </ol> <p><del>The final funding mechanism and dollar amount shall be reviewed and approved by the Community Development Director and the Davis Police Chief. <u>None required.</u></del></p>	
4.9-6 Increased demand for school resources.	S	4.9-6 Prior to the issuance of building permits, the applicant shall show proof to the Community Development Department of payment of current SB50 and AB 16 school impacts fees.	LS
4.9-7 Increased demand for solid waste disposal/recycling services.	LS	4.9-7 None required.	N/A
4.9-8 Increased demand for park and recreation services and facilities.	S	4.9-8 Prior to the issuance of <del>building permits</del> <u>Certificates of Occupancy</u> , the applicant shall pay in-lieu <u>Quimby fees</u>	LS

<b>TABLE 2-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES</b>			
<b>Impact</b>	<b>Level of Significance Prior to Mitigation</b>	<b>Mitigation Measures</b>	<b>Level of Significance After Mitigation</b>
		<i>for required park acreage.</i>	
4.9-9 Impacts to gas and electric facilities.	LS	4.9-9 <i>None required.</i>	N/A
4.9-10 Long-term impacts to public services and facilities from the proposed project in combination with existing and future developments in the Davis area.	LS	4.9-10 <i>None required.</i>	N/A
<b>4.10 Climate Change</b>			
4.10-1 Project impacts concerning the production of GHGs.	S	4.10-1 <i>In conjunction with the submittal of a Tentative Map for the proposed project, the project applicant shall submit, for the review and approval of the Community Development Department, a sustainability plan, which demonstrates that the proposed project does not conflict with the goals and strategies of Executive Order S-3-05, the Attorney General’s suggested global warming mitigation measures, or City of Davis Resolution No. 08-166. The sustainability plan shall include, but not be limited to, the compliance measures <u>listed in the right column of <del>included in</del> Table 4.10-6, which is labeled “Wildhorse Ranch Compliance.”</u></i>	SU
<b>Initial Study</b>			
V. Cultural Resources.	S	V-1 <i>Prior to commencement of construction-related activities for the project including, but not limited to, grading, staging of materials, or earthmoving activities, an archaeological monitor shall be retained by the applicant and approved by the City to train the</i>	LS

**TABLE 2-1  
 SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
	S	<p><i>construction grading crew prior to commencement of earth-grading activity in regard to the types of artifacts, rock, bone, or shell that they are likely to find, and when work shall be stopped for further evaluation. One trained crew member shall be on-site during all earth moving activities, with the assigned responsibility of “monitor.” If any earth-moving activities uncover artifacts, exotic rock, or unusual amounts of bone or shell, work shall be halted in the immediate area of the find and shall not be resumed until after the archaeologist monitor has inspected and evaluated the deposit and determined the appropriate means of curation. The appropriate mitigation measures may include as little as recording the resource with the California Archaeological Inventory database or as much as excavation, recordation, and preservation of the sites that have outstanding cultural or historic significance.</i></p> <p>V-2</p> <p><i>Prior to the approval of tentative map(s), the tentative map(s) shall state that during construction, if bone is uncovered that may be human; the Native American Heritage Commission in Sacramento and the Yolo County Coroner shall be notified. Should human remains be found, the Coroner’s office shall be immediately contacted and all work halted until final disposition by the Coroner. Should the remains be determined to be of Native American descent, the Native American Heritage Commission shall be consulted to</i></p>	LS

**TABLE 2-1  
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Level of Significance Prior to Mitigation	Mitigation Measures	Level of Significance After Mitigation
		<i>determine the appropriate disposition of such remains.</i>	
VI Geology and Soils.	S	VI-1 <i>Prior to commencement of construction-related activities for the project including, but not limited to, grading, staging of materials, or earthmoving activities, the developer shall prepare a storm water pollution prevention plan (SWPPP), consistent with the State Water Resources Control Board NPDES requirements. A copy of the SWPPP shall be submitted to the City Engineer subject to review and comment.</i>	LS
	S	VI-2 <i>Prior to the approval of final map(s), a final design-level geotechnical report, with consideration of recommendations from the Wildhorse Geotechnical Investigation, shall be prepared and submitted to the Chief Building Official for review and comment. The recommendations of the final geotechnical report shall be incorporated into the project design prior to issuance of building permits for review and approval of the City Engineer and/or Chief Building Official.</i>	LS
VII Hazards and Hazardous Materials.	S	VII-1 <i>Prior to commencement of construction-related activities for the project including, but not limited to, grading, staging of materials, or earthmoving activities, the on-site septic systems and agricultural well(s) shall be located and properly destroyed by a licensed contractor in compliance with Yolo County Environmental Health Department standards. Confirmation of the destruction of such facilities shall be submitted to the City Engineer.</i>	LS

### 3. PROJECT DESCRIPTION

Chapter 3 of the DEIR, page 3-1, second paragraph is hereby revised as follows:

... The site is identified by Yolo County Assessor’s Parcel Number (APN) 071-140-11. The current City of Davis General Plan (adopted May 2001) designation for the site is Agriculture (See Figure 4.1-1).

