1 INTRODUCTION

1.1 PURPOSE AND INTENDED USES OF THIS EIR

The Environmental Impact Report (EIR) for the University Commons Project, previously referred to as the University Mall Redevelopment project, 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 proposed 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 EIR along with other information that may be presented to the agency in deciding whether to approve the application.

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 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 basic requirements for an EIR include discussions of the environmental setting, environmental impacts, mitigation measures, alternatives, growth-inducing impacts, and cumulative impacts.

1.2 PROPOSED PROJECT

This section provides an overview of the project location and components. For additional project description details, please refer to Chapter 3, Project Description, of this EIR.

Project Location and Setting

The 8.25-acre project site is located in the City of Davis, California, north of Russell Boulevard, east of Sycamore Lane, and west of Anderson Road. Access to the project site is provided by a main access point at Russell Boulevard and several driveways along Sycamore Lane and Anderson Road. The site is 0.3-mile east of State Route (SR) 113 which provides regional access to the site. The site is identified by Assessor’s Parcel Number (APN) 034-253-007.

Currently, the project site is developed with the University Mall, a community shopping center that includes a variety of commercial uses and restaurants, including the following tenants: Cost Plus World Market; Starbucks; Forever 21; Fluffy Donuts; and smaller shops and services. In addition, professional offices are located on a partial second floor. The project site also contains a paved parking lot. Mature trees are located in parking lot landscape islands. The proposed project would
involve redevelopment of 90,563 square feet (sf) of the existing University Mall. A Trader Joe’s grocery store is situated on a stand-alone pad in the southwest portion of the site that fronts onto Russell Boulevard, at the northeast corner of the intersection of Russell Boulevard and Sycamore Lane. While the site includes the 13,200-sf Trader Joe’s building, the building would not be altered or redeveloped as part of the project.

Surrounding uses include: an ARCO service station with a mini-mart, located adjacent to the southeast border of the site, at the northwest corner of the intersection of Russell Boulevard and Anderson Road; the Davis Chinese Christian Church and Rite Aid pharmacy located east of the site across Anderson Road; and the University of California, Davis, (UC Davis) campus to the south of the site across Russell Boulevard. Uses on the UC Davis campus in the project vicinity include a softball field (La Rue Field) and student housing (The Atriums Apartments/Russel Park Apartments). A three-story apartment complex (University Court) is located west of the project site, across Sycamore Lane. The site is bounded to the north by the two-story Sycamore Lane Apartments complex.

**Project Components**

The proposed project would include demolition of approximately 90,563 sf of the existing University Mall building to construct a mixed-use development. Generally, buildout of the proposed project would result in the addition of 264 new multi-family residential units and approximately 136,800 sf of retail space. As noted above, the existing 13,200-sf Trader Joe’s building is not part of the redevelopment area and will remain at the current location. A three-level, 246,000-sf parking structure containing a total of 518 parking spaces would be situated beneath the western portion of the residential development and provide parking for the proposed residential and retail uses. The proposed structures would range in height. The redeveloped University Commons building would be seven stories and approximately 80 feet in height, with the northeast portion along Anderson Road stepping down to three stories and 44 feet in height.

The layout of the residential portion of the proposed project would consist of four levels of residential uses over the three-level parking garage and four levels of residential uses over retail uses. The residential portion of the project would be arranged around three separate courtyards, one of which would contain an outdoor lounge area, which could potentially include a pool, as well as additional amenities such as a fitness room, bicycle storage, a bike repair station, and a rooftop terrace.

The proposed project would require the following entitlements from the City of Davis:

- Certification of the EIR and adoption of the Mitigation Monitoring Plan;
- General Plan Amendment to create a new land use designation of Mixed-Use Urban Retail that allows for large-scale, multi-story mixed-use development, and a land use map amendment to apply the designation to the site;
- Rezone/Preliminary Planned Development to establish a new Preliminary Planned Development (PD #03-18) for the project site, consisting of development standards for the proposed project and allowable mix of uses; and
- Approval of a Development Agreement between the City of Davis and Brixmor Property Group, Inc. for the proposed mixed-use development.

