

# 1.0 INTRODUCTION

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## 1.1 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

The City of Vacaville (City) has prepared this Draft Environmental Impact Report (Draft EIR) to provide the general public and interested public agencies with information about the potential environmental impacts of the Vacaville Easterly Wastewater Treatment Plant (EWWTP) Tertiary Project (Proposed Project). This Draft EIR was prepared in compliance with the California Environmental Quality Act (CEQA, California Public Resources Code §§21000-21178), the CEQA *Guidelines* (California Code of Regulations [CCR], Title 14), and the City of Vacaville's rules, regulations, and procedures for the completion of environmental documents, specifically Environmental Impact Reports (City's Municipal Code Chapter 14.03.024).

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 the proposed project that could reduce or avoid adverse environmental impacts. As the CEQA Lead Agency for this project, the City of Vacaville is required to consider the information in the EIR along with any other available information in deciding whether to approve the project. The basic requirements for an EIR include discussions of the environmental setting, environmental impacts, mitigation measures, alternatives, growth inducing impacts, and cumulative impacts. The EIR is an informational document used in the planning and decision-making process. It is not the intent of an EIR to recommend either approval or denial of a project. This EIR is a "Project EIR," pursuant to CEQA *Guidelines* Section 15161. A Project EIR examines the environmental impacts of a specific project. This type of EIR focuses on the changes in the environment that would result from implementation of the project, including construction and operation. Additionally, because the City has applied for the State Revolving Funds (SRF) Loan Program, which is partially funded by the U.S. Environmental Protection Agency (USEPA), this EIR has been prepared to address certain federal environmental regulations, including regulations guiding the General Conformity Rule for the Clean Air Act (CAA), the Endangered Species Act (ESA), and the National Historic Preservation Act (NHPA). USEPA has allowed a modified CEQA document, called CEQA-PLUS, to be the compliance base for projects applying for SRF monies. The additional regulatory components in compliance with CEQA-PLUS requirements will be addressed in **Sections 4.2, 4.3 and 4.4** of this EIR, respectively.

The Proposed Project would result in a number of improvements to the City's Easterly Wastewater Treatment Plant (EWWTP) which are necessary to respond to regulatory and permit requirements, including compliance with numerical ammonia limits, nitrate limits, elimination of blending, and dry weather filtration / Title 22 reclamation. The current need for improvements to the EWWTP is not capacity driven, but rather associated with permit compliance.

## 1.2 EIR PROCESS

### 1.2.1 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 whether 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 reviewed and considered the information in the EIR, and that the EIR reflects the independent judgment of the Lead Agency.

### 1.2.2 NOTICE OF PREPARATION AND SCOPING

In accordance with CEQA *Guidelines* Section 15082, a Notice of Preparation (NOP) was circulated to the public, local, state and federal agencies, and other known interested parties for a 30-day public and agency review period on August 25, 2009 (included as **Appendix A**). The purpose of the NOP was to provide notification that an EIR for the EWWTP Tertiary Project was being prepared and to solicit public input on the scope and content of the document.

Pursuant to CEQA *Guidelines* Section 15082 the Lead Agency held a scoping meeting for the EIR on September 14, 2009, in the EWWTP Administration Building. 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 provided at the scoping meeting and in written comments submitted in response to the NOP are included within **Appendix A**. Significant issues raised during the scoping process are summarized in **Section 1.3**.

### 1.2.3 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 agencies can submit comments to the Lead Agency on the Draft EIR's accuracy and completeness. Release of the Draft EIR marks the beginning of a 45-day public review period pursuant to CEQA *Guidelines* Section 15105. The public can review the Draft EIR at the City's website at [http://www.cityofvacaville.com/departments/public\\_works/](http://www.cityofvacaville.com/departments/public_works/), or at following address during normal business hours:

City of Vacaville, Public Works Department  
650 Merchant St.  
Vacaville, CA 95688

Comments may be submitted both in written form and/or orally at the public hearing on the Draft EIR. Notice of the time and location of the hearing will be published in local newspapers, mailed to property

owners and residents surrounding the project, posted on the City's website, and posted at and adjacent to the site prior to the hearing. All comments or questions regarding the Draft EIR should be addressed to:

City of Vacaville, Public Works Department  
c/o Deborah Faaborg, Environmental Project Manager  
650 Merchant St.  
Vacaville, CA 95688  
(707) 449-5170  
dfaaborg@cityofvacaville.com

### **1.2.4 FINAL EIR AND EIR CERTIFICATION**

Upon completion of the 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 and Reporting Plan (MMRP) 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 public comments. The Draft EIR and Final EIR together will comprise the EIR for the Proposed Project. Before the City can approve the project, 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 will be required to adopt Findings of Fact, and for any impacts determined to be significant and unavoidable, adopt a Statement of Overriding Considerations.

### **1.3 ISSUES AND CONCERNS RAISED DURING SCOPING**

Listed below is a summary of concerns raised during the scoping process.

#### **Air Quality**

The Yolo-Solano Air Quality Management District (YSAQMD) requested that for construction and demolition activities, the City should implement best management practices to minimize fugitive dust emissions; and, where feasible, utilize newer construction equipment to reduce emissions of criteria pollutants. The YSAQMD stated that a number of District Rules and Regulations may apply to the project.

To ensure compliance with the federal Clean Air Act, the State Water Resource Control Board (SWRCB) requests that the City provide air quality studies completed for the project and a summary of the estimated emissions that are expected from both the construction and operation of the project.

*These comments are addressed in **Section 4.2, Air Quality of the Draft EIR.***

## Biological Resources

The California Department of Fish and Game (CDFG) requested that the City provide a complete assessment of the habitats, flora and fauna within and adjacent to the project area. The CDFG advised that a California Endangered Species Act (CESA) permit be obtained if the project has the potential to result in the take of species of plants or animals listed under CESA. The CDFG commented that for any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank of a river or stream, or use material from a streambed, CDFG may require a Lake and Streambed Alteration Agreement.

The SWRCB commented that the project must obtain approval from the U.S. Fish and Wildlife Service and/or National Marine Fisheries service for any potential effects federally listed special-status species. The SWRCB commented that the Draft EIR must list any birds that are protected under the Migratory Bird Treaty Act and include conservation measures to minimize any impacts to migratory birds.

*These comments are addressed in **Section 4.3**, Biological Resources, of the Draft EIR.*

## Cultural Resources

The SWQCB commented that the project must comply with federal laws pertaining to cultural resources, specifically Section 106 of the National Historic Preservation Act.

*These comments are addressed in **Section 4.4**, Cultural Resources, of the Draft EIR.*

## Hydrology and Water Quality

The SWQCB commented that the Draft EIR must identify whether the project is within the 100 year flood zone, and include a flood map; identify whether or not Wild and Scenic Rivers would be potentially impacted by the project; identify whether or not the project or construction activities would impact streams, flood control channels, or wetlands; and include conservation measures to minimize such impacts.

*These comments are addressed in **Section 4.7**, Hydrology and Water Quality, of the Draft EIR.*

## Transportation/Circulation

The County of Solano commented that any new driveways or access points to Vaca Station Road, Fry Road, or Lewis Road would require an encroachment permit and that the County is concerned with the potential for damage to the county roads due to excessive construction traffic.

The California Department of Transportation (Caltrans) commented that the project's fair share contribution, financing, scheduling, implementation responsibilities, and lead agency monitoring should be fully discussed for all proposed mitigation measures as well as presented in the MMRP. Caltrans also commented that required roadway improvements should be completed prior to issuance of the Certificate

of Occupancy. Caltrans advised that any work or traffic control that encroaches onto the state right of way requires an encroachment permit that is issued by Caltrans.