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Chapter 3 of the DEIR, page 3-4, fourth paragraph is hereby revised as follows:

...73 detached single-family residences, and 78 two to three story attached single-family townhome units (including ~~3630~~ middle-income units) on 11.95-acres and 1.92-acres of attached affordable housing for a maximum of 40 units at ~~240~~ du/ac (See Table 3-1, Wildhorse Ranch Project Data and Figure 3-3, Wildhorse Ranch Site Plan).

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Chapter 3 of the DEIR, page 3-5, Table 3-1 is hereby revised as follows:

Project Residential Unit Types	Units
Detached Single-Family (3,600 square feet)	73
Attached Single-Family	78*
Middle Income for Sale-Attached	<del>(3630*</del> of 78)
Low/Very Low (Multi-family rental units)	40*

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Chapter 3 of the DEIR, page 3-7, second paragraph is hereby revised as follows:

...If dedicated to the City, the land dedication site would be required to be at least ~~2.671,92~~ acres. A land dedication site of 2.671,92 acres for a 40-unit requirement is consistent with the City density calculations of 1520 du/acre in accordance with the Affordable Housing Ordinance...

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Chapter 3 of the DEIR, page 3-7, second paragraph is hereby revised as follows:

...The applicant proposes to apply to the City for a Project Individualized Plan (“PIP”) that would allow ~~it~~ the applicant to construct, own and manage the units. The applicant anticipates that part of its application will include a proposal to select a local housing non-profit who specializes in tax credit financed affordable housing projects as a partner in building and managing the apartment site housing...

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Chapter 3 of the DEIR, page 3-8, seventh and eighth bullets are hereby revised as follows:

- Roof orientation to maximize solar panel efficiency; ~~and~~
- The community provides a natural buffer edge that decreases the likelihood of further encroachment into the adjacent agricultural uses as well as increasing the amount of accessible open space in the project area, and
- Homeowner education on water use and conservation.

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Chapter 3 of the DEIR, page 3-8, last three bullets are revised as follows:

- Efficient hot water delivery (demand-initiated tankless heating/core plumbing system); and
- Limit amount of turf coverage per lot and open space areas, and/or require ‘water-budget’ landscape design; ~~and~~
- ~~Homeowner education on water use and conservation.~~

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Chapter 3 of the DEIR, page 3-8, 8th bullet is hereby revised as follows:

- Energy Star rated appliances (to include dishwasher, and refrigerator ~~and clothes washer~~);

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Chapter 3 of the DEIR, page 3-8, 12th bullet is hereby revised as follows:

- Low water-factor ~~clothes washers and~~ dishwashers;

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Chapter 3 of the DEIR, page 3-9, first paragraph is hereby revised as follows:

Boulevard and Monarch Lane intersection is anticipated for signalization as part of the project and would allow full turn movements to and from the site. A secondary vehicle access point is proposed along East Covell Boulevard at the south end of the 65-foot additional buffer land dedication area. The intersection would be a “T”-intersection with a right-in and right-out only. The proposed project includes the construction of both access points. The exact alignments will be determined in consultation with the City Engineer and the public safety departments and then incorporated into the Site Plan. The two street access points from Covell Boulevard are the primary fire and police access points. A potential third Emergency Vehicle Access (EVA) is located at Caravaggio Place to the north (See Figure 3-3). The final number and location of EVAs will be determined at a later stage.

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Chapter 3 of the DEIR, page 3-9, first paragraph is hereby revised as follows:

...The East Covell Boulevard and Monarch Lane intersection is ~~anticipated~~ planned for signalization as part of the project and would allow full turn movements to and from the site...

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Chapter 3 of the DEIR, page 3-13, second to last paragraph is hereby revised as follows:

Consistent with General Plan Policy UD2.2, where feasible all streets would be lined with shade trees, creating a well shaded street and green canopy that ~~slows traffic~~, reduces the heat island affect, and enhances the neighborhood aesthetics....

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

#### **4.0 INTRODUCTION TO THE ANALYSIS**

Chapter 4.0 of the DEIR, page 4.0-2, fourth bullet, is hereby revised as follows:

- *Hazards and Hazardous Materials (VII a., c.-f., h. p.33)*: The project site is not located within an airport land use plan, within two miles of an airport, or

located within an area where wildland fires occur. Therefore, the proposed project would result in no impacts pertaining to the aforementioned hazards. The Wildhorse Subdivision Hazards Assessment, which included the project site, noted that the project site had been used for agriculture in the past. The report analyzed project site samples for Organochlorine Pesticides using EPA method 8080. The report concluded no concentrations of DDT, DDD, toxaphene, dieldrin or any other EPA method 8080 constituents with the exception of DDE, which was detected in all samples at concentrations ranging from 0.043 to 0.083 parts per million (ppm). The presence of DDE in the soil was found to be well below the Total Threshold Limit Concentration of 1.0 ppm. Therefore, the pesticide residues are well below the Total Threshold Limit Concentration.

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

#### 4.1 LAND USE AND AGRICULTURAL RESOURCES

Section 4.1 of the DEIR, page 4.1-1, second to last paragraph is hereby revised as follows:

The City of Davis General Plan designates the 25.79-acre parcel on the project site as Agriculture (AG) (See Figure 4.1-1). The City of Davis General Plan definition for the Agriculture land use is:

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Section 4.1 of the DEIR, page 4.1-22, second to last paragraph is hereby revised as follows:

...The proposed project is consistent with the policy because the project includes 73 detached single-family residences, 78 two to three story attached single-family units (including ~~3630~~ middle-income units) on 11.95 acres, and 1.92 acres of attached affordable housing for a maximum of 40 units at ~~204~~ dwelling units per acre. Therefore, the proposed project would provide a mix of densities, price and rents, and housing types.

