

# CHAPTER 1 INTRODUCTION AND SCOPE OF THE EIR

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## **1.0 PURPOSE AND INTENDED USE OF THIS EIR**

The City of Vacaville (City) has prepared this Draft Environmental Impact Report (Draft EIR) to inform the general public, the local community, responsible agencies, trustee agencies, and other interested public agencies, and the City's decision-making bodies (City Council) regarding the potential significant environmental effects resulting from implementation of the Roberts' Ranch Specific Plan Project (proposed project), as well as possible measures to mitigate those significant effects and alternatives to the proposed project that were not covered in the certified 2015 Program EIR for the City's General Plan Update (General Plan EIR). This Draft EIR was prepared in compliance with the California Environmental Quality Act (CEQA) (California Public Resources Code, Section 21000 et seq.), the CEQA Guidelines (14 CCR 15000 et seq.), and the City's procedures for implementing CEQA. This Draft EIR is a "Project EIR," pursuant to CEQA Guidelines Section 15161. A Project EIR examines the environmental impacts of a specific project. The Roberts' Ranch EIR focuses on the environmental effects peculiar to the proposed project that are not covered by the General Plan EIR as contemplated by Sections 15168 and 15183 of the CEQA Guidelines.

As described in CEQA Guidelines Section 15121(a), an EIR is an informational document that assesses potential environmental impacts of a proposed project, as well as identifies mitigation measures and alternatives to a proposed project that could reduce or avoid adverse environmental impacts. As the CEQA lead agency for this project, the City is required to consider the information in the EIR along with any other available information in deciding whether to approve the project entitlements requested. The basic requirements for an EIR include providing information that establishes the environmental setting (or project baseline), and identifying environmental impacts, mitigation measures, project alternatives, growth inducing impacts, and cumulative impacts. In a practical sense, an EIR functions as a method of fact-finding, allowing an applicant, the public, other public agencies, and agency staff an opportunity to collectively review and evaluate baseline conditions and project impacts through a process of full disclosure. Additionally, this EIR provides the primary source of environmental information for the lead agency to consider when exercising any permitting authority or approval power directly related to implementation of this project. It is not the intent of an EIR to recommend either approval or denial of a project.

## **1.1 USE OF PREVIOUSLY PREPARED ENVIRONMENTAL DOCUMENTATION**

On August 11, 2015, the City of Vacaville City Council certified the General Plan EIR (SCH # 2011022043) and approved the City of Vacaville General Plan. A Modified Initial Study has been prepared (Appendix B) to identify and assess the anticipated environmental impacts of the

proposed project that were not adequately covered by the General Plan EIR. The environmental analysis in the Modified Initial Study is based on CEQA Section 21094 and Sections 15168 and 15183 of the CEQA Guidelines, which governs program EIRs and projects consistent with a general plan or community plan. Under these sections, the program EIR, in this case the General Plan EIR, serves as a basis for the Modified Initial Study to determine if project-specific impacts would occur that are not adequately covered in the previously certified EIR. Here, the proposed project's land uses and development assumptions are consistent with the City's General Plan and the General Plan EIR and therefore the project is within the scope of the General Plan and the General Plan EIR. The Modified Initial Study provides an analysis of whether the General Plan EIR adequately analyses the environmental impacts of the proposed project. The Modified Initial Study indicates whether the proposed project would result in significant impacts that: (1) are peculiar to the project or the project site; (2) were not identified as a significant effect in the General Plan EIR; or (3) are previously identified significant effects which as a result of substantial new information that was not known at the time that the General Plan EIR was certified, and are determined to have a more severe adverse impact than discussed in the General Plan EIR. Such impacts are evaluated in this EIR. Pursuant to CEQA Section 21094, if approved, the proposed project would be required to be conditioned or otherwise obligated to mitigate to the extent feasible, the significant environmental effects identified in the General Plan EIR that are not further analyzed in this EIR. The Modified Initial Study identifies the policies and mitigation measures developed during the environmental review of the General Plan and discusses how the proposed project would comply with those policies and measures.

CEQA Guidelines Section 15150 allows for incorporation by reference of "all or portions of another document which is a matter of public record or is generally available to the public." Incorporation by reference is used principally as a means of reducing the size of EIRs. This Draft EIR relies in part on data, environmental evaluations, mitigation measures, and other components of EIRs and plans prepared by the City for areas within the project vicinity. These documents are listed here and used as source documents for this EIR. All documents are available for public review during normal business hours (Monday through Friday, 8:30 a.m. to 5 p.m.) at the City of Vacaville Planning Division, 650 Merchants Street, Vacaville, California 95688, and on the City's website at [www.cityofvacaville.com/RobertsRanch](http://www.cityofvacaville.com/RobertsRanch).

