SOUTHPARK PLANNED DEVELOPMENT

Final Environmental Impact Report

State Clearinghouse Number:

94071013

Prepared for:

City of Dixon

Prepared by:

Raney Planning and Management, Inc.

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1. INTRODUCTION AND LIST OF COMMENTORS

1. INTRODUCTION AND LIST OF COMMENTORS

Introduction

This Final Subsequent Environmental Impact Report (FSEIR) contains public and agency comments received during the public review period on the Southpark Draft Subsequent Environmental Impact Report (DSEIR). This document has been prepared by the City of Dixon in accordance with the California Environmental Quality Act (CEQA).

Background

This Environmental Impact Report (EIR) is an informational document intended to disclose the environmental consequences of approving and implementing the Southpark Project (proposed project). All written comments received during the 45-day public review period regarding the project are addressed in this FSEIR.

Summary of Text Changes

Chapter 3, Revisions to the DSEIR text, identifies all changes to the DSEIR. These changes are the result of either staff-initiated changes or in response to comments on the DSEIR made by the public during the public review period. The staff-initiated changes for the Southpark DSEIR primarily resulted in the refinement of the wording of mitigation measures and more detailed analysis of the intersection of First and A Streets.

Responses to Comments

Responses to comments received on the DSEIR are presented in Chapter 4, Comments and Responses. Each comment letter is numbered sequentially, and brackets indicate how the letter has been divided into individual comments. Each comment is given a number with the letter number appearing first, followed by the comment number. For example, comments in Letter 4 are numbered 4-1, 4-2, 4-3, and so on. The bracketed letter precedes responses to the letter's comments.

Some comments on the DSEIR do not pertain to physical environmental issues; or, do not relate to the proposed project. CEQA does not require responses to such comments. However, each of these comments are identified and are responded to in order to provide the reader information about why the comment is not germane to the project and/or this EIR.

List of Commentors

LETTER 1 ..... SOLANO COUNTY TRANSPORTATION DEPARTMENT
LETTER 2 ..... STATE OF CALIFORNIA DEPARTMENT OF FISH AND GAME
LETTER 3 ..... DIXON UNIFIED SCHOOL DISTRICT SCHOOL FACILITIES AND PLANNING
LETTER 4 ..... DIXON FIRE DEPARTMENT
LETTER 5 ..... STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
LETTER 6 ..... NOLTE ASSOCIATES, INC.
LETTER 7 ..... YOLO-SOLANO AIR QUALITY MANAGEMENT DISTRICT
LETTER 8 ..... STATE CLEARINGHOUSE

2. UPDATED TRAFFIC ANALYSIS

2. *UPDATED TRAFFIC ANALYSIS*

Introduction

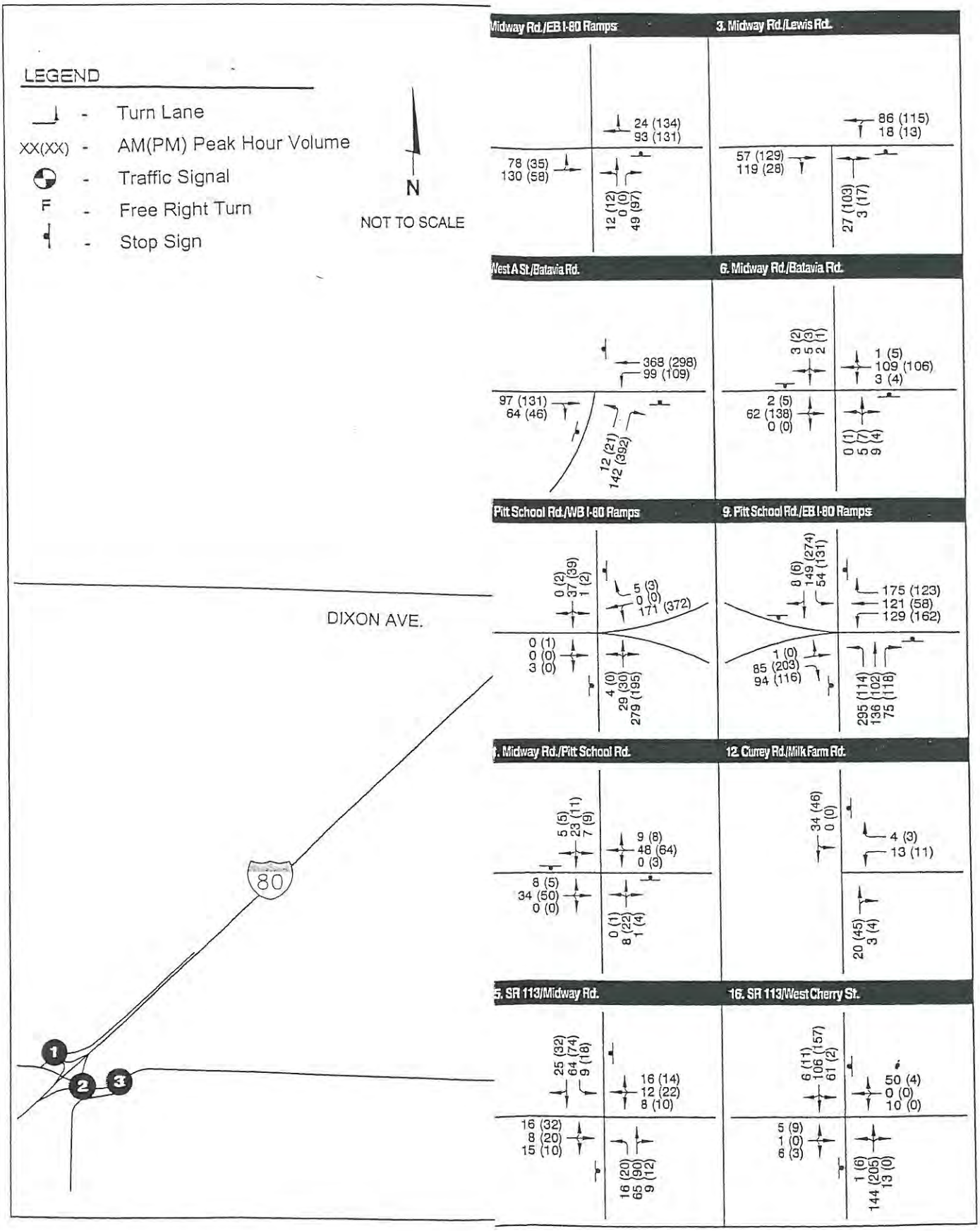
This chapter updates traffic data related to the proposed Southpark project. This updated traffic information was developed based on concerns raised in comments on the Southpark Draft Subsequent EIR (DSEIR), and ongoing traffic analyses being prepared by the City of Dixon. Any text revision generated by the analysis in this chapter is included in Chapter 3.

Additional Traffic Analysis related to Solano County Roads

In several comments responding to the Southpark DSEIR, transportation and circulation issues were raised regarding the project's impact on county roads. Fehr & Peers Associates was retained by the City of Dixon to provide additional analysis regarding county roadway level-of-service effects caused by the development of the proposed project. The following information is drawn from the Fehr & Peers information and is intended to supplement responses to comments in Letter 1 provided in Chapter 4. The traffic analysis performed by Fehr & Peers is available for review at City Hall.

> Intersection analysis provides a detailed and accurate indication of overall roadway operations because intersections represent the "bottlenecks" or constraint points of the roadway system. To conduct the intersection analysis, traffic counts and existing traffic operations data were collected during December 2000 for each intersection. Figure 2-1 displays the peak hour traffic volumes, lane configurations, and traffic control for each intersection.
>
> To develop existing plus project traffic volumes, project trips were added to the existing volumes based on an expanded trip distribution pattern from the DSEIR. The expanded trip distribution, which is shown in Figure 2-2, was developed using the City of Dixon Travel Demand Forecasting Model and existing traffic counts. The existing plus project traffic volumes for each intersection are displayed in Figure 2-3.
>
> The traffic operations data contained in Figures 2-1 and 2-3 were used to calculate a.m. and p.m. peak hour levels of service for the study intersections (technical calculations are contained in Fehr & Peers traffic study). The results of this analysis are shown in Table 2-1.
>
> The results show that the selected study intersections would operate at LOS C or better. According to the thresholds of significance (significance criteria) established in the DSEIR, a significant impact would occur if implementation of the project caused the existing traffic operations to deteriorate from LOS A, B, or C to D, E, or F. Based on the significance criteria, no new significant impacts would occur to the identified County roadways.

FIGURE 2-1
RP&M



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PEAK HOUR TRAFFIC VOLUMES AND LANE CONFIGURATIONS- EXISTING CONDITIONS

FIGURE 2-2
RP&M

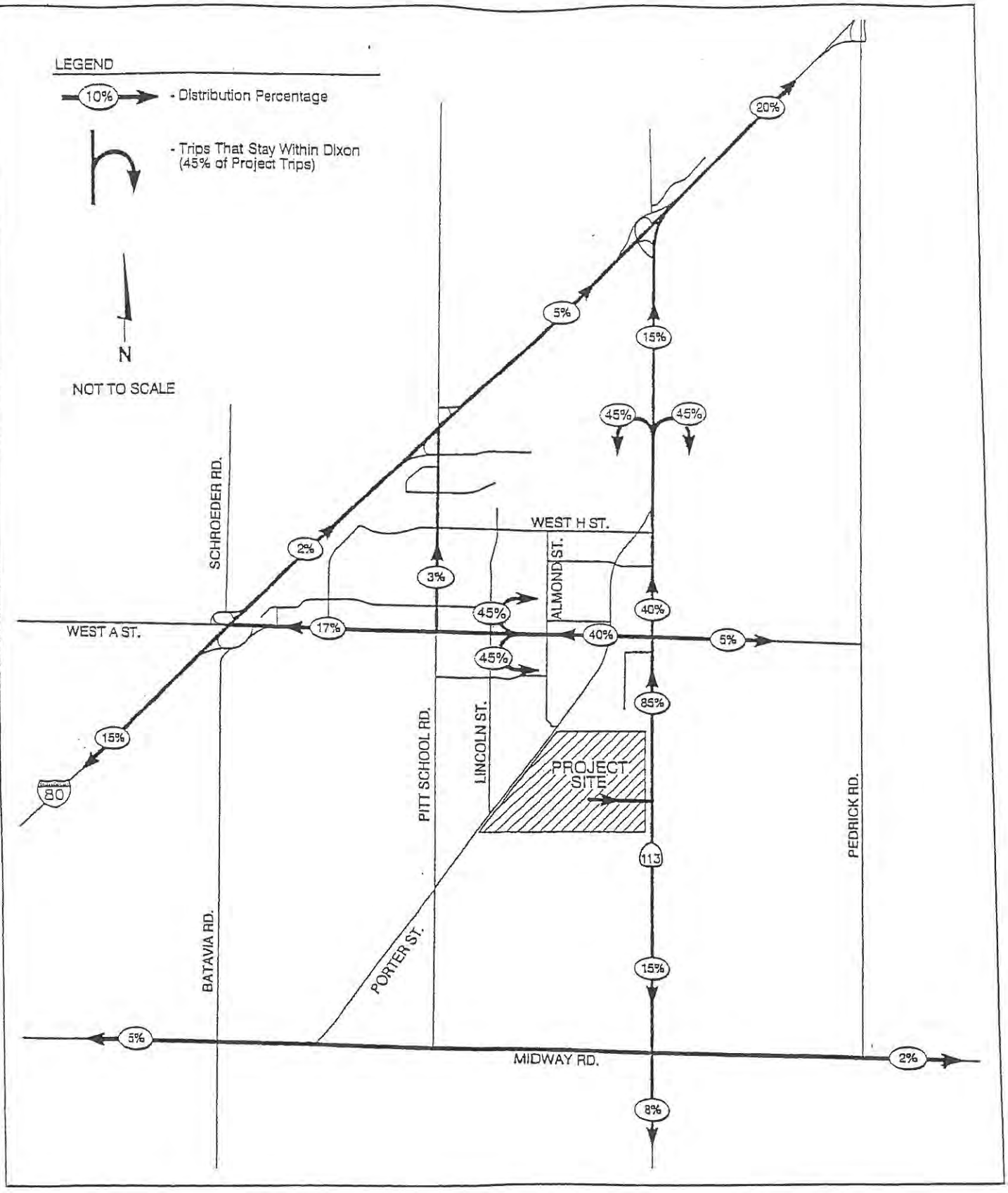
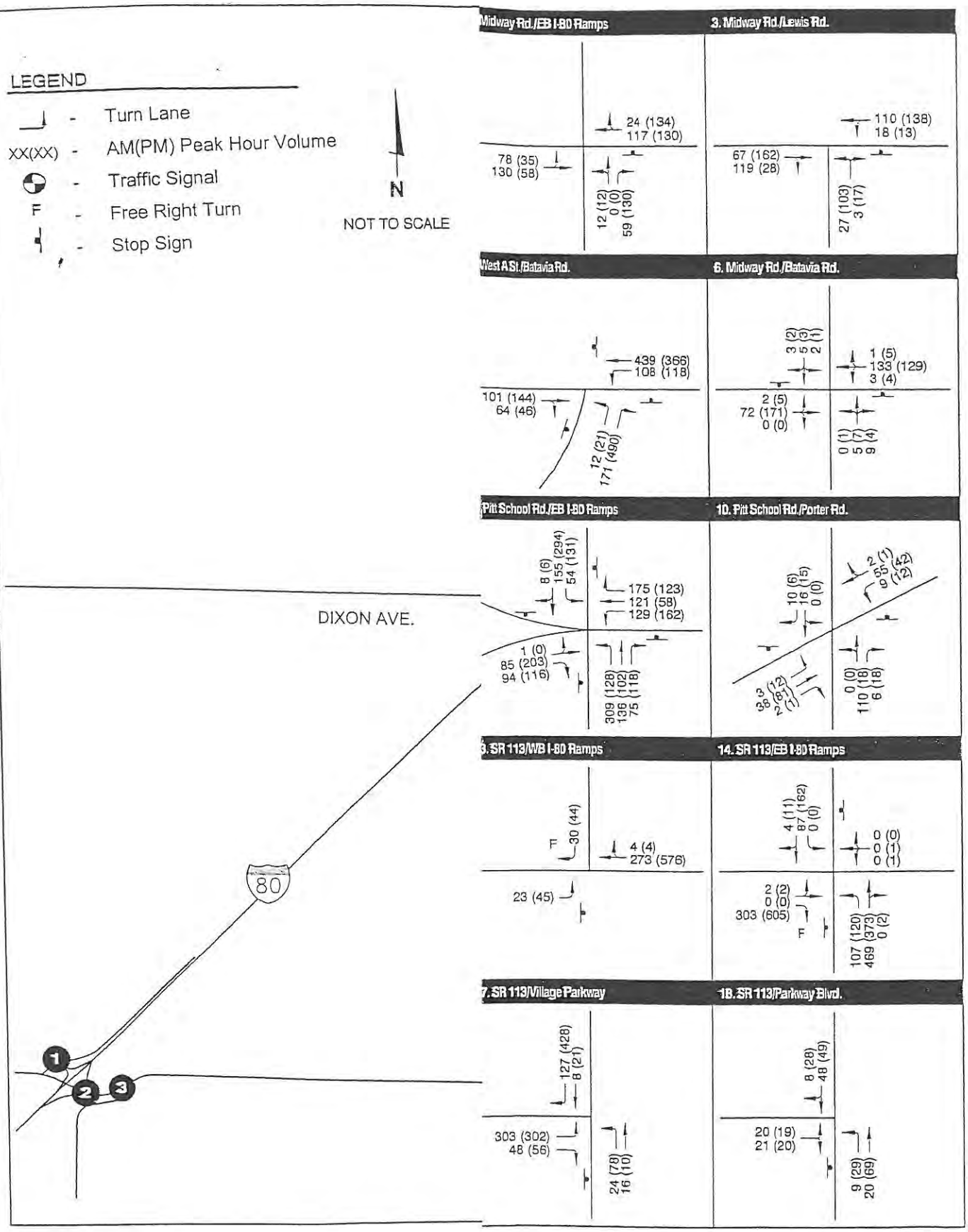