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Section 4.1 of the DEIR, page 4.1-22, second to last paragraph is hereby revised as follows:

The project is consistent with *Policy LU A.3* of the General Plan which requires each new development to include a mix of housing types, densities, prices and rents, and designs. The proposed project is consistent with the policy because the project includes 73 detached single-family residences, 78 two to three story attached single-family units (including ~~3630~~ middle-income units) on 11.95 acres,

and 1.92 acres of attached ~~affordable-multifamily~~ housing for a maximum of 40 units (38 units are affordable) at 20 dwelling units per acre. Therefore, the proposed project would provide a mix of densities, price and rents, and housing types.

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Section 4.1 of the DEIR, page 4.1-23, first paragraph is hereby revised as follows:

...Using this approach, a total of ~~3.92~~3.66 acres was subtracted from the 25.79-acre total site acreage, resulting in a greenbelt calculation acreage of ~~21.88~~20.52 acres...

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Section 4.1 of the DEIR, page 4.1-26, second paragraph is hereby revised as follows:

...The affordable site is approximately 1.92-acres, and is anticipated to be dedicated to the City. The affordable housing site density, if intended to be dedicated, would be based on 20 units per acre. The dedication would be inconsistent with the Affordable Housing Ordinance (AHO) which requires 15 units per acre...

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

## **4.2 POPULATION, HOUSING, AND EMPLOYMENT**

Section 4.2 of the DEIR, page 4.2-10, third paragraph is hereby revised as follows:

...The affordable housing would be composed of ~~36~~30 units of attached for-sale middle-income units, and 1.92 acres of land designated for the development of affordable housing...

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Section 4.2 of the DEIR, page 4.2-10, third paragraph is hereby revised as follows:

~~Forty (40)~~ Thirty six (36) percent of the project's housing would be affordable to very low and low as well as middle-income housing provided in accordance with the City's specifications and definitions of affordable and middle income housing. The City's Social Services Commission, Planning Commission, and City Council are in the process of reviewing reduction of required middle-income housing units for projects such as this, given the current market

conditions. The outcome could be a reduction in the number of required middle-income housing units for this project. The affordable housing site would likely be dedicated to the City. The affordable housing site density, if intended to be dedicated, would be based on 204 units per acre.

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

#### 4.3 TRANSPORTATION AND CIRCULATION

The commenter is correct that the reference to Table 4.3-8 should be Table 4.3-18. Section 4.3 of the DEIR, page 4.3-55, last paragraph is hereby revised as follows:

As shown in Table ~~4.3-8~~4.3-18, the Second Street / Mace Boulevard intersection operates at LOS C under both the Existing and Existing With Project scenarios...

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Section 4.3 of the DEIR, page 4.3-25, third to last paragraph is hereby revised as follows:

...The primary access driveway would be on Covell Boulevard, aligned with Monarch Lane. To achieve an acceptable service level, this intersection is ~~assumed~~ planned for signalization ~~to be signalized~~...

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Section 4.3 of the DEIR, page 4.3-29, fourth paragraph is hereby revised as follows:

The Covell Boulevard/Monarch Lane/Proposed Project Entrance #1 intersection ~~was assumed to be signalized~~ is planned for signalization in the Existing Plus Project scenario. The Existing Plus Project traffic volumes meet the peak hour signal warrant at this location, demonstrating the need for the proposed signal.

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Section 4.3 of the DEIR, page 4.3-32, Table 4.3-11 is hereby revised as follows:

3. Intersection is SSSC in Existing No Project conditions, and ~~assumed to be signalized~~ planned for signalization in Existing Plus Project conditions.

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

#### 4.4 AIR QUALITY

Section 4.4 of the DEIR, page 4.4-11, mitigation measure 4.4-1 is hereby revised as follows:

4.4-1 *Prior to commencement of any ground disturbing activities, the applicant shall submit a dust control plan to the City Engineer and the Yolo-Solano Air Quality Management District and the dust control plan shall be approved by the Yolo-Solano Air Quality Management District. This plan shall ensure that adequate dust controls are implemented during all phases of project construction. The dust control best management practices (BMPs) ~~may~~ shall include but are not necessarily limited to the following:*

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Section 4.4 of the DEIR, page 4.4-12, Mitigation Measure 4.4-1 is hereby revised as follows:

- *All vehicles hauling dirt, sand, soil, or other loose materials shall be covered or should maintain at least two feet of freeboard; ~~and~~*
- *Sweep streets at the end of the day if visible soil material is carried onto adjacent public paved roads; and-*
- *All grading operations shall be suspended when wind speeds (as instantaneous gusts measured by an on-site anemometer) exceed 25 mph and dust has the potential to adversely affect adjacent residential properties. Wind speeds shall be measured with an anemometer on site a minimum of one time per day. Additional hourly anemometer measurements shall be conducted if wind conditions noticeably increase or are forecast to be greater than 15 mph.*

The above change would further reduce this less-than-significant impact and does not alter any of the conclusions contained within the DEIR.

