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INTRODUCTION

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The Covell Village Draft Environmental Impact Report (Draft EIR) was prepared in accordance with the California Environmental Quality Act of 1970 (CEQA) as amended. The City of Davis is the lead agency for the environmental review of the Covell Village project evaluated herein and has the principal responsibility for approving the project. As required by Section 15121 of the CEQA Guidelines, this EIR will (a) inform public agency decision-makers, and the public generally, of the significant environmental effects of the project, (b) identify possible ways to minimize the significant adverse environmental effects, and (c) describe reasonable and feasible project alternatives which reduce environmental effects. The public agency shall consider the information in the Draft EIR along with other information that may be presented to the agency.

PROJECT BACKGROUND

Crossroads Place Project

The Covell Village project was previously known as the Crossroads Place Project. In 1989, the City of Davis prepared a Draft EIR assessing the potential environmental impacts of the Crossroads Place Project. The 1989 Crossroads Place Project site was proposed to include 230 acres and would have been developed to include 1,406 residential units, accompanying parks and greenbelt areas, and three acres of commercial uses.

In November and December 1989, the Crossroads Place Draft EIR was circulated for a 45-day public review period. The Draft EIR was also reviewed by the Planning Commission at a public hearing on December 19, 1989. Because of the magnitude of revisions and additions to the previous Draft EIR, in addition to new air quality, noise, wetland, and Swainson's hawk analyses, the City intended to re-circulate the final EIR for another 45-day public review period. During the preparation of the Final EIR, the City revised the General Plan transportation and circulation element traffic analysis to correct errors in the original 1987 General Plan traffic analysis that was used in the EIR as the basis of the Crossroads Place project-related traffic analysis and cumulative impact analysis; therefore, completion of the Final EIR was delayed. The revised analysis, completed in January 1991, corrected the land use database errors and updated the land use information to include the most recently adopted General Plan amendments through November 1990. During preparation of the revised transportation and circulation element traffic analysis, the developer redesigned the project to minimize the extent of the significant and unavoidable noise impacts resulting from the project's proximity to the cannery. In addition, project delay caused the previous EIR's baseline information to become outdated. Therefore, the City decided to revise the previous Draft EIR, analyze

the revised project description, update the 1987 baseline information, and incorporate public comments on the previous EIR effort. COMSIS Corporation was retained to correct problems with the traffic model, update land use projections used in the model, and update the City's Transportation and Circulation Element. The 1989 and 1991 Draft EIR's were not certified by the City of Davis.

In November 1992, a Draft EIR was prepared for the most recent version of the Crossroads Project. The revised Crossroads Place project site was comprised of 383 acres and consisted of 1,466 residential units, accompanying parks and greenbelt areas, a fire station site, a school site, and 24 acres of commercial uses. The public review period for the Draft EIR ended in January 1993. In August 1993, the City adopted a new Transportation and Circulation Element (TCE) of the General Plan. City staff determined that a supplemental traffic analysis was needed for the Crossroads project to ascertain that project's consistency with the TCE. The owners of the land did not pursue this study, and processing of the project was not completed.

Covell Center Project

The Covell Center Project was the next project to be proposed for the site. The Covell Center Project comprised a request for an amendment to the City of Davis General Plan, rezoning, and preliminary planned development, and annexation to the City of Davis to develop a mixed-use development on 386 acres consisting of 688 residential units, a 76.9-acre sports complex, 22 acres of business park/office uses, 12 acres of service commercial/light industrial uses, 4.5 acres of recreational commercial uses, and a fire station site.

A Draft EIR was prepared to analyze the environmental effects of the project proposal. The Covell Center Draft EIR was circulated for a 45-day public review period beginning March 3, 1997. The Covell Center Draft EIR was not certified.

General Plan Assumptions

The 2001 Davis General Plan and General Plan Update EIR refers to the current Covell Village project as "Covell Center." The 2001 Davis General Plan Update EIR analyzed five (5) alternatives. City of Davis staff has indicated that Alternative 3, the Reduced Buildout Alternative, was adopted by City Council. Under this alternative, the only growth and development in the City to 2010 is that which is already entitled (meaning the land has a General Plan designation, zoning, or rezoning, and in many instances, a development agreement). The Covell Center site continued to be designated as agriculture. This alternative could add 3,412 housing units (1,650 low, 108 medium, and 1,654 high density) and about 4.2 million square feet of nonresidential use. Three variations of the Covell Village project site were evaluated in the General Plan Update EIR for Alternative 3 – the Reduced Buildout Alternative.

Alternative 3 - Variation 1

The entire project site is designated as Agriculture.