FIGURE 2-3
RP&M



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PEAK HOUR TRAFFIC VOLUMES AND LANE CONFIGURATIONS- EXISTING PLUS PROJECT CONDITIONS

Table 2-1

Supplemental Traffic Operations Analysis Summary

Intersection	Traffic Control	Level of Service			
		Existing Conditions		Existing Plus Project Conditions	
		A.M. Peak Hour	P.M. Peak Hour	A.M. Peak Hour	P.M. Peak Hour
SR 113/Midway Road	Stop Sign	A	A	A	A
Midway Road/Pitt School Road	Stop Sign	A	A	A	A
Midway Road/Porter Road	Stop Sign	A	A	A	A
Midway Road/Batavia Road	Stop Sign	A	A	A	A
Midway Road/Lewis Road	Stop Sign	A	A	A	A
Midway Road/I-80 Eastbound Ramps	Stop Sign	A	A	A	A
O'Day Road/I-80 Westbound Ramps	Stop Sign	A	A	A	A
Pitt School Road/Porter Road	Stop Sign	A	A	A	A
West A Street/Batavia Road	Stop Sign	A	B	A	B
West A Street/Schroeder Road	Stop Sign	A	A	B	B
Pitt School Road/I-80 Eastbound Ramps	Stop Sign	B	C	B	C
Pitt School Road/I-80 Westbound Ramps	Stop Sign	A	B	A	B
SR 113/I-80 Eastbound Ramps	Stop Sign	A	A	A	A
SR 113/I-80 Westbound Ramps	Stop Sign	A	B	A	B
Milk Farm Road/Currey Road	Stop Sign	A	A	A	A
SR 113/W. Cherry Street	Stop Sign	A	A	A	A
SR 113/Village Parkway (project only)	Stop Sign	—	—	A	A
SR 113/Parkway Boulevard (project only)	Stop Sign	—	—	A	A

Notes:
LOS is based on intersection delay, which was calculated using the procedures and methodology contained in the *Highway Capacity Manual, Special Report 209*, Transportation Research Board, 1994.

As shown in Table 2-1, the level of service remains at acceptable levels throughout the county roadways with buildout of the project. Therefore, the project is not anticipated to add a significant level of new vehicle trips to the county roadway system, and the project would not result in any new or increased safety and structural integrity issues.

It should be noted that accepted traffic engineering assumptions state that the addition of traffic to roadways is not expected to increase existing accident rates. To the contrary, the *Traffic and*

Engineering Handbook (Institute of Transportation Engineers, Fourth Edition, 1992) presents information showing that the rate of one-vehicle and multi-vehicle accidents on two-lane roads decrease as the average daily traffic volume increases. The handbook provides a figure (see Chapter 4, Figure 4-4) showing that a reduction in accident rates of up to approximately 50 percent can be expected as the average daily traffic volume increases from 1,000 vehicles per day to 5,000 vehicles per day.

It should also be noted that the County of Solano has constructed and continues to maintain jurisdictional responsibility over the structural and safety integrity of the County roadways. The county met the minimum design standards for these roadways at the time of the roadway construction and the Southpark traffic analysis considered the design minimums in the analysis. In addition, the county has not identified roadways near the project site, particularly areas along State Route 113, as traffic safety hazards based on quantitative data. The Solano Transportation Authority (STA) has prepared a Travel Safety Program in 1998 to address roadway safety issues on a countywide basis. The plan identified the 40 local intersections with the highest accident rates. Based on the Travel Safety Projects map provided by the STA, none of the projects is in the Dixon area.

Because the development of the Southpark project would not add a significant number of vehicle trips to county roadways that were designed based upon minimum safety and structural integrity standards, the additional traffic generated by the proposed project would not have a significant impact on the county roadways.

Additional Traffic Analysis related to First Street/A Street Intersection

The City of Dixon has continued to consider design options for the ultimate operation of the intersection of First Street and A Street. In addition, the city has raised ongoing concerns with the impacts of Southpark, and other development projects, at this intersection. Fehr & Peers has conducted further analysis of designing the intersection with dedicated left-turn lanes, which deviates from the dedicated right-turn lane identified in the previous Southpark DSEIR. In their revised analysis, Fehr & Peers reconsidered the phasing of impacts and mitigation measures associated with the Southpark development. The following assessment is drawn from information in the report, and serves to contribute to the responses to comments in Chapter 4.

Option 1: Install a traffic signal and provide exclusive eastbound and westbound right-turn lanes. The eastbound and westbound approaches would have a shared through/left-turn lane with split phasing. This option was originally included in the *Southpark Planned Development, Draft Subsequent Environmental Impact Report* (DSEIR), City of Dixon, August 2000.

Option 2: Install a traffic signal and provide exclusive eastbound and westbound left-turn lanes. The eastbound and westbound approaches would have a shared through/right-turn lane with protected left-turn phasing.

In addition to these mitigation options, we determined the minimum required intersection lane configurations to provide level of service (LOS) C operations during the AM and PM peak hours under existing conditions with buildout (i.e., existing conditions plus phases 1-5) of Southpark.

Analysis Results

The analysis results for the two options described above are compared in Table 4.2-9 (technical calculations are contained in Attachment A).

Table 4.2-9
West A Street/North First Street Intersection
Alternative Mitigation Analysis Comparison

Option/Phase	AM Peak Hour		PM Peak Hour	
	Delay (1)	LOS (2)	Delay (1)	LOS (2)
Option 1: Installation of a traffic signal and exclusive eastbound and westbound right-turn lanes				
Existing conditions plus Phase 1	17.0	C	18.8	C
Existing conditions plus Phases 1-2	17.8	C	21.1	C
Existing conditions plus Phases 1-3	19.2	C	23.5	C
Existing conditions plus Phases 1-4	19.6	C	24.9	C
Existing conditions plus Buildout	20.3	C	34.7	D
Option 2: Installation of a traffic signal and exclusive eastbound and westbound left-turn lanes				
Existing conditions plus Phase 1	13.9	B	15.6	C
Existing conditions plus Phases 1-2	14.1	B	18.5	C
Existing conditions plus Phases 1-3	14.7	B	22.7	C
Existing conditions plus Phases 1-4	15.3	C	27.4	D
Existing conditions plus Buildout	16.0	C	48.8	E

Notes:
(1) Delay = Average delay in seconds per vehicle.
(2) LOS = Level of Service
Source: Fehr & Peers Associates, Inc. 2002

For the first three phases, Option 2 provides delay and LOS results that are slightly better than Option 1. However, with the addition of Phase 4, Option 2 would result in operations that are worse than LOS C during the p.m. peak hour. The heavy traffic volumes in the northbound left-turn and eastbound right-turn movements (i.e., vehicles traveling to and from I-80 and using West A Street) significantly impact the LOS at the study intersection.

The following lane configurations would provide LOS C operations at the A Street/First Street intersection under existing conditions with buildout of Southpark:

- Northbound: Dual left-turn lanes and a shared through/right-turn lane;
- Southbound: Exclusive left-turn lane and a shared through/right-turn lane;
- Eastbound: Exclusive left-turn lane, exclusive through lane, and exclusive right-turn lane; and
- Westbound: Exclusive left-turn lane and a shared through/right-turn lane.

This configuration provides LOS B in the AM peak hour and LOS C in the PM peak hour with buildout of Southpark under existing conditions. Please note that the northbound dual left-turn lanes would require dual westbound receiving lanes. This leg of the intersection has a cross section of 40 feet with permanent structures located on both sides of the roadway, which may reduce the feasibility of providing this improvement.

The City of Dixon has determined that due to the existing permanent structures along 1st and A Streets, the improvements needed to reach LOS C are not feasible. The City of Dixon determined that dedicated left-turn lanes are the preferred configuration for the intersection of A Street and First Street and has selected Option 2 as the preferred mitigation alternative. Based upon this conclusion, the Project-Specific Impacts and Mitigation Measures in the Southpark DSEIR, Chapter 4.2, pages 4.2-13 through 4.2-14, are revised as indicated in Chapter 3.

The prior information is also referenced in response to comments 1-3, 1-4, 1-5, 3-1, 3-2, 3-3, 5-1, 5-2, 5-3, 5-4, 6-1, 6-2, 6-3, 6-4, 6-5, 6-7.

3. REVISIONS TO THE DSEIR TEXT

3. REVISIONS TO THE DSEIR TEXT

Introduction

This chapter presents all of the revisions made to the DSEIR as a result of either staff initiated changes or in response to comments received. New text is underlined and deleted text is struck through. Text changes are presented in the page order in which they appear in the DSEIR.

TEXT CHANGES

NOTE: New text is double underlined; deleted text is ~~struck through~~.

Chapter 2, Executive Summary

Table 2-2, Summary of Impacts and Mitigation Measures is revised and is included at the end of this chapter.

Chapter 4.2, Transportation and Circulation

The first sentence in the seventh paragraph on page 4.2-3 is revised to read:

Table 4.2-3 also indicated if the intersection met the peak hour volume warrant for signalization as defined in the *Traffic Manual*, Caltrans, July 1 [~~1995~~] 1996.

Pages 4.2-13 to 4.2-14 are revised to read:

4.2-1 *The project applicant shall be responsible to fund a fair share portion of the cost of ~~to install~~ a traffic signal installation at the First Street/A Street intersection to be constructed by the City and the installation of the conceptual configuration selected by the City for dedicated left-turn lanes to be constructed by the City. ~~and to widen the eastbound and westbound approaches to include the addition of exclusive right-turn lanes.~~ These improvements require coordination with the City of Dixon and approval of an encroachment permit by the California Department of Transportation. The signal and turn-lane improvements shall be completed prior to occupancy ~~the issuance of building permits. Implementation of this mitigation measure would provide LOS C operations during the a.m. and p.m. peak hour under existing plus proposed project Phase 1 conditions.~~*

4.2-2 Development ~~of Phases 1~~ through Phase 4 of the proposed project would cause an increase in peak hour traffic volumes at the First Street/West A Street intersection.

As shown in ~~Table 4.2-7~~ Table 4.2-9 in the FEIR, development ~~of Phases 1~~ through Phase 4 of the proposed project would cause the unsignalized First Street/A Street intersection to operate at LOS F during the a.m. and the p.m. peak hours. This is considered to be a ***significant impact.***

Mitigation Measure

Implementation of the following mitigation measure would reduce the magnitude of the impact to a *less-than-significant* level.

4.2-2(a) *Implement Mitigation Measure 4.2-1.*

4.2-2(b) *Prior to construction of Phase 4, the project applicant shall be required to fund a fair-share portion of the cost to construct a new roadway between First Street and Pitt School Road and the extension of Pitt School Road to the subdivision "A" street. These new roadways are intended to be consistent with the planned minor arterial (grade-separated railroad crossing) identified in the 1993 City of Dixon General Plan.*

~~It should be noted that Mitigation Measure 4.2-1 must be completed prior to the construction of Phase 1 to ensure that the operation of the intersection is at LOS C.~~

4.2-3 Implementation of the full project (~~Phases 1~~ through Phase 5) would cause an increase in peak hour traffic volumes at the First Street/A Street intersection.

As shown in ~~Table 4.2-7~~ Table 4.2-9 in the FEIR, full buildout (~~Phases 1~~ through Phase 5) of the Southpark Planned Development would cause the unsignalized First Street/A Street intersection to operate at LOS F during the a.m. and the p.m. peak hours. This is considered to be a ***significant impact.***

Mitigation Measures

Implementation of the following mitigation measure would reduce the magnitude of the impact to a *less-than-significant level*.