#### 4.6 BIOLOGICAL RESOURCES

Section 4.6 of the DEIR, page 4.6-1, first paragraph is hereby revised as follows:

This section is primarily based on a *Biological Resource Analysis* (Appendix F),<sup>1</sup> a *Habitat Assessment and Focused Winter Season Survey for Burrowing Owl* (Appendix G),<sup>2</sup> and *Focused Breeding Season Survey for Burrowing Owl* (Appendix G)<sup>3</sup> prepared by EDAW, Inc., a *Tree Appraisal* (Appendix H)<sup>4</sup> prepared by Tree Associates, ~~as well as the City of Davis General Plan,~~<sup>5</sup> as well as Burrowing Owl Survey Protocol and Mitigation Guidelines.<sup>6</sup>

The above change would further reduce this less-than-significant impact and does not alter any of the conclusions contained within the DEIR.

Section 4.6 of the DEIR, page 4.6-39, Mitigation Measure 4.6-1(c) is hereby revised as follows:

4.6-1(c) *If the qualified biologist determines that potential dens may be active, the entrances of the dens shall be blocked with soil, sticks, and debris for three to five days to discourage use of these dens prior to project disturbance. The den entrances shall be blocked to an incrementally greater degree over the three to five day period. After the qualified biologist determines that badgers have stopped using active dens within the project boundary, the dens shall be hand-excavated with a shovel to prevent re-use during construction.*

*Prior to initiating passive relocation efforts, adjacent lands will be evaluated to confirm that suitable habitat and refugia for badgers is present adjacent to the active den site. If necessary, artificial dens will be created in suitable areas within close proximity (as close as is feasible) to reduce exposure to predation during relocation. If passive relocation is ineffective, active relocation techniques will be coordinated with CDFG and carried out by a qualified biologist. A suitable relocation site will be found in the vicinity of the project site and a relocation plan designed to minimize stress to the animal will be developed for approval by CDFG and the City.*

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Section 4.6 of the DEIR, page 4.6-41, Mitigation Measure 4.6-2(c) is hereby revised as follows:

4.6-2(c) *If burrowing owl are detected during pre-construction surveys outside the nesting season (September 1 – January 31), passive relocation and monitoring may be undertaken by a qualified biologist following the CDFG and California Burrowing Owl Consortium guidelines, which involve the placement of one-way exclusion doors on occupied and potentially occupied burrowing owl burrows. Owls shall be excluded from all suitable burrows within the project area and within a 250-foot buffer zone of the impact area. A minimum of one week shall be allowed to accomplish this task and allow for owls to acclimate to alternate burrows. These mitigation actions shall be carried out prior to the burrowing owl breeding season (February 1 - August 31) and the site shall be monitored weekly by a qualified biologist until*

*construction begins to ensure that burrowing owls do not re-inhabit the site.*

*If passive relocation is unsuccessful, the feasibility of active relocation will be discussed with CDFG and an alternate strategy evaluated. Any active relocation efforts must be approved by CDFG and the City, and carried out by a qualified biologist with similar burrowing owl relocation experience and according to an approved plan.*

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Section 4.6 of the DEIR, page 4.6-45, second paragraph is hereby revised as follows:

4.6-5(c) *Replacement trees for any potential Swainson's hawk nest trees removed as part of project construction must be planted either on-site or at a nearby site, and/or an in-lieu fee must be paid to the City of Davis Tree Preservation Fund as detailed in Mitigation Measure 4.6-7. The implementation of this measure is not intended to be duplicative of the mitigation for loss of trees contained in Mitigation Measure 4.6-7(c). Accordingly, mitigation provided under MM 4.6-7(c) may also serve as mitigation under this measure, provided that the standards of this measure are met.*

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Section 4.6 of the DEIR, page 4.6-45, Mitigation Measures 4.6-6(a) is hereby revised as follows:

~~4.6-6(a) — The applicant shall be responsible for mitigating the loss of any Swainson's hawk foraging habitat. The extent of any necessary mitigation shall be determined by the City in consultation with CDFG; past recommended mitigation for loss of foraging habitat has been at a ratio of one acre of suitable foraging habitat for every one acre utilized by the proposed project. An "Agreement Regarding Mitigation for Impacts to Swainson's Hawk Foraging Habitat in Yolo County" was executed in August, 2002, between the Cities of Davis, West Sacramento, Winters, Woodland, the County of Yolo, and CDFG. The agreement currently requires 1.0 acre of habitat management lands as mitigation for each 1.0 acre of Swainson's hawk foraging habitat lost.~~

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR. Upon City Staff's further review, Mitigation Measure 4.6-6(a) is redundant with the more detailed Mitigation Measure 4.6-6(b) addressing Swainson's hawk foraging habitat mitigation.