In addition, the proposed project would require a separate application for Site Plan and Architectural Review when building design and final site details have been determined.
1.3 PROJECT CONSISTENCY WITH SACOG’S 2036 METROPOLITAN TRANSPORTATION PLAN/SUSTAINABLE COMMUNITIES STRATEGY (i.e., ELIGIBILITY FOR CEQA STREAMLINING)

The Legislature has adopted several statutory provisions to incentivize infill development within this region of the state that is consistent with the Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) adopted by the Sacramento Area Council of Governments (SACOG) including but not limited to Public Resources Code sections 21155-21155.4, 21159.28, and 21099. SACOG has provided a letter to the City of Davis (see Appendix A) indicating that the proposed project is consistent with SACOG’s MTP/SCS. Streamlining benefits applicable to qualifying infill projects that are consistent with SACOG’s MTP/SCS include the following:

1. The EIR is not required to reference, describe, or discuss (1) growth inducing impacts, or (2) any project specific or cumulative impacts from cars and light-duty truck trips generated by the project on global warming or the regional transportation network. (Pub. Resources Code, § 21159.28, subd. (a).
2. Alternative locations, densities, and building intensities to the proposed project need not be considered. (Pub. Resources Code, § 21159.28, subd. (b).)
3. Aesthetic and parking impacts should not be considered significant impacts on the environment. (Pub. Resources Code, § 21099, subd. (d)(1).

Transit Priority Areas are areas of the region within one-half mile of a major transit stop or an existing or planned high-quality transit corridor included in the MTP/SCS. Per the letter provided by SACOG, the project qualifies as a Transit Priority Project, as the proposed project would involve greater than 50 percent residential uses, has a minimum density of 20 units per acre, and is located within 0.5-mile of a high-quality transit corridor (i.e., the Russell Boulevard high-quality transit corridor). Furthermore, the proposed project is an infill project within the Established Community designation of the MTP/SCS for the City of Davis. Within the Established Community, the MTP/SCS forecasts a range of low- to high-density residential, commercial, office, and industrial uses. The proposed project’s land uses fall within this range of general uses, densities, and building intensities.

Based on the above, the City has streamlined the University Commons Project EIR pursuant to PRC 21159.28.

1.4 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 and trustee 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. Commenting agencies have 30 days to respond to the NOP and provide information regarding alternatives and mitigation measures they wish to have explored in the Draft EIR and to provide notification regarding whether the agency will be a responsible agency or a trustee agency for the project. An NOP (see Appendix B), as well as a detailed Initial Study (see Appendix C), was prepared for the proposed project and circulated from November 16, 2018 to December 17, 2018. A public scoping meeting was held on December 5, 2018 for the purpose of informing
the public and receiving comments on the scope of the environmental analysis to be prepared for the proposed project. See Section 1.6 below for a summary of comments received on the NOP.

As soon as the Draft EIR is completed, a Notice of Completion will be filed with the SCH and a public notice of availability will be published to inform interested parties that a Draft EIR is available for agency and public review. In addition, the notice provides information regarding the location of copies of the Draft EIR available for public review and any public meetings or hearings that are scheduled. The Draft EIR will be circulated for a period of 45 days, during which time reviewers may make comments. The lead agency must 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. During the Draft EIR public review period, a public meeting will be held before the Planning Commission in order to receive verbal comments on the Draft EIR. If significant new information, as defined in CEQA Guidelines section 15088.5, is added to an EIR after public notice of availability is given but before certification of the EIR, the revised EIR or affected chapters must be recirculated for an additional public review period with related comments and responses.

A Final EIR will be prepared, containing comments and responses to comments on the Draft EIR. The Final EIR will also include any changes to the Draft EIR text made as a result of public comment. Before approving a project, the lead agency shall certify that the Final EIR has been completed in compliance with CEQA, and that the Final EIR has been presented to the decision-making body of the lead agency, which has reviewed and considered the EIR. The lead agency shall also certify that the Final EIR reflects the lead agency’s independent judgment and analysis.

