

**REDEVELOPMENT AGENCY RESOLUTION NO. 2011-01**

**A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF RIO VISTA MAKING FINDINGS AS TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE REDEVELOPMENT PLAN FOR THE RIO VISTA ARMY RESERVE CENTER REDEVELOPMENT PROJECT; ADOPTING FINDINGS OF FACT AND A STATEMENT OF OVERRIDING CONSIDERATIONS; AND ADOPTING A MITIGATION MONITORING PLAN**

**WHEREAS**, on April 28, 2010, the Redevelopment Agency of the City of Rio Vista (the "Agency") submitted to the City Council of the City of Rio Vista (the "City Council") a proposed Redevelopment Plan (the "Redevelopment Plan") for the Rio Vista Army Reserve Center Redevelopment Project (the "Project") and consented to and requested that the City Council call a joint public hearing of the Agency and the City Council to consider and act upon the Redevelopment Plan; and

**WHEREAS**, the City and the Agency held a joint public hearing on the Redevelopment Plan on May 6, 2010, and the Redevelopment Plan was adopted by the Ordinance No. 652 on May 20, 2010; and

**WHEREAS**, the Redevelopment Plan was adopted under the authority in the special provisions of Section 33492 *et seq.* of the Community Redevelopment Law (Health and Safety Code Section 33492 *et seq.*) (the "Military Base Conversion Provisions"); and

**WHEREAS**, prior to adoption of the Redevelopment Plan, the Agency found and determined that the need to adopt the Redevelopment Plan at the soonest possible time required that the application of the California Environmental Quality Act be delayed in accordance with Section 33492.18 of the Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*); and

**WHEREAS**, the Agency declared by Agency Resolution No. 2010-05 that the Agency or City shall certify an environmental impact report for the Redevelopment Plan within 18 months after the effective date of the ordinance adopting the Redevelopment Plan in accordance with Section 33492.18(b) of the Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*); and

**WHEREAS**, as the Lead Agency, the City of Rio Vista (the "City") prepared a Final Environmental Impact Report (the "Final EIR") on the Redevelopment Plan (the "Redevelopment Plan") for the Rio Vista Army Reserve Center Redevelopment Project (the "Project") pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*, hereinafter referred to as "CEQA"), the Guidelines for Implementation of the California Environmental Quality Act (14 California Code of Regulations, Section 15000 *et seq.*,

hereinafter referred to as the "State CEQA Guidelines") and procedures adopted by the Agency relating to environmental evaluation; and

**WHEREAS**, the Final EIR consists of the Draft EIR as revised and supplemented to incorporate all comments received and the responses of the Agency thereto;

**NOW, THEREFORE, THE REDEVELOPMENT AGENCY OF THE CITY OF RIO VISTA DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. The Agency Board has evaluated all comments, written and oral, received from persons who have reviewed the Final EIR and has duly reviewed and considered the Final EIR prepared and certified by the Agency prior to adopting this resolution and acting on the proposed Redevelopment Plan..

Section 2. The Agency Board hereby adopts the Findings and Fact and Statement of Overriding Considerations relating to the environmental impacts of the Redevelopment Plan for the Rio Vista Army Reserve Center Redevelopment Project Area as set forth in Exhibit A attached hereto and incorporated herein by this reference (including, without limitation, the mitigation measures therein set forth). Based upon such Findings of Fact and Statement of Overriding Considerations, the Agency Board hereby finds that all significant environmental effects have been eliminated or substantially lessened except for the following unavoidable adverse impacts:

- a. Loss of Historic Resources. The Project could damage, alter, obscure or eliminate character-defining elements of the U.S. Engineer Store House Historic District, as suggested in the 1997 historic resource evaluation report prepared for the U.S. Army Corps of Engineers, which could be eligible for listing in the California Register of Historic Resources, so as to cause a loss of integrity and loss of continued eligibility to the California Register.
- b. Cumulative Loss of Cultural Resources. The loss of significant historical resources caused by the Project would be a cumulatively considerable contribution to a loss of cultural resources throughout Rio Vista and the surrounding region.
- c. Transportation/Circulation Impact: SR 12 between SR 84 and SR 160. The addition of Project traffic to existing conditions would increase the daily traffic volume on the two-lane section of SR 12 between SR 84 and SR 160 from approximately 21,000 vehicles per day (VPD) to approximately 22,302 VPD. The Project-related traffic volume increase would exacerbate existing Level of Service(LOS) F conditions.
- d. Transportation/Circulation Impact: Main Street between SR 12 and 5<sup>th</sup> Street. The addition of Project traffic to existing conditions would increase the daily traffic volume on the section of Main Street between SR 12 and 5<sup>th</sup> Street from

approximately 6,000 VPD to approximately 6,867 VPD. This volume increase would change the LOS from LOS C to LOS E.

- e. Transportation/Circulation Impact: SR 12/Front Street Intersection. The addition of Project traffic to existing conditions would increase peak hour traffic through the SR 12/Front Street intersection. This traffic volume increase will cause the LOS to change from LOS D to LOS F.
- f. Transportation/Circulation Impact: Transit System Operations. The addition of Project traffic to existing conditions would significantly increase existing congestion on SR 12. The Project-related increase in existing SR 4 congestion and delay would add to associated interference with transit operations.
- g. Cumulative Transportation/Circulation Impact: SR 12 between SR 84 and SR 160. The addition of Project traffic to cumulative conditions in 2025 would increase the daily traffic volume on the two-lane section of SR 12 between SR 84 and SR 160 from approximately 54,800 VPD to approximately 56,102 VPD. Both this existing and existing-plus-Project traffic volume total exceed the capacity of 18,000 VPD for two-lane roadways with moderate access control. The Project-related traffic volume increase would exacerbate existing LOS F conditions.
- h. Cumulative Transportation/Circulation Impact: Main Street between SR 12 and 5<sup>th</sup> Street. The addition of Project traffic to cumulative conditions in 2025 would increase the daily traffic volume on the section of Main Street between SR 12 and 5<sup>th</sup> Street from approximately 9,400 VPD to approximately 10,267 VPD. Both this cumulative and cumulative-plus-Project traffic volume total would exceed the capacity of 8,000 VPD for a two-lane residential collector with driveways. The Project-related traffic volume increase would exacerbate projected LOS F conditions.
- i. Cumulative Transportation/Circulation Impact: Main Street between 5<sup>th</sup> Street and 2<sup>nd</sup> Street. The addition of Project traffic to cumulative conditions in 2025 would increase the daily traffic volume on the section of Main Street between 5<sup>th</sup> Street and 2<sup>nd</sup> Street from approximately 6,400 VPD to approximately 7,222 VPD. Both this cumulative and cumulative-plus-Project traffic volume total would exceed the capacity of 8,000 VPD for two-lane residential collector with driveways. The Project-related traffic volume increase would change the LOS from LOS D to LOS E.
- j. Cumulative Transportation/Circulation Impact: Impact on Transit System Operations. As indicated under Impacts 8-5, 8-6 and 8-8 through 8-11 above, the addition of Project traffic to cumulative conditions in 2025 would significantly increase congestion on SR 12. The Project-related increase in cumulative SR 4 congestion and delay would add to associated interference with transit operations.

- k. Aquatic Invasive Species Impacts. Future Project-facilitated development and related operations occurring in the Sacramento River adjoining the proposed Project Area, particularly boat use and mooring, may increase the spread of non-native aquatic organisms or aquatic invasive species (AIS) and thus adversely affect Delta ecosystems. AIS may be introduced and spread not only by transoceanic ships and ballast water, but by other pathways potentially resulting from the proposed Redevelopment Plan, such as biological research, hatchery operations, environmental restoration projects, and hulls, anchors and anchor chains of smaller vessels. Such effects may impede and conflict with the CALFED Bay-Delta Ecosystem Restoration Program's goal to reduce the negative impacts of invasive species and prevent additional introductions that compete with and destroy native species.
- l. Traffic Noise. The General Plan Circulation and Mobility Element acknowledges that, because there are no arterials connecting the downtown or Highway 12 from the south, future increases in through-traffic may affect residential neighborhoods along 2<sup>nd</sup> Street, which is a primarily residential collector street. Vehicle trips generated by Project Area development facilitated by the proposed Redevelopment Plan would use Beach Drive and then 2<sup>nd</sup> Street to reach central Rio Vista, then continue either west on Main Street or north on Front Street to Highway 12. Residences on Beach Drive and 2<sup>nd</sup> Street, as well as Riverview Middle School, the Rio Vista Branch Library and other potentially sensitive receptors along these routes, may be exposed to substantial increases in traffic noise--i.e., increases of 5 dBA or greater--as a result of Project-related increases in vehicular traffic.
- m. Carbon Monoxide Concentration Impacts. As explained in Chapter 8, Transportation and Circulation, Project traffic would cause or exacerbate already existing unacceptable traffic congestion at the following four intersections on Highway 12, which could cause violations of the State ambient air quality standard for carbon monoxide:
- Highway 12/Front Street,
  - Highway 12/Main Street,
  - Highway 12/North 5<sup>th</sup> Street, and
  - Highway 12/River Road.
- n. Long-Term Greenhouse Gas Emissions from Operations. The assumed 244,500 square feet of non-residential development facilitated by the proposed Redevelopment Plan would generate an estimated total of approximately 5,178 MT per year of CO<sub>2</sub> emissions. Based on an estimated service population of 240, the Project would result in CO<sub>2</sub> emissions of approximately 21.6 MT per year per service population, which would exceed the significance threshold applied in this EIR of 6.6 MT per year per service population (based on the proposed significant guidelines of the Bay Area Air Quality Management District). Estimated GHG emissions from ongoing occupancy and operation of development in the Project

Area would therefore represent a considerable contribution to the significant cumulative impact of global climate change

- o. Emergency Response Impacts. Beach Drive and 2<sup>nd</sup> Street provide the only direct access between the proposed Project Area and central Rio Vista. The Rio Vista Fire Department (RVFD) fire station is located at 350 Main Street in downtown Rio Vista. The response time goal for RVFD is four minutes. The Rio Vista Police Department (RVPD) operates out of 50 Poppy House Road in the downtown. RVPD has a response time goal of three minutes or less for 911 emergency calls and 10 minutes or less for non-emergency calls. Second Street is subject to occasional flooding where it crosses Marina Creek just north of Beach Drive. If flood waters are deep enough and not passable, emergency vehicles would need to travel an indirect route via Highway 12, Amerada Road, Emigh Road, and Montezuma Road, which would substantially increase emergency response times to and from the proposed Project Area. Development facilitated by the proposed Redevelopment Plan would therefore place additional people and property at risk due to longer response times associated with occasional flooding of 2<sup>nd</sup> Street at the Marina Creek crossing.