- City of Vacaville General Plan and Energy and Conservation Action Strategy (ECAS), adopted August 11, 2015
- Draft and Final General Plan and ECAS EIR, City of Vacaville General Plan (SCH No. 2011022043)
- Vacaville Municipal Code, updated through June 2016.

## 1.2 LEAD, RESPONSIBLE, AND TRUSTEE AGENCIES

### Lead Agency

In accordance with CEQA Guidelines Sections 15050 and 15367, the City of Vacaville has been designated the “lead agency,” which is defined as the “public agency which has the principal responsibility for carrying out or disapproving a project.” The lead agency is also responsible for determining the scope of the environmental analysis, preparing the EIR, and responding to comments received on the Draft EIR. Prior to making a decision to approve a project, the lead agency is required to certify that the EIR has been completed in compliance with CEQA, that the decision-making body has reviewed and considered the information in the EIR, and that the EIR reflects the independent judgment of the City.

### Responsible Agencies

Responsible agencies are state and local public agencies, other than the lead agency, that have some authority to carry out or approve a project or that are required to approve a portion of the project or approve a permit for which a lead agency is preparing or has prepared an EIR or Initial Study/Negative Declaration (CEQA Guidelines Section 15813). The following agencies would potentially act as responsible agencies for the purposes of this project:

- **Central Valley Regional Water Quality Board (CVRWQCB).** Ensures compliance with the City’s National Pollutant Discharge Elimination System (NPDES) Permit for any stormwater discharge associated with construction activity.
- **Yolo-Solano Air Quality Management District (YSAQMD).** Oversees air quality and has the authority to require mitigation fees.
- **Solano Local Agency Formation Commission (LAFCO).** Makes the determination to either approve or deny the City’s request to annex the 248-acre project site into the City’s boundary.
- **Solano Irrigation District (SID).** The project would require modifications to SID facilities that are located within the project area.

### Trustee Agencies

Trustee agencies are designated public agencies with legal jurisdiction over natural resources that are held in trust for the people of California and that would be affected by a project, whether or not the agencies have authority to approve or implement the project (CEQA Guidelines Section 15386). The following agency was identified as a trustee agency with potential jurisdiction over the proposed project:

- California Department of Fish and Wildlife

## 1.3 EIR PROCESS

### Notice of Preparation

In accordance with CEQA Guidelines Section 15082, a Notice of Preparation (NOP) was circulated for public and agency review from November 19 through December 18, 2015 (included as Appendix A). The purpose of the NOP was to provide notification that an EIR for the proposed project was being prepared and to solicit guidance on the scope and content of the document. A summary of the comments received on the NOP is included in the Executive Summary, as well as in the introduction of each technical section.

Pursuant to CEQA Guidelines Section 15082, the lead agency held a public scoping meeting on December 15, 2015. Responsible agencies and members of the public were invited to attend and provide input on the scope of the EIR. Comments from agencies and the public in response to the NOP are provided in Appendix A. General concerns and issues raised in response to the NOP are summarized in the Executive Summary and addressed in this Draft EIR.

### Draft EIR and Public Review

This Draft EIR is being circulated for public review and comment for a period of 45 days. During this period, the general public, organizations, and public agencies can submit comments to the lead agency on the Draft EIR's accuracy and completeness. Release of this Draft EIR marks the beginning of a 45-day public review period pursuant to CEQA Guidelines Section 15105. The 45-day public review period for the Draft EIR will be from November 18, 2016, through January 3, 2017. The public can review the Draft EIR at the following address during normal business hours (Monday through Friday, 8:30 a.m. to 5 p.m.) or on the City's website at [www.cityofvacaville.com/RobertsRanch](http://www.cityofvacaville.com/RobertsRanch).

City of Vacaville  
Planning Division  
650 Merchant Street  
Vacaville, California 95688

The City encourages all comments on the Draft EIR be submitted in writing. All comments or questions regarding the Draft EIR should be addressed to:

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650 Merchant Street  
Vacaville, California 95688  
707.449.5307  
[Fred.buderi@cityofvacaville.com](mailto:Fred.buderi@cityofvacaville.com)

## **Final EIR and EIR Certification**

Upon completion of the Draft EIR public review period, a Final EIR will be prepared that will include written comments on the Draft EIR received during the public review period and the City's responses to those comments. The Final EIR will also include the Mitigation Monitoring Program (MMP) prepared in accordance with Section 21081.6 of the Public Resource Code. The Final EIR will address any revisions to the Draft EIR made in response to agency or public comments. The Draft EIR and Final EIR together will comprise the EIR for the proposed project. Before the City can review the project for approval, it must first certify that the EIR has been completed in compliance with CEQA, that the City Council has reviewed and considered the information in the EIR, and that the EIR reflects the independent judgment of the City. The City Council also would be required to adopt Findings of Fact and a Statement of Overriding Considerations (if any significant and unavoidable impacts are identified). If no significant and unavoidable impacts (assuming the City Council finds all proposed mitigation measures to be feasible), are identified the City Council would not be required to adopt a Statement of Overriding Considerations if it approves the proposed project (see also Public Resources Code Section 21081).