The findings prepared by the lead agency must be based on substantial evidence in the administrative record and must include an explanation that bridges the gap between evidence in the record and the conclusions required by CEQA. If the decision-making body elects to proceed with a project that would have unavoidable significant impacts, then a Statement of Overriding Considerations explaining the decision to balance the benefits of the project against unavoidable environmental impacts must be prepared.

1.5 SCOPE OF THE EIR

This EIR constitutes a project-level analysis for the University Commons Project and, pursuant to CEQA Guidelines Section 15161, covers “all phases of the project including planning, construction, and operation.” 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 the CEQA Guidelines, the scope of this EIR addresses specific issues and concerns identified as potentially significant in the Initial Study prepared for the proposed project.

Environmental Issues Dismissed in the Initial Study

The Initial Study prepared for the proposed project during the scoping period (see Appendix C) includes a detailed environmental checklist addressing a range of technical environmental issues. For each technical environmental issue, the Initial Study identifies the level of impact for the
The Initial Study identifies the environmental effects as either “no impact,” “less-than-significant,” “less-than-significant with mitigation incorporated,” or “potentially significant.” Impacts identified for the proposed project in the Initial Study as “no impact,” “less-than-significant,” or “less-than-significant with mitigation incorporated” are summarized below and discussed further in Appendix C. All remaining issues identified in the Initial Study as “potentially significant” are discussed in the subsequent technical chapters of this EIR.

- **Aesthetics (All Items):** The proposed project is consistent with the MTP/SCS and CEQA streamlining provisions, which state that aesthetics impacts of infill projects within Transit Priority Areas are not considered significant effects on the physical environment. Nevertheless, the Initial Study included an analysis for information purposes. Because established scenic vistas are not located on or adjacent to the project site, and the project site is not located within the vicinity of a State Scenic Highway, no impact related to scenic vistas or damaging scenic resources within a State Scenic Highway would occur.

  Although the proposed University Mall building would be taller than the immediately surrounding development, the project would not substantially degrade the aesthetic quality of the site or the site’s surroundings, as the project area currently consists of a developed environment lacking notable scenic features such as agricultural lands, open space, or extensive native vegetation. In addition, the visual character of the project site would be consistent with future urban development in the area. Therefore, impacts related to substantially degrading the existing visual character or quality of the site and its surroundings were determined to be less than significant.

  Although existing sources of light and glare occur on the project site and surrounding area, because the proposed project would alter the type and intensity of development on the project site, an increase in the amount of light or glare on the project site as compared to existing conditions could occur. However, the project would be required to comply with all applicable regulations, such as the City’s Outdoor Lighting Control policies and the goals and policies of the General Plan, which would prevent the proposed project from creating new sources of light that would create a nuisance for the nearby residences in the project vicinity. Therefore, impacts related to creating a new source of substantial light or glare which would adversely affect day or nighttime views in the area were determined to be less than significant.

- **Agriculture and Forest Resources (All Items):** The proposed project site is currently built-out with commercial uses and is identified as “Urban and Built-Up Land” in the Yolo County Important Farmland 2016 map. As such, development of the proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use. In addition, buildout of the proposed project would not conflict with existing zoning for agricultural use or a Williamson Act contract, and Forest lands are not located within the project area, nor does the project site contain any portions zoned for forest land or Timberland Production. As such, no impact would occur related to agriculture and forest resources as a result of the proposed project.

- **Air Quality (e):** Mixed-use land uses, such as the proposed project, are not typically associated with the creation of substantial objectionable odors. As a result, the proposed project operations would not create any objectionable odors that would affect a substantial number of people. Diesel fumes from construction equipment are often found to be
objectionable; however, construction is temporary and construction equipment would operate intermittently throughout the course of a day, would be restricted to daytime hours per Chapter 24 of the City’s Municipal Code, and would likely only occur over portions of the improvement area at a time. Project construction would also be required to comply with all applicable YSAQMD rules and regulations, which would help to ensure any objectionable odors are minimized and addressed appropriately. Therefore, construction and operation of the proposed project was determined to result in a less-than-significant impact related to the creation of objectionable odors that would affect a substantial number of people.

