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# STATUTORILY REQUIRED SECTIONS

### INTRODUCTION

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The Statutorily Required Sections chapter includes brief discussions regarding those topics which are required to be included in an EIR, pursuant to CEQA Guidelines Section 15126.2. The chapter includes a discussion of the proposed project's potential to induce economic or population growth, and in addition, the chapter includes lists of significant irreversible environmental changes, cumulative impacts, and significant and unavoidable impacts which would be caused by the proposed project.

### GROWTH INDUCEMENT

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An EIR must discuss the ways in which a proposed project could foster economic or population growth or the construction of additional housing in the vicinity of the project, and how that growth will, in turn, affect the surrounding environment (see CEQA Guidelines Section 15126.2(d)). Growth can be induced in a number of ways, including through the elimination of obstacles to growth, or through the stimulation of economic activity within the region. The discussion of the removal of obstacles to growth relates directly to the removal of infrastructure limitations or regulatory constraints that could result in growth unforeseen at the time of project approval.

A number of issues must be considered when assessing the growth-inducing effects of development plans, such as the proposed project. These include the following:

**Elimination of Obstacles to Growth:** The extent to which infrastructure capacity provided to accommodate the proposed project would allow additional development in surrounding areas; and

**Economic Effects:** the extent to which development of the proposed project could cause increased activity in the local or regional economy.

Development of the Second Street Crossing (Target Store) project site would result in the commercial/retail buildout of approximately 19 acres of vacant land. The project site has been planned for commercial and business park development in the General Plan and East Davis Specific Plan. Furthermore, the areas surrounding the project site are either already developed or are anticipated for development. As a result, construction of the proposed project would not result in increased pressure to develop areas not previously anticipated for build-out.

The water and wastewater services for the proposed project would be provided by extending existing infrastructure lines in Second Street to the project site. These lines were installed as part of the Mace Ranch project, which anticipated development of the

Second Street Crossing (Target Store) project site. However, the project may indirectly result in a marginal increase in the Davis population as the Target store is expected to employ approximately 150 to 300 employees; yet, 75 percent of these employees would be part-time. Overall, the project would not be expected to result in growth-inducing impacts.

### **SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL EFFECTS**

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The CEQA Guidelines, Section 15126.2(c), require that this EIR consider significant irreversible environmental changes which would be caused by the proposed project should it be implemented. An impact would be determined to be a significant and irreversible change in the environment if:

- Development of any of the project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of development would generally commit future generation to similar uses (e.g., a highway provides access to a previously remote area);
- Development of the proposed project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; or
- The phasing and eventual development of the project would result in an unjustified consumption of resources (e.g., the wasteful use of energy).

The proposed project would likely result in or contribute to the following irreversible environmental changes:

- Conversion of existing to suburban land uses, precluding alternate land uses in the future;
- Irreversible consumption of goods and services associated with the future employees and consumers;
- Increased background air emissions;
- Increased ambient noise;
- Surfacing important soils with impermeable surfaces associated with urban development;
- Conversion of habitat;
- Commitment of municipal services to new development;
- Degradation of water quality from urban development;
- Irreversible consumption of energy and natural resources associated with the future employees and consumers; and
- Possible demand for and use of goods, services, and resources for this project to the exclusion of projects in other locations.

## **CUMULATIVE IMPACTS**

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An EIR must discuss the “cumulative impacts” of a project when its incremental effect will be cumulatively considerable. This means that the incremental effects of the individual project would be considerable when viewed in connection with the effects of other current projects, and the effects of probable future projects (Section 15065(c)).

*CEQA Guidelines* Section 15355 defines cumulative impacts as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” This Section further states that “Individual effects may be changes resulting from a single project or a number of separate projects.” “The cumulative impact from several projects is [defined as] the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.”

Section 15130(a)(3) states also that an EIR may determine that a project’s contribution to a significant cumulative impact will be rendered less than cumulatively considerable, and thus not significant, if a project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact.

Finally, Section 15130(b) indicates that the level of detail of the cumulative analysis need not be as great as for the project impact analyses, that it should reflect the severity of the impacts and their likelihood of occurrence, and that it should be focused, practical, and reasonable.