Section 4.6 of the DEIR, page 4.6-45, Mitigation Measures 4.6-6(b) is hereby revised as follows:

~~4.6-6(b)~~ *The project proponent will compensate for the loss of Swainson's hawk foraging habitat by providing Habitat Management lands (HM lands) to CDFG as defined in the Staff Report Regarding Mitigation for Impacts to Swainson's Hawks in the Central Valley of California (published by California Department of Fish and Game in 1994). If the proposed project is located within 1 mile of an active nest (used during one or more of the last five years, to be determined with preconstruction surveys) the loss of habitat will be compensated at a ratio of 1:1 (HM lands:urban development). The project proponent will provide HM lands through an in-lieu fee process prior to commencement of construction-related activities for the project including, but not limited to, grading, staging of materials, or earthmoving activities, ~~groundbreaking~~ per the Agreement to Yolo County HCP/NCCP Joint Powers Agency. Credits will be purchased through the in-lieu fee program due to the lack of mitigation credits currently available at a bank. As of January 2007, the cost per acre for the in-lieu fee is \$8,660 payable to the Joint Powers Agency. Should the in-lieu fee be increased prior to clearance to grade the project site, the project proponent shall pay the in-lieu fee in effect at that time. The project proponent will issue a check to the Joint Powers Agency if mitigation is required. It is estimated that a total of 15.5 acres of Swainson's hawk foraging habitat would be removed as a result of the project. The applicant shall pay the in-lieu fee for the 15.5 acres based on the removal of this Swainson's hawk foraging habitat.*

~~-Or-~~

*Prior to commencement of construction-related activities ~~for the project including, but not limited to, grading, staging of materials, or earthmoving activities~~, the project proponent shall place and record one or more Conservation Easements that meet the acreage requirements of CDFG's Swainson's Hawk foraging habitat mitigation guidelines. The conservation easement(s) shall be executed by the project proponent and a Conservation operator. The City may, at its discretion, also be a party to the conservation easement(s). The conservation easement(s) shall be reviewed and approved in writing by CDFG prior to recordation for the purpose of confirming consistency. The purpose of the conservation easement(s) shall be to preserve the value of the land as foraging habitat for the Swainson's hawk.*

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Section 4.6 of the DEIR, page 4.6-49, endnotes is hereby revised as follows:

1. EDAW, Inc., *Biological Resource Analysis*, February 13, 2007.
2. EDAW, Inc., *Habitat Assessment and Focused Winter Season Survey for Burrowing Owl*, April 9, 2007.
3. EDAW, Inc., *Focused Breeding Season Survey for Burrowing Owl*, September 26, 2007.
4. Tree Associates, *Tree Appraisal*, September 15, 2006.
5. City of Davis, *City of Davis General Plan*, May 2001.
6. California Burrowing Owl Consortium, *Burrowing Owl Survey Protocol and Mitigation Guidelines*, April 1993.

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

#### 4.7 AESTHETICS

Section 4.7 of the DEIR, page 4.7-8, second bullet is hereby revised as follows:

- 78 two- to three-story attached single-family units (including ~~3630~~ middle-income units) on 11.95 acres; and
- 1.92 acres of attached affordable housing for a maximum of 40 units at ~~204~~ dwelling units per acre (du/ac).

The above changes are for clarification purposes only and do not alter any of the conclusions contained within the DEIR.

#### 4.9 PUBLIC SERVICES AND UTILITIES

Based upon the comment and further consideration by City Staff, Mitigation Measure 4.9-4 on page 4.9-28 of the DEIR is hereby revised for clarification purposes as follows:

- 4.9-4 *Prior to the issuance of ~~building permits~~ Certificates of Occupancy, the applicant shall ~~contribute funds to the Davis Fire Department for the provision of facilities needed to provide adequate fire protection service to the proposed project. These facilities may include but are not necessarily limited to a fourth City fire station and a ladder truck. The amount of funding shall be~~ pay all applicable major project impact fees per the impact fee schedule determined by the Community Development Director and the Davis Fire Chief.*

It is important to note that the DEIR did not determine that Mitigation Measure 4.9-4 would reduce the project's impact to fire protection services to a less-than-significant level. The above revised Mitigation Measure 4.9-4 would also not be expected to reduce the proposed project's impacts to fire protection services, but rather, the measure would serve to reduce the project's

fire services impact to the extent feasible. Therefore, the DEIR conclusions remain unchanged in the respect that the project's impacts to fire protection services would be significant and unavoidable.

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Based upon the comment, further consideration has been given by City Staff regarding the fact that police service is an issue that is evaluated and addressed at a city-wide level. The City currently collects impact fees from new development and reviews the adequacy of impact fees on an annual basis. Payment of the applicable impact fees by the project applicant would ensure that project impacts to police services are less-than-significant. As a result, Impact Statement 4.9-2 on page 4.9-29 of the DEIR is hereby revised as follows:

#### **4.9-5 Increase demand for law enforcement protection services.**

The proposed project involves the construction of 191 residential units, which would result in a population increase in the City of Davis of 474 persons. According to the Davis Police Department, the City's service ratio standard is 1.2 officers per 1,000 population and the existing service level is roughly 0.88 officers per 1,000 population. Utilizing the City's service ratio standard, the project would generate the need for an additional 0.57 officers (Officers required = total project population/1,000 x 1.2). The Davis Police Department has indicated that it does not have adequate resources to meet its current obligations.<sup>i</sup> However, police service is an issue that is appropriately evaluated and addressed at a city-wide level. The City currently collects impact fees from new development based upon projected impacts from that development and reviews the adequacy of impact fees on an annual basis. The City also adopts an annual budget allocating resources to police services and other City services based upon community needs. Payment of the applicable impact fees by the project applicant, and ongoing revenues that would come from property taxes, sales taxes, and other revenues generated by the project, would ensure that project impacts to police services are less-than-significant. Therefore, the additional demand created by the proposed project would have a *significant* impact to police protection services.