Based upon the foregoing, the Agency Board finds and determines that the Redevelopment Plan *will have* a significant effect upon the environment but that the benefits of the Redevelopment Plan outweigh the unavoidable adverse impacts for the reasons set forth in the Findings of Fact, and the Statement of Overriding Considerations, in particular, Part V thereof.

Section 3. The Agency hereby adopts the Mitigation Monitoring and Reporting Program set forth in Exhibit B attached hereto and incorporated herein by this reference.

Section 4. The Agency Secretary is hereby directed to file a Notice of Determination with the County Clerk of the County of Solano pursuant to the provisions of Section 21152 of CEQA and Section 15096(i) of the State CEQA Guidelines, along with two copies of the Certificate of Fee Exemption as required pursuant to Title 14, California Code of Regulations, Section 753.5(c).

**DULY AND REGULARLY ADOPTED** by the Redevelopment Agency of the City of Rio Vista on the sixth day of January, 2011.

AYES: AGENCY MEMBERS Boulware, Kogler, Krebs, Norman, and Chair Vick  
NOES: AGENCY MEMBERS None  
ABSENT: AGENCY MEMBERS None  
ABSTAIN: AGENCY MEMBERS None

ATTEST;



Agency Secretary

## EXHIBIT A

### **Findings of Fact and Statement of Overriding Considerations Relating to the Environmental Impacts of the Redevelopment Plan for the Rio Vista Army Reserve Center Redevelopment Project**

#### **I. Introduction**

The California Environmental Quality Act (Pub. Resources Code, § 21000 et seq., "CEQA") provides in Section 21081 that:

"[N]o public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless both of the following occur:

"(a) The public agency makes one or more of the following findings with respect to each significant effect:

"(1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

"(2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

"(3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

"(b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment."

As defined in CEQA, "'significant effect on the environment" means a substantial, or potentially substantial, adverse change in the environment." (Pub. Resources Code, § 21068.)

By this document, the Redevelopment Agency of the City of Rio Vista ("Agency") makes the findings required by subsections (a) and (b) of Public Resources Code section 21081 with regard to the Redevelopment Plan (the "Redevelopment Plan") for the Rio Vista Army Reserve Center Redevelopment Project (the "Project").



### III. ENVIRONMENTAL IMPACTS OF THE PROJECT; FINDINGS REGARDING SIGNIFICANT EFFECTS OF THE PROJECT

This Part III identifies the significant or potentially significant impacts of the Project as determined by the Agency and the City Council, including the findings and facts supporting the findings in connection therewith.

This section identifies the findings on significant impacts of the Project, as identified in the EIR by issue area.

#### CULTURAL AND HISTORIC RESOURCES

**Impact 6-1:** **Disturbance of Archaeological Resources.** Redevelopment activities or development facilitated by the Project could potentially disrupt, alter or eliminate as-yet undiscovered archaeological sites, potentially including Native American remains. This possibility represents a *potentially significant impact*.

**Mitigation 6-1:** If prehistoric or historic-period archaeological resources are encountered during grading or excavation, work shall avoid altering the materials and their context until a qualified professional has evaluated, recorded and determined appropriate treatment of the resource, in consultation with the City. Project personnel shall not collect cultural resources. Cultural resources shall be recorded on DPR 523 historic resource recordation forms. If it is determined that the proposed development could damage a unique archaeological resource, mitigation shall be implemented in accordance with Public Resources Code Section 21083.2 and Section 15126.4 of the CEQA Guidelines, with a preference for preservation in place. This measure would reduce the potential impact on archaeological resources to a *less-than-significant level*.

**Finding:** The Agency finds that the mitigation measures identified above are feasible and will be required in, or incorporated into, the Project. These mitigation measures will reduce the impact to a less than significant level.

**Impact 6-2:** **Loss of Historic Resources.** A 1997 historic resource evaluation report prepared for the U.S. Army Corps of Engineers by JRP Historical Consulting Services concluded that, although none of the remaining structures originally constructed by the Corps of Engineers to support dredging activities for its Sacramento River Flood Control Project (1914-1944) appeared to be individually

eligible for listing in the National Register of Historic Places (National Register), 12 of the buildings collectively appeared to be eligible for listing as a historic district, suggested by the JRP report as the "U.S. Engineer Storehouse Historic District." Subsequent to issuance of the JRP report, the Army determined that none of the buildings individually or collectively met the eligibility requirements for listing on the National Register, and the State Historic Preservation Officer (SHPO) concurred with the Army determination. Despite these determinations, however, the suggested historic district nonetheless still appears to be eligible for listing in the California Register of Historic Resources (California Register) and therefore is a historical resource for purposes of CEQA. The Project could therefore damage, alter, obscure or eliminate character-defining elements of the suggested U.S. Engineer Storehouse Historic District so as to cause a loss of integrity and loss of continued eligibility to the California Register. This possibility represents a *potentially significant impact*.

**Mitigation 6-2:**

Before undertaking any activity involving the suggested historic district or its contributing structures, including the removal of hazardous building materials, the City or project sponsor shall evaluate the proposed historic district and its contributing buildings, structures, landscape features and setting to identify the character-defining spaces, features, materials, spatial relationships and setting that make it significant and either:

(a) Adhere to the Secretary of the Interior's Standards for the Rehabilitation of Historic Properties in all work within and adjacent to the suggested historic district so that the integrity of the historic district and its continued eligibility to the California Register of Historic Resources is preserved.

Implementation of mitigation alternative 6-2(a) would reduce the potential impact on historical resources to a *less-than-significant level*.

Or

(b) If implementation of mitigation alternative 6-2(a) above is not feasible and a character-defining element of the historic district would be damaged, altered, obscured or eliminated so as to cause a loss of integrity and loss of continued eligibility to the California Register of Historic Resources, the project sponsor shall nevertheless implement all feasible mitigation as required by CEQA, consisting of the following measures in the following

order, to the extent feasible:

(1) Document the suggested historic district and its contributing elements before any changes that would cause a loss of integrity and loss of continued eligibility to the California Register of Historic Resources. The documentation shall adhere to the Secretary of the Interior's Standards for Architectural and Engineering Documentation. The documentation shall be made available for inclusion in the Historic American Building Survey (HABS) or the Historic American Engineering Record (HAER) Collections in the Library of Congress, the California Historical Resources Information System, the Bancroft Library, the Rio Vista Library and the Rio Vista Museum.

(2) Retain and reuse the proposed historic district's contributing buildings, structures and setting to the maximum feasible extent.

(3) Continue to apply the Standards for Rehabilitation to the maximum feasible extent in all alterations, additions and new construction within and adjacent to the proposed historic district.

(4) Relocate contributing buildings or structures to another location compatible with their original use, character and setting, preferably within the proposed Project Area, or a nearby riverfront location within or near Rio Vista.

(5) Through careful methods of planned deconstruction to avoid damage and loss, salvage character-defining features and materials for educational and interpretive use on-site or at the Rio Vista Museum, or for reuse in new construction on the site in a way that commemorates their original use and significance.

(6) Interpret the historical significance of the proposed historic district through a permanent exhibit or program within the proposed Project Area, potentially within the proposed park facilities, community center, lodge or research station.

Even with implementation of one or more of measures (1) through (6) above, there would still be a loss of continued eligibility of the suggested historic district to the California Register and therefore the potential impacts on historic resources under mitigation alternative 6-2(b) would be *significant and unavoidable*.

**Finding:** The Agency finds that the mitigation measures identified above are feasible and will be required in, or incorporated into, the Project. The Agency further finds that there are no other feasible mitigation measures available to reduce this impact, and therefore this impact will remain significant and unavoidable. The Agency further finds that, despite the mitigation measures identified in the EIR, this impact will remain significant and unavoidable.

**Impact 6-3:** **Disturbance of Paleontological Resources.** Redevelopment activities or development facilitated by the Project could potentially disrupt, alter or eliminate as-yet undiscovered paleontological resources. This would be a *potentially significant impact*.

**Mitigation 6-3:** If paleontological resources are encountered, work shall avoid altering the resource and its stratigraphic context until a qualified paleontologist has evaluated, recorded and determined appropriate treatment of the resource, in consultation with the City. Project personnel shall not collect cultural resources. Appropriate treatment may include collection and processing of “standard” samples by a qualified paleontologist to recover micro vertebrate fossils; preparation of significant fossils to a reasonable point of identification; and depositing significant fossils in a museum repository for permanent curation and storage, together with an itemized inventory of the specimens. This measure would reduce the potential impact on paleontological resources to a *less-than-significant level*.

**Finding:** The Agency finds that the mitigation measures identified above are feasible and will be required in, or incorporated into, the Project. These mitigation measures will reduce the impact to a less than significant level.

**Impact 6-4:** **Cumulative Loss of Cultural Resources.** The loss of significant historical resources caused by the Project would be a cumulatively considerable contribution to a loss of cultural resources throughout Rio Vista and the surrounding region, and thus a *significant impact*.

**Mitigation 6-4:** Adhering to the Secretary of the Interior’s Standards for the Rehabilitation of Historic Properties in all work within and adjacent to the suggested historic district would reduce the Project contribution to this cumulative impact. The feasibility of this

mitigation measure cannot be determined until the specific character-defining elements of the proposed historic district are determined. The cost, delay and limitations on development associated with this mitigation measure may make it ultimately infeasible. Therefore, the Project contribution would remain cumulatively considerable and thus *significant and unavoidable*.

**Finding:**

The Agency finds that the mitigation measures identified above are feasible and will be required in, or incorporated into, the Project. The Agency further finds that there are no other feasible mitigation measures available to reduce this impact, and therefore this impact will remain significant and unavoidable. The Agency further finds that, despite the mitigation measures identified in the EIR, this impact will remain significant and unavoidable.