- **Biological Resources (All Items):** Due to the infill and highly disturbed nature of the project site, the site does not contain any wetland features or riparian habitat. As a result, the proposed project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS, nor have a substantial adverse effect on a federally protected wetland, as defined by Section 404 of the CWA. Therefore, no impact would occur.

Due to lack of habitat and the disturbed nature of the site, potential for use of the site as a wildlife corridor or native wildlife nursery site is severely limited. Therefore, the proposed project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites, and a less-than-significant impact would occur.

While the project site is located within the boundaries of the Yolo Habitat Conservation Plan/Natural Conversation Community Plan (HCP/NCCP), the proposed project would not be subject to payment of habitat mitigation fees, as the project site does not contain high-quality habitat for covered species. Thus, impacts related to a conflict with the provisions of an adopted HCP/NCCP or other approved local, regional, or state habitat conservation plan would be less than significant.

In the absence of preconstruction surveys, development of the proposed project could have a potentially significant impact with respect to having an adverse effect, either directly or through habitat modifications, on a species identified as a special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS), particularly related to Swainson’s hawk and migratory birds whose nests are afforded protection under the Migratory Bird Treaty Act. However, implementation of Mitigation Measures IV-1 and IV-2 set forth in the Initial Study, which require surveys to be conducted and appropriate actions be taken should any nests be found, would ensure any impacts would be less than significant.

Development of the proposed project would require the removal of 82 of the existing 98 on-site trees (42 were recommended for removal by the arborist due to their poor condition and suitability for preservation). The remaining 16 on-site trees would be preserved. Although the proposed project would involve removal of existing on-site trees, including trees protected by the City’s Municipal Code, Mitigation Measure IV-3, which requires compliance with the appropriate protection measures for the trees that are being preserved on-site, would ensure impacts related to a potential conflict with any local
policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, would be less than significant.

- **Cultural Resources (All Items):** Based on a Cultural Resources Inventory and Architectural History Evaluation Report (Report) prepared for the proposed project by ECORP Consulting, Inc., which included an evaluation of the existing building relative to the National Register of Historic Places (NRHP) and the California Register of Historical Resources (CRHR), the University Mall was determined not to be considered a historical resource as defined in Section 15064.5. Thus, implementation of the proposed project would result in a less-than-significant impact related to historical resources. Due to the built-out nature of the site and the surrounding area, the discovery of underlying archeological, paleontological, and/or tribal resources is not expected. However, given the prehistoric and historic activity that has occurred over time in the greater project area, unknown archaeological resources, including human bone, have the potential to be uncovered during ground-disturbing construction activities at the proposed project site. However, Mitigation Measures V-1, V-2, and V-3 set forth in the Initial Study require that the appropriate procedures are followed in the event that any subsurface historic remains, prehistoric or historic artifacts, other indications of archaeological resources, or cultural and/or tribal resources are found during grading and construction activities, including human remains, bones, or teeth. Implementation of Mitigation Measures V-1, V-2, and V-3 would ensure that impacts would be less than significant. It should be noted that, since the release of the NOP/Initial Study, the City’s Historic Resources Management Commission reviewed and accepted the conclusions of the report with the supplemental information provided and clarifications. The City, in consultation with the Historic Resources Management Commission, determined that minor amendments to the language of Mitigation Measures V-1, V-2, and V-3 should be implemented. The amendments made to the above mitigation measures are for clarification purposes and do not alter the conclusions of the Initial Study. The revised mitigation measures are included in Table 2-1 of Chapter 2, Executive Summary, of this EIR.