To be adequate, a discussion of cumulative effects must include the following elements:

- (1) Either (a) a list of past, present and probable future projects, including, if necessary, those outside the agency’s control, or (b) a summary of projections contained in an adopted general plan or related planning document, or in a prior certified EIR, which described or evaluated regional or area-wide conditions contributing to the cumulative impact, provide that such documents are reference and made available for public inspection at a specified location;
- (2) A summary of the individual projects’ environmental effects, with specific reference to additional information and stating where such information is available; and
- (3) A reasonable analysis of all of the relevant projects’ cumulative impacts, with an examination of reasonable, feasible options for mitigating or avoiding the project’s contribution to such effects (Section 15130(b)).

For some projects, the only feasible mitigation measures will involve the adoption of ordinances or regulations, rather than the imposition of conditions on a project-by-project basis (Section 15130(c)).

As used above, the terms “past, present and probable future projects” include existing approved, planned, or budgeted projects; projects which are currently under construction; and projects requiring an agency approval for an application which has been received at the time of NOP release. (Section 15130(b)(1)(B)(2)).

The cumulative analysis for this EIR is based on the City of Davis General Plan (May 2001), the Draft Program EIR for the City of Davis General Plan Update and Project EIR for Establishment of a New Junior High School (General Plan Update EIR) (January 2000), and the East Davis Specific Plan and Specific Plan EIR. In addition, the cumulative traffic, air, and noise analyses were augmented with the following projects as determined by City staff: development of the Con-Agra site; Interland Retail development; Alhambra Center development; and the Wisteria Lane development.

### **Cumulative Impacts**

The following cumulative impacts are identified in Chapter 4 of this Draft EIR:

#### Aesthetics

Cumulative impacts regarding aesthetics are discussed in Impact 4.1-4. The Draft EIR determined that the proposed project would contribute to the cumulative change in visual character of the Yolo County region from undeveloped to urban. However, the GPU EIR found that under impact LU-4, development of the Mace Ranch and Under Second Street sites, and other potential sites within the in-fill area, including the project site, would not significantly degrade existing views. Furthermore, these sites are located in areas generally surrounded by urban uses that limit views through the site. The proposed project is consistent with the General Plan; as a result, the conversion of the project site in addition to other lands in the project area from a rural to an urban setting would be considered less-than-significant.

#### Land Use

Cumulative impacts regarding land use are discussed in Impact 4.2-4. Considered cumulatively, approval of the proposed project and the associated new General Plan designation could result in other applicants requesting such approvals from the City. Approval of additional new General Plan land use designations intended to accommodate currently prohibited uses could result in cumulative land use impacts; particularly, inconsistency with the City’s goals for long-term development relative to community character and downtown primacy.

However, as with the entitlements requested for the proposed project, the final authority for determination of the proposed, or any future, General Plan amendments to this

designation rests with the Davis City Council. Approval of this project or any potential future project application of a similar nature in the City of Davis is a discretionary action of the City Council. Future retail development proposals, if any, would undergo analysis and environmental review. As a result, the project would have less-than-significant cumulative land use impacts.

### Traffic

Cumulative impacts regarding traffic are discussed in Impact 4.3-7 and 4.3-8. The Draft EIR determined that the proposed project would add more trips to the freeway segments; but these projected vehicle trips would not degrade the current acceptable service levels on I-80. However, cumulative intersection impacts would result from implementation of the proposed project in combination with other development. Impacts would occur to the Second Street/Mace Boulevard intersection as well as Second Street/Cantrill Drive, Second Street/Pena Drive, and Second Street/Cousteau Place. However, the Draft EIR includes mitigation measures that would reduce the cumulative intersection impacts to a less-than-significant level.

### Air Quality

Cumulative impacts regarding air quality are discussed in Impact 4.4-5. The Draft EIR determined that because the proposed project involves a request for a General Plan Amendment to redesignate the project site to General Retail (GR) in order to accommodate the single retail tenant, total vehicle trips for the proposed designation would be higher than those projected under the existing designations. Therefore, emissions for the proposed project would exceed those anticipated for the project site in the General Plan. The Draft EIR determined that, even with implementation of appropriate mitigation, the cumulative impact could not be reduced to a less-than-significant level, and would remain significant and unavoidable.