#### Mitigation Measure(s)

~~Implementation of the following mitigation measures would reduce the above impact to a *less than significant* level. None required.~~

~~4.9-5 ——— *Prior to the issuance of building permits, the project applicant shall contribute funding to the Davis Police Department needed to provide an additional 0.57 officer. Funding options include, but are not necessarily limited to the following:*~~

- ~~1) Provide an endowment fund that would provide for the hiring of approximately 60 percent law enforcement officer and the support equipment and materials for the officer;~~
- ~~2) Contribute toward hiring new officers, their equipment and materials with the goal of improving community relations as a good steward of the community; or~~
- ~~3) The project applicant shall present an alternative and acceptable means, as determined by the Police Chief, whereby the required law enforcement officer will be provided in the long term.~~

~~The final funding mechanism and dollar amount shall be reviewed and approved by the Community Development Director and the Davis Police Chief.~~

The above changes are for clarification purposes only and do not alter any of the conclusions contained within the DEIR.

For clarification purposes, Section 4.9 of the DEIR, page 4.9-31, third paragraph is hereby revised as follows:

One Community Park, Mace Ranch Community Park, is located within a half mile or less of the subject site, and two Neighborhood Parks, Slide Hill Park, and Robert Arneson Park, are located within a quarter of a mile of the subject site. Slide Hill Park includes swimming pools, tennis courts, and a Girl Scout Cabin.

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Section 4.9 of the DEIR, page 4.9-31, last paragraph is hereby revised as follows:

...Using this approach, a total of ~~3.923.66~~ acres was subtracted from the 25.78-acre total site acreage, resulting in project acreage of ~~21.8820.52~~ acres...

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Section 4.9 of the DEIR, page 4.9-32, Mitigation Measure 4.9-8 is hereby revised as follows:

4.9-8            *Prior to the issuance of ~~building permits~~ Certificates of Occupancy, the applicant shall pay in-lieu Quimby fees for required park acreage.*

The above change is staff-initiated and is for clarification purposes regarding the timing of Mitigation Measure 4.9-8, and does not alter any of the conclusions contained within the DEIR.

#### 4.10 CLIMATE CHANGE

Comment noted. Based on Comment 14-73, Table 4.10-4, Carbon Allowances, on page 4.10-13 of the DEIR is hereby revised as follows:

<b>Table 4.10-4 Carbon Allowances</b>			
<b>Target Year Minimum / Desired</b>	<b>Target</b>	<b>Carbon Allowance to Meet GHG Reduction Target (annual metric tonnes per dwelling unit and per person)</b>	
		<b>Residential Type</b>	
		<b>New Residential</b>	<b>Percent Reduction Over Existing</b>
Existing / Base Year (2010)	N/A	<u>16.5</u> 20.25 per unit / <u>6.6</u> 8.1 per person	<u>0%</u> 20.25 per unit / <u>0%</u> 8.1 per person
2012 (minimum) 2012 (desired)	1998 level 7% below 1990	<u>15.0</u> 18.6 / <u>6.0</u> 7.4 <u>8.61</u> 1.25 / <u>3.4</u> 4.5	<u>9%</u> 18.75 / 7.5 <u>48%</u> 11.75 / 4.7
2020 (minimum) 2020 (desired)	1990 level 28% below 1990	<u>9.25</u> 12.0 / <u>3.7</u> 4.8 <u>6.7</u> 8.75 / <u>2.7</u> 3.5	<u>44%</u> 12.75 / 5.1 <u>59%</u> 9.25 / 3.7
2030 (minimum) 2030 (desired)	28% below 1990 53% below 1990	<u>6.7</u> 8.75 / <u>2.7</u> 3.5 <u>4.35</u> 5.75 / <u>1.75</u> 2.3	<u>59%</u> 9.25 / 3.7 <u>74%</u> 6.0 / 2.4
2040 (minimum) 2040 (desired)	53% below 1990 80% below 1990	<u>4.35</u> 5.75 / <u>1.75</u> 2.3 <u>1.85</u> 2.5 / <u>0.75</u> 1.0	<u>74%</u> 6.0 / 2.4 <u>89%</u> 2.5 / 1.0
2050 (minimum) 2050 (desired)	80% below 1990 Carbon neutral	<u>1.85</u> 2.5 / <u>0.75</u> 1.0 Net 0	<u>89%</u> 2.5 / 1.0 <u>100%</u> Net 0
* Assumes 2.5 persons per dwelling unit and an annual growth rate of 1% per year. (Source: City of Davis GHG Inventory and Forecast Report, May 2008).			
Sources: City of Davis, City Council Staff Report, <del>November 4, 2008</del> <u>April 21, 2009</u> ; and Deb Niemeier, Ph.D., P.E., Carbon Development Allowances, Final Report, September 2008.			