**AESTHETICS**

**Impact 7-1:**

**Visual Character and Quality.** Development facilitated by the proposed Redevelopment Plan would improve the visual quality of the proposed Project Area by eliminating the existing blighting conditions and dilapidated character. The visual character of the site would be changed to a more developed condition, with a more suburban character and more contemporary architectural styles. However, if not sensitively and creatively designed, development facilitated by the Project could result in a loss of the unique visual character and “sense of place” of the proposed Project Area created by the combination of the adjacent Sacramento River and nearby Montezuma Hills and the historic waterfront complex of structures and mature trees, and thereby substantially degrade visual character and quality, adversely affect community character and conflict with General Plan policies. These possible effects represent a *potentially significant impact*.

**Mitigation 7-1.**

Future project-facilitated development shall protect, incorporate and enhance the unique visual character and “sense of place” of the proposed Project Area created by the combination of the adjacent Sacramento River and Montezuma Hills, the historic waterfront complex of buildings and structures, and the mature trees. This shall be accomplished, in part though not exclusively, by encouraging future individual development activity to incorporate either measure (a) or (b) below, as well as measures (c), (d) and (e):

- (a) Implement alternative Mitigation Measure 6-2(a) to

rehabilitate and reuse the contributing buildings, structures and setting of the proposed U.S. Engineer Storehouse Historic District in a manner that fully adheres to the Secretary of the Interior's Standards for the Rehabilitation of Historic Properties, so as to preserve its continued eligibility to the California Register of Historic Resources;

Or

(b) If alternative Mitigation Measure 6-2(a) is determined by the City to be infeasible, notwithstanding a significant and unavoidable impact related to historical resources, Project-facilitated development shall nonetheless still:

(1) Retain and reuse the proposed historic district's contributing buildings, structures and setting to the maximum feasible extent; and/or

(2) Relocate contributing buildings or structures to another location compatible with their original use, character and setting, within the proposed Project Area; and/or

(3) Through careful methods of planned deconstruction to avoid damage and loss, salvage character-defining features and materials for educational and interpretive use on-site or at the Rio Vista Museum, or for reuse in new construction on the site in a way that commemorates their original use and significance.

and

(c) Project-facilitated development shall maximize views of and connections to the river. The river shall inform the appearance and design of future development within the proposed Project Area.

(d) Implement Mitigation Measure 7-2 regarding maintenance of physical and visual public access to the Sacramento River.

(e) Preserve the existing healthy mature trees on the site, particularly the trees behind the historic waterfront complex, along the line between the upper and lower terraces on the site.

Implementation of measures (a) or (b), as well as (c), (d) and (e), would reduce the potential impact of the Project related to visual character and quality to a *less than significant level*.

**Finding:** The Agency finds that the mitigation measures identified above are feasible and will be required in, or incorporated into, the Project. These mitigation measures will reduce the impact to a less than significant level.

**Impact 7-2:** **Public Access to the River.** The “Rio Vista Principles,” set forth in the City’s General Plan, state that new development should reinforce the characteristics that make Rio Vista unique, the Sacramento River should be showcased and enhanced, and the river should be made an accessible resource for the enjoyment of Rio Vista residents and the general public. Numerous General Plan goals and policies reinforce these basic General Plan principles.

The proposed Project Area presents a unique and irreplaceable opportunity to connect the city to its waterfront, to create a memorable place, to interpret and celebrate Rio Vista’s river and Delta heritage, and to enhance community character, identity and regional visibility. No specific development program or site layout is suggested as part of the proposed Redevelopment Plan. However, if not sensitively and creatively designed, development facilitated by the Project could block physical and visual public access to the Sacramento River, and thereby substantially degrade visual quality and community character, adversely affect scenic vistas, and conflict with General Plan policies. This possibility represents a *potentially significant impact*.

**Mitigation 7-2.** Development in the proposed Project Area shall provide maximum feasible physical and visual public access to the Sacramento River, and adhere to the planning principles, public access objectives, and design guidelines contained in the San Francisco Bay Conservation and Development Commission Public Access Design Guidelines for the San Francisco Bay (San Francisco Bay Conservation and Development Commission, Shoreline Spaces, Public Access Design Guidelines for the San Francisco Bay, April 2005). With this mitigation measure, the potential impact of the Project related to visual access to the river would be *less than significant*

**Finding:** The Agency finds that the mitigation measure identified above is feasible and will be required in, or incorporated into, the Project. This mitigation measure will reduce the impact to a less than significant level.

**Impact 7-3:**

**Light, Glare and Sky Glow.** Development facilitated by the proposed Redevelopment Plan would result in additional lighting and increased light emanating from the proposed Project Area. New sources of light would be installed as part of new buildings and site improvements to illuminate entries, parking areas, sidewalks and open spaces, for safety and security, and to highlight architectural features. High intensity lighting may be used for nighttime use of sports fields and outdoor courts. If not properly designed and controlled, such lighting could: (1) cause substantial spill light, glare and sky glow that may create a nuisance for adjacent residential properties; may adversely affect nighttime views and night sky access for visitors and campers at Sandy Beach Regional Park, travelers on the State Route 160 State Scenic Highway and the Highway 12 entryway to the community, residents of neighborhoods to the north, users of the Duck Island RV Park on the east side of the river; (2) result in degradation of the City-desired small-town community character; and (3) conflict with General Plan Policy 5.19.D. Spill light, glare and sky glow could also adversely affect nocturnal ecosystems in and around the proposed Project Area and the adjacent river. This possible effect represents a *potentially significant impact*.

**Mitigation 7-3.**

Future lighting within the proposed Project Area shall conform to the Model Lighting Ordinance of the International Dark Sky Association and the Illuminating Engineering Society of North America. Implementation of this measure would reduce the light, glare and sky glow impacts of the Project to a *less than significant level*.

**Finding:**

The Agency finds that the mitigation measures identified above are feasible and will be required in, or incorporated into, the Project. These mitigation measures will reduce the impact to a less than significant level.

**Impact 7-4:**

**Obtrusive Sports Field Lighting.** Proposed redevelopment activities within the Project Area include the potential development of four baseball fields, three soccer fields, four tennis courts and outdoor basketball courts, consistent with the City's General Plan and the Parks Master Plan. There are several types of sports lighting fixtures available that would produce the required light levels for these facilities. However, less refined lighting optics or improper installation could cause spill light, glare or sky glow. As a result, nighttime sports field lighting could create a nuisance for adjacent residential properties, and adversely affect nighttime

views, night sky access, and community character. These possible effects represent a *potentially significant impact*.

**Mitigation 7-4:**

As required by Mitigation 7-3, lighting design within the proposed Project Area shall conform to the Model Lighting Ordinance of the International Dark Sky Association and the Illuminating Engineering Society of North America. The design of lighting systems for sports fields and courts shall achieve adequate control of spill light, glare and sky glow. Luminaire mounting height and optical system shall adequately limit the amount of light visible from the nearest residential property lines, the regional park, the river and other sensitive areas off-site, and avoid illumination above the level of the lights. The final design details for any illuminated sports fields shall include a community playfield lighting plan which specifies playfield lighting fixture locations and designs that only illuminate the field or court area with a sharp cut-off at the field perimeter. Light fixtures shall be selected that have total light control (i.e., fixtures that have internal optics that redirect wasted spill light downwards and are fitted with a non-reflective visor). Post-construction adjustments of the lighting system shall be performed to ensure that installed conditions meet design criteria.

With implementation of these measures, the potential nuisance impact from sports field lighting would be *less than significant*.

**Finding:**

The Agency finds that the mitigation measure identified above is feasible and will be required in, or incorporated into, the Project. This mitigation measure will reduce the impact to a less than significant level.

**TRANSPORTATION AND CIRCULATION**

**Impact 8-1:**

**SR 12--SR 84 to SR 160.** The addition of Project traffic to existing conditions would increase the daily traffic volume on the two-lane section of SR 12 between SR 84 and SR 160 from approximately 21,000 vehicles per day (VPD) to approximately 22,302 VPD. Both this existing and estimated existing-plus-Project traffic volume total exceed the capacity of 20,000 VPD for two-lane roadways with high access control. The Project-related traffic volume increase would exacerbate existing LOS F conditions. This effect would represent a *significant impact*.

**Mitigation 8-1.**

Mitigation of this impact would require widening of the section of SR 12 between SR 84 and SR 160 from one to two lanes in each

direction by either widening the existing bridge over the Sacramento River or by constructing a new bridge over the river. This improvement, if feasible, would accommodate the projected daily traffic volume and provide LOS A (volume-to-capacity ratio: 0.56) operations. With this mitigation, the Project impact would be less than significant. The Project fair share of this improvement cost would be approximately 6 percent. However, this improvement is not full-funding-assured. Additionally, SR 12 is a Caltrans facility and so this improvement would exceed the City's authority to implement. Thus, this impact would therefore remain *significant and unavoidable*.

**Finding:**

The Agency finds that the mitigation measures identified above are feasible and will be required in, or incorporated into, the Project. The Agency further finds that there are no other feasible mitigation measures available to reduce this impact, and therefore this impact will remain significant and unavoidable. The Agency further finds that, despite the mitigation measures identified in the EIR, this impact will remain significant and unavoidable.

**Impact 8-2:**

**Main Street--SR 12 to 5<sup>th</sup> Street.** The addition of Project traffic to existing conditions would increase the daily traffic volume on the section of Main Street between SR 12 and 5<sup>th</sup> Street from approximately 6,000 VPD to approximately 6,867 VPD. This volume increase would change the LOS from LOS C to LOS E. This would be a *significant impact*.

**Mitigation 8-2.**

Mitigation of this impact would require widening of the section of Main Street between SR 12 and 5<sup>th</sup> Street to a two-lane arterial by adding a center two-way left-turn lane. This improvement, if feasible, would accommodate the projected daily traffic volume and provide LOS A (volume-to-capacity ratio: 0.45) operation. This mitigation measure would thereby reduce this impact to a less than significant level. The Project fair share of this mitigation cost would be approximately 13 percent. However, this improvement would require the acquisition of right-of-way from fronting properties and is therefore considered to be infeasible. Thus, this impact would remain *significant and unavoidable*.

**Finding:**

The Agency finds that the mitigation measures identified above are feasible and will be required in, or incorporated into, the Project. The Agency further finds that there are no other feasible mitigation measures available to reduce this impact, and therefore this impact will remain significant and unavoidable. The Agency further finds

that, despite the mitigation measures identified in the EIR, this impact will remain significant and unavoidable.