Alternative 3 - Variation 2

The entire project site is designated as Urban Reserve.

Alternative 3 - Variation 3

320 acres of the project site are designated as Urban Reserve and 60 acres are designated for a Business Park.

Figure 11b, *Land Use – City Area Enlargement*, of the 2001 Davis General Plan illustrates that the City of Davis approved Variation 1, designating the entire project site as Agriculture.

PURPOSE OF THE EIR

As provided in the CEQA Guidelines Section 15021, public agencies are charged with the duty to avoid or minimize environmental damage where feasible. The public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social issues.

CEQA requires the preparation of an EIR prior to approving any project that may have a significant effect on the environment. For the purposes of CEQA, the term *project* refers to the whole of an action, which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378[a]). With respect to the proposed Covell Village Project, the City has determined that the proposed development is a *project* within the definition of CEQA, which has the potential for resulting in significant environmental effects.

The EIR is an informational document that appraises decision makers and the general public of the potential significant environmental effects of a proposed project. An EIR must describe a reasonable range of feasible alternatives to the project and identify possible means to minimize the significant effects. The lead agency, which is the City of Davis for this project, is required to consider the information in the EIR along with any other available information in deciding whether to approve the application. The basic requirements for an EIR include discussions of the environmental setting, environmental impacts, mitigation measures, alternatives, growth inducing impacts, and cumulative impacts.

TYPE OF DOCUMENT

The CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR has been prepared as a *Program EIR* pursuant to CEQA guidelines Section 15168. A Program EIR is an EIR, which may be prepared on a series of actions that can be characterized as one large project and are related either:

- (1) Geographically,
- (2) As logical parts in the chain of contemplated actions,
- (3) In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or
- (4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally environmental effects which can be mitigated in similar ways.

According to CEQA Guidelines Section 15168(c)(5), a Program EIR will be most helpful in dealing with subsequent activities if it deals with the effects of the program as specifically and comprehensively as possible. With a good and detailed analysis of the program, many subsequent activities could be found to be within the scope of the project described in the Program EIR, and no further environmental documents would be required.

EIR PROCESS

The EIR process begins with the decision by the lead agency to prepare an EIR, either during a preliminary review of a project or at the conclusion of an initial study. Once the decision is made to prepare an EIR, the lead agency sends a Notice of Preparation (NOP) to appropriate government agencies, and when required, to the State Clearinghouse (SCH) in the Office of Planning and Research (OPR), which will ensure that responsible State agencies reply within the required time. The SCH assigns an identification number to the project, which then becomes the identification number for all subsequent environmental documents on the project. Applicable agencies have 30 days to respond to the NOP, indicating, at a minimum, reasonable alternatives and mitigation measures they wish to have explored in the Draft EIR and whether the agency will be a responsible agency or a trustee agency for the project.

As soon as the Draft EIR is completed, a notice of completion is filed with the OPR and public notice is published to inform interested parties that a Draft EIR is available for agency and/or public review and providing information regarding location of drafts and any public meetings or hearings that are scheduled. The Draft EIR is circulated for a specified period, typically 45 days, during which time reviewers may make comments. The lead agency must evaluate and respond to comments in writing, describing the disposition of any significant environmental issues raised and explaining in detail the reasons for not accepting any specific comments concerning major environmental issues. Should comments received result in the addition of significant new information to an EIR, after public notice is given, the revised EIR or affected chapters must be recirculated for another public review period with related comments and responses.

Once the lead agency is satisfied that the EIR has adequately addressed the pertinent issues in compliance with CEQA, a Final EIR will be prepared comprised of the Draft EIR, comments, responses to comments, and any errata and/or changes. The Final EIR is made available for review by the public or commenting agencies. Before approving a project, the lead agency shall certify that the Final EIR has been completed in compliance with CEQA and has been presented to the decision-making body of the lead agency and has been reviewed and considered by that body, and that the Final EIR reflects the lead agency's independent judgment and analysis.

A Notice of Preparation (NOP) for this Draft EIR was released June 17, 2004 for a 30-day review (Appendix A). A public scoping meeting was held on June 30, 2004. Comments provided by the public and public agencies in response to the NOP were received by the City of Davis and are provided in Appendix B. In addition, an Initial Study (Appendix C) was prepared to focus the scope of the Covell Village EIR.

The Covell Village Draft EIR will be circulated for a 45-day public review period. Comments received during the comment period and the public hearing(s) will be addressed in a Response to Comments volume. The Davis Planning Commission and City Council, in accordance with CEQA, will review the Draft EIR and Responses to Comments prior to certification of the Final EIR.