In addition, page 4.10-14 of the DEIR is hereby revised as follows:

#### New Residential Projects

Pursuant to the April 21, 2009 City Council staff report regarding GHG emission thresholds and standards for new residential development, the Staff is in the process of drafting initial guidelines for GHG reduction standards for new residential projects have been set by the City of Davis. The guidelines use the GHG inventory and allowances to set standards for new residential projects. The intent of the guidelines is to ensure that new residential projects move the City toward its long-term GHG reduction targets. The draft guidelines are currently in the early development stages. The guidelines establish multiple paths for meeting the overall requirements and include suggested mitigation measures to help achieve meaningful reductions in GHG emissions.

## Conclusion

Because ~~The~~ City recognizes d that implementation of programs to reduce residential GHG emissions will requires d development of a set of standards, measures, and tools to educate and guide existing residents and developers of new residential projects, the City developed recommended GHG emissions standards for new residential projects. ~~Establishment of the allowances is a critical first step, but it must be followed by programs that provide certainty and adequate flexibility to give developers and residents a viable chance of achieving the per-capita targets.~~ According to the April 21, 2009 City Council staff report (p. 08-6), “The recommended general GHG emissions standard for new residential projects is a phased approach that provides meaningful GHG reductions and rewards creative design that takes advantage of existing community form. The general standard includes two paths: the first is a package approach that the City would recognize as sufficient to satisfy GHG emissions standards. The second would be a project-specific calculation of GHG emissions and customized mitigation program to reduce project GHG emissions to target year levels.”

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Page 4.10-14 of the DEIR is hereby revised as follows:

Pursuant to Senate Bill 97, Chapter 185 (2007), the California Office of Planning and Research (OPR), the agency responsible for development and updates to the CEQA Guidelines, is not required to have a draft set of guidelines for climate change until July 1, 2009 (pursuant to Senate Bill 97, Chapter 185, 2007). ~~Senate Bill 97 directs OPR to propose CEQA guidelines advising local agencies how to mitigate GHG emissions. Draft amendments to the CEQA Guidelines were issued by OPR in April 2009; the amendments are to be adopted by January 2010. The draft amendments direct lead agencies to identify significance thresholds, but do not indicate what those thresholds should be.~~

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

In addition, the following text is hereby added to page 4.10-16 of the DEIR:

### City of Davis GHG Emissions Standards for New Residential Projects

Based on City Council-adopted residential growth guidelines and working from an assumption that 250 residential units will be built per year between 2010 and 2013, the City recommends that new residential projects of less than five percent of the total units assumed to be built in a particular year (12 units), are exempt as a de minimus impact. Projects of up to 10 percent of the total units assumed to be

built in a particular year (25 units), may pay a GHG mitigation in lieu fee of the cost of achieving 35 percent better than 2005 Title 24, plus \$1,000 per unit to fund implementation of community GHG emission reduction programs with no further requirement Projects over 10 percent of the total units assumed to be built in a particular year (25+ units), are required to mitigate under one of the two following paths:

- Meet standards for LEED Neighborhood Development Gold certification. The City considers this certification process consistent with the intent of the City's GHG standards.

Or

- Achieve 1990 level project GHG allowances for the house portion of the proposed project (33% of total residential GHG emissions) as specified in Table 4.10-4.

If the second path is selected, the City encourages a majority of GHG savings to occur on-site. The advantage of on-site mitigation is based on the premise that it is much more cost effective to make improvements in houses and infrastructure during construction than to retrofit at a later date. This reduces the likelihood that the City will need to develop and fund programs in the future to retrofit the newly developed portion of the community housing stock in the decades ahead. In addition, it is anticipated that a more efficient home would provide benefits when homes are marketed, and serve as an example for other builders and homeowners.

In addition, page 4.10-16 of the DEIR is hereby revised as follows:

It should be noted that ~~the Davis NRC is in the process of making recommendations to the City Council regarding which GHG reduction target year should be adopted for new development occurring prior to 2010 (See Table 4.10-2)~~ due to the City seeking a balance between project viability and meaningful GHG reductions, the recommended initial target year is 1990. Based on Table 4.10-4, each project would receive a per unit carbon "allowance" equal to 1990 levels. If the project achieved better than 1990 level reductions, the project could trade with other future projects. The City recommends that this initial target be in effect until December 2010. Beginning in January 2011, the target would automatically roll to the next target year based on a linear interpolation to achieve the next key target year (e.g. 2012, 2020 etc.). Review of the target year would be incorporated into regular review of the standard.

The above changes are for clarification purposes only and do not alter any of the conclusions contained within the DEIR.

Based on Comment 14-80, page 4.10-16, fifth paragraph, fourth sentence, of the DEIR is hereby revised as follows:

Based on the URBEMIS-2007 information, the proposed project was estimated to generate approximately 3,823.54 tons of CO<sub>2</sub> per year. It should be noted that this estimate is based on the proposed project without implementation of the project's future sustainability plan (or any other mitigation).

It should be noted that, as discussed in Response to Comment 14-74, the final sustainability plan for the proposed project has not yet been submitted or approved by the City. Pursuant to Mitigation Measure 4.10-1 in the DEIR, in conjunction with the submittal of a Tentative Map, the project applicant is required to submit the sustainability plan for the project, for review and approval by the Community Development Department. At the time of submittal of the sustainability plan, quantification of CO<sub>2</sub> reductions that would be attributable to the sustainability plan will be feasible. In addition, it should be noted that the DEIR does indicate, on pages 4.10-17 through 4.10-19, by what approximate percentage each of the items of the preliminary sustainability plan (i.e., passive solar design, building systems and equipment, on-site photovoltaic systems, and transportation) would reduce project-related GHG emissions.