**Impact 8-3:** **SR 12/Front Street Intersection.** The addition of Project traffic to existing conditions would increase peak hour traffic through the SR 12/Front Street intersection. This traffic volume increase will cause the LOS to change from LOS D to LOS F. This would be a **significant impact**.

**Mitigation 8-3.** *Mitigation Measure 8-1* would provide LOS B and C operations in the AM and PM peak hours, respectively. The Project fair share of this improvement would be approximately 6 percent. This mitigation measure, if feasible, would reduce this impact to a less than significant level; however, this improvement is not funding-assured. Additionally, SR 12 is a Caltrans facility and so this mitigation measure would exceed the City's authority to implement. Thus, this impact would remain **significant and unavoidable**.

**Finding:** The Agency finds that the mitigation measures identified above are feasible and will be required in, or incorporated into, the Project. The Agency further finds that there are no other feasible mitigation measures available to reduce this impact, and therefore this impact will remain significant and unavoidable. The Agency further finds that, despite the mitigation measures identified in the EIR, this impact will remain significant and unavoidable.

**Impact 8-4:** **Existing Plus Project Impact on Transit System Operations.** As indicated under Impacts 8-1 through 8-2 above, the addition of Project traffic to existing conditions would significantly increase existing congestion on SR 12. The Project-related increase in existing SR 4 congestion and delay would add to associated interference with transit operations. This would represent a **significant impact**.

**Mitigation 8-4.** With implementation of *Mitigation 8-1*, the Project contribution to this cumulative impact would be reduced to a less than significant level. However, *Mitigation 8-1* is not funding-assured. Additionally, SR 12 is a Caltrans facility and so this mitigation measure would exceed the City's authority to implement. Thus, this impact would remain **significant and unavoidable**.

**Finding:** The Agency finds that the mitigation measures identified above are feasible and will be required in, or incorporated into, the Project.

The Agency further finds that there are no other feasible mitigation measures available to reduce this impact, and therefore this impact will remain significant and unavoidable. The Agency further finds that, despite the mitigation measures identified in the EIR, this impact will remain significant and unavoidable.

**Impact 8-5:**

**SR 12--SR 84 to SR 160.** The addition of Project traffic to cumulative conditions in 2025 would increase the daily traffic volume on the two-lane section of SR 12 between SR 84 and SR 160 from approximately 54,800 vehicles per day (VPD) to approximately 56,102 VPD. Both this existing and existing-plus-Project traffic volume total exceed the capacity of 18,000 VPD for two-lane roadways with moderate access control. The Project-related traffic volume increase would exacerbate existing LOS F conditions. This effect would represent a *significant impact*.

**Mitigation 8-5.**

*Mitigation Measure 8-1* would provide LOS F (volume-to-capacity ratio: 1.40) operations. The Project's fair share of this improvement would be approximately 2 percent. With implementation of this mitigation measure, the Project contribution to this cumulative impact would not be significant. However, even with this improvement, SR 12 between SR 84 and SR 160 would continue to operate at LOS F. This improvement is also not funding-assured. Additionally, SR 12 is a Caltrans facility and so this improvement would exceed the City's authority to implement. Thus, this impact would remain *significant and unavoidable*.

**Finding:**

The Agency finds that the mitigation measures identified above are feasible and will be required in, or incorporated into, the Project. The Agency further finds that there are no other feasible mitigation measures available to reduce this impact, and therefore this impact will remain significant and unavoidable. The Agency further finds that, despite the mitigation measures identified in the EIR, this impact will remain significant and unavoidable.

**Impact 8-6:**

**Main Street--SR 12 to 5<sup>th</sup> Street.** The addition of Project traffic to cumulative conditions in 2025 would increase the daily traffic volume on the section of Main Street between SR 12 and 5<sup>th</sup> Street from approximately 9,400 vehicles per day (VPD) to approximately 10,267 VPD. Both this cumulative and cumulative-plus-Project traffic volume total would exceed the capacity of 8,000 VPD for a two-lane residential collector with driveways. The Project-related traffic volume increase would exacerbate projected LOS F conditions. This would be a considerable contribution and thus a *significant impact*.



The Agency further finds that there are no other feasible mitigation measures available to reduce this impact, and therefore this impact will remain significant and unavoidable. The Agency further finds that, despite the mitigation measures identified in the EIR, this impact will remain significant and unavoidable.

**Impact 8-8:**

**SR 12/Main Street-Hillside Terrace.** The addition of Project traffic to cumulative conditions in 2025 would increase peak hour traffic through the SR 12/Main Street-Hillside Terrace intersection. The Project-related traffic volume increase would cause delay to increase by five or more seconds in both the AM and PM peak hours, which would exceed the City of Rio Vista's five-second criteria for unsignalized intersections already operating unacceptably (LOS E or F) under "no project" conditions. This would be a considerable Project contribution to cumulative impact conditions and thus a *significant impact*.

**Mitigation 8-8.**

Mitigation of this cumulative-plus-Project impact would require installation of a left turn lane on both the Main Street and Hillside Terrace approaches to the SR 12/Main Street-Hillside Terrace intersection. The Project fair share of this improvement cost would be approximately 2 percent. With this improvement, this intersection would continue to operate unacceptably with LOS E and F operations in the AM and PM peak hours, respectively; however, the Project-related change in the average intersection control delay would be reduced to less than five seconds. Thus, with this measure, the Project contribution to this cumulative impact would be less than considerable and therefore *less than significant*.

**Finding:**

The Agency finds that the mitigation measure identified above is feasible and will be required in, or incorporated into, the Project. This mitigation measure will reduce the impact to a less than significant level.

**Impact 8-9:**

**SR 12/North 5<sup>th</sup> Street.** The addition of Project traffic to cumulative conditions in 2025 would increase peak hour traffic through the SR 12/North 5<sup>th</sup> Street intersection. The Project-related traffic volume increase would cause the delay to increase by five or more seconds in the AM and PM peak hours, which would exceed the City of Rio Vista's five-second criteria for unsignalized intersections already operating unacceptably (LOS E or F) under "no project" conditions. This would be a considerable Project contribution to cumulative impact conditions and thus a *significant impact*.

**Mitigation 8-9.**

Mitigation of this cumulative-plus-Project impact would require installation of a raised median on SR 12 to restrict left-out access from North 5<sup>th</sup> Street on the northbound and southbound approaches to the SR 12/North 5<sup>th</sup> Street intersection. The Project fair share of this improvement cost would be approximately 1 percent. With this improvement, this intersection would continue to operate unacceptably with LOS F operations in the AM and PM peak hours; however, the Project-related change in the average intersection control delay would be reduced to less than five seconds. Thus, with this measure, the Project contribution to this cumulative impact would be less than considerable and therefore *less than significant*.

**Finding:**

The Agency finds that the mitigation measure identified above is feasible and will be required in, or incorporated into, the Project. This mitigation measure will reduce the impact to a less than significant level.

**Impact 8-10:**

**SR 12/Front Street.** The addition of Project traffic to cumulative conditions in 2025 would increase peak hour traffic through the SR 12/Front Street intersection. The Project-related traffic volume increase would cause delay to increase by five or more seconds in the AM and PM peak hours, which would exceed the City of Rio Vista's five-second criteria for unsignalized intersections already operating unacceptably (LOS E or F) under "no project" conditions. This would be a considerable Project contribution to cumulative impact conditions and thus a *significant impact*.

**Mitigation 8-10.**

Mitigation of this cumulative-plus-Project impact would require installation of a second eastbound and westbound through lane on SR 12 to the SR 12/Front Street intersection. The Project fair share of this improvement cost would be approximately 3 percent. This improvement, which is consistent with Mitigation Measure 8-1, would provide LOS E and F operations in the AM and PM peak hours, respectively. However, the Project-related change in the average intersection control delay would be reduced to less than five seconds. Thus, with this measure, the Project contribution to this cumulative impact would be less than considerable and therefore *less than significant*.

**Finding:**

The Agency finds that the mitigation measure identified above is feasible and will be required in, or incorporated into, the Project. This mitigation measure will reduce the impact to a less than significant level.

**Impact 8-11:** **SR 12/River Road.** The addition of Project traffic to cumulative conditions in 2025 would increase peak hour traffic through the SR 12/River Road intersection. The Project-related traffic volume increase would cause delay to increase by five or more seconds in the AM and PM peak hours, which would exceed the City of Rio Vista’s five-second criteria for unsignalized intersections already operating unacceptably (LOS E or F) under “no project” conditions. This would be a considerable Project contribution to cumulative impact conditions and thus a *significant impact*.

**Mitigation 8-11.** Mitigation of this cumulative-plus-Project impact would require installation of a second through lane on eastbound and westbound SR 12 to the SR 12/River Road intersection. The project fair share of this improvement cost would be approximately 2 percent. This improvement, which is consistent with Mitigation Measure 8-1, would provide LOS E and F operations in the AM and PM peak hours, respectively. However, the Project-related change in the average intersection control delay would be reduced to less than five seconds. Thus, with this measure, the Project contribution to this cumulative impact would be less than considerable and therefore *less than significant*.

**Finding:** The Agency finds that the mitigation measure identified above is feasible and will be required in, or incorporated into, the Project. This mitigation measure will reduce the impact to a less than significant level.

**Impact 8-12:** **Cumulative-Plus-Project Impact on Transit System Operations.** As indicated under Impacts 8-5, 8-6 and 8-8 through 8-11 above, the addition of Project traffic to cumulative conditions in 2025 would significantly increase congestion on SR 12. The Project-related increase in cumulative SR 4 congestion and delay would add to associated interference with transit operations. This would represent a considerable Project contribution to cumulative conditions and thus a *significant impact*.

**Mitigation 8-12.** With *Mitigation Measures 8-1, 8-8, 8-9, 8-10 and 8-11*, the Project contribution to this cumulative impact would be less than considerable. However, the identified improvement is not funding-assured. Additionally, SR 12 is a Caltrans facility and so the improvement exceeds the City’s authority to implement. Thus, this impact would remain *significant and unavoidable*.

**Finding:**

The Agency finds that the mitigation measures identified above are feasible and will be required in, or incorporated into, the Project. The Agency further finds that there are no other feasible mitigation measures available to reduce this impact, and therefore this impact will remain significant and unavoidable. The Agency further finds that, despite the mitigation measures identified in the EIR, this impact will remain significant and unavoidable.