- **Geology and Soils (All Items):** Due to the project site’s proximity to the nearest active fault and relatively flat topography, as well as the project design’s required compliance with all applicable State and local regulations, including the California Building Code (CBC), the proposed project would not expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, and/or liquefaction or landslides. During early stages of construction, prior to overlaying the ground surface with structures, the potential exists for wind erosion to occur, which could affect the project area and potentially inadvertently transport eroded soils to downstream drainage facilities. In accordance with National Pollutant Discharge Elimination System regulations, in order to minimize the potential effects of construction runoff on receiving water quality, the project applicant must obtain a General Construction Permit, which includes preparation of a Stormwater Pollution Prevention Plan (SWPPP) and implementation of best management practices (BMPs) to reduce construction effects on receiving water quality by implementing erosion control measures. The project site could potentially contain expansive soils. However, the project would be required to comply with applicable General Plan policies, the CBC, and implement standard development practices, which would ensure effects associated with expansive soils are avoided. Therefore, a less-than-significant impact related to all of the above would result.
The proposed project would connect to the City’s existing sewer system and would not require the use of a septic tank or other alternative waste water disposal method. Therefore, no impact would occur related to having soils incapable of adequately supporting the use of septic tanks or alternate wastewater disposal systems.

- **Hazards and Hazardous Materials (All Items):** Although a limited amount of potentially hazardous materials could be used on-site during construction and operations, regulations governing the use of such materials and amount anticipated to be used on site would ensure the routine handling, transport, use, or disposal of such materials would not create a significant hazard to the public or the environment. The nearest school relative to the proposed project site is the Cesar Chavez Elementary School, located 0.5-mile north of the project site. The project site is not located on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and is not in an area subject to a substantial risk due to wildland fires. The project site is located approximately 1.85 miles away from the University Airport; however, the proposed project would not introduce any obstructions to the necessary airport clear space, and a safety hazard for people residing or working in the project area would not occur due to development of the proposed project. The proposed project does not involve any operations or changes to the existing roadway network that would impair implementation or physically interfere with the City’s Multi-Hazard Functional Planning Guide or the County’s Emergency Operations Plan or Multi-Hazard Mitigation Plan (MHMP). Construction activities affecting any of the identified evacuation routes would be both temporary and subject to traffic controls. Therefore, no impact and/or a less-than-significant impact related to all of the above would occur.

Based on a Phase I Environmental Site Assessment (ESA) Report prepared for the proposed project by AEI Consultants, the proposed project site is not located in the vicinity of any identified hazardous materials sites that could pose a risk to future residents of the proposed project and on- or off-site recognized environmental conditions considered likely to impact the project site were not identified as part of the Phase I ESA. However, development of the proposed project could create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment, particularly associated with asbestos containing materials (ACMs) and lead-based paint (LBP) potentially present within the existing University Mall building. However, Mitigation Measures VIII-1 and VIII-2 set forth in the Initial Study, which require an evaluation of the presence of ACMs and LBP and the appropriate procedures to follow should the materials be found, would ensure that impacts related to ACMs and LBP would be less than significant.

- **Hydrology and Water Quality (All Items):** Construction and buildout associated with the proposed project could result in increased stormwater runoff or the degradation of water quality. However, implementation of Mitigation Measure IX-1, which requires permanent stormwater control, treatment, and attenuation features, would reduce impacts related to the violation of storm water quality standards, the creation of stormwater runoff in exceedance of capacity, and the substantial degradation of water quality to a less-than-significant level. Based on the Yolo County Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), the project site is not located within a Special Flood Hazard Area, and development of the proposed project would not place housing within a 100-year flood hazard zone nor place structures within a 100-year floodplain such that flood flows would be impeded or redirected, and restrictions on development or
special requirements associated with flooding are not required for the project. Therefore, the proposed project would not expose people or structures to a risk of loss, injury, or death involving flooding, including flooding as a result of a failure of a levee or dam, and no impact would occur. In addition, because the City of Davis is not located near waters subject to tidal changes, closed bodies of water, or hilly or mountainous terrain, no impact related to seiches, tsunamis, or mudflows would occur.

- **Land Use and Planning (a,c):** The project is considered infill development and would not physically divide an established community. In addition, as previously discussed, the project would not be subject to payment of habitat mitigation fees of the Yolo HCP/NCCP. Thus, a less-than-significant impact would occur related to physically dividing an established community and a conflict with any applicable habitat conservation plan or natural communities conservation plan.