~~4.2-3(a) *Implement Mitigation Measure 4.2-1.*~~

~~Implementation of Mitigation Measure 4.2-1 would improve the a.m. peak hour level of services to LOS C, but the p.m. peak hour level of service would be LOS D. Because LOS~~

~~D is not acceptable under the City's General Plan, the impact would be significant and requires additional mitigation. Implementation of the following mitigation measures would reduce the impact to a *less-than-significant* level.~~

~~4.2-3(b) *The project applicant shall be responsible to fund a fair share portion of the cost to widen the eastbound and westbound approaches to include exclusive left-turn lanes and widen the northbound approach to include an exclusive right-turn lane. These improvements shall be constructed prior to the development of Phase 5 to provide LOS C or better operations during the a.m. and p.m. peak hours.*~~

~~OR~~

The project applicant shall be required to fund a fair-share portion of the cost to construct a new roadway between First Street and Pitt School Road. This new roadway is intended to be consistent with the planned minor arterial (grade separated railroad crossing) identified in the 1993 City of Dixon General Plan. This improvement shall be constructed prior to the development of Phase 5 to provide LOS C or better operations during the a.m. and p.m. peak hours. ~~Implementation of this improvement in conjunction with the signalization and turn lane improvements of Mitigation Measure 4.2-1 would provide LOS C at the First Street/A Street intersection during the a.m. and p.m. peak hours under existing plus full project conditions. This improvement shall be constructed prior to the development of Phase 5.~~

~~4.2-3(c) *It should be noted that the construction of exclusive left-turn lanes on A Street at the intersection with First Street may be difficult due to the location of existing buildings and the available roadway width. The traffic consultant for this EIR has indicated that the east and westbound improvements can be constructed if the full design standards are relaxed and an encroachment permit is granted by Caltrans. If these improvements are determined to be impossible, then the City of Dixon shall require the construction of the railroad crossing connecting First Street and Pitt School Road.*~~

~~*The City of Dixon shall program and identify the funding mechanism for the implementation of Mitigation Measure 4.2-3(b).*~~

Note that the text on page 4.2-14 after Cumulative Impacts and Mitigation Measures are not changed.

Chapter 4.3, Biological Resources

Page 4.3-4, second paragraph, second sentence is revised to read:

> Burrowing owls were not observed on the project site during the June 2, 1993 survey. However, there are active burrows located approximately 0.25 miles east of where Pitt School Road crosses the Union Pacific Railroad tracks. In addition, burrowing owls were observed along SR 113 approximately one mile south of the project site. Burrowing owls are also known to occur at Hall Park in the City of Dixon, the United States Naval Transmitter Facility off of Radio Station Road, and along a number of other roadways and levees in the agricultural areas located south and east of the City of Dixon.

Pages 4.3-7 to 4.3-8, starting with the fifth paragraph, is revised to read:

4.3-1(a) ~~*Prior to issuance of a grading permit, a DFG-approved raptor biologist shall survey all potential burrowing owl habitat and record the presence of individual burrowing owls, sign of burrowing owls (i.e., fecal whitewash at the entrance to burrows, etc.) and all burrows that are in use by individuals.*~~
The project site shall be surveyed for burrowing owls during the peak of the breeding season (April 15 to July 15) and nesting (February 1 through August 31) season, unless burrowing owls are detected during the first survey. Surveys shall be conducted one hour before sunrise to two hours after, or two hours before sunset to one hour after.

4.3-1(b) ~~*If a nest is found, no grading shall be allowed during the nesting season (April-July) within 125 feet of any nest burrow identified by the DFG-approved raptor biologist.*~~
If owls are detected on the site, mitigation measures to minimize the impacts to this species would be required, as follows:

- *Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless approved by DFG;*
- *To offset the loss of foraging and burrow habitat on the project site, a minimum of 6.5 acres of foraging habitat per pair or unpaired resident shall be acquired and permanently protected. The protected lands should be adjacent to occupied burrowing owl habitat and acceptable to DFG;*
- *When destruction of burrows is unavoidable, existing unsuitable burrows shall be enhanced, or new burrows created, at a 2:1 ratio on the protected lands site;*

- *If owls must be moved off the project site, passive relocation techniques, such as excluder devices, shall be used rather than trapping; and*

- *The project sponsor shall provide funding for long-term management and monitoring of the protected lands. Monitoring should include success criteria, remedial measures, and an annual report submitted to DFG.*

4.3-1(c) ~~*Prior to grading within burrowing owl habitat in which individual owls have been identified by the DFG-approved raptor biologist, all individual burrowing owls will be trapped or carefully excavated and relocated to a DFG-approved location. All trapping shall be supervised by the DFG-approved raptor biologist.*~~

All mitigation shall be conducted generally between September 1 and January 31, as determined by DFG.

4.3-1(d) *Following implementation of mitigation measures, preconstruction surveys shall be conducted within 30 days of the start of construction to ensure no additional burrowing owls have established territories on the project site.*

Impact 4.3-3 on page 4.3-9, is revised to read:

The 1994 Southpark EIR provided the following mitigation measures to reduce the cumulative impact to a less-than-significant level.

No disturbance, construction or other project-related activities which may cause abandonment or forced fledgling shall occur within ½ mile of the active Swainson's hawk nest located immediately to the south of the Southpark site during March 1 - August 15 or until the fledglings are no longer dependent upon the nest tree.

Alternatively, the applicant shall fund an intensive monitoring program of the nest site by a California Department of Fish and Game-approved raptor biologist to determine if construction or project-related activities are affecting the behavior of the adults or fledglings in such a way that nest abandonment or forced fledgling may occur. Should behaviors be observed that are recognized as preceding nest shall cease.

The applicant shall also participate in one of the following mitigation programs to reduce the impacts from the loss of Swainson's hawk foraging habitat to less than significant.

- The applicant shall prepare a Swainson's Hawk Habitat Management Plan (HMP) as a condition of approval for a California Fish and Game Code Section 2081 Management Agreement that will allow for "incidental take" Swainson's Hawk habitat.

- Alternatively, the applicant shall join the City of Dixon as a participant in a countywide effort to prepare a Swainson's hawk HMP for a California Fish and Game Code Section 2081 Management Agreement that will comprehensively address the "incidental take" of all Swainson's hawk that would occur as a consequence of the City's project approvals.[1]

Since the preparation of the 1994 Southpark EIR, several changes have occurred with regard to the status of the Swainson's hawk and the potential to develop a county-wide Swainson's hawk habitat plan~~, and the CEQA definition of cumulative impacts.~~ The loss of potential foraging habitat no longer requires an "incidental take" permit. Therefore, the development of a Solano County habitat management plan for Swainson's Hawk habitat is not currently required, has not been funded by any of the local jurisdictions, and does not appear likely. Therefore, implementation of the previously approved mitigation measure would no longer fully reduce cumulative impacts to Swainson's hawk foraging habitat. To address these changes, the previously adopted mitigation measure is refined to reflect the new guidelines put forth by the DFG. This refinement of the previously adopted mitigation measure does not change the original intent of the mitigation to reduce this cumulative impact to a less-than-significant level. The previously adopted mitigation measures is revised as follows:

No disturbance, construction or other project-related activities which may cause abandonment or forced fledgling shall occur within ½ mile of the active Swainson's hawk nest located immediately to the south of the Southpark site during March 1 - August 15 or until the fledglings are no longer dependent upon the nest tree.

Because at least one active nest is located within one mile of the project site, the project applicant would be required to provide replacement habitat at a 1:1 ratio, consistent with CDFG requirements. To mitigate for the loss of 211 acres of Swainson's hawk foraging habitat, the project applicant must provide 211 acres of Habitat Management lands to CDFG. Habitat Management lands protected under this requirement may be protected through fee title acquisition or a conservation easement (acceptable to CDFG) on agricultural or other suitable land that provides foraging habitat for Swainson's hawk. Should the City establish a fee program to fund the purchase of Habitat Management lands to compensate for the loss of Swainson's hawk foraging habitat, the project applicant may participate in the fee program in lieu of the provision of 211 acres of land required by this measure.

~~Alternatively, the applicant shall fund an intensive monitoring program of the nest site by a California Department of Fish and Game-approved raptor biologist to determine if construction or project-related activities are affecting the behavior of the adults or fledglings in such a way that nest abandonment or forced fledgling may occur. Should behaviors be observed that are recognized as preceding nest shall cease.~~

~~The applicant shall also participate in one of the following mitigation programs to reduce the impacts from the loss of Swainson's hawk foraging habitat to less than significant.~~

- ~~The applicant shall prepare a Swainson's Hawk Habitat Management Plan (HMP) as a condition of approval for a California Fish and Game Code Section 2081 Management Agreement that will allow for "incidental take" Swainson's Hawk habitat.~~

- ~~Alternatively, the applicant shall join the City of Dixon as a participant in a county-wide effort to prepare a Swainson's hawk HMP for a California Fish and Game Code Section 2081 Management Agreement that will comprehensively address the "incidental take" of all Swainson's hawk that would occur as a consequence of the City's project approvals.~~[2]

~~Finally, under the recently updated CEQA Guidelines, a cumulative impact is significant if the project's incremental contribution to the impact is "cumulatively considerable", which is defined as follows:~~

~~"Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. (CEQA Guidelines, Section 15065(c))~~

Incorporation of the refined previously adopted 1994 mitigation measure as part of the proposed project would reduce impacts associated with the cumulative loss of foraging habitat to a less-than-significant level and no additional mitigation is required. ~~Development of the project site was not determined to be a significant loss of foraging habitat at a project-specific level, the incremental loss of foraging habitat on the project site when viewed in connection with the effects of all other projects would not meet the definition of cumulatively considerable.~~ Therefore, the cumulative impact is considered *less than significant.*

Chapter 4.5, Public Infrastructure and Utilities

Page 4.5-6, Mitigation Measure 4.5-1(b) is revised to read:

4.5-1(b) Prior to construction, the project applicant shall fund a fair share, per the AB1600 fee program, of the drainage facilities improvements identified by the City of Dixon in the 1999 Stormwater Drainage Report ~~for Detention Basin A~~ and the current AB1600 Facilities and Equipment study. In addition, the City of Dixon shall establish a maintenance district to pay a fair share of the maintenance costs.

Page 4.5-7, Impact 4.5-2 is revised to read:

4.5-2 Development of the proposed project would generate an additional need for wastewater collection infrastructure, ~~and~~ treatment, and disposal.

Page 4.5-8, fourth paragraph is revised to read:

4.5-3 ~~None required.~~ Prior to the approval of a final map, the project applicant shall provide confirmation that adequate fire flow exists throughout the development to meet the current DSMWS standards for fire flow and meets the approval of the City Engineer, DSMWS Engineering Staff, and Fire Chief.

Chapter 4.6, Public Services

Pages 4.6-7 and 4.6-8, Mitigation Measure 4.6-2(b) is revised to read:

4.6-2(b) Prior to issuance of building permits, the applicant shall coordinate with the Dixon Fire Chief to review the development plans and identify any units that may not have a response time consistent with the City's ISO rating. For any unit identified with an inadequate fire response time, the applicant shall incorporate building design components to enhance fire safety. These measure may include the ~~addition~~ use of eave vents, fire sprinklers, or other design features required by the Fire Chief.

Page 4.6-8 and 4.6-9, Mitigation Measure 4.6-3 is revised to read:

4.6-3 *Prior to issuance of building permits, the project applicant shall pay the calculated school impact fee. Under SB50, a school district can levy Level 2 fees to projected development when it satisfies the criteria set for under that statute.* ~~*Based on the total costs projected and the student yield rates, the development fee for schools is $3.26 per square foot of residential development.*~~

Appendix C, Initial Study and Environmental Checklist

Appendix C, Initial Study, pages 13 and 14 is hereby amended to read:

The 1994 South Park EIR (page 3.3-5) identified the following mitigation measure to reduce impacts from increased runoff to a less-than-significant level:

> *The project applicant, in coordination with the City of Dixon Public Works Department, shall prepare a site drainage plan which incorporates storm drains, lateral and trunk drainage lines, and other facilities as necessary to ensure adequate drainage of surface runoff at the Southpark site. This plan shall be reviewed and approved by the City of Dixon Public Works Department prior to issuance of a grading permit.*
>
> *As a condition of the issuance of the grading permit, the project applicant shall contribute a fair share of the costs of design,* ~~*siting,*~~ *and construction of* ~~*Detention Basin C*~~ *Pond A. A fair share of the total costs (i.e., percentage of total cost) shall be based upon the percentage of the developed portion of Area C that is represented by the developed portion of the Southpark site.* ~~*Detention Basin C shall be designed to have sufficient capacity to allow the City to meet its obligation to discharge no more than 77 cfs to the DRCD drainage system.*~~

Compliance with the 1994 Southpark EIR mitigation measure, as amended below, would ensure that the proposed project would result in no new impacts and no further mitigation is required.

> *The project applicant, in coordination with the City of Dixon Public Works Department, shall prepare a site drainage plan which incorporates storm drains, lateral and trunk drainage lines, and other facilities as necessary to ensure adequate drainage of surface runoff at the Southpark site. This plan shall be reviewed and approved by the City of Dixon Public Works Department prior to issuance of a grading permit.*
>
> *The project applicant shall pay their fair share towards Citywide drainage improvements, as identified in the City's AB1600 fee program.*

Appendix C, Initial Study, page 16 is hereby amended to read:

a,b) The proposed project is located within the Sacramento Valley Air Basin, and the City of Dixon is located within the jurisdiction of the Yolo-Solano Air ~~Pollution Control~~ Quality Management District. According to the City of Dixon 1993 General Plan, the District has been named an attainment area for all pollutants measured except ozone. The 1994/95 EIR stated that the City of Dixon is

considered an attainment area for national PM_{10} and non-attainment for state air quality standards for PM_{10}.

Appendix C, Initial Study, page 26 is hereby amended to read:

Compliance with the 1994 Southpark EIR mitigation measure, as amended below, would ensure that the proposed project would result in no new impacts and no further mitigation is required.

> *Prior to the approval of a tentative map in the project area for the any residential uses, the project proponent shall submit an acoustical analysis which identifies mitigation measures to reduce the noise level to 65 dB. The mitigation measures shall be incorporated into the project design. The mitigation measures may include:*

~~The 1994 Southpark EIR (page 3.8-8) contained the following mitigation measure to reduce First Street traffic noise impacts to a less-than-significant level.~~

> ~~*Sound attenuation in the form of a wall can reduce the estimated noise level to 65 dB at the multi-family residential uses. Based on preliminary assumptions regarding the type of multi-family housing unit and location of the wall, the attenuation would be accomplished with the following geometric description:*~~
>
> - ~~*4 foot s*~~*Sound attenuation wall, berm or combination that equals the required height;*
> - *Roadway and building pads are at the same elevation;*
> - *Wall or berm is located ~~25 feet~~ at an appropriate distance from the First Street centerline; and*
> - *Housing units are located ~~a minimum of 50 feet~~ at an appropriate distance from First Street centerline*
>
> ~~*Prior to issuance of a building permit, the project proponent shall comply with the sound attenuation provisions listed above or provide additional sound analysis based on further refinement of the project description.*~~

Appendix C, Initial Study, page 27 is revised to read:

- *Railroad track ~~based~~ is six feet above building pad elevation;*

Mitigation Measures identified in the 1994 Southpark EIR are summarized in the attached Table 2-2. Modifications are indicated in the Table to reflect discussions in this Final Subsequent EIR.