**BIOLOGICAL RESOURCES**

**Impact 10-1:**

**Impacts on Wetlands and Other Waters.** The proposed Project Area contains freshwater marsh, riparian and aquatic habitat areas within and adjacent to the Sacramento River which are wetlands and other waters subject to Corps jurisdiction under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act, and are regulated by the CDFG. Redevelopment actions or development facilitated by the proposed Redevelopment Plan would involve the direct removal or filling of wetlands, or other activities that could substantially alter the hydrology, soil, vegetation or wildlife of wetlands, or affect the conditions of navigable waters, representing a *potentially significant impact*.

**Mitigation 10-1:**

Before undertaking any redevelopment actions or development projects that could have a substantial adverse effect on wetlands or other waters, including construction activity within the upland areas of the proposed Project Area that could involve the discharge of sediments, the applicant shall coordinate with the U.S. Army Corps of Engineers and the California Department of Fish and Game as early as possible in the design of the project to obtain a verified jurisdictional determination and either revise the development design to avoid all effects on jurisdictional wetlands and other waters or obtain and comply with a Section 404 permit and a Lake and Streambed Alteration Agreement. During the site-specific consultation and permitting process for jurisdictional wetlands and waters, the California Department of Fish and Game (CDFG) would discuss with the individual applicant the feasibility of providing long-term protection and maintenance of sensitive habitat types within the proposed Project Area. Long-term sustainability of the beneficial functions of aquatic and terrestrial habitats could be provided through protection in perpetuity in the form of a conservation easement and include enhancement and restoration of these resources. Implementation of this jurisdictional coordination and regulatory compliance measure

would reduce the potential impact of the Project on wetlands and other waters to a *less-than-significant level*.

**Finding:**

The Agency finds that the mitigation measure identified above is feasible and will be required in, or incorporated into, the Project. This mitigation measure will reduce the impact to a less than significant level.

**Impact 10-2:**

**Impacts on Special-Status Species.** Four special-status plant and wildlife species are confirmed as occurring within the proposed Project Area, and an additional 17 special-status plant, wildlife and fish species have the potential to occur within the proposed Project Area or the adjoining river. In addition, the adjoining Sacramento River is critical habitat for two fish species. Redevelopment actions or development facilitated by the proposed Redevelopment Plan could adversely affect these special-status species or their habitats within the proposed Project Area or in the adjoining Sacramento River. Species may be affected during construction, when their habitats may be substantially altered or removed, or species may be affected by activities associated with the operation of future projects, including activities occurring within the adjoining Sacramento River. These possible effects represent a *potentially significant impact*.

**Mitigation 10-2:**

Until the Solano Multi-Species Habitat Conservation Plan (HCP) is adopted, for future individual discretionary development projects proposed within the Project Area, the applicant or, for City-initiated projects, the City, shall consult with the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG) regarding proposed activities to determine if they could result in a "take" of a federal or State protected species. Special-status species to be addressed should include all rare, threatened and endangered species which meet the definition in CEQA Guidelines Section 15380.

Additional focused surveys may be required to determine whether protected species are present. Protocol-level surveys for special-status plant species shall be conducted in suitable habitat prior to approval of future individual project-level development plans. Future botanical surveys should be conducted throughout the blooming period for plant species potentially occurring within the development area. Please refer to the recently revised CDFG protocols for surveying and evaluating impacts to rare plants available at <http://dfg.ca.gov/habcon/planUplants.html>.



**Finding:** The Agency finds that the mitigation measures identified above are feasible and will be required in, or incorporated into, the Project. These mitigation measures will reduce the impact to a less than significant level.

**Impact 10-3:** **Aquatic Invasive Species Impacts.** Future Project-facilitated development and related operations occurring in the Sacramento River adjoining the proposed Project Area, particularly boat use and mooring, may increase the spread of non-native aquatic organisms or aquatic invasive species (AIS) and thus adversely affect Delta ecosystems. AIS may be introduced and spread not only by transoceanic ships and ballast water, but by other pathways potentially resulting from the proposed Redevelopment Plan, such as biological research, hatchery operations, environmental restoration projects, and hulls, anchors and anchor chains of smaller vessels. Such effects may impede and conflict with the CALFED Bay-Delta Ecosystem Restoration Program's goal to reduce the negative impacts of invasive species and prevent additional introductions that compete with and destroy native species. The project contribution to AIS impacts would be cumulatively considerable and thus a *significant impact*.

**Mitigation 10-3:** Redevelopment actions and development facilitated by the proposed Redevelopment Plan shall demonstrate to City satisfaction employment of best management practices to reduce the spread of aquatic invasive species (AIS) as a result of construction activities and operations. Best management practices shall be determined in coordination with the California Department of Fish and Game, the State Lands Commission, and other agencies with AIS expertise and regulatory authority. Best management practices may address, but shall not be limited to decontamination of construction vehicles, equipment and gear; education and outreach to boating, fishing and other recreation; boat inspection and enforcement; and design, inspection and abatement related to docks and other structures. The effectiveness of these measures in reducing the spread of AIS cannot be accurately determined at this time. The Project contribution to this cumulative impact may therefore remain considerable and thus *significant and unavoidable*.

**Finding:** The Agency finds that the mitigation measures identified above are feasible and will be required in, or incorporated into, the Project. The Agency further finds that there are no other feasible mitigation

measures available to reduce this impact, and therefore this impact will remain significant and unavoidable. The Agency further finds that, despite the mitigation measures identified in the EIR, this impact will remain significant and unavoidable.

**Impact 10-4:**

**Impacts on Nesting Birds or Bat Nurseries.** Project-related construction activities could reduce nesting opportunities for resident and migratory bird species that are protected by the Migratory Bird Treaty Act and bats. This would be a *potentially significant impact*.

**Mitigation 10-4:**

Vegetation in the construction zones shall be trimmed or removed between September 1 and January 31 to minimize potential impacts on nesting birds. If vegetation or buildings that potentially provide nesting sites must be removed between February 1 and August 31, a qualified wildlife biologist shall conduct pre-construction surveys for nesting birds and bats. If an active nest is found, the bird shall be identified to species and the approximate distance from the closest work site to the nest estimated. No additional measures need be implemented if active nests are more than the following distances from the nearest work site: (a) 300 feet for raptors; or (b) 75 feet for other non-special-status bird species. If active nests are closer than those distances to the nearest work site and there is the potential for destruction of a nest or substantial disturbance to nesting birds due to construction activities, a plan to monitor nesting birds or bats during construction shall be prepared by a qualified biologist and submitted to the USFWS and CDFG for review and approval. Disturbance of active nests shall be avoided to the extent possible until it is determined that nesting is complete and the young have fledged. With this mitigation measure, the impact of the Project on nesting birds or bat nurseries would be *less than significant*.

**Finding:**

The Agency finds that the mitigation measure identified above is feasible and will be required in, or incorporated into, the Project. This mitigation measure will reduce the impact to a less than significant level.

**DRAINAGE AND WATER QUALITY**

**Impact 11-1:**

**Construction Impacts on Water Quality.** Construction activities within the proposed Project Area may substantially degrade the quality of Sacramento River receiving waters. Construction activities, in particular activities involving soil disturbance, excavation, cutting/filling, and grading, could result in increased

erosion on-site and sediments, pollutants and excess nutrients being carried to the adjacent Sacramento River, which would increase turbidity and sedimentation, and disrupt aquatic habitats. These possible effects represent a *potentially significant impact*.

**Mitigation 11-1.**

Construction activities shall comply with all applicable State, regional, and City water quality provisions. As required under Regional Water Quality Control Board (RWQCB) regulations, at the time of development of each public improvement or project-facilitated private development involving the grading of more than 5,000 square feet, the applicant shall: (a) file with the RWQCB a Notice of Intent to comply with the Statewide General Permit for Construction Activities; (b) prepare and implement a project-specific Storm Water Pollution Prevention Plan (including an erosion and sediment control plan) for City review and approval prior to issuance of a grading permit; and (c) implement a monitoring and reporting program to verify the effectiveness of control measures. The NPDES General Permit-required SWPPP shall address both erosion and non-point source pollution impacts (e.g., improper handling or accidental spill of toxic materials) from project construction.

The SWPPP, at a minimum, shall follow City ordinances and conform to the California Storm Water Best Management Practices Handbook, and shall include, but not be limited to, the following measures:

- Immediately re-vegetate or otherwise protect disturbed areas from both wind and water erosion upon the completion of grading.
- Schedule major work involving earth moving and excavation during the dry season (April 15 to October 15).
- Incorporate measures as necessary to protect proposed Project Area drainages from sedimentation.
- Use water bars, temporary swales and culverts, mulch and jute netting, hydroseeding, silt fences, sediment traps and sedimentation basins, as needed to prevent surface water from eroding graded areas, to retain sediment, and to collect drainage from disturbed areas and allow sediments and pollutants to settle out before discharge to the river.

- Water soils susceptible to wind erosion frequently during construction.

With implementation of this mitigation measure, Project construction impacts on water quality would be *less than significant*.

**Finding:**

The Agency finds that the mitigation measure identified above is feasible and will be required in, or incorporated into, the Project. This mitigation measure will reduce the impact to a less than significant level.

**Impact 11-2:**

**Operational Impacts on Water Quality.** Ongoing occupancy and operation of Project-facilitated development could substantially degrade water quality in the Sacramento River, which would be a *potentially significant impact*.

**Mitigation 11-2.**

The following measures shall be implemented to address Project-related potential operational impacts on water quality:

(a) Minimize impervious cover, maximize on-site infiltration, and manage Stormwater runoff to remove pollutants before discharge to the Sacramento River sufficient to meet the water quality standards of the RWQCB, using design, structural and non-structural best management practices (BMPs). BMPs may include:

- *Design and non-structural BMPs.* Smaller building footprint, vegetated roofs, pervious pavement or grid pavers, vegetated swales, rain gardens, disconnection/isolation of impervious areas.
- *Structural BMPs.* Rainwater cisterns, catch basin treatment devices, retention ponds, Stormwater harvesting for reuse in irrigation or buildings.

(b) Development shall comply with the City's Storm Water Pollution Prevention Program as set forth in the City's NPDES storm water permit. As required by the City's Stormwater Quality Control Criteria Plan (as outlined in the City's Phase 1 Stormwater NPDES permit issued by the Central Valley RWQCB), prior to the occupancy of any structure, the project proponent shall establish a maintenance entity acceptable to the City to provide funding for the operation, maintenance, and replacement costs of Stormwater BMPs.