In order to adopt the project, state law requires that the Council make several types of "findings." Findings are a recitation of the conclusions of the Council on particular issues, including documentation of the evidence in support of those conclusions. The required findings are as follows:

- Certification of the EIR (CEQA Guidelines Section 15090) – These findings support the adequacy of the EIR for decision-making purposes.
- Significant Impacts (CEQA Guidelines Section 15091) – These findings explain how the Council chose to address each identified significant impact, including the mitigation measures adopted or an explanation of why such measures are infeasible.
- Project Approval (CEQA Guidelines Section 15092) – These findings support the Council's action to adopt the project.
- Statement of Overriding Considerations (CEQA Guidelines Section 15093) – These findings document the Council's decision to adopt the project despite the fact that unavoidable impacts will result, due to other overriding benefits of the project.

In addition, as indicated in *Section 40.41.020* (Voter Approval) of the Davis Zoning Ordinance, voter approval is required for changes to land use designations on the Land Use Map from Agricultural or Urban Reserve to Urban land use designations or from

Agricultural to Urban Reserve land use designations. The Zoning Ordinance has a section pertaining only to the Covell Center (now known as Covell Village) and Nishi Properties.

In part, this section of the Zoning Ordinance states (*see Section 40.41.020 (B)(2C)*):

- (c) Approval by an affirmative majority vote of the voters of the City of Davis voting on the proposal.

The land use entitlements for development on all, or any portion of either of these properties shall become effective only after approval by the City Council and the voters. The City shall not submit any application to voters if the application has not first been approved by the City Council, unless otherwise required by law.

SCOPE OF THE DRAFT EIR

State CEQA Guidelines § 15126.2(a) states, in pertinent part:

An EIR shall identify and focus on the significant environmental effects of the proposed project. In assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published, or where no notice of preparation is published, at the time environmental analysis is commenced.

Pursuant to these guidelines, the scope of this Draft EIR addresses specific issues and concerns identified as potentially significant. These were determined based on the preparation of an Initial Study, review of comments received on the NOP and review of testimony received at the scoping hearing. The Initial Study prepared for the proposed project concluded that several environmental issues would result in a less-than-significant impact. The complete text of the Initial Study is contained in Appendix C.

Resources identified for study in this Draft EIR include:

- Aesthetics,
- Agricultural Resources,
- Land Use
- Transportation and Circulation,
- Air Quality,
- Noise,
- Cultural Resources,
- Biological Resources,
- Geology,
- Hazards,
- Hydrology, Water Quality, and Drainage,
- Public Services and Utilities, and

- Population, Housing, and Employment

The evaluation of effects is presented on a resource-by-resource basis in Subchapters 4.1 through 4.13. Each subchapter is divided into four sections: Introduction, Environmental Setting, Regulatory Context, and Impacts and Mitigation Measures.

Impacts that are determined to be significant in Chapter 4, and for which no feasible mitigation measures are available to reduce those impacts to a less-than-significant level are identified as *significant and unavoidable*. Chapter 6 in the Draft EIR presents a discussion and comprehensive list of all significant and unavoidable impacts identified in Chapter 4.

COMMENTS RECEIVED ON THE NOTICE OF PREPARATION

The City of Davis received 65 comment letters during the open comment period on the NOP for the Covell Village EIR. In addition, 32 verbal comments were submitted during the NOP scoping meeting and recorded and subsequently transcribed by Capitol Reporters. A copy of each letter and scoping meeting transcript is provided in Appendix B of this EIR. The letters were authored by representatives of state and local agencies and residents:

State and Local Agencies

- California Department of Conservation – Dennis J. O’Bryant
- Governor’s Office of Planning and Research (State Clearing House) – Scott Morgan
- Native American Heritage Commission – Debbie Pilas-Treadway
- Office of Transportation Planning – Southwest (Caltrans) – Katherine Eastham
- Yolobus – Martie Dote
- Yolo County Board of Supervisors– Mike McGowan
- Yolo County LAFCO - Elizabeth Castro Kemper

Residents and Other Interested Parties

- Ms. Adair, Resident
- Anonymous (9), Residents
- Ruben Arevalo, Resident
- Domenico and Marietta Bernoco, Residents
- Ms. Marietta Bernoco, Resident
- Joyce Bimson Resident
- Nirupa Bonanno, Resident
- Judi Cartier, Resident
- Jonathan and Heidi Mermis-Cava, Residents
- Ryan Chambers, Resident