TABLE 2-2
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
4.2 Transportation and Circulation			
4.2-1 **Development of Phase 1 of the proposed project would cause an increase in peak hour traffic volumes at the First Street/A Street intersection.**	S	4.2-1 The project applicant shall be responsible to fund a fair share portion of the cost of ~~to install~~ a traffic signal installation at the First Street/A Street intersection to be constructed by the City and the installation of the conceptual configuration selected by the City for dedicated left-turn lanes to be constructed by the City. ~~and to widen the eastbound and westbound approaches to include the addition of exclusive right-turn lanes.~~ These improvements require coordination with the City of Dixon and approval of an encroachment permit by the California Department of Transportation. The signal and turn-lane improvements shall be completed prior to occupancy ~~the issuance of building permits. Implementation of this mitigation measure would provide LOS C operations during the a.m. and p.m. peak hour under existing plus proposed project Phase 1 conditions.~~	LS
4.2-2 **Development ~~of Phases 1~~ through Phase 4 of the proposed project would cause an increase in peak hour traffic volumes at the First Street/A Street intersection.**	S	4.2-2(a) Implement Mitigation Measure 4.2-1. (b) Prior to construction of Phase 4, the project applicant shall be required to fund a fair-share portion of the cost to construct a new roadway between First Street and Pitt School Road and the extension of Pitt School Road to the subdivision "A" street. These new roadways are intended to be consistent with the planned minor arterial (grade-separated railroad crossing) identified in the 1993 City of Dixon General Plan.	LS
4.2-3 **Buildout of the proposed project (~~Phases 1~~ through Phase 5) would cause an increase in peak hour traffic volumes at the First Street/A Street intersection.**	S	4.2-3~~(a)~~ ~~Implement Mitigation Measure 4.2-1.~~	LS

TABLE 2-2
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		~~(b) The project applicant shall be responsible to fund a fair share portion of the cost to widen the eastbound and westbound approaches to include exclusive left-turn lanes and widen the northbound approach to include an exclusive right-turn lane. These improvements shall be constructed prior to the development of Phase 5 to provide LOS C or better operations during the a.m. and p.m. peak hours.~~ ~~OR~~ The project applicant shall be required to fund a fair-share portion of the cost to construct a new roadway between First Street and Pitt School Road. This new roadway is intended to be consistent with the planned minor arterial (grade separated railroad crossing) identified in the 1993 City of Dixon General Plan. This improvement shall be constructed prior to the development of Phase 5 to provide LOS C or better operations during the a.m. and p.m. peak hours. ~~Implementation of this improvement in conjunction with the signalization and turn lane improvements of Mitigation Measure 4.2-1 would provide LOS C at the First Street/A Street intersection during the a.m. and p.m. peak hours under existing plus full project conditions. This improvement shall be constructed prior to the development of Phase 5.~~ ~~(c) It should be noted that the construction of exclusive left-turn lanes on A Street at the intersection with First Street may be difficult due to the location of existing buildings and the available roadway width. The traffic consultant for this EIR has indicated that the east and westbound improvements can be constructed if the full design standards are relaxed and an encroachment permit is granted by Caltrans. If these improvements are determined to be impossible, then the City of Dixon shall require the construction of the railroad crossing connecting First Street and Pitt School Road.~~ ~~The City of Dixon shall program and identify the funding mechanism for the implementation of Mitigation Measure 4.2-3(b).~~	

TABLE 2-2
SUMMARY OF IMPACTS AND MITIGATION MEASURES

	Impact	Level of Significance Prior to Mitigation		Mitigation Measure(s)	Level of Significance After Mitigation
4.2-4	**Implementation of the proposed project, in combination with the projected buildout of the City of Dixon, would cause an increase in a.m. and p.m. peak hour traffic volumes at the First Street/A Street intersection.**	S	4.2-4(a)	The City of Dixon shall require the implementation and completion of Mitigation Measure 4.2-1 prior to the issuance of the first building permit for the proposed project.	SU
			(b)	The project applicant shall fund a fair share portion of a city-wide transportation plan and subsequent projects that address the First Street/A Street intersection.	
	4.3 Biological Resources				
4.3-1	**Implementation of the proposed project would result in the potential loss of burrowing owls and burrowing owl habitat.**	S	4.3-1(a)	~~Prior to issuance of a grading permit, a DFG-approved raptor biologist shall survey all potential burrowing owl habitat and record the presence of individual burrowing owls, sign of burrowing owls (i.e., fecal whitewash at the entrance to burrows, etc.) and all burrows that are in use by individuals.~~ The project site shall be surveyed for burrowing owls during the peak of the breeding season (April 15 to July 15) and nesting (February 1 through August 31) season, unless burrowing owls are detected during the first survey. Surveys shall be conducted one hour before sunrise to two hours after, or two hours before sunset to one hour after.	LS

TABLE 2-2
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		4.3-1(b) ~~If a nest is found, no grading shall be allowed during the nesting season (April-July) within 125 feet of any nest burrow identified by the DFG-approved raptor biologist.~~ If owls are detected on the site, mitigation measures to minimize the impacts to this species would be required, as follows: • Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless approved by DFG; • To offset the loss of foraging and burrow habitat on the project site, a minimum of 6.5 acres of foraging habitat per pair or unpaired resident shall be acquired and permanently protected. The protected lands should be adjacent to occupied burrowing owl habitat and acceptable to DFG; • When destruction of burrows is unavoidable, existing unsuitable burrows shall be enhanced, or new burrows created, at a 2:1 ratio on the protected lands site; • If owls must be moved off the project site, passive relocation techniques, such as excluder devices, shall be used rather than trapping; and • The project sponsor shall provide funding for long-term management and monitoring of the protected lands. Monitoring should include success criteria, remedial measures, and an annual report submitted to DFG. 4.3-1(c) ~~Prior to grading within burrowing owl habitat in which individual owls have been identified by the DFG-approved raptor biologist, all individual burrowing owls will be trapped or carefully excavated and relocated to a DFG-approved location. All trapping shall be supervised by the DFG-approved raptor biologist.~~ All mitigation shall be conducted generally between September 1 and January 31, as determined by DFG.	

TABLE 2-2
SUMMARY OF IMPACTS AND MITIGATION MEASURES

	Impact	Level of Significance Prior to Mitigation		Mitigation Measure(s)	Level of Significance After Mitigation
			4.3-1(d)	Following implementation of mitigation measures, preconstruction surveys shall be conducted within 30 days of the start of construction to ensure no additional burrowing owls have established territories on the project site.	
4.3-2	**The development of the proposed project would result in the loss of wildlife habitat provided by agricultural land**	LS	4.3-2	None required.	N/A
4.3-3	**Development of the project site would result in an incremental loss of wildlife habitat, including Swainson's hawk foraging habitat, when considered in combination with buildout of the region.**	S	4.3-3	~~None required~~ No disturbance, construction or other project-related activities which may cause abandonment or forced fledgling shall occur within ½ mile of the active Swainson's hawk nest located immediately to the south of the Southpark site during March 1 - August 15 or until the fledglings are no longer dependent upon the nest tree. Because at least one active nest is located within one mile of the project site, the project applicant would be required to provide replacement habitat at a 1:1 ratio, consistent with CDFG requirements. To mitigate for the loss of 211 acres of Swainson's hawk foraging habitat, the project applicant must provide 211 acres of Habitat Management lands to CDFG. Habitat Management lands protected under this requirement may be protected through fee title acquisition or a conservation easement (acceptable to CDFG) on agricultural or other suitable land that provides foraging habitat for Swainson's hawk. Should the City establish a fee program to fund the purchase of Habitat Management lands to compensate for the loss of Swainson's hawk foraging habitat, the project applicant may participate in the fee program in lieu of the provision of 211 acres of land required by this measure.	LS
	4.4 Groundwater Resources				
4.4-1	**Development of the proposed project would result in additional domestic water consumption that may affect groundwater levels.**	LS	4.4-1	None required.	N/A
4.4-2	**Development of the proposed project in conjunction with the buildout of Solano County would result in a reduction of groundwater resources.**	LS	4.4-2	None required.	N/A

TABLE 2-2
SUMMARY OF IMPACTS AND MITIGATION MEASURES

	Impact	Level of Significance Prior to Mitigation		Mitigation Measure(s)	Level of Significance After Mitigation
4.5 Public Infrastructure and Utilities					
4.5-1	**The proposed project would create impervious surfaces and associated stormwater runoff which would affect the capacity of stormwater facilities in Detention Basin A.**	S	4.5-1(a)	The City of Dixon shall ensure that adequate stormwater drainage capacity is available prior to the recording of any final maps for the project site.	LS
			(b)	Prior to construction, the project applicant shall fund a fair share, per the AB1600 fee program, of the drainage facilities improvements identified by the City of Dixon in the 1999 Stormwater Drainage Report ~~for Detention Basin A~~ and the current AB1600 Facilities and Equipment study. In addition, the City of Dixon shall establish a maintenance district to pay a fair share of the maintenance costs.	
4.5-2	**Development of the proposed project would generate an additional need for wastewater collection infrastructure, ~~and~~ treatment and disposal.**	S	4.5-2(a)	Prior to approval of final map, the City of Dixon shall ensure that adequate sewer capacity is available in the conveyance system and at the treatment plant.	LS
			(b)	Prior to approval of any final map in which wastewater generated from development would exceed treatment or conveyance capacity, the City shall identify the program for plant capacity expansion and the project applicant shall agree to pay their fair share, per the AB 1600 fee program, of the wastewater treatment and collection facilities improvements identified by the City of Dixon.	
4.5-3	**Development of the proposed project would generate an increased demand for domestic water and require the construction of additional water production and conveyance facilities.**	S	4.5-3	~~None required.~~ Prior to the approval of a final map, the project applicant shall provide confirmation that adequate fire flow exists throughout the development to meet the current DSMWS standards for fire flow and meets the approval of the City Engineer, DSMWS Engineering Staff, and Fire Chief.	LS
4.5-4	**Development of the proposed project would interfere with existing utilities and other facilities.**	S	4.5-4	The project applicant shall identify any existing underground utilities prior to construction and avoid these utilities if possible. If interfering with the utility is not feasible, the project applicant shall coordinate with the utility in question to alleviate the interference.	LS

TABLE 2-2
SUMMARY OF IMPACTS AND MITIGATION MEASURES

	Impact	Level of Significance Prior to Mitigation		Mitigation Measure(s)	Level of Significance After Mitigation
4.5-5	**Implementation of the proposed project, in conjunction with buildout of the City of Dixon, would generate increased demand on the existing city infrastructure beyond its current capacity.**	S	4.5-5	The City of Dixon shall implement its Capital Improvement Program and collect appropriate AB1600 fees from new development to ensure the provision of adequate facilities.	LS
	4.6 Public Services				
4.6-1	**Implementation of the proposed project would generate the need for additional police protection services.**	S	4.6-1	Prior to the issuance of building permits, the project applicant shall pay the required impact fees to the city, per AB1600 to ensure the adequate provision of law enforcement services in the City of Dixon.	LS
4.6-2	**Implementation of the proposed project would generate a need for additional fire protection services.**	S	4.6-2(a)	Prior to the issuance of building permits, the project applicant shall pay the required impact fees to the City, per AB1600 to ensure that adequate fire protection levels are provided to the city.	LS
			4.6-2(b)	Prior to issuance of building permits, the applicant shall coordinate with the Dixon Fire Chief to review the development plans and identify any units that may not have a response time consistent with the City's ISO rating. For any unit identified with an inadequate fire response time, the applicant shall incorporate building design components to enhance fire safety. These measures may include the ~~addition~~ use of eave vents, fire sprinklers, or other design features required by the Fire Chief.	
4.6-3	**The proposed project would add additional students beyond the Dixon Unified School District capacity.**	S	4.6-3	Prior to issuance of building permits, the project applicant shall pay the calculated school impact fee. Under SB50, a school district can levy Level 2 fees to projected development when it satisfies the criteria set for under that statute. ~~Based on the total costs projected and the student yield rates, the development fee for schools is $3.26 per square foot of residential development.~~	LS
4.6-4	**Implementation of the proposed project would generate the need for additional parks and recreation services.**	S	4.6-4	Prior to the issuance of building permits, and on a per unit basis, the project applicant shall pay the appropriate parkland fee and AB 1600 impact fee to the City of Dixon to ensure the adequate provision of parks and recreation services.	LS

TABLE 2-2
SUMMARY OF IMPACTS AND MITIGATION MEASURES

	Impact	Level of Significance Prior to Mitigation		Mitigation Measure(s)	Level of Significance After Mitigation
4.6-5	**Implementation of the proposed project, in conjunction with the buildout of the City of Dixon, would increase the total student population beyond the capacity of the current school system.**	S	4.6-5	Prior to the issuance of building permits, and on a per unit basis, the city shall require all development applicants to pay the school impact fees collected by DUSD, on a per unit basis, to be used for new school facilities.	LS