Implementation of these mitigation measures would reduce the long-term operational impacts on water quality of Project-facilitated development to a *less than significant level*.

**Finding:**

The Agency finds that the mitigation measure identified above is feasible and will be required in, or incorporated into, the Project. This mitigation measure will reduce the impact to a less than significant level.

**Impact 11-3:**

**Future Flooding Impacts Related to Sea Level Rise.** The proposed Project Area may be subject to flooding due to sea level rise associated with climate change. With increased on-site flooding potential in the future, Project-facilitated development could place people and structures at an increased risk of injury or loss from flooding. This possibility represents a *potentially significant impact*.

**Mitigation 11-3.**

Redevelopment projects and redevelopment-facilitated development subject to flooding as a result of predicted sea level rise shall comply with Chapter 15.16, Flood Hazard Protection, of the Rio Vista Municipal Code, even if such projects do not lie within an Area of Special Flood Hazard as identified by FEMA and thus would not otherwise be subject to the requirements of Chapter 15.16. With implementation of this mitigation measure, the impact of the Project related to increased flooding as a result of sea level rise would be *less than significant*.

**Finding:**

The Agency finds that the mitigation measure identified above is feasible and will be required in, or incorporated into, the Project. This mitigation measure will reduce the impact to a less than significant level.

**Impact 12-1:**

**Construction Noise.** Redevelopment activities within the proposed Project Area, including the demolition of buildings and the construction of new roads, infrastructure, park and recreation facilities, and other improvements, as well as the construction of new development stimulated by the proposed Redevelopment Plan, would generate short-term temporary construction noise and/or groundborne vibration. Construction noise and groundborne vibration effects would result from demolition of existing structures, grading and excavation, construction of foundations (possibly including pile driving), erection of new structures, and finishing. These construction activities could expose the few existing residences across Beach Drive near the northwest and southwest corners of the Project Area, and residential apartments at

the U.S. Coast Guard Station adjacent to the Project Area to the south, to substantial temporary increases in ambient noise levels in excess of City noise standards, or to substantial temporary groundborne vibration. These possible effects represent a ***potentially significant impact***.

**Mitigation 12-1:**

To reduce noise and vibration impacts from Project-related construction activities, the following measures shall be implemented as a condition of future Project Area grading, demolition and building permit approvals:

(a) *Construction Scheduling.* Limit noise-generating construction activity within 500 feet of existing residential uses to between the hours of 7:00 AM to 7:00 PM, except on Sundays, and except in the case of emergencies (City of Rio Vista Municipal Code section 17.52.030).

(b) *Construction Equipment Mufflers and Maintenance.* Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.

(c) *Idling.* Prohibit unnecessary idling of internal combustion engines.

(d) *Equipment Location.* Locate all stationary noise-generating construction equipment, such as air compressors, as far as practical from existing nearby residences and other noise sensitive land uses. Such equipment shall also be acoustically shielded.

(e) *Quiet Equipment Selection.* Select quiet construction equipment, particularly air compressors, whenever possible. Fit motorized equipment with proper mufflers in good working order.

(f) *Noise Disturbance Coordinator.* A noise disturbance coordinator responsible for responding to any local complaints about construction noise shall be designated. The disturbance coordinator shall determine the cause of any noise complaint (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site.

With implementation of these measures, the impact of the Project related to construction noise would be ***less than significant***.

**Finding:** The Agency finds that the mitigation measure identified above is feasible and will be required in, or incorporated into, the Project. This mitigation measure will reduce the impact to a less than significant level.

**Impact 12-2:** **Traffic Noise.** The General Plan Circulation and Mobility Element acknowledges that, because there are no arterials connecting the downtown or Highway 12 from the south, future increases in through-traffic may affect residential neighborhoods along 2<sup>nd</sup> Street, which is a primarily residential collector street. Vehicle trips generated by Project Area development facilitated by the proposed Redevelopment Plan would use Beach Drive and then 2<sup>nd</sup> Street to reach central Rio Vista, then continue either west on Main Street or north on Front Street to Highway 12. Residences on Beach Drive and 2<sup>nd</sup> Street, as well as Riverview Middle School, the Rio Vista Branch Library and other potentially sensitive receptors along these routes, may be exposed to substantial increases in traffic noise--i.e., increases of 5 dBA or greater--as a result of Project-related increases in vehicular traffic. This would represent a *significant impact*.

**Mitigation 12-2:** Future individual discretionary development projects within the proposed Project Area shall be individually evaluated for associated traffic noise impacts on Beach Drive and 2<sup>nd</sup> Street. Actual future development within the proposed Project Area may result in fewer vehicle trips and smaller increases in traffic noise levels than what has been assumed in this EIR. Project-specific evaluation for individual future Project Area development applications may demonstrate that impacts would actually be less-than-significant and mitigation would not be necessary.

If the project-specific evaluation indicates that estimated noise levels on Beach Drive and 2<sup>nd</sup> Street would exceed City standards or exceed ambient noise levels by 5 dBA or more as a result of the project, then mitigation measures shall be implemented to the extent feasible to reduce noise to within the City standards and within 5dBA of ambient levels without the project. Mitigation measures may include the use of open grade asphalt paving. The use of open grade asphalt paving could provide a 2 to 3 dBA decrease in traffic noise levels. If necessary, further mitigation may include sound walls in places or extending an offer to retrofit affected noise-sensitive properties with dual-pane noise-rated windows, mechanical ventilation systems, and/or noise insulation and other noise-attenuating building materials. Depending on the

amount of noise level reduction required and the number of noise-sensitive properties affected, retrofitting measures, if necessary, may not be feasible for or desired by every affected property. Without knowing the actual amount of reduction that would be necessary, the number of affected properties and the degree of voluntary participation, the feasibility of retrofitting affected properties cannot be determined. Therefore, the traffic noise impact of the Project would remain *significant and unavoidable*.

**Finding:**

The Agency finds that the mitigation measures identified above are feasible and will be required in, or incorporated into, the Project. The Agency further finds that there are no other feasible mitigation measures available to reduce this impact, and therefore this impact will remain significant and unavoidable. The Agency further finds that, despite the mitigation measures identified in the EIR, this impact will remain significant and unavoidable.

**Impact 12-3:**

**Recreational Facility Noise.** The few existing single-family residences on Beach Drive near the northwest and southwest corners of the proposed Project Area may be exposed to a substantial increase in average ambient noise, possibly to levels exceeding City standards, as a result of noise from future sports fields, outdoor courts, playgrounds and other active recreation facilities in the Project Area. The noise levels experienced by adjacent residents would depend on the precise location of these facilities within the proposed Project Area; their distance from the nearest residential properties; the orientation, design and noise shielding features of the facilities; and the noise shielding and attenuation provided by intervening terrain and structures. Given the size of the proposed Project Area, the location and distance to adjacent residential properties, and design flexibility afforded by the vacant unencumbered site, it is reasonable to assume that the proposed recreational facilities could be developed while still maintaining noise levels at adjacent residential properties within City standards. Nevertheless, until the location and design of the recreational facilities are finalized, the potential for exposure to a permanent substantial increase in noise levels and possibly to noise levels exceeding City noise standards would represent a *potentially significant impact*.

**Mitigation 12-3:**

Future sports fields, outdoor courts and playgrounds within the proposed Project Area shall be located away from adjacent residential properties, and shall be designed, shielded and operated so that noise levels at adjacent residential properties do not exceed City noise standards. With implementation of this mitigation





This mitigation measure will reduce the impact to a less than significant level.

**Impact 13-2:**

**CO Concentration Impacts.** As explained in Chapter 8, Transportation and Circulation, Project traffic would cause or exacerbate already existing unacceptable traffic congestion at the following four intersections on Highway 12, which could cause violations of the State ambient air quality standard for CO:

- Highway 12/Front Street,
- Highway 12/Main Street,
- Highway 12/North 5<sup>th</sup> Street, and
- Highway 12/River Road.

This possible effect represents a *potentially significant impact*.

**Mitigation 13-2:**

Mitigation measures 8-3, 8-8, 8-9, 8-10 and 8-11 described in Chapter 8, Transportation and Circulation, would reduce to less than considerable the incremental contribution of Project traffic to these four intersections. However, Mitigation 8-3 is not funding assured and exceeds the City's authority to implement and thus may be infeasible. Additionally, even with implementation of Mitigations 8-8, 8-9, 8-10 and 8-11, these intersections would continue to operate at an unacceptable LOS, and so the incremental contribution of Project traffic could still cause a violation of the a State ambient air quality standard for CO. Therefore, this impact would remain *significant and unavoidable*.

**Finding:**

The Agency finds that the mitigation measures identified above are feasible and will be required in, or incorporated into, the Project. The Agency further finds that there are no other feasible mitigation measures available to reduce this impact, and therefore this impact will remain significant and unavoidable. The Agency further finds that, despite the mitigation measures identified in the EIR, this impact will remain significant and unavoidable.

**Impact 13-3:**

**Diesel Particulate Matter Exposure Impacts.** The assumed research station use could involve the storage and use of up to approximately 50 boats, potentially including one 200-foot vessel, and several 40-to-120-foot vessels. Diesel engine boats can be substantial emitters of diesel particulate matter. The nearest existing adjacent homes would be at sufficient distance (at least 600 feet away) from boats in the river to avoid an elevated health risk from boat-emitted diesel particulate matter. Based on conceptual site plans prepared for the 1998 Base Reuse Plan and

the 2001 Supplement to the Base Reuse Plan, the proposed on-site sports fields and courts would likely be located in the western portion of the proposed Project Area (more than 300 feet from the river), and thus would also be at a sufficient distance to avoid an elevated health risk. However, until the location of anticipated active recreational uses within the Project Area is finalized, it is assumed that users of active recreation facilities could be exposed to diesel particulate matter at levels that may cause an elevated health risk. This possible effect represents a *potentially significant impact*.

**Mitigation 13-3.**

Active recreation uses, such as sports fields, outdoor courts and playgrounds, shall be located at least 300 feet away from sources of diesel particulate matter or other TACs. For proposed facilities closer than 300 feet, a health risk assessment based on detailed air dispersion modeling shall be performed to verify that the health risk from exposure to diesel particulate matter would not exceed YSAQMD significance thresholds. With implementation of this measure, the impact of the Project related to exposure to diesel particulate matter would be *less than significant*.