## **EIR Adequacy**

The level of detail contained throughout this EIR is consistent with Section 15151 of the CEQA Guidelines, which states the following:

An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of the environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

## **1.4 SCOPE OF THE DRAFT EIR**

Based on a review of the project and comments received during the NOP public review period and preparation of a Modified Initial Study (see Appendix B), the City determined that an EIR should be prepared that addresses the following technical issue areas:

- Air Quality
- Biological Resources

- Cultural Resources
- Hydrology, Water Quality, and Drainage
- Land Use and Planning
- Public Utilities
- Transportation and Circulation

The specific topics evaluated are described in each of the technical sections presented in Chapter 4.

Based on the analysis found in the Modified Initial Study, the proposed project's potential environmental impact related to the following topics were determined to be adequately covered in the General Plan EIR.

- Aesthetics
- Greenhouse Gas Emissions
- Population and Housing
- Agriculture and Forestry Resources
- Hazards and Hazardous Materials
- Mineral Resources
- Public Services
- Geology and Soils
- Noise
- Recreation

A summary of the Modified Initial Study's conclusions related to these impact categories is found in Chapter 2, Section 2.3 of this EIR.

This EIR evaluates the direct impacts, reasonably foreseeable indirect impacts, and cumulative impacts resulting from planning, construction, and operation of the proposed project using the most current information available and in accordance with the provisions set forth in CEQA and the CEQA Guidelines. In addition, the EIR recommends potentially feasible mitigation measures, where possible, and project alternatives that would reduce or eliminate significant adverse environmental effects.

The alternatives chapter of the EIR (Chapter 6, Project Alternatives) was prepared in accordance with Section 15126.6 of the CEQA Guidelines. CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid

significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where significant environmental impacts will not occur.

The EIR evaluates the following alternatives to the proposed project:

**Alternative 1: No Project/No Build Alternative.** This alternative assumes no development would occur, and the site would remain in its current undeveloped condition.

**Alternative 2: Active Park Alternative.** This alternative assumes development of the same residential project but includes an active-use facility within a portion of the large open space area identified on the eastern side of the project site. Such facilities would include recreational features typically found within a Community Park site and would be placed outside of agricultural buffer areas designated on the site. The same number of residential units along with circulation and site access would be provided as the proposed project and some on-site parking would be placed within the active use areas.

**Alternative 3: No School Alternative.** This alternative assumes that the future middle school site, 16.5 acres in size, would not be developed for school uses and that the same number of residential units would be constructed on the Roberts' Ranch site, including use of the school site for residential use. The same circulation and site access would be provided as the proposed project.

**Alternative 4: Open Space Alternative.** This alternative assumes the approximately 16.5 acre future school site would be set aside as undeveloped open space. The same number of residential units along with circulation and site access would be provided as the proposed project.

## 1.5 ORGANIZATION OF THE DRAFT EIR

**Chapter 1, Introduction and Scope of the Draft EIR**—Provides an introduction and overview of the EIR process and describes the intended use of the EIR and the review process.

**Chapter 2, Executive Summary**—Summarizes the elements of the project and the environmental impacts that could result from implementation of the proposed project and provides a table that lists impacts, describes proposed mitigation measures, and indicates the level of significance of impacts before and after mitigation.

**Chapter 3, Project Description**—Provides a detailed description of the proposed project, including its location, background information, project objectives, and technical characteristics.

**Chapter 4, Environmental Impacts and Mitigation Measures**—Describes the baseline environmental setting and provides an assessment of potential project impacts for each technical issue area presented. Each section is divided into four sub-sections: Introduction, Environmental Setting, Regulatory Background, and Impacts and Mitigation Measures (project-specific and cumulative).

**Chapter 5, CEQA Considerations**—Provides information required by CEQA regarding impacts that would result from the proposed project, including a summary of cumulative impacts, secondary impacts including potential impacts resulting from growth inducement, and significant irreversible changes to the environment.

**Chapter 6, Project Alternatives**—Describes and compares the proposed project alternatives to the proposed project.

**Chapter 7, References**—Provides a list of references used in preparation of the environmental analysis.

**Chapter 8, EIR Preparation**—Lists report authors who provided technical assistance in the preparation and review of the EIR.

**Appendices**—Includes various documents and data that support the analysis presented in the Draft EIR.