- Samuel F. Citron, Resident
- Greg Clumpner, Resident
- Dick Dorf, Resident
- Jonathan Elkus, Resident
- Judy Feldman, Resident
- Stan Forbes, Resident
- Mary French, Resident
- Mark E. Graham, Resident
- Emma Grigg, Resident
- Melanie Gogol-Prokurat, Resident
- Paul Goldstene, Resident
- Leslie and Kathleen Harder, Residents
- Mr. And Mrs. Dr. Stephen P. Hayes, Residents
- Stephen P. Hayes, Resident
- David Hedin, Resident
- Martin Homec, Resident
- Jim Hopp, Resident
- Darren Husted, Resident
- Jean Jackman, Resident
- B.J. Klosterman, Resident
- Bill Kopper, Resident
- Eve Lance, Resident
- Emma Lautz, Resident
- Jane Lautz, Resident
- Catherine LeBlanc, Resident
- Donna Lemongello, Resident
- Bryan Levien, Resident
- Michael Levy, Resident
- Hung-jung (Hahn) Lin, Resident
- Beth Lindeman, Resident
- David Edward Lindeman, Resident
- Donna Lott, Resident
- Adiar MacEachern, Resident
- Barry Markman, Resident
- George Mazur, Resident
- Tobias Meunch, Resident
- Bill Miller, Resident
- Douglas V. Mull, Lewis Operating Corp.
- Rena Nayyar, Resident
- Donna Nevraumont, Resident
- Robert Nevraumont, Resident
- Julia Newcomb, Resident
- Pam Nieberg, Resident

- Ronald Oertel, Resident
- Nora Oldwin, Resident
- Keith Olsen, Resident
- Julie Partansky, Resident
- George E. Phillips, Resident
- Ann Privateer, Resident
- June Prowell, Resident
- Mr. Putterman, Resident
- Solomn Robinson, Resident
- Jon Ruth, Resident
- Eileen M. Samitz (2), Resident
- Susan Sasano, Resident
- James Schepcoff, Resident
- Tory Schwab (2), Resident
- Nancy Sequest (2), Resident
- Richard Sequest (2), Resident
- Brian Swanson, Resident
- Rod Swanson, Resident
- Dr. Shih-Ho Wang, Resident
- Sherry Watson, Resident
- Dana Welch, Resident
- Joyce A. Wilson, Resident
- Ms. Wilson, Resident
- Vedder Wright, Resident
- Michael Ziser, Resident

In addition, the following letter was received after the close of the comment period:

- Kevin Kemper, Attorney representing *Gidaro Group, LLC*

The following list, categorized by issue, summarizes the concerns in these letters:

<p><u>Aesthetics</u> (Chapter 4.1)</p>	<p>Concerns related to the following issues:</p> <ul style="list-style-type: none"> • Widening of roads and the visual impacts to character of Davis. • Protecting scenic vistas and view corridors. • Removal of old oak trees, barn, and conversion of farmland. • Visual improvements to the medians on Covell Road.
<p><u>Agricultural Resources</u> (Chapter 4.2)</p>	<p>Concerns related to the following issues:</p> <ul style="list-style-type: none"> • Loss of Prime Farmland to residential and commercial uses. • Purchasing agricultural conservation easements to offset loss of Prime Farmland.

<p><u>Land Use</u> (Chapter 4.3)</p>	<p>Concerns related to the following issues:</p> <ul style="list-style-type: none"> • Loss of open space. • Land use assumptions regarding ConAgra / Hunt Wesson site. • Future plans for ConAgra / Hunt Wesson site, including the consideration of one consolidated plan for Covell Village and Hunt Wesson site. • The amount of park space proposed for Covell Village. • Project’s consistency with the General Plan and Zoning Ordinance.
<p><u>Transportation and Circulation:</u> (Chapter 4.4)</p>	<p>Concerns related to the following issues:</p> <ul style="list-style-type: none"> • Off-site traffic improvements. • Increased traffic as a result of proposed project. • Accommodation for bicycles and transit. • Traffic impacts to freeway on-ramps and off-ramps to I-80 at Richards and Mace Blvd. • Traffic impacts to F Street. • Traffic impacts to L Street. • Combined traffic impacts from surrounding projects (Spring Lake, and proposed Target project). • Traffic impacts to Covell Boulevard/Pole Line Road intersection. • Traffic impacts to Pole Line Road and Covell Boulevard. • Traffic impacts Citywide. • Traffic impacts to additional pedestrians, bicycles, and vehicles near and around the new Junior High School. • Provision for shade trees along bike paths. • Condition of agricultural roads near project site. • Adequate parking for additional vehicles.
<p><u>Air Quality</u> (Chapter 4.5)</p>	<p>Concerns related to the following issues:</p> <ul style="list-style-type: none"> • Generation of dust via construction activities. • Impacts to regional air quality with additional vehicle traffic. • Impacts to local air quality with additional vehicle traffic.
<p><u>Noise</u> (Chapter 4.6)</p>	<p>Concerns related to the following issues:</p> <ul style="list-style-type: none"> • Increased noise levels from Covell Village traffic. • Increased noise levels from commercial and retail businesses in Covell Village. • Noise from California Northern Railroad tracks on western boundary of project site.
<p><u>Cultural</u> (Chapter 4.7)</p>	<p>Concerns related to:</p> <ul style="list-style-type: none"> • Potential occurrence of unknown cultural resources onsite.
<p><u>Biological Resources</u> (Chapter 4.8)</p>	<p>Concerns related to the following issues:</p> <ul style="list-style-type: none"> • Mature oak trees on the project site. • Impacts to Swainson’s hawk foraging habitat. • Impacts to Burrowing owl habitat.