**Finding:**

The Agency finds that the mitigation measure identified above is feasible and will be required in, or incorporated into, the Project. This mitigation measure will reduce the impact to a less than significant level.

**Impact 14-1:**

**Construction GHG Emissions.** Construction activities would generate greenhouse gas (GHG) emissions that could contribute to global climate change. This possible effect represents a *potentially significant impact*.

**Mitigation 14-1.**

The mitigation measures listed below for construction GHG emissions are in addition to the measures for short-term construction emissions of criteria air pollutants ROG and NO<sub>x</sub>, contained in Mitigation 13-1 in Chapter 13, Air Quality, which would also serve to reduce GHG emissions. Construction activities within the Project Area shall implement the following measures:

- (a) At least 15 percent of construction vehicles and equipment shall be alternative-fueled (e.g., biodiesel, electric);
- (b) At least 10 percent of building materials used in all new construction, additions and

alterations shall be locally sourced building materials; and

(c) At least 50 percent of construction and demolition waste shall be recycled.

With these measures, Project impacts related to construction GHG emissions would be considered *less than significant*.

**Finding:**

The Agency finds that the mitigation measure identified above is feasible and will be required in, or incorporated into, the Project. This mitigation measure will reduce the impact to a less than significant level.

**Impact 14-2:**

**Long-Term GHG Emissions from Operations.** The assumed 244,500 square feet of non-residential development facilitated by the proposed Redevelopment Plan would generate an estimated total of approximately 5,178 MT per year of CO<sub>2</sub> emissions. Based on an estimated service population of 240, the Project would result in CO<sub>2</sub> emissions of approximately 21.6 MT per year per service population, which would exceed the significance threshold applied in this EIR of 6.6 MT per year per service population (based on the proposed significant guidelines of the Bay Area Air Quality Management District). Estimated GHG emissions from ongoing occupancy and operation of development in the Project Area would therefore represent a considerable contribution to the significant cumulative impact of global climate change, representing a *potentially significant impact*.

**Mitigation 14-2.**

The following measures shall be implemented for future discretionary development applications within the proposed Project Area, unless project-specific evaluation for a future individual project under consideration demonstrates that mitigation is not required because GHG emissions would be less than the air quality management district thresholds of significance:

(a) The on-site segment of the Class 1 bike path and multi-use trail identified in the City's General Plan and the Parks Master Plan, and off-site segments of the multi-use trail connecting north to Riverview Middle School, Rio Vista High School and the nearest public sidewalk on 2nd Street, and south to Sandy Beach Regional Park, should be developed and available to serve future community recreation uses developed within the proposed Project Area.

(b) Employers with over 20 employees should implement a transportation demand management (TDM) program, which

includes some combination of the following measures to City satisfaction:

- preferential carpool parking,
- carpool matching program,
- dedicated employee transportation coordinator,
- information provided on transportation alternatives,
- secure bike parking,
- showers and changing facilities,
- alternative work schedules, and
- telecommuting options.

(c) At least 15 percent of fleet vehicles and boats associated with the planned delta research center should be alternative-fueled (e.g., biodiesel, electric).

(d) Shore power connections should be provided for boats to minimize engine idling and GHG emissions-generating auxiliary power sources.

(e) Boat idling time should be limited to five (5) minutes when not in use, unless more time is required per engine manufacturer's specifications or for safety reasons.

(f) All buildings should exceed California Code of Regulations Title 24 Energy Efficiency Standards. Related Title 24 calculations should be prepared and signed by a California Association of Building Energy Consultants (CABEC) certified energy plans examiner (CEPE).

(g) On-site renewable energy systems that produce either electricity and/or thermal energy for on-site use should be considered, in addition to

passive solar energy efficiency strategies.

(h) New construction, additions and alterations should adhere to California Green Building Code standards.

(i) Buildings with a floor area greater than 10,000 square feet should achieve Leadership in Energy and Environmental Design (LEED) New Construction Certification or equivalent.

(j) Roofing materials and paving should have a high solar reflective index (preferably a Solar Reflectance Index greater than 29 percent or a solar reflectance greater than 0.3).

(k) Existing healthy mature trees in the Project Area should be preserved and maintained.

(l) Paved areas within 50 feet of buildings should be shaded by trees, shrubs, or shading elements.

(m) Sports field lighting should employ high efficiency lighting design and equipment.

The effectiveness of such measures in reducing the GHG emissions of future development within the proposed Project Area to below the threshold of significance cannot be determined. Therefore, the incremental contribution of the Project to the cumulative impact of global climate change would remain considerable and thus *significant and unavoidable*.

**Finding:**

The Agency finds that the mitigation measures identified above are feasible and will be required in, or incorporated into, the Project. The Agency further finds that there are no other feasible mitigation measures available to reduce this impact, and therefore this impact will remain significant and unavoidable. The Agency further finds that, despite the mitigation measures identified in the FIR, this impact will remain significant and unavoidable.

**HAZARDS AND HAZARDOUS MATERIALS**

**Impact 15-1:**

**Emergency Response Impacts.** Beach Drive and 2<sup>nd</sup> Street provide the only direct access between the proposed Project Area and central Rio Vista. The Rio Vista Fire Department (RVFD) fire station is located at 350 Main Street in downtown Rio Vista. The response time goal for RVFD is four minutes. The Rio Vista Police Department (RVPD) operates out of 50 Poppy House Road in the downtown. RVPD has a response time goal of three minutes or less for 911 emergency calls and 10 minutes or less for non-emergency calls. Second Street is subject to occasional flooding where it crosses Marina Creek just north of Beach Drive. If flood waters are deep enough and not passable, emergency vehicles would need to travel an indirect route via Highway 12, Amerada Road, Emigh Road, and Montezuma Road, which would substantially increase emergency response times to and from the

proposed Project Area. Development facilitated by the proposed Redevelopment Plan would therefore place additional people and property at risk due to longer response times associated with occasional flooding of 2<sup>nd</sup> Street at the Marina Creek crossing. The contribution of the Project to this existing emergency response condition would be cumulatively considerable and thus a *potentially significant impact*.

**Mitigation 15-1.**

The Project shall fund its fair share contribution of improvements to 2<sup>nd</sup> Street at the Marina Creek crossing to provide uninterrupted access by emergency vehicles during flooding conditions and thus maintain adequate emergency response times to the proposed Project Area. This mitigation measure would reduce this impact to a less than significant level; however, no such improvements are currently planned, and the timing of improvements is uncertain. Thus, this impact would remain *significant and unavoidable*.

**Finding:**

The Agency finds that the mitigation measures identified above are feasible and will be required in, or incorporated into, the Project. The Agency further finds that there are no other feasible mitigation measures available to reduce this impact, and therefore this impact will remain significant and unavoidable. The Agency further finds that, despite the mitigation measures identified in the EIR, this impact will remain significant and unavoidable.

**IV. FINDINGS REGARDING ALTERNATIVES TO THE PROJECT**

CEQA requires that an environmental impact report describe a range of reasonable alternatives to the Project or to the location of the Project which could feasibly attain the basic objectives of the Project and to evaluate the comparative merits of the alternatives. Section 15126(d)(1) of the State CEQA Guidelines states that the “discussion of alternatives shall focus on alternatives to the project or to its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.”

As more particularly set forth in Section 18 of the EIR, the Project was compared to the following alternatives: No Build Alternative, No Project Alternative, Redevelopment Plan with Reuse of Historic District Alternative, Redevelopment Plan without Parks and Recreation Alternative, and the Redevelopment Plan with Delta Interpretive Center Alternative.

The following discussion briefly summarizes the listed alternatives.

**Alternative 1: No Build**

The CEQA Guidelines require evaluation of a No Project alternative and require the No Project analysis to "discuss the existing conditions at the time the (EIR) notice of preparation is published...as well as what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans." Accordingly, Alternative 1: No Build, is included in Chapter 18 to compare the effects of the Project with existing conditions, and Alternative 2: No Project, is included to compare the effects of the Project with future conditions without the Project. Alternative 1: No Build would maintain the existing conditions as described in the "Setting" sections of each environmental topic chapter in this EIR. There would be no development within the proposed Project Area and existing blighting conditions would remain.

### **Alternative 2: No Project**

Under this alternative, the Redevelopment Plan would not be adopted. The proposed redevelopment Project Area would not be established, tax increment revenue would not accrue, redevelopment activities would not be undertaken within the proposed Project Area, and affordable housing projects and programs funded by the portion of tax increment revenue that would go to the Housing Set-Aside Fund would not occur. Asbestos and lead abatement, site preparation, the installation of needed roads and infrastructure, and development and revitalization of the proposed Project Area in accordance with the General Plan would eventually occur, but would be very substantially delayed. This alternative would ultimately result in the same mixture and intensity of development within the proposed Project Area as the Project, but only half as much development would occur within the 2030 time frame analyzed in this EIR.

### **Alternative 3: Redevelopment Plan with Reuse of Historic District**

This alternative would consist of the adoption and implementation of the Redevelopment Plan, with the rehabilitation and reuse of the existing buildings and facilities within the proposed Project Area that are contributing elements to the previously-suggested "U.S. Engineer Storehouse Historic District" in a manner that fully adheres to the Secretary of the Interior's Standards for the Rehabilitation of Historic Properties, so that the integrity of the suggested historic district and its continued eligibility to the California Register of Historic Resources is preserved. This alternative is intended to avoid the significant and unavoidable impact of the Project on historic resources. A portion of redevelopment resources would be committed toward the additional costs of rehabilitation. The development assumptions and other aspects of this alternative would be the same as with the Project.

### **Alternative 4: Redevelopment Plan without Parks and Recreation**

This alternative would involve the adoption and implementation of the Redevelopment Plan, but without the expenditures for park and recreation facilities currently identified as part of the Project. Specifically, the multi-purpose community center, outdoor sports fields and courts, children's park, picnic area and public restrooms would not be provided. The estimated \$5.5 million in tax increment funds anticipated to be used for these facilities under the Project would instead be used for other redevelopment activities within the proposed Project Area, such as

infrastructure improvements, site preparation, asbestos and lead clean-up, rehabilitation of buildings and structures, and economic development incentives. This alternative is intended to provide additional funding to more directly stimulate economic development within the proposed Project Area, to reflect the emerging possibility of the use of the proposed Project Area solely for a research station, and to avoid the significant traffic impacts identified in Chapter 8, Transportation. In order to reduce the number of vehicle trips and avoid significant traffic impacts, this alternative would also slightly reduce the size of the lodge to 130 rooms. The total building floor area would be reduced by 9 percent. The remaining development assumptions and other aspects of the Redevelopment Plan would be the same as with the Project.