### Noise

Cumulative impacts regarding noise are discussed in Impact 4.5-4. The Draft EIR determined that the proposed project would contribute to cumulative traffic on the local roadway network; however, the project's contribution to cumulative traffic noise increases in the project vicinity would not exceed thresholds of significance. Therefore, cumulative increases in traffic noise levels would be considered less-than-significant.

### Cultural Resources

Cumulative impacts regarding cultural resources are discussed in Impact 4.6-2. The Draft EIR determined that the proposed project could, albeit unlikely, unearth subsurface prehistoric or cultural resources during site excavation and grading. While culturally significant resources are not known to exist within the project site, subsurface resources could be present. The Draft EIR determined that with the implementation of appropriate mitigation measures, a less-than-significant impact would result.

### Biology

Cumulative impacts regarding biological resources are discussed in Impact 4.7-7. The Draft EIR determined that the proposed project would impact migratory and listed bird species. However, the Draft EIR establishes mitigation requirements, which adequately address these impacts. In addition, the pending Yolo County HCP and the City of Davis General Plan policies and guidelines for preservation of wildlife habitats ensure that the cumulative impacts would be properly mitigated for by preserving mitigation lands for wildlife and sensitive communities within Yolo County. With these measures in place, the project would not have substantial adverse effects to the populations of the special-status species and sensitive habitats, and as a result, less-than-significant cumulative impacts are expected.

### Socio-Economic

Cumulative impacts regarding socio-economics are discussed in Impact 4.8-3. The Draft EIR determined that the proposed project would not result in adverse impacts to retailers because the new sales generated by the proposed project would be capturing projected future sales tax leakage. As a result, the project would have a less-than-significant impact to the primary and secondary market areas.

### Hazards

Cumulative impacts regarding hazards are discussed in Impact 4.9-4. The Draft EIR determined that the project-specific impacts were found to be less-than-significant with the implementation of the recommended mitigation measures. Because impacts associated with hazardous materials are site-specific and generally do not affect or are not affected by cumulative development, surrounding development would be subject to the same federal, State, and local hazardous materials management requirements as the proposed project. As a result, implementation of the proposed project would have a less-than-significant impact associated with cumulative hazardous materials use.

### Hydrology, Water Quality, and Drainage

Cumulative impacts regarding hydrology and water quality are discussed in Impacts 4.10-5 and 4.10-6. The Draft EIR determined that construction and implementation of the proposed project and other development would contribute to the cumulative increase of urban pollutant loading, which would adversely affect water quality. Cumulative development in the Davis area, including the proposed project, would also result in increased impervious surfaces that could increase the rate and amount of runoff, thereby potentially adversely affecting existing surface water quality through increased erosion and sedimentation. The Draft EIR requires mitigation capable of reducing project-specific water quality impacts to a less-than-significant level.

### Public Services and Facilities

Cumulative impacts regarding public services are discussed in Impact 4.11-7. The Draft EIR determined that the proposed project would contribute toward an increased demand for public services and facilities within the City of Davis. Public service and facility needs for the City of Davis have been evaluated in the Davis General Plan and General Plan EIR as well as the East Davis Specific Plan and Specific Plan EIR, and the goals and policies included in the General Plan and East Davis Specific Plan ensure that adequate services would be available for build-out of the plans according to their respective land use diagrams. Furthermore, the project as well as other future development projects would be required by the City to pay their fair share fees toward the expansion and creation of public services and facilities. The DEIR determined cumulative impacts associated with public services and facilities would be considered less-than-significant.

### **SIGNIFICANT AND UNAVOIDABLE ADVERSE IMPACTS**

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In most cases, impacts that have been identified would be less-than-significant after incorporation of appropriate mitigation measures. Impacts that cannot be feasibly mitigated to a less-than-significant level would remain significant and unavoidable adverse impacts.

As determined in this Draft EIR, the proposed project would result in the following significant and unavoidable cumulative impact:

- 4.4-5 Long-term air quality impacts from the proposed project in combination with existing and future developments in the Davis area.