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Based on Comment 14-79, the following text is hereby added to page 4.10-17 of the DEIR, above the Wildhorse Ranch Sustainability Plan header:

Senate Bill 375

As discussed in the Regulatory Context section above, SB 375 requires CARB to work with metropolitan planning organizations within the State to align their regional transportation, housing, and land use plans, and prepare sustainable communities strategies to reduce the amount of vehicle miles traveled in their respective regions and demonstrate each region's ability to attain its GHG emission reduction targets. The SACOG Preferred Blueprint Scenario, which was adopted in 2004, provides an indication of the planning principles that are likely to be incorporated into the sustainable communities strategy for the Sacramento region.

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Page 4.10-20 of the DEIR is hereby revised as follows:

Conclusion

~~As discussed above, the City is still in the process of establishing GHG reduction targets for new development occurring prior to 2010. Therefore, the City does not currently have an established threshold of significance against which the proposed project can be evaluated. Although the proposed project would implement several design standards to~~

reduce energy use well below 2009 Title 24 standards, as well as ensure overall consistency with the latest GHG reduction measures identified by the California Attorney General, a single project cannot, on its own, feasibly mitigate impacts associated with the large-scale issue of global climate change; therefore, impacts related to GHG emissions and global climate change would remain *significant*.

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Section 4.10 of the DEIR, page 4.10-21, Table 4.10-6 is hereby revised as follows:

<b>Energy Efficiency</b>	
Design buildings to be energy-efficient. Site buildings to take advantage of shade, prevailing winds, landscaping and sun screens to reduce energy use.	As part of compliance with the Green Building Ordinance, <u>all buildings in</u> the proposed project <del>would include buildings</del> <u>shall be</u> designed to exceed existing Title 24 <u>energy standards by a minimum of 15 percent</u> . <del>Building Roofs would</del> <u>shall</u> be oriented to ensure solar efficiency.

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Section 4.10 of the DEIR, page 4.10-22, Table 4.10-6 is hereby revised as follows:

<b>Land Use Measures</b>	
Include mixed-use, infill, and higher density in development projects to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and promote efficient delivery of services and goods.	The proposed project includes attached single-family townhomes, and a multi-family housing area that could be developed at a density of <u>20+</u> units per acre.

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

Section 4.10 of the DEIR, page 4.10-24, mitigation measure 4.10-1 is hereby revised as follows:

*4.10-1 In conjunction with the submittal of a Tentative Map for the proposed project, the project applicant shall submit, for the review and approval of the Community Development Department, a sustainability plan, which demonstrates that the proposed project does not conflict with the goals and strategies of Executive Order S-3-05, the Attorney General’s suggested global warming mitigation measures, or City of Davis Resolution No. 08-166. The sustainability plan shall include, but not be limited to, the compliance measures listed in the right column of included in Table 4.10-6, which is labeled “Wildhorse Ranch Compliance.”*

The above change is for clarification purposes only and does not alter any of the conclusions contained within the DEIR.

## 6.0 ALTERNATIVES ANALYSIS

In response to the comment, the “Land Use and Agricultural Resources” discussion under the Infill Site Alternative on page 6-15 of the DEIR is hereby revised as follows:

The potential infill sites have been designated for urban uses, such as schools and residential development, and are currently surrounded by other urban uses; therefore, development of any combination of the potential sites would not result in impacts related to agricultural compatibility issues. The Simmons and Nugget Fields would require General Plan Amendments and changes of zoning; however, because the amendment(s) to the General Plan do not necessitate re-designating a property currently designated Agriculture the entitlements would not include Measure J approval. It should be noted, however, that these sites may have soils that are considered of prime agricultural significance, as is the case for the Wildhorse project site. ~~Therefore~~ Overall, the Infill Site Alternative would ~~substantially~~ reduce impacts as compared to the Proposed Project in the area of Land Use and Agricultural Resources.

The above changes do not alter the conclusions of the DEIR, but serve to better describe the characteristics of the Infill Alternative sites.

Page 6-17 of the DEIR is hereby revised as follows:

The Measure J Alternative project site is located in Yolo County, north and east of the City of Davis City limits, southwest of the curve where East Covell Boulevard becomes Mace Boulevard. The Alternative site is comprised of approximately 47 acres. ~~Similar to~~ Unlike the Proposed Project, the Measure J site would need to be annexed to the City of Davis, ~~and~~ Both the Proposed Project and this Alternative would require public approval pursuant to Measure J. The site is not currently owned by the current project applicant. The Measure J Alternative would result in the construction of the same number and type of residential units. However, both the dedicated greenbelt/open space and single-family detached lots sizes would be increased to fill the approximately 21 additional acres.

The above changes serve to more accurately describe the Measure J Alternative in the DEIR. The DEIR’s analysis of the potential impacts of the Measure J Alternative relative to the Proposed Project remains unchanged.

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<sup>1</sup> Davis Police Department, Landy Black, Davis PD, May 30, 2007.