TABLE 2-2
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
Impacts and Mitigation Measures Identified in the Initial Study (see Appendix C).			
Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill?	S	The 1994 Southpark EIR (page 3.2-6) identified the following mitigation measure to reduce erosion impacts to a less-than-significant level: • Prior to the issuance of a grading permit, the City Public Works Department shall approve drainage and stormwater runoff control systems and their component facilities to insure that they are non-erosive in design; • During construction, the applicant shall not leave disturbed areas exposed during the rainy season or for more than seven continuous days if not actively under construction; • Areas disturbed by construction activity shall be revegetated immediately following construction to reduce the hazard of erosion; • Construction machinery shall be operated and stored only within construction areas and one designated parking area; and • Existing vegetation shall be retained in all other parts of the project area.	LS
Expansive soils?	S	The 1994 Southpark EIR (page 3.2-6) identified the following mitigation measure to reduce shrink/swell impacts to a less-than-significant level: For each development phase, the project applicant shall provide a site-specific geologic assessment that identifies the shrink/swell potential for that portion of the site. If shrink/swell potential is detected, appropriate measures shall be identified by a registered geologist or geotechnical engineer and incorporated into the design of the development. These design features shall be a condition of issuance of the grading permit. Implementation of these design features would reduce shrink-swell impacts to a level that is less than significant.	LS
Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	S	The 1994 Southpark EIR (page 3.3-5) identified the following mitigation measure to reduce impacts from increased runoff to a less-than-significant level:	LS

TABLE 2-2
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		The project applicant, in coordination with the City of Dixon Public Works Department, shall prepare a site drainage plan which incorporates storm drains, lateral and trunk drainage lines, and other facilities as necessary to ensure adequate drainage of surface runoff at the Southpark site. This plan shall be reviewed and approved by the City of Dixon Public Works Department prior to issuance of a grading permit. The project applicant shall pay their fair share towards Citywide drainage improvements, as identified in the City's AB1600 fee program. ~~As a condition of the issuance of the grading permit, the project applicant shall contribute a fair share of the costs of design, siting, and construction of Detention Basin C. A fair share of the total costs (i.e., percentage of total cost) shall be based upon the percentage of the developed portion of Area C that is represented by the developed portion of the Southpark site. Detention Basin C shall be designed to have sufficient capacity to allow the City to meet its obligation to discharge no more than 77 cfs to the DRCD drainage system.~~	
Violate any air quality standard or contribute to an existing or projected air quality violation? Exposure sensitive receptors to pollutants?	S	The 1994 Southpark EIR (page 3.7-5) identified the following mitigation measures to reduce emissions during construction to a less-than-significant level: • Dust emission shall be controlled by application of water. Water shall be applied using watering trucks, or sprinklers, as often as is necessary to keep the exposed soils damp; • Construction equipment shall be maintained and tuned at the interval recommended by the manufacturers to minimize exhaust emissions; • Equipment idling shall be kept to a minimum when equipment is not in use; • Areas exposed by construction activities shall be paved or covered to prevent erosion as soon as practical within the needs of the construction project; and • The construction contractor shall post a publicly visible sign on the project site during construction operations which specifies the telephone number and person/agency to contact for complaints and/or inquiries on dust generation and other air quality problems resulting from project construction.	LS

TABLE 2-2
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		The 1994 Southpark EIR (page 3.7-6) identified the following mitigation measures to reduce the long-term PM_{10} emissions impact to a less-than-significant level: • Require alternative means of residential heating other than wood burning units lacking catalytic converters; and • Implement the circulation improvements contained in the General Plan Environmental Assessment to provide adequate traffic circulation in order to reduce congestion and therefore air emissions. The EIR (page 3.7-7) identified the following mitigation measure to reduce the ozone precursor emissions impact: As part of project development, Southpark shall include on-site amenities that promote use of forms of transportation that are alternatives to the use of the automobile. Such amenities include bicycle parking spaces at the multi-family and commercial sites, and adequate road width for on-street bicycle lanes and off-street bike paths. The City of Dixon shall implement the Circulation Plan contained in the 1993 City of Dixon General Plan to provide adequate traffic circulation in order to reduce congestion and air emissions. Prior to recording of any tract of a parcel map, the project proponent shall dedicate the necessary right-of-way for a future bus turn out southbound on the First Street project frontage. The City of Dixon shall coordinate with the project proponent regarding the specific location and design requirements.	

TABLE 2-2
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
Increases in existing noise levels?	S	Compliance with the 1994 Southpark EIR mitigation measure, as amended below, would ensure that the proposed project would result in no new impacts and no further mitigation is required. *Prior to the approval of a tentative map in the project area for the any residential uses, the project proponent shall submit an acoustical analysis which identifies mitigation measures to reduce the noise level to 65 dB. The mitigation measures shall be incorporated into the multi-family project design. The mitigation measures may include:* ~~The 1994 Southpark EIR (page 3.8-8) contained the following mitigation measure to reduce First Street traffic noise impacts to a less-than-significant level.~~ ~~*Sound attenuation in the form of a wall can reduce the estimated noise level to 65 dB at the multi-family residential uses. Based on preliminary assumptions regarding the type of multi-family housing unit and location of the wall, the attenuation would be accomplished with the following geometric description:*~~ • ~~*4 foot s*~~*Sound attenuation wall, berm or combination that equals the required height;* • *Roadway and building pads are at the same elevation;* • *Wall or berm is located ~~25 feet~~ at an appropriate distance from the First Street centerline; and* • *Housing units are located ~~a minimum of 50 feet~~ at an appropriate distance from First Street centerline* ~~*Prior to issuance of a building permit, the project proponent shall comply with the sound attenuation provisions listed above or provide additional sound analysis based on further refinement of the project description.*~~	LS

TABLE 2-2
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		Adherence with the Uniform Building Code during project construction would reduce interior noise an additional 20 dB. The resultant interior noise level of 45 dB would meet the standard for interior noise per state regulations (State Office of Noise Control). Prior to issuance of a building permit, the project proponent shall comply with the sound attenuation provisions listed above or provide additional sound analysis based on further refinement of the project description.	
Have a demonstrable negative aesthetic effect?	S	The 1994 Southpark EIR (page 3.13-3) included the following mitigation measure to reduce visual impacts to a less-than-significant level: Project plans shall provide for the undergrounding of all utilities that are visible from public rights-of-way. A landscaping program designed with an emphasis toward the South First Street (Highway 113) entrance to the City of Dixon shall be included in these plans. Prior to the issuance of any building permits, the project proponent shall submit these plans to the City Planning Department for approval. The Planning Department will make a determination as to whether project landscaping conforms to the City of Dixon's landscaping requirement as found in the Zoning Ordinance (Section 12.26).	LS
Create light or glare?	S	The 1994 Southpark EIR (page 3.13-4) identified the following mitigation measure to reduce impacts from new light sources to a less-than-significant level: As lighting plans are formulated, design of lighting for specific building projects shall be guided by the following principles: • avoid interference with reasonable use of adjoining properties; • minimize on-site glare; provide adequate on-site lighting; • limit height of pole lighting to avoid excessive illumination; • provide lighting structures which are compatible with landscape design along roadways and commercial structures; • use trees to screen lighting;	LS

TABLE 2-2
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		• outdoor lighting shall be hooded and directed downward to minimize direct light and glare impacts on public rights-of-way; • driveway lights shall be of a height which minimizes light and glare impacts; • indirect "box" lights shall be used for driveways and parking lot lighting; and • prior to the issuance of occupancy permits, the project proponent shall submit a lighting plan to the City Planning Department for a conformance determination. In addition, building materials that reflect minimal light and glare shall be used on all on-site structures. Prior to issuance of building permits, the project proponent shall be subject to the City Planning Department's regular design review.	
Disturb paleontological resources? Disturb archaeological resources? Affect historical resources?	S	The 1994 Southpark EIR (page 3.14-5) identified the following mitigation measure to ensure that impacts to cultural resources would be reduced to a less-than-significant level: All trenching and excavation associated with the project shall be monitored by an archaeologist. If any buried archaeological resources are discovered during construction activities, all work will be halted in the vicinity of the find in order for the monitoring archaeologist to determine whether the find is an isolated example or part of a more complex resource. Upon determining the significance of the resource, the consulting archaeologist, in coordination with the City, shall determine the appropriate actions to be taken. The appropriate measures may include as little as recording the resource with the California Archaeological Inventory database or as much as excavation, recording, and preservation of sites that have outstanding cultural or historic significance.	LS

TABLE 2-2
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		Archaeological resources include artifacts of stone, shell, bone, or other natural materials associated with artifacts are hearths, house floors, and dumps. Historic artifacts include all byproducts of human use greater than 50 years old. Human burials, if encountered, require notification of the county coroner.	
Impacts and Mitigation Measures Identified in the 1994/95 Southpark EIR Which Were Not Addressed in the SEIR (It should be noted that all other 1994/95 Southpark EIR mitigation measures are either superceded or modified by the SEIR.)			
Hydrology and Drainage	PS	The following mitigation measures are adapted from the Master Drainage Plan EIR to reduce the significance of urban pollutants in the surface drainage system. However, because surface water quality data are unavailable and no water quality monitoring has been implemented by the City, the effect of urban pollutants to surface water resources cannot be quantitatively analyzed. Therefore, this impact remains potentially significant after mitigation. An Erosion and Sediment Control Plan, using Best Management Practices, shall be prepared by the project applicant and approved by the City of Dixon Public Works Department prior to the issuance of a grading permit. The plan shall detail the specific measures necessary to reduce the potential for soil erosion during grading and construction activities. These measures may include: • Limiting the amount of motorized traffic on the project site during construction to minimize loss of existing protective vegetation and reduce soil disturbance; • Performing construction activities in the late spring and early summer to allow maximum revegetation prior to heavy runoff; • Landscaping with selected native or non-native plants conducive to erosion protection; and • Application of mulches or other surface protection materials to minimize the exposed soil surface.	PS

TABLE 2-2
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		As a condition of the grading permit, the project applicant shall obtain a NPDES (National Pollutant Discharge Elimination System) construction stormwater permit from the Regional Water Quality Control Board. The City of Dixon shall design and construct ~~Detention Basin C~~ Pond A to include an intake basin for the purpose of reducing scour. This design will increase the ability of the detention facility to retain urban runoff pollutants. As a condition of issuance of the grading permit, the project applicant shall contribute a fair share of the costs for the on-going maintenance of ~~Detention Basin C~~ Pond A to the Dixon Enterprise Fund when that fund is formed. A fair share of the on-going costs shall be based upon the percentage of the developed portion of Area C that is represented by the developed portion of the Southpark site. Maintenance shall include periodic monitoring of the sediments in the detention facility. If the sediments are found to contain hazardous materials, the sediments shall be dredged and disposed of at an appropriate hazardous waste facility.	
Hydrology and Drainage	PS	The following mitigation measures has (sic) been adapted from the Draft Environmental Impact Report for the Dixon Master Drainage Plan (Brown and Caldwell, 1989) to reduce the potential for groundwater contamination to a level that is less than significant. The City of Dixon Public Works Department shall expand Pond A to allow it to accommodate additional drainage from the project site. ~~site Detention Basin C in a location where groundwater will be sufficiently separated from the lowest point of excavation in the basin. This siting would minimize the possibility of groundwater surfacing in the basin and coming into direct contact with basin sediments that may contain hazardous constituents.~~	LS

TABLE 2-2
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
Hydrology and Drainage	S	The City of Dixon shall implement the water quality monitoring program as detailed in the Final Environmental Impact Report prepared for the Dixon Master Drainage Plan. Surface water quality monitoring data may be used to assess cumulative water quality impacts and develop appropriate stormwater discharge controls. The project applicant shall contribute a fair share toward the implementation of the City of Dixon water quality monitoring program. This fair share shall be based on the runoff calculations of the Southpark site relative to the total runoff calculations for the City of Dixon. Implementation of these measures would reduce the impact to a level that is less than significant.	LS
Hazards	S	All structures shall be engineered to meet the Uniform Building Code construction standards for Seismic Zone 4. Implementation of this measure would reduce the impacts to a level that is less than significant.	L
Hazards	PS	If an Area Plan has not been adopted prior to issuance of building permits, the applicant, in coordination with the City of Dixon, shall develop an evacuation plan that addresses a potential hazardous wastes or materials spill on the SPTCo railroad line. Implementation of this measure would reduce the impacts to a level that is less than significant.	L
Hazards	PS	Drainage facilities for the proposed project shall be designed such that all new development within the Southpark Planned Development is constructed at a minimum of one foot above the 100-year base flood elevation. Implementation of this measure would reduce the impacts to a level that is less than significant.	L
Public Services	S	~~The project applicant shall alter the design of the area under question. In order to provide a physical separation between the proposed northern park site, alternate designs would include a roadway, a landscaped walking path and/or bike path, a wall or fence with breaks to allow for ingress and egress to and from the school sites. Implementation of this measure would reduce the impacts to a level that is less than significant.~~	L
Land Use	PS	The City shall ensure that all property buyers are informed of Chapter 2A of the County Code and its provisions prior to the final sale of any property within the Southpark project site. This measure would reduce the impact to a level that is less than significant.	L

TABLE 2-2
SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
Public Utilities	PS	The project applicant shall consult with the Solano Irrigation District prior to the siting and construction of all buildings, roads, parks and other facilities which intersect or lie adjacent to the existing SID easement to ensure that the project does not conflict with the terms and conditions of the SID easement. This measure would reduce the impact to a level that is less than significant.	L
Public Services	PS	The City of Dixon shall negotiate an agreement with the B&J Landfill, or another appropriate solid waste disposal facility, to ensure capacity for solid waste disposal is adequate for the development of urban land uses in the Dixon Planning Area through the year 2010. The project applicant shall contribute a fair share toward any expansion costs that may occur. This fair share shall be based on the percentage of additional solid waste generated by the developed portion of the Southpark relative to the total amount of solid waste generated by new development.	L
Energy and Mineral Resources	PS	The City of Dixon shall require the preparation of a noise analysis prior to the approval of a natural gas extraction facility on either of the mineral rights easements located within the Southpark site. This noise analysis shall quantify projected noise levels from all proposed natural gas extraction facilities. The analysis shall then propose mitigation such as a compressor housing, to reduce noise impacts in surrounding residential areas to a level that is less than significant.	L
Energy and Mineral Resources	PS	The property owner must provide evidence to the State Oil and Gas Supervisor that the test well was ~~property~~ properly plugged and abandoned prior to development over the abandoned well site. If the well was not properly plugged and abandoned, the State Oil and Gas Supervisor may order the reabandonment of the well (at the property owners expense) if it is determined that construction over, or in the proximity of the well could result in a public hazard.	L

4. COMMENTS AND RESPONSES

SOLANO COUNTY
TRANSPORTATION DEPARTMENT

333 Sunset Avenue, Suite 230
Suisun City, California 94585

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

John Gray, Director

Melba I. Delfino
Administration
(707) 421-6064

Paul Wiese
Engineering
(707) 421-6072

Eben Stevens, Operations
(707) 421-6055

September 15, 2000

RECEIVED
SEP 20 2000
CITY OF DIXON

Warren Salmons, City Manager
City of Dixon
600 East A Street
Dixon, CA 95620

Dear Mr. Salmons:

SUBJECT: Southpark Environmental Impact Report

I recently received a copy of the Subsequent Environmental Impact Report for the proposed Southpark development in Dixon. The Solano County Transportation Department has a number of concerns about this project.