*These comments are addressed in **Section 4.10, Traffic and Circulation, of the Draft EIR.***

## 1.4 SCOPE OF THE EIR

In accordance with CEQA *Guidelines* Section 15063, the Initial Study (**Appendix B**), in conjunction with comments received during scoping (**Appendix A**), was used to focus the EIR on effects determined to be potentially significant. The following environmental resources were determined to have the potential to be significantly affected by the Proposed Project and have therefore been addressed in detail in this Draft EIR:

- Aesthetics, Light, and Glare
- Air Quality
- Biological Resources
- Cultural Resources
- Geology, Soils and Mineral Resources
- Hazardous Materials and Public Safety
- Hydrology and Water Quality
- Land Use
- Noise and Vibration
- Transportation and Circulation
- and Agriculture Resources

The following issues were identified through the Initial Study as being not significant, less than significant, or less than significant with mitigation:

- Population and Housing
- Public Utilities, Services, and Recreation

## 1.5 TERMINOLOGY USED IN THE EIR

This EIR uses the following terminology to describe environmental effects of the Proposed Project and Alternatives:

- **Significance Criteria:** A set of criteria used by the Lead Agency to determine at what level or “threshold” an impact would be considered significant. Significance criteria used in this Draft EIR include factual or scientific information; regulatory standards of local, state, and federal agencies; and/or guiding and implementing goals and policies identified in local plans.

- **Less Than Significant Impact:** A less than significant impact would cause no substantial change in the environment (no mitigation required).
- **Less Than Significant Level:** The level below which an impact would cause no substantial change in the environment (no mitigation required).
- **Potentially Significant Impact:** A potentially significant impact may cause a substantial change in the environment; however, it is not certain that effects would exceed specified significance criteria. For CEQA purposes, a potentially significant impact is treated as if it were a significant impact. Mitigation measures and/or project alternatives are identified to reduce project effects to the environment.
- **Significant Impact:** A significant impact would cause a substantial adverse change in the physical conditions of the environment. Significant impacts are identified by the evaluation of effects using specified significance criteria. Mitigation measures and/or project alternatives are identified to reduce or avoid project effects to the environment.
- **Significant and Unavoidable Impact:** A significant and unavoidable impact would result in a substantial change in the environment that cannot be avoided or mitigated to a less-than-significant level if the project is implemented.
- **Cumulative Significant Impact:** A cumulative significant impact would result in a substantial change in the environment from effects of the project as well as surrounding projects and reasonably foreseeable development in the surrounding area. To be considered significant a project's impact must be a cumulatively considerable contribution to a substantial change in the environment.
- **Mitigation:** Mitigation includes measures recommended in the Draft EIR and imposed as condition of approval by the Lead Agency that:
  - avoid the impact altogether by not taking a certain action or parts of an action;
  - minimize impacts by limiting the degree or magnitude of the action and its implementation;
  - rectify the impact by repairing, rehabilitating, or restoring the affected environment;
  - reduce or eliminate the impact over time by preservation and maintenance operations during the life of the action; and
  - compensate for the impact by replacing or providing substitute resources or environments.

## 1.6 REPORT ORGANIZATION

- **Chapter 1, Introduction and Scope of the Draft EIR** - Provides an introduction and overview of the EIR, describes the intended use of the EIR, and describes the review and certification 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 which lists impacts, describes proposed mitigation measures, and indicates the level of significance of impacts after mitigation.
- **Chapter 3, Project Description** - Provides a detailed description of the Proposed Project, including its location, background information, major objectives, and technical characteristics.
- **Chapter 4, Environmental Setting, Impacts, and Mitigation Measures** – Describes the baseline environmental setting and provides an assessment of impacts for each issue area presented in **Section 1.4**. Each section is divided into four sub-sections: Introduction, Existing Environmental Setting, Regulatory Background, and Impacts and Mitigation Measures.
- **Chapter 5, CEQA Considerations** - Provides discussions 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 alternatives to the Proposed Project and associated environmental consequences.
- **Chapter 7, EIR Authors and Persons Consulted** - Lists report authors and agencies consulted for technical assistance in the preparation and review of the EIR.
- **Chapter 8, References** - Provides bibliographic information for all references and resources cited.
- **Chapter 9, Acronyms** – Provides a list of definitions for all acronyms used in the EIR.
- **Appendices** – Includes various documents and data directly related to the analysis presented in the Draft EIR.