- **Mineral Resources (All Items):** Due to the lack of mineral resources in the City’s Planning Area, including the project site, no impact related to mineral resources would occur.

- **Noise (e-f):** The proposed project is located within a two-mile radius of the University Airport. However, the project site is located outside of the 55 decibel Community Noise Equivalent Level (CNEL) noise level contour, which extends approximately 4,500 feet from either terminus of the airport’s runway. Therefore, a less-than-significant impact related to exposure of people residing or working in the project area to excessive noise levels associated with airport operations occur.

- **Population and Housing (All Items):** Because the proposed project is consistent with SACOG’s MTP/SCS, the project qualifies for streamlining benefits, including that a discussion of potential impacts related to population growth inducement are not required. Therefore, the proposed project would have a less-than-significant impact related to inducing substantial population growth in an area, either directly or indirectly. The proposed project would not displace existing housing or people, necessitating the construction of replacement housing elsewhere, and no impact would occur.

- **Public Services (c-e):** The project site is located within the Davis Joint Unified School District and would be served by surrounding schools including Willett Elementary School, Emerson Junior High School, and Davis Senior High School. The project includes residential development and, thus, could increase the number of students attending local school facilities. However, a project’s impacts on school facilities are fully mitigated by the payment of the requisite new school construction fees established pursuant to Government Code Section 65995. The proposed project would include payment of such fees. Furthermore, the proposed project would include on-site recreational amenities for future residents, and the project applicant would be required to pay all applicable development fees to the City related to recreational facilities. Thus, the proposed project would not substantially contribute to the need to alter existing parks or construct new parks within the City. Based on the above, impacts related to schools, recreation facilities, and other public facilities would be considered less than significant.

- **Recreation (All Items):** The proposed project would include on-site recreational amenities for project residents and would be required to pay all applicable fees to the City related to recreational facilities. The payment of applicable impact fees would constitute
implementation of uniformly applicable standards that would serve to mitigate any potential impacts to park, recreation, and other governmental resources. Therefore, the proposed project would have a less-than-significant impact related to substantial physical degradation of existing recreational facilities and construction or expansion of recreational facilities.

- **Transportation and Circulation (c):** While the proposed project is located approximately 1.85 miles northeast of the University Airport, the project would not, in any way, affect air traffic patterns at the University Airport. Therefore, the proposed project would not result in a change in air traffic patterns, including either an increase in air traffic levels or a change in location that results in substantial safety risks, and no impact would occur.

- **Tribal Cultural Resources (All Items):** The potential for unrecorded Tribal Cultural Resources to exist within the project site is relatively low based on the developed and disturbed nature of the site. Tribal Cultural Resources have not been identified within the vicinity of the project site. In compliance with Assembly Bill (AB) 52 (Public Resources Code Section 21080.3.1), a project notification letter was distributed to the Ione Band of Miwok Indians and the Yocha Dehe Wintun Nation on June 5, 2018. Requests for consultation from either tribe were not received prior to the closure of the mandatory 30-day response period for consultation under AB 52. However, the Yocha Dehe Wintun Nation subsequently provided a letter to the City, requesting formal consultation. The City of Davis reached out and clarified with the Yocha Dehe Wintun Nation that the consultation request response period had closed, but that the City would take any comments the Tribe might have on the project under advisement as a public comment. Nonetheless, the possibility exists that future development occurring on the proposed project site could result in a substantial adverse change in the significance of a Tribal Cultural Resource if previously unknown Tribal Cultural Resources are uncovered during ground-disturbing activities. However, Mitigation Measures V-1, V-2, and V-3 set forth in the Initial Study would ensure impacts related to Tribal Cultural Resources would be less than significant. As stated above, since the release of the NOP/Initial Study, the City’s Historic Resources Management Commission reviewed and accepted the conclusions of the report with the supplemental information provided and clarifications. The City, in consultation with the Historic Resources Management Commission, determined that minor amendments to the language of Mitigation Measures V-1, V-2, and V-3 should be implemented. The amendments made to the mitigation measures are for clarification purposes and do not alter the conclusions of the Initial Study. The revised mitigation measures are included in Table 2-1 of Chapter 2, Executive Summary, of this EIR.