Traffic generated by the City of Dixon has a significant impact on a number of Solano County roads. Midway Road, Porter Road, and Pitt School Road are all heavily used by Dixon residents as a "back door" from Interstate 80 to the easterly portion of the City. With this as background, the Solano County Transportation Department offers the following comments.

1. We believe Southpark may cause a significant traffic impact to several Solano County roads, including Midway Road, Porter Road and Pitt School Road. The impact of traffic generated by Southpark on these three roads, and on the following intersections, should be studied:

Midway Road - SR113
Midway Road - Pitt School Road
Midway Road - Porter Road
Midway Road - Batavia Road
Midway Road - Lewis Road
Midway Road - I-80 ramps (and O'Day Road)
Pitt School Road - Porter Road
West A Street - I-80 ramps (and Schroeder Road)
Pitt School Road - I-80 ramps
First Street (SR113) - I-80 ramps (and Milk Farm Road)

1-1

The study should evaluate not only level of service impacts to those roads and intersections, but also their ability to support the added traffic from a safety viewpoint (with reference to the pavement and shoulder width) and their structural capacity (considering the existing pavement structural section and condition). Measures should be recommended to mitigate the level of service, safety and structural capacity impacts of Southpark on those roads and intersections. Estimates of the costs to implement those measures should be developed, and a funding mechanism identified by which development will pay for the cost of mitigating the project impacts. These mitigation measures and the associated funding mechanism should be adopted as part of the approval process for the Southpark SEIR. 1-2

2. The SEIR (page 4.2-1) states that "Mitigation was identified (in the 1994 Southpark EIR) to reduce all of the transportation impacts to a less than significant level." This is not correct. The Southpark FEIR called for the preparation of a City/County master traffic improvement plan which was intended to identify the traffic impacts of the project, and to recommend mitigation measures. This master traffic improvement plan has not yet been prepared, so the traffic impacts have not yet been identified, nor have the mitigation measures been recommended and adopted. Therefore, the transportation impacts of the Southpark project have not yet been mitigated. 1-3

A master traffic improvement plan should be prepared which identifies the traffic impacts of the Southpark project, recommends measures to mitigate those impacts, estimates the costs to implement those measures, and identifies a funding mechanism by which development will pay for the cost of mitigating the project impacts. These mitigation measures and the associated funding mechanism should be adopted as part of the approval process for the Southpark SEIR. 1-4

3. The SEIR (page 4.2-7) mentions an arterial to be constructed between South First Street and Pitt School Road, but states that it is not analyzed because it is not fully funded. This appears to be the road identified as the "future overcrossing" in Figure 3-4.

This arterial could have a significant impact on the County road system. The EIR does not show where the arterial will be tied in on the westerly side, but it appears that the road could significantly impact traffic patterns on Pitt School Road and other County roads. It is also not shown if the arterial would tie in to Porter Road, and if so where and how. It is also not clear whether it is intended for a portion of the arterial to be located in the unincorporated area, and if so whether this portion of the road would be a County road, or a County-maintained road. This issue should be addressed. 1-5

This proposed arterial should be analyzed as part of the master traffic improvement plan discussed in (2) above, and measures should be recommended which will mitigate any identified impacts. These mitigation measures should be adopted as part of the approval process for the Southpark SEIR.

Thank you for considering my comments. Feel free to call me at (707) 421-6072 if you have any questions.

Sincerely,

Paul Wiese
Engineering Manager

cc. Mayor Don Erickson
Ron Tribbett, Public Works Director
Cathleen Spence-Wells, City Planner

00178.doc

LETTER 1 ..... SOLANO COUNTY TRANSPORTATION DEPARTMENT

Response to Comment 1-1

The comment raised concerns about traffic impacts to several Solano County roadways and intersections and requested additional analysis. To address concerns about potential traffic operational impacts on County roadways, supplemental intersection analysis was conducted under existing and existing plus project conditions for the following locations:

- SR113/Midway Road;
- Midway Road/Pitt School Road;
- Midway Road/Porter Road;
- Midway Road/ Batavia Road;
- Midway Road/Lewis Road;
- Midway Road/I-80 Eastbound Ramps;
- O-Day Road/I-80 Westbound Ramps;
- Pitt School Road/Porter Road;
- West A Street/Batavia Road;
- West A Street/Schroeder Road;
- Pitt School Road/I-80 Eastbound Ramps
- Pitt School Road/I-80 Westbound Ramps;
- SR 113/I-80 Westbound Ramps;
- SR 113/I-80 Eastbound Ramps;
- Currey Road/Milk Farm Road;
- SR 113/W. Cherry Street;
- SR 113/Village Parkway (with project only); and
- SR 113/Parkway Boulevard (with project only).

The results of this additional traffic analysis are presented in Chapter 2 of this Final EIR. The additional traffic analysis found that the proposed Southpark project would result in a less-than-significant effect on County roadways.

Response to Comment 1-2

The comment raises concerns regarding the safety and structural integrity of the County roadways to support the project's traffic. The comment also states that mitigation measures should be provided for these issues and that the costs and associated funding mechanism should be identified.

As shown in Table 2-1, provided in Chapter 2, the level of service remains at acceptable levels throughout the county roadways with buildout of the project. Therefore, the project is not anticipated to add a significant level of new vehicle trips to the county roadway system, and the project would not result in any new or increased safety and structural integrity issues.

It should be noted that accepted traffic engineering assumptions state that the addition of traffic to roadways is not expected to increase existing accident rates. To the contrary, the *Traffic and Engineering Handbook* (Institute of Transportation Engineers, Fourth Edition, 1992) presents information showing that the rate of one-vehicle and multi-vehicle accidents on two-lane roads decrease as the average daily traffic volume increases. The handbook provides a figure (see Figure 4-4) showing that a reduction in accident rates of up to approximately 50 percent can be expected as the average daily traffic volume increases from 1,000 vehicles per day to 5,000 vehicles per day.

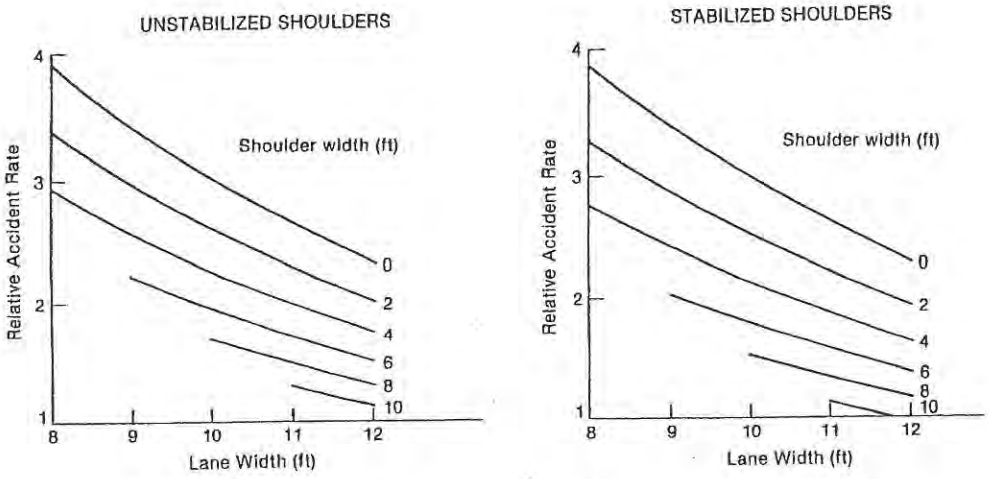
It should also be noted that the County of Solano has constructed and continues to maintain jurisdictional responsibility over the structural and safety integrity of the County roadways. The county met the minimum design standards for these roadways at the time of the roadway construction and the Southpark traffic analysis considered the design minimums in the analysis. In addition, the county has not identified roadways near the project site, particularly areas along State Route 113, as traffic safety hazards based on quantitative data. The Solano Transportation Authority (STA) has prepared a Travel Safety Program in 1998 to address roadway safety issues on a countywide basis. The plan identified the 40 local intersections with the highest accident rates. Based on the Travel Safety Projects map provided by the STA, none of the projects is in the Dixon area.

Because the development of the Southpark project would not add a significant number of vehicle trips to county roadways that were designed based upon minimum safety and structural integrity standards, the additional traffic generated by the proposed project would not have a significant impact on the county roadways.

Response to Comment 1-3

The comment indicates that the Southpark Draft Subsequent EIR incorrectly stated that, "mitigation was identified (in the 1994 Southpark EIR) to reduce all of the transportation impacts to a less than significant level." The comment continues by raising concerns that the mitigation in the 1994 EIR required a master traffic improvement plan which would identify impacts and recommend mitigation measures. The comment states that the master traffic improvement plan has not been prepared; therefore, the project impacts and mitigation measures have not been identified.

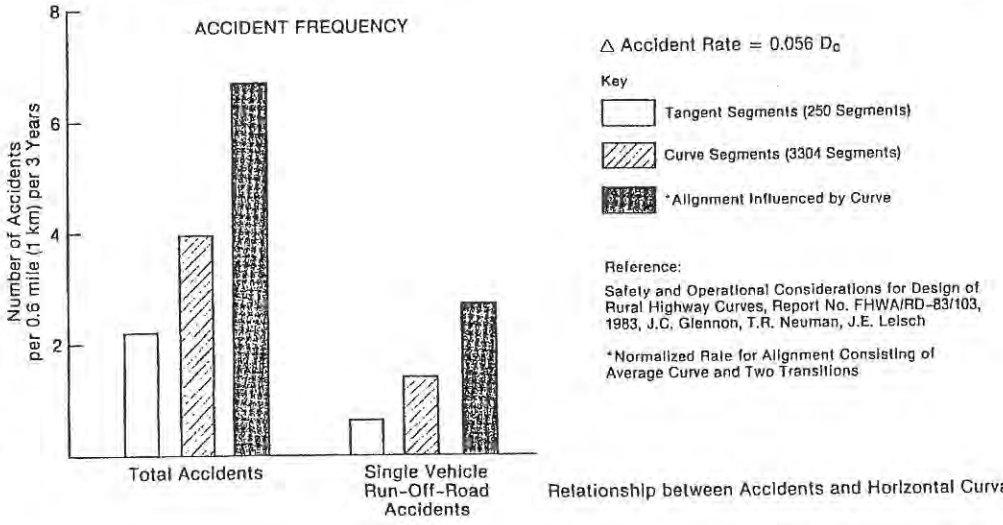
The Draft Subsequent EIR *correctly* stated that the traffic related impacts identified in the 1994 Southpark EIR were all mitigated to a less-than-significant level. The 1994 Southpark EIR and the Statement of Overrides and Finding of Facts for the project approval in 1995 did not identify any significant and unavoidable impacts related to traffic; therefore, all significant traffic impacts were found to be less-than-significant with the implementation of reasonable and feasible mitigation measures. In addition, neither the 1994 Draft EIR, the 1995 Final EIR, or the Mitigation Monitoring Plan specifically required the preparation of a City/County master traffic improvement plan. However, a City/County Master TIP was referred to in Response to



Notes: Accident relationship covers single-vehicle, sideswipe, and opposite-direction accidents on two-lane rural highways. Relative accident rate is defined as a multiple of the accidents per million vehicle rates for 12-ft lanes and 10-ft stabilized shoulders

Normalized Relationship between Accidents and Lane and Shoulder Conditions

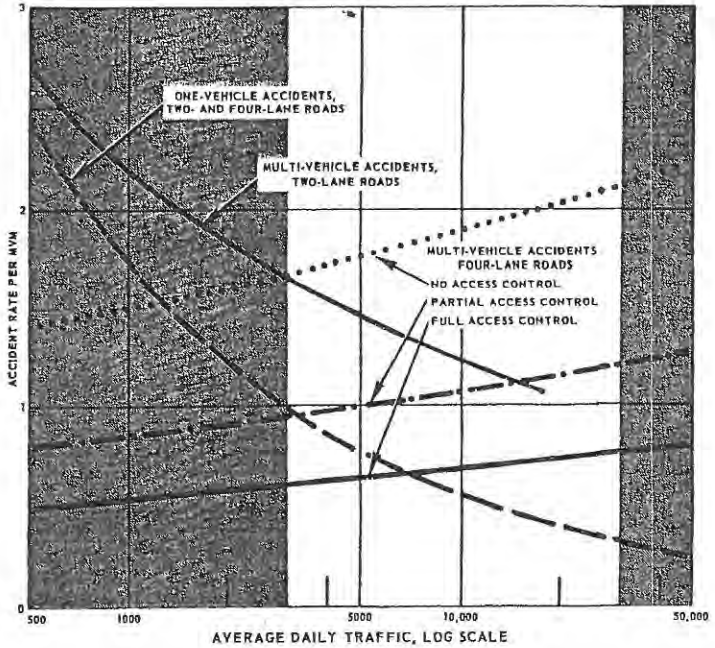
Reference:
FHWA research report FHWA/RD-87-008, Safety Effects of Cross-Section Design for Two-lane Roads, Volume 1, Final Report.



Reference:
Safety and Operational Considerations for Design of Rural Highway Curves, Report No. FHWA/RD-83/103, 1983, J.C. Glennon, T.R. Neuman, J.E. Leisch

*Normalized Rate for Alignment Consisting of Average Curve and Two Transitions

Relationship between Accidents and Horizontal Curvature



Relationship between Accident Types and Traffic Volumes
Reference:
Accident Rates as Related to Design Elements of Rural Highways, National Cooperative Highway Research Program Report 47, 1963

FIGURE 4-4
RP&M

Figure 6–2. Key geometric safety relationships (*cont.*).