	<ul style="list-style-type: none"> • State and federally listed or other special-status species on or near the Covell Village site. • Effects to wildlife on the site if contaminants from the old landfill are found in artificial pond water. • Loss of wetlands and riparian forest • Widening of drainage ditch along the site would damage semi-habitat area for birds and small mammals.
<u>Geology</u> (Chapter 4.9)	<p>Concerns related to the following issues:</p> <ul style="list-style-type: none"> • Subsidence.
<u>Hazards:</u> (Chapter 4.10)	<p>Concerns related to the following issues:</p> <ul style="list-style-type: none"> • Soil contamination from the Old Davis Landfill.
<u>Hydrology, Water quality, and Drainage</u> (Chapter 4.11)	<p>Concerns related to the following issues:</p> <ul style="list-style-type: none"> • Potential impacts to water supply associated with additional development. • Groundwater contamination from the Old Davis Landfill. • Impacts of widening and relocation of the on-site drainage ditch. • On-site drainage, detention, and storage capacity for storm water runoff. • Pesticides impacting water supply.
<u>Public Services and Utilities:</u> (Chapter 4.12)	<p>Consideration of the following issues:</p> <ul style="list-style-type: none"> • Phasing and timing of the proposed project construction. • Impact of project on infrastructure and City/County services. • Need for additional schools with increased population from the proposed project. • Increased crime rate. • Electrical power problems and power infrastructure on Pole Line Road. • Impacts to wastewater treatment plant associated with additional development.
<u>Alternatives Analysis</u> (Chapter 5)	<p>Concerns related to the following issues:</p> <ul style="list-style-type: none"> • Alternatives need to be addressed in the EIR • Analysis of a no project alternative.
<u>Topics Outside of CEQA</u> (not discussed further in DEIR)	<p>Concerns related to the following issues:</p> <ul style="list-style-type: none"> • Preserving downtown vitality. • Identification of fiscal impacts of the project.

All of these issues, with the exception of “Topics Outside of CEQA,” are addressed in this DEIR, in the relevant sections identified in the first column.

ORGANIZATION OF THE DRAFT EIR

The Covell Village Draft EIR is organized into the following sections:

Chapter 1 – Introduction

Provides an introduction and overview describing the intended use of the Draft EIR and the review and certification process, as well as summaries of the chapters included in the Draft EIR and summaries of the environmental resources that would be impacted by the project.

Chapter 2 – Summary of Impacts and Mitigation Measures

Summarizes the elements of the project and the environmental impacts that would result from implementation of the proposed project, describes proposed mitigation measures and indicates the level of significance of impacts after mitigation. Acknowledges alternatives that would reduce or avoid significant impacts.

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

Contains a project-level and cumulative analysis of environmental issue areas associated with the Proposed Project and the High Density Alternative. The subsection for each environmental issue contains an introduction and description of the setting of the project site, identifies impacts and recommends appropriate mitigation measures.

Chapter 5 – Alternatives Analysis

Describes the alternatives to the proposed project, their respective environmental effects, and a determination of the environmentally superior alternative. The High Density Alternative will be evaluated throughout the Draft EIR in each section of Chapter and not in the Alternatives Analysis Chapter of the Draft EIR.

Chapter 6 – Statutorily Required Sections

Provides discussions required by CEQA regarding impacts that would result from the proposed project, including a summary of cumulative impacts, potential growth-inducing impacts, significant and unavoidable impacts, and significant irreversible changes to the environment.

Chapter 7 – Draft EIR Authors / Persons Consulted

Lists report authors who provided technical assistance in the preparation and review of the Draft EIR.

Chapter 8 – References

Provides bibliographic information for all references and resources cited.

Appendices

Includes the NOP, responses to the NOP, the Initial Study, and additional technical information.