**Environmental Issues Addressed in this EIR**
The sections of the CEQA Guidelines Appendix G Checklist identified for study in this EIR include the following:

- Air Quality;
- Greenhouse Gas Emissions and Energy;
- Land Use and Planning;
- Noise;
- Public Services and Utilities; and
- Transportation and Circulation.
The evaluation of effects is presented on a resource-by-resource basis in Sections 4.1 through 4.6. Each section is divided into the following four sections: Introduction, Existing Environmental Setting, Regulatory Context, and Impacts and Mitigation Measures.

### 1.6 SUMMARY OF COMMENTS RECEIVED ON THE NOP

The City of Davis received 18 comment letters during the open comment period on the NOP for the project EIR and two letters after the open comment period. A copy of each letter is provided in this EIR (see Appendix D). The following letters were authored by public agencies and residents.

**Public Agencies**

- Central Valley Regional Water Quality Control Board

**Residents, Groups, and Organizations**

- Robert Barandas
- Earl Bossard
- Valerie Durbin
- Mark Estremera
- Richard Haggstrom
- Ernst Von Kugelgen
- Heather & Malcolm MacKenzie
- Jarue Manning (2)
- Jeff March
- Paul Ochs
- Kathy Ormiston
- Greg Rowe
- Eileen Samitz
- Steve Streeter
- Nancy Sweet
- Jennifer & Ted Tucker

**Letters Received After the Public Comment Period**

- Hannah Hughes, Lozeau|Drury LLP
- Steve Smith

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

<table>
<thead>
<tr>
<th>Land Use and Planning (Section 4.3)</th>
<th>Concerns related to the following:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Potential incompatibilities associated with development of high-density, student-oriented housing within the vicinity of existing residential neighborhoods.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Noise (Section 4.4)</th>
<th>Concerns related to the following:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Increased noise due to loud music, parties, etc. at the proposed residences;</td>
</tr>
</tbody>
</table>
Transportation and Circulation (Section 4.6)

Concerns related to the following:
- Increased vehicle traffic on nearby residential streets due to project.
- Increased congestion at the Russell Boulevard/Sycamore Lane intersection as a result of the project.
- Increased cut-through traffic on Oeste Drive as a result of the project.
- Inadequate parking for the residential portion of the proposed project resulting in a reduction of available retail parking spaces.
- Cumulative traffic issues associated with development of the proposed project combined with the Davis Live project.
- Site access from Russell Boulevard not being sufficient to serve the proposed project.
- Safety concerns related to bicycle, pedestrian, and transit passenger access at the project site.

Initial Study (see Appendix C)

Concerns related to the following:
- Degradation of public views due to proposed building height.
- Effect on views from adjacent Sycamore Apartments to the north.
- Population growth due to the construction of high-density housing as part of the project.

All of the above issues are addressed in this EIR, in the relevant sections identified in the first column.

1.7 ORGANIZATION OF THE EIR

The University Commons Project EIR is organized into the following sections:

Chapter 1 – Introduction
Provides an introduction and overview describing the intended use of the EIR and the review and certification process, as well as summaries of the chapters included in the EIR.

Chapter 2 – Executive Summary
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 the 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. The section 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 – Statutorily Required Sections
Provides discussions required by CEQA regarding impacts that would result from the proposed project, including a summary of potential growth-inducing impacts, significant irreversible changes to the environment, energy conservation, and significant and unavoidable impacts.
Chapter 6 – Alternatives Analysis
Provides a comparative analysis of the alternatives to the proposed project, their respective comparative environmental effects, and a determination of the environmentally superior alternative.

Chapter 7 – EIR Authors and Persons Consulted
Lists EIR and technical report authors who provided technical assistance in the preparation and review of the EIR.

Chapter 8 – References
Provides bibliographic information for all references and resources cited.

Appendices
Includes the SACOG MTP/SCS consistency determination, NOP, Initial Study, comments received during the NOP comment period, and all technical reports prepared for the proposed project.