Comment F-6 of the 1995 Southpark FEIR. This reference should not be construed as being a mitigation measure required for the proposed project.

It should be noted that the Southpark Draft Subsequent EIR identified cumulative buildout of the City of Dixon would result in a significant and unavoidable impact at the intersection of First Street and A Street in the City of Dixion and included a mitigation that the proposed project would be required to fund a fair share portion of a city-wide transportation plan to address this impact and fund a fair share portion of the improvements at First and A Streets. In addition, the City of Dixon has retained Fehr & Peers to prepare a Street Master Plan (SMP) and Transportation Improvement Program (TIP). The SMP will identify needed long-term improvements and their associated cost to maintain LOS C as required by the City of Dixon General Plan Policy VI.E.1 for roadways within Dixon and the surrounding unincorporated area. The TIP will identify a funding mechanism(s) to provide sufficient funding to construct the needed improvements within a timely manner. The Southpark project will be required to contribute their fair share cost of needed roadway improvements by participating in the TIP.

Finally, the Southpark Subsequent EIR, including the information contained in the Final EIR, has fully analyzed the traffic impacts of the proposed project. Appropriate and feasible mitigation measures have been identified, and a fair share funding requirement has been required as well as the initiation of a TIP to ensure the funding and funding mechanism of the improvements.

Response to Comment 1-4

The comment states that a master traffic improvement plan should be prepared which identifies the impacts of the Southpark project. The City of Dixon is currently preparing a Street Master Plan (SMP) and Transportation Improvement Program (TIP) to address this issue citywide. Please see Response to Comment 1-3.

Response to Comment 1-5

The comment raised a concern regarding the analysis of the "future overcrossing" and requested that the overcrossing be studied as part of a master traffic improvement plan.

A future crossing of the existing railroad tracks was previously identified in the 1993 City of Dixon General Plan (see the City of Dixon General Plan Map). The proposed Southpark Development project identified this crossing as "future overcrossing" in the project application map provided as Figure 3-4 in the Draft Subsequent EIR. In addition, the Draft Subsequent EIR identified the crossing as a potential mitigation measure for the project's traffic impact and the cumulative buildout traffic impact at First and A Streets. However, at this time, the design plans for the railroad crossing have not been completed and potential effects on county roadways cannot be determined.

In the citywide Street Master Plan currently being prepared by Fehr & Peers, the design and potential funding sources for the crossing will be considered. This plan is anticipated to also indicate a timeline for the development of the ultimate railcrossing design. It should be noted that once the design is complete and the city contemplates processing the crossing as a project, further environmental analysis and CEQA documentation will be conducted to assess the impact of the project on the county roads.

E OF CALIFORNIA - THE RESOURCES AGENCY
GRAY DAVIS, Governor

EPARTMENT OF FISH AND GAME
:AMENTO VALLEY AND CENTRAL SIERRA
NIMBUS ROAD, SUITE A
:CHO CORDOVA, CALIFORNIA 95670
lephone (916) 358-2900

September 26, 2000

RECEIVED
SEP 28 2000
CITY OF DIXON

Mr. Warren Salmon, City Manager
City of Dixon
600 East A Street
Dixon, California 95620-3697

Dear Mr. Salmon:

The Department of Fish and Game (DFG) has reviewed the Draft Subsequent Environmental Impact Report (DSEIR) for the proposed Southpark Planned Development (SCH # 94071013). The project proposes to develop approximately 211 acres to very low, low, medium-low, and high density residential, park, school, and commercial uses in the southwest portion of the City of Dixon, Solano County.

Section 4.3 (pages 4.3-1 to 4.3-11) of the DSEIR describes the biological setting, impacts to wildlife species utilizing the site, and mitigation measures proposed to reduce the project's impact to a less than significant level. Particular attention is given to four raptor species: Black-shouldered Kite (*Elanus leucurus*), Swainson's Hawk (*Buteo swainsoni*), Northern Harrier (*Circus cyaneus*), and Burrowing Owl (*Athene cunicularia*). Although the site contains habitats used or potentially used by these species, these comments will focus on impacts to the Swainson's hawk and burrowing owl. Specific mitigation guidelines for each of these species have been established by the DFG and are the basis of the following comments.

Burrowing owl

The DSEIR correctly concludes that the project could result in the potential take of burrowing owl and loss of burrowing owl habitat. The nearest location identified in the document is approximately one mile south of the project site, along State Route 113. Recent surveys in the same general area show that active burrows exist much closer, located approximately 0.25 miles east of where Pitt School Road crosses the Union Pacific Railroad. This supports the conclusion that the project site is likely utilized as foraging habitat by burrowing owls. Several mitigation measures are provide in the DSEIR to address the project's impacts to burrowing owls. Specific comments on these measures are as follows:

2-1

1. 4.3-1(a). Protocols for acceptable burrowing owl survey techniques are detailed in the burrowing owl guidelines. The methodology to be used should be described in the DSEIR.

2. 4.3-1(b). The period April 15-July 15 is identified as the peak of breeding for burrowing owls, but the breeding season is defined as from between February 1 through August 31. No grading or other disturbance should be allowed within 250 (not 125 as described in the DSEIR) feet of any occupied burrow sites during this period. 2-2

3. 4.3-1(c). Passive relocation techniques would be the preferred option if it is determined that owls need to be moved. Alternative burrow sites, either natural or artificial, which could be occupied by displaced owls should be provided prior to relocation efforts.

While the DSEIR discusses the loss of burrows, no reference is made regarding the loss of foraging habitat. Due to the nature of the current land use on the project site and the proximity of known occupied borrows, impacts resulting from loss of foraging habitat should be addressed in the DSEIR. 2-3

Swainson's hawk

DFG records of Swainson's hawk nest locations show that there is a minimum of one nest site within a one-mile radius of the project location. Thirteen nest locations occur within a five-mile radius of the project site, with over 60 nest locations within a ten-mile radius of the project site. Because of the high concentration of nest locations in this area, and the associated demand on existing foraging locations, the 1994 Southpark EIR contained language requiring mitigation for loss of foraging habitat to reduce project impacts to less than significant. Mitigation options in this document included preparing a project-specific Habitat Management Plan (HMP) to obtain an "Incidental Take" permit under section 2081 of the California Fish and Game Code, or joining the City of Dixon in a similar action to address Swainson's hawk impacts as a consequence of the City's overall project approval process. 2-4

The DSEIR now concludes that mitigation for lost foraging habitat is no longer required to reduce project impacts to a less than significant level. This conclusion is based in part on changes to section 2081 which no longer require an "incidental take" permit for lost foraging habitat. Even though a HMP and "Incidental Take" permit are not required as part of project approval, this does not release the project sponsor from providing mitigation for impacts to listed species. Recent changes in the California Endangered Species Act (Chapter 1.5 of the California

Fish and Game Code) require that project impacts to these species be "fully mitigated." Additionally, the California Environmental Quality Act Guidelines Section 15065 provides a mandatory finding of significance for cumulative impacts to fish and wildlife. Options to meet mitigation requirements other than those listed in the 1994 project document include: 1) the purchase of fee title or a conservation easement on suitable foraging habitat using the ratios provided in the Swainson's hawk guidelines, or 2) to purchase Swanson's hawk credits in a DFG approved mitigation bank.

2-4 Cont.

The DSEIR states that, "Because the development of the project site was not determined to be a significant loss of foraging habitat at a project-specific level, the incremental loss of foraging habitat on the project site when viewed in connection with the effects of all other projects would not meet the definition of cumulatively considerable. Therefore, the cumulative impacts are considered less than significant." The original finding was based on a project containing suitable mitigation measures for the impact; if the original project did not contain these provisions that finding could not have been substantiated. The project as currently proposed will have a significant impact to Swainson's hawks, especially in light of other projects (e.g., the Dixon horse racing facility) proposed in the project area. The project will result in significant cumulative impacts to Swanson's hawk habitat in Solano County.

Because this project will have an impact on wildlife species and their associated habitat, assessment of fees under Public Resources Code Section 21089, and as defined by Fish and Game Code Section 711.4 is necessary. Fees are payable by the project applicant upon filing of the Notice of Determination by the lead agency.

2-5

Pursuant to Public Resources Code Sections 21092 and 21092.2, the DFG requests written notification of proposed actions and pending decisions regarding this project. Written notifications should be directed to this office.

2-6

Thank you for the opportunity to review this project. If the DFG can be of further assistance, please contact Mr. Craig Stowers, Associate Wildlife Biologist, at (916) 691-2122 or, Ms. Terry Roscoe, Environmental Services Supervisor, at (916) 358-2883.

Sincerely,

Larry L. Eng, Ph.D.
Assistant Regional Manager
Wildlife, Fisheries and Environmental Programs

cc. State Clearinghous e
1400 Tenth Street
Post Office Box 3044
Sacramento, California 95812-3044

Mr. Craig Stowers
Ms Terry Roscoe
Department of Fish and Game
1701 Nimbus Road, Suite A
Rancho Cordova, California 95670

LETTER 2 ..... STATE OF CALIFORNIA DEPARTMENT OF FISH AND GAME

Response to Comment 2-1

The comment confirms that the project site is likely used as foraging habitat by burrowing owls. Based on information provided by the commentor, page 4.3-4 of the DSEIR, second paragraph, second sentence is revised to read:

> Burrowing owls were not observed on the project site during the June 2, 1993 survey. However, there are active burrows located approximately 0.25 miles east of where Pitt School Road crosses the Union Pacific Railroad tracks. In addition, burrowing owls were observed along SR 113 approximately one mile south of the project site. Burrowing owls are also known to occur at Hall Park in the City of Dixon, the United States Naval Transmitter Facility off of Radio Station Road, and along a number of other roadways and levees in the agricultural areas located south and east of the City of Dixon.

Response to Comment 2-2

The comment updates Mitigation Measure 4.3-1(a) through (c) based on current DFG protocol. A copy of the *Staff Report on Burrowing Owl Mitigation* developed by the DFG is included as Appendix A in this Final SEIR. This staff report provides guidance and outlines specific mitigation measures, including specific survey protocols, regarding direct and indirect loss of burrowing owls and their habitat. The objective of the mitigation guidelines is to minimize impacts to burrowing owls and the resources that support viable owl populations.

In order to mitigate the loss of burrowing owls, the DFG requires that either the mitigation measures in the staff report shall be used or project specific mitigation measures developed. Alternative project specific measures proposed by the project applicant would be considered. However, if the project applicant proposed their own mitigation measures, they must be submitted to DFG's Environmental Services to determine if the proposed mitigation measures are consistent with the Fish and Game Commission, and legislative policy and laws regarding raptor species.

Mitigation Measure 4.3-1(a) through (c) on page 4.3-7 and 4.3-8 of the DSEIR is replaced with updated language from the DFG's staff report on Burrowing Owl Mitigation. This modification does not change the intent of the original mitigation measure.

> *4.3-1(a) ~~Prior to issuance of a grading permit, a DFG-approved raptor biologist shall survey all potential burrowing owl habitat and record the presence of individual burrowing owls, sign of burrowing owls (i.e., fecal whitewash at the entrance to burrows, etc.) and all burrows that are in use by individuals.~~*

The project site shall be surveyed for burrowing owls during the peak of the breeding season (April 15 to July 15) and nesting (February 1 through August 31) season, unless burrowing owls are detected during the first survey. Surveys shall be conducted one hour before sunrise to two hours after, or two hours before sunset to one hour after.

4.3-1(b) ~~*If a nest is found, no grading shall be allowed during the nesting season (April-July) within 125 feet of any nest burrow identified by the DFG-approved raptor biologist.*~~ *If owls are detected on the site, mitigation measures to minimize the impacts to this species would be required, as follows:*

- *Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless approved by DFG;*
- *To offset the loss of foraging and burrow habitat on the project site, a minimum of 6.5 acres of foraging habitat per pair or unpaired resident shall be acquired and permanently protected. The protected lands should be adjacent to occupied burrowing owl habitat and acceptable to DFG;*
- *When destruction of burrows is unavoidable, existing unsuitable burrows shall be enhanced, or new burrows created, at a 2:1 ratio on the protected lands site;*
- *If owls must be moved off the project site, passive relocation techniques, such as excluder devices, shall be used rather than trapping; and*
- *The project sponsor shall provide funding for long-term management and monitoring of the protected lands. Monitoring should include success criteria, remedial measures, and an annual report submitted to DFG.*

4.3-1(c) ~~*Prior to grading within burrowing owl habitat in which individual owls have been identified by the DFG-approved raptor biologist, all individual burrowing owls will be trapped or carefully excavated and relocated to a DFG-approved location. All trapping shall be supervised by the DFG-approved raptor biologist.*~~

All mitigation shall be conducted generally between September 1 and January 31, as determined by DFG.

4.3-1(d) *Following implementation of mitigation measures, preconstruction surveys shall be conducted within 30 days of the start of construction to ensure no additional burrowing owls have established territories on the project site.*

Response to Comment 2-3

The comment states that while the DSEIR discusses the loss of burrows, no reference is made regarding the loss of burrowing owl foraging habitat. Please see Response to Comment 2-2. Mitigation Measure 4.3-1(b) has been updated to require a minimum of 6.5 acres of foraging habitat per pair to be acquired and permanently protected.

Response to Comment 2-4

This comment addresses the Swainson's hawk and the appropriate mitigation required. Included in Appendix B in this Final SEIR, is a copy of the *Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (Buteo swainsoni) in the Central Valley*, developed by the Fish and Game Commission. This staff report outlines and provides guidance in regards to the direct and indirect loss of Swainson's hawks and their habitat.

In order to mitigate the loss of Swainson's hawks either the mitigation measures in the Swainson's hawk staff report shall be used or project specific mitigation measures may be developed by the project applicant. In addition, options to meet mitigation requirements other than those listed in the Staff Report include: 1) to purchase Swainson's hawk mitigation credits in a DFG approved mitigation bank; or 2) the purchase of fee title or a conservation easement on suitable foraging habitat using the ratios provided in the Swainson's hawk staff report. Loss of foraging habitat within one mile of an active nest requires a 1:1 habitat replacement ratio, within five miles of an active nest requires a 0.75:1 ratio, and within ten miles of an active nest requires 0.5:1 ratio.