#### **Alternative 5: Redevelopment Plan with Delta Interpretive Center**

This alternative reflects the emerging possibility of the near-term development within the proposed Project Area of an approximately 10,000 square foot Sacramento-San Joaquin Delta interpretive center, and associated parking lot and nature trail. The interpretive center would feature interactive exhibits that teach visitors about the River and Delta environment. The City has been in discussions with resources agencies wishing to partner with the City in the project and is currently pursuing grant assistance in funding its development.

The interpretive center and parking lot would be located on the upper terrace portion of the proposed Project Area just to the west of the water tower. The nature trail would extend from the interpretive center down to the waterfront and along a portion of the waterfront, with educational displays along the trail. An educational "habitat restoration area," consisting of a small wetland located by the river on the south side of the former marine railway, may be developed in a separate, later development phase.

This alternative would still involve the adoption and implementation of the Redevelopment Plan, and ultimately the same intensity of development within the proposed Project Area by 2030 as the Project. The mix of land uses assumed to be developed by 2030 would be the same, except that the community center would be reduced in size by 10,000 square feet and the 10,000 square foot interpretive center would be included in its place. The 10,000 square foot interpretive center, and associated parking lot and nature trail, would be developed first.

#### **D. Environmentally Superior Alternative**

The CEQA Guidelines (section 15126[e][2]) stipulate, "If the environmentally superior alternative is the 'no project' alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives." Other than the No Build and No Project alternatives, Alternative 4: Redevelopment without Park and Recreation Facilities would result in the least adverse environmental impacts, and would therefore be the "environmentally superior alternative." This conclusion is based on the comparative impact conclusions in Table 18-2 and, in particular, on the avoidance of significant and unavoidable traffic impacts (Impacts, 8-1, 8-2, 8-3, 8-4, 8-5, 8-6, 8-7, and 8-12). This alternative would also avoid significant impacts (Impacts 7-4 and 13-3) or reduce significant impacts (Impacts 7-3, 13-1, 13-2, 14-1 and 14-2) for which feasible mitigation measures have been identified.

## V. STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires a public agency to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. As set forth in Part III hereof, the Agency has determined that the unavoidable environmental consequences of the Project are the following:

- a. Loss of Historic Resources. The Project could damage, alter, obscure or eliminate character-defining elements of the U.S. Engineer Store House Historic District, as suggested in the 1997 historic resource evaluation report prepared for the U.S. Army Corps of Engineers, which could be eligible for listing in the California Register of Historic Resources, so as to cause a loss of integrity and loss of continued eligibility to the California Register.
- b. Cumulative Loss of Cultural Resources. The loss of significant historical resources caused by the Project would be a cumulatively considerable contribution to a loss of cultural resources throughout Rio Vista and the surrounding region.
- c. Transportation/Circulation Impact: SR 12 between SR 84 and SR 160. The addition of Project traffic to existing conditions would increase the daily traffic volume on the two-lane section of SR 12 between SR 84 and SR 160 from approximately 21,000 vehicles per day (VPD) to approximately 22,302 VPD. The Project-related traffic volume increase would exacerbate existing Level of Service(LOS) F conditions.
- d. Transportation/Circulation Impact: Main Street between SR 12 and 5<sup>th</sup> Street. The addition of Project traffic to existing conditions would increase the daily traffic volume on the section of Main Street between SR 12 and 5<sup>th</sup> Street from approximately 6,000 VPD to approximately 6,867 VPD. This volume increase would change the LOS from LOS C to LOS E.
- e. Transportation/Circulation Impact: SR 12/Front Street Intersection. The addition of Project traffic to existing conditions would increase peak hour traffic through the SR 12/Front Street intersection. This traffic volume increase will cause the LOS to change from LOS D to LOS F.
- f. Transportation/Circulation Impact: Transit System Operations. The addition of Project traffic to existing conditions would significantly increase existing congestion on SR 12. The Project-related increase in existing SR 4 congestion and delay would add to associated interference with transit operations.
- g. Cumulative Transportation/Circulation Impact: SR 12 between SR 84 and SR 160. The addition of Project traffic to cumulative conditions in 2025 would

increase the daily traffic volume on the two-lane section of SR 12 between SR 84 and SR 160 from approximately 54,800 VPD to approximately 56,102 VPD. Both this existing and existing-plus-Project traffic volume total exceed the capacity of 18,000 VPD for two-lane roadways with moderate access control. The Project-related traffic volume increase would exacerbate existing LOS F conditions.

- h. Cumulative Transportation/Circulation Impact: Main Street between SR 12 and 5<sup>th</sup> Street. The addition of Project traffic to cumulative conditions in 2025 would increase the daily traffic volume on the section of Main Street between SR 12 and 5<sup>th</sup> Street from approximately 9,400 VPD to approximately 10,267 VPD. Both this cumulative and cumulative-plus-Project traffic volume total would exceed the capacity of 8,000 VPD for a two-lane residential collector with driveways. The Project-related traffic volume increase would exacerbate projected LOS F conditions.
- i. Cumulative Transportation/Circulation Impact: Main Street between 5<sup>th</sup> Street and 2<sup>nd</sup> Street. The addition of Project traffic to cumulative conditions in 2025 would increase the daily traffic volume on the section of Main Street between 5<sup>th</sup> Street and 2<sup>nd</sup> Street from approximately 6,400 VPD to approximately 7,222 VPD. Both this cumulative and cumulative-plus-Project traffic volume total would exceed the capacity of 8,000 VPD for two-lane residential collector with driveways. The Project-related traffic volume increase would change the LOS from LOS D to LOS E.
- j. Cumulative Transportation/Circulation Impact: Impact on Transit System Operations. As indicated under Impacts 8-5, 8-6 and 8-8 through 8-11 above, the addition of Project traffic to cumulative conditions in 2025 would significantly increase congestion on SR 12. The Project-related increase in cumulative SR 4 congestion and delay would add to associated interference with transit operations.
- k. Aquatic Invasive Species Impacts. Future Project-facilitated development and related operations occurring in the Sacramento River adjoining the proposed Project Area, particularly boat use and mooring, may increase the spread of non-native aquatic organisms or aquatic invasive species (AIS) and thus adversely affect Delta ecosystems. AIS may be introduced and spread not only by transoceanic ships and ballast water, but by other pathways potentially resulting from the proposed Redevelopment Plan, such as biological research, hatchery operations, environmental restoration projects, and hulls, anchors and anchor chains of smaller vessels. Such effects may impede and conflict with the CALFED Bay-Delta Ecosystem Restoration Program's goal to reduce the negative impacts of invasive species and prevent additional introductions that compete with and destroy native species.

- l. Traffic Noise. The General Plan Circulation and Mobility Element acknowledges that, because there are no arterials connecting the downtown or Highway 12 from the south, future increases in through-traffic may affect residential neighborhoods along 2<sup>nd</sup> Street, which is a primarily residential collector street. Vehicle trips generated by Project Area development facilitated by the proposed Redevelopment Plan would use Beach Drive and then 2<sup>nd</sup> Street to reach central Rio Vista, then continue either west on Main Street or north on Front Street to Highway 12. Residences on Beach Drive and 2<sup>nd</sup> Street, as well as Riverview Middle School, the Rio Vista Branch Library and other potentially sensitive receptors along these routes, may be exposed to substantial increases in traffic noise--i.e., increases of 5 dBA or greater--as a result of Project-related increases in vehicular traffic.
  
- m. Carbon Monoxide Concentration Impacts. As explained in Chapter 8, Transportation and Circulation, Project traffic would cause or exacerbate already existing unacceptable traffic congestion at the following four intersections on Highway 12, which could cause violations of the State ambient air quality standard for carbon monoxide:
  - Highway 12/Front Street,
  - Highway 12/Main Street,
  - Highway 12/North 5<sup>th</sup> Street, and
  - Highway 12/River Road.
  
- n. Long-Term Greenhouse Gas Emissions from Operations. The assumed 244,500 square feet of non-residential development facilitated by the proposed Redevelopment Plan would generate an estimated total of approximately 5,178 MT per year of CO<sub>2</sub> emissions. Based on an estimated service population of 240, the Project would result in CO<sub>2</sub> emissions of approximately 21.6 MT per year per service population, which would exceed the significance threshold applied in this EIR of 6.6 MT per year per service population (based on the proposed significant guidelines of the Bay Area Air Quality Management District). Estimated GHG emissions from ongoing occupancy and operation of development in the Project Area would therefore represent a considerable contribution to the significant cumulative impact of global climate change
  
- o. Emergency Response Impacts. Beach Drive and 2<sup>nd</sup> Street provide the only direct access between the proposed Project Area and central Rio Vista. The Rio Vista Fire Department (RVFD) fire station is located at 350 Main Street in downtown Rio Vista. The response time goal for RVFD is four minutes. The Rio Vista Police Department (RVPD) operates out of 50 Poppy House Road in the downtown. RVPD has a response time goal of three minutes or less for 911 emergency calls and 10 minutes or less for non-emergency calls. Second Street is subject to occasional flooding where it crosses Marina Creek just north of Beach Drive. If flood waters are deep enough and not passable, emergency vehicles



- e. **Attract the Rio Vista Estuarine Research Station.** As discussed in the EIR, the Interagency Ecological Program is interested in the proposed Project Area as an ideal location for a Rio Vista Estuarine Research Station. The Project would enhance the City's ability to assist the Department of Water Resources in locating the facility within the proposed Project Area.
  
- f. **Help Meet the City's Need for Affordable Housing.** As required by California Community Redevelopment Law section 33334.2, 20 percent of the proposed Project Area tax increment revenue would be deposited into a housing fund for the purposes of increasing, improving and preserving the community's supply of low and moderate income housing, both inside and outside the City's redevelopment areas.

**EXHIBIT B**

**MITIGATION MONITORING AND REPORTING PROGRAM**

[To Be Inserted.]