Under Impact 4.3-3 on page 4.3-9 of the DSEIR, the discussion is revised to read:

> The 1994 Southpark EIR provided the following mitigation measures to reduce the cumulative impact to a less-than-significant level.
>
> > No disturbance, construction or other project-related activities which may cause abandonment or forced fledgling shall occur within ½ mile of the active Swainson's hawk nest located immediately to the south of the Southpark site during March 1 - August 15 or until the fledglings are no longer dependent upon the nest tree.
> >
> > Alternatively, the applicant shall fund an intensive monitoring program of the nest site by a California Department of Fish and Game-approved raptor biologist to determine if construction or project-related activities are affecting the behavior of the adults or fledglings in such a way that nest abandonment or forced fledgling may occur. Should behaviors be observed that are recognized as preceding nest shall cease.
> >
> > The applicant shall also participate in one of the following mitigation programs to reduce the impacts from the loss of Swainson's hawk foraging habitat to less than significant.
> >
> > - The applicant shall prepare a Swainson's Hawk Habitat Management Plan (HMP) as a condition of approval for a California Fish and Game Code Section

2081 Management Agreement that will allow for "incidental take" Swainson's Hawk habitat.

- Alternatively, the applicant shall join the City of Dixon as a participant in a countywide effort to prepare a Swainson's hawk HMP for a California Fish and Game Code Section 2081 Management Agreement that will comprehensively address the "incidental take" of all Swainson's hawk that would occur as a consequence of the City's project approvals.[1]

Since the preparation of the 1994 Southpark EIR, several changes have occurred with regard to the status of the Swainson's hawk and the potential to develop a county-wide Swainson's hawk habitat plan~~, and the CEQA definition of cumulative impacts.~~ The loss of potential foraging habitat no longer requires an "incidental take" permit. Therefore, the development of a Solano County habitat management plan for Swainson's Hawk habitat is not currently required, has not been funded by any of the local jurisdictions, and does not appear likely. Therefore, implementation of the previously approved mitigation measure would no longer fully reduce cumulative impacts to Swainson's hawk foraging habitat. To address these changes, the previously adopted mitigation measure is refined to reflect the new guidelines put forth by the DFG. This refinement of the previously adopted mitigation measure does not change the original intent of the mitigation to reduce this cumulative impact to a less-than-significant level. The previously adopted mitigation measures is revised as follows:

No disturbance, construction or other project-related activities which may cause abandonment or forced fledgling shall occur within ½ mile of the active Swainson's hawk nest located immediately to the south of the Southpark site during March 1 - August 15 or until the fledglings are no longer dependent upon the nest tree.

Because at least one active nest is located within one mile of the project site, the project applicant would be required to provide replacement habitat at a 1:1 ratio, consistent with CDFG requirements. To mitigate for the loss of 211 acres of Swainson's hawk foraging habitat, the project applicant must provide 211 acres of Habitat Management lands to CDFG. Habitat Management lands protected under this requirement may be protected through fee title acquisition or a conservation easement (acceptable to CDFG) on agricultural or other suitable land that provides foraging habitat for Swainson's hawk. Should the City establish a fee program to fund the purchase of Habitat Management lands to compensate for the loss of Swainson's hawk foraging habitat, the project applicant may participate in the fee program in lieu of the provision of 211 acres of land required by this measure.

~~Alternatively, the applicant shall fund an intensive monitoring program of the nest site by a California Department of Fish and Game-approved raptor biologist to determine if construction or project-related activities are affecting the behavior of the adults or fledglings in such a way that nest abandonment or forced fledgling may occur. Should behaviors be observed that are recognized as preceding nest shall cease.~~

~~The applicant shall also participate in one of the following mitigation programs to reduce the impacts from the loss of Swainson's hawk foraging habitat to less than significant.~~

- ~~The applicant shall prepare a Swainson's Hawk Habitat Management Plan (HMP) as a condition of approval for a California Fish and Game Code Section 2081 Management Agreement that will allow for "incidental take" Swainson's Hawk habitat.~~

- ~~Alternatively, the applicant shall join the City of Dixon as a participant in a countywide effort to prepare a Swainson's hawk HMP for a California Fish and Game Code Section 2081 Management Agreement that will comprehensively address the "incidental take" of all Swainson's hawk that would occur as a consequence of the City's project approvals.~~[2]

~~Finally, under the recently updated CEQA Guidelines, a cumulative impact is significant if the project's incremental contribution to the impact is "cumulatively considerable", which is defined as follows.~~

> ~~"Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. (CEQA Guidelines, Section 15065(c))~~

Incorporation of the refined previously adopted 1994 mitigation measure as part of the proposed project would reduce impacts associated with the cumulative loss of foraging habitat to a less-than-significant level and no additional mitigation is required. ~~Development of the project site was not determined to be a significant loss of foraging habitat at a project-specific level, the incremental loss of foraging habitat on the project site when viewed in connection with the effects of all other projects would not meet the definition of cumulatively considerable.~~ Therefore, the cumulative impact is considered *less than significant.*

Response to Comment 2-5

The comment requests that fees as defined by Fish and Game Code Section 21089, be paid at the time of filing the Notice of Determination. The comment is noted and will be forwarded to the Dixon City Council for their consideration in the decision-making process. All applicable fees will be paid at the appropriate time.

Response to Comment 2-6

The comment requests DFG be provided written notification of pending decisions. The comment is noted and will be forwarded to the Dixon City Council for their consideration in the decision-making process. DFG will be provided a copy of all notices pursuant to State requirements.

Dixon Unified School District

School Facilities and Planning

Governing Board
Stan Bair
P.J. Davis
Carlos R. Gutierrez
Alan R. Hodge
Ernest Van Sant

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

Ed Eusebio
Director

RECEIVED
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CITY OF DIXON

September 28, 2000

VIA FACSIMILE and US Mail
Warren Salmons, City Manager
City of Dixon
600 East A Street
Dixon, CA 95620

SUBJECT: Southpark Environmental Impact Report

Dear Mr. Salmons:

The Dixon Unified School District (DUSD) is writing to provide comments on the Southpark Planned Development Draft EIR.

The increase in single and multiple family residences proposed by this project and other currently proposed projects within the city will bring additional students into a system that is already operating above capacity. The generation of new students expected from the Southpark project depends on the number of units built, as described in the August 2000 EIR 606 single family residences and 131 multi family residences will generate approximately 500 students.

DUSD is in the process of evaluating four potential sites for new high school construction. Three of these sites are adjacent to or in the immediate vicinity of the Southpark project, yet the EIR does not evaluate impacts, particularly traffic, with any regard towards these potential school sites. One of the potential school sites is located at the southwestern corner of the intersection of the proposed Parkway Boulevard with First Street. Parkway Boulevard would serve as a primary access street for a school at this location. Additionally, two of the other sites, located in southwest and southeast Dixon, would likely be served by this roadway. 3-1

Parkway Boulevard will be a major arterial for the residents of the Southpark project and for future circulation within the city and the county area adjacent to the city. The EIR provides little discussion of Parkway Boulevard and no analysis of the traffic it is expected to support. The EIR recognizes that, "project trips would access First Street using West Cherry Street and a new access road named Village Parkway,"(page 4.2-8) but does not provide any data or analysis for these intersections nor the new intersection of Parkway Boulevard and First Street. These intersections, particularly Parkway Boulevard and First Street, will be impacted by the proposed project. The analysis of those impacts will be crucial for assisting the DUSD in locating new schools. 3-2

The school district feels it is important for the Southpark DEIR to address the circulation issues related to this new southern transportation route within the city. To address these issues, the traffic impacts analysis in the EIR should be revised to include the expected traffic patterns and volume for Parkway Boulevard, and the impacts at its intersection with First Street. Funding mechanisms for the construction of this roadway, the crossing of the railroad track and the connection to the existing county roadway, Porter Road, must also be discussed within the traffic impacts analysis. 3-3

Thank you for considering my comments. Please call me at (707) 678-4541 if you have any questions.

Sincerely,

Ed Eusebio
Director of School Facilities and Planning
Dixon Unified School District

LETTER 3 ..... DIXON UNIFIED SCHOOL DISTRICT SCHOOL FACILITIES AND PLANNING

Response to Comment 3-1

The comment identifies that the Dixon Unified School District (DUSD) is in the process of evaluating four sites for a new high school and notes that the DSEIR does not evaluate traffic impacts associated with the potential new school sites. The construction of a new high school is not part of the Southpark project and is a separate development action, which would require an independent environmental review. To the extent possible, the City will include a new high school site in the traffic analysis for the Street Master Plan (SMP) and Transportation Improvement Program (TIP) that are underway (refer to Response to Comment 1-3). The inclusion of a new high school site as part of the SMP and TIP would provide the cumulative traffic analysis for the high school's independent environmental review assuming the final selected site is the one assumed in the SMP and TIP.

Response to Comment 3-2

The comment states that the DSEIR provides little discussion of Parkway Boulevard and the traffic it is expected to support. The SR 113/West Cherry Street, SR 113/Village Parkway, and SR 113/Parkway Boulevard intersections were analyzed in Responses to Letter 1 (please see Response to Comment 1-1). These intersections are projected to operate at LOS C or better with the addition of project traffic compared to existing conditions. Please refer to Response to Comment 1-1 for more information.

Response to Comment 3-3

The comment states that the DSEIR should address circulation issues and traffic impacts associated with the future Parkway Boulevard, as well as funding mechanisms. Please refer to Responses to Comments 1-1, 1-3, and 3-2.

DIXON FIRE DEPARTMENT

205 Ford Way, Dixon, California (707) 678-7060

MEMORANDUM

TO: Warren Salmons, City Manager

FROM: Ric Dorris, Fire Chief

DATE: October 2, 2000

SUBJECT: Southpark Subsequent EIR Comments

Previously, the developers of the Southpark Subdivision submitted an environmental impact report for review and comment. The project consisted of a 210 acre community located in the southern edge of the City in the newly annexed and undeveloped area, which is currently in agricultural use. The project will consist of approximately 807 housing units and would include an elementary school and a small commercial center.

The EIR was reviewed by the Fire Department for consistency with General Plan Requirements, which included response times, staffing levels, ISO standards and water supply. The EIR further identified potential impacts of the project on existing fire services and suggested mitigation measures to offset the impacts. The Fire Department analysis of the EIR resulted in a set of conditions and recommended mitigation measures. 4-1

Following receipt of these recommendations, a subsequent EIR was developed and submitted for further review. This review found that the following issues have yet to be adequately addressed, they include:

1. Response time and fire station location;
2. Water supply for fire flow to the area; and
3. The presence of an underground, high-pressure pipeline.

Proposed Mitigation Measures

The subsequent EIR recommended the following mitigation measures to reduce the magnitude of the impact to a less than significant level. They are as follows: 4-2

1. Section 4.6-2(a) *Prior to the issuance of building permits, the project applicant shall pay the required impact fees to the city, per AB1600, to ensure that adequate fire protection levels are provided to the city.*
2. Section 4.6-2(b) *Prior to issuance of building permits, the applicant shall coordinate with the Dixon Fire Chief to review the development plans and identify any units that may not have*

a response time consistent with the City's ISO rating. For any unit identified with an inadequate fire response time, the applicant shall incorporate building design components to enhance fire safety. These measures may include the addition of eave vents, fire sprinklers, or other design features required by the Fire Chief.

4-2 Cont.

Recommended Conditions and Mitigation

1. The EIR recommends the use of built in fire protection features to offset the impact of extended response time due to the location of the park from the current fire station. This is considered to be insufficient. The recommended use of built-in fire protection was suggested as an interim measure until a southern station could be built and staffed. 4-3

2. The addition of a graded crossing to provide immediate access to the project site, between Southpark and the future Southwest Subdivision fire station, is a necessary component of the fire station requirement, and there is no mention of the crossing in the EIR. 4-4

3. The proposed mitigations regarding fire flow still do not adequately state the fire flow capability. This needs to be stated in what the fire flow capability would be for the project site. 4-5

4. There is no mention within the project of a mitigation measure relative to the high-pressure underground pipeline that runs parallel to the railroad tracks. It is recommended that a setback of a minimum of 50 feet exist between the project and the pipeline as a minimum level of protection from the potential threat, such as fire spill or derailment. 4-6

LETTER 4 ..... DIXON FIRE DEPARTMENT

Response to Comment 4-1

The comment states that response time and fire station location, water supply for fire flow to the area, and the presence of an underground, high-pressure pipeline were not adequately addressed. Please refer to Responses to Comments 4-3 through 4-6, below.

Response to Comment 4-2

The comment restates Mitigation Measure 4.6-2 (a) and (b) in the DSEIR related to impacts on fire service. No further response is required.

Response to Comment 4-3

The comment states that Mitigation Measure 4.6-2(b), requiring built-in fire protection, is not adequate to offset the impact of increased response times and was only intended to be interim until a southern station could be built and staffed. Mitigation Measures 4.6-2(a) and 4.6-2(b) address the impact of providing adequate fire protection. The first mitigation measure requires payment of AB1600 fees, which address the financing of the southern fire station and provides for the project's fair share funding of fire station improvements. The second mitigation measure requires that until adequate response times can be achieved, built-in fire protection measures must be included in each building design. This is intended to be an interim measure until the southern station is constructed. The fair share funding of the fire station, in combination with interim construction measures, ensure that adequate fire protection services would be provided.

Response to Comment 4-4

The comment states that the addition of a graded crossing is necessary to provide access between the project site and the future southern fire station. The discussion of a grade separated crossing is addressed in Chapter 4.2, Transportation and Circulation. The analysis determined that in order to reduce the traffic impacts at the intersection of SR 113 and A Streets, either exclusive turn lanes on both streets or a new roadway connecting SR 113 and Pitt School Road needs to be constructed prior to the development of Phase 4 of the project (see Mitigation Measures 4.2-2). In addition, Mitigation Measure 4.6-2(b) identified in Chapter 4.6, Public Services, requires that interim fire suppression design features must be designed into the project until an adequate response time can be achieved through the construction of the fire station and the railroad crossing. These two mitigation measures, in combination, ensure that adequate fire protection services would be provided to the project site.