

FINAL ENVIRONMENTAL IMPACT REPORT
RIO VISTA ARMY RESERVE CENTER
REDEVELOPMENT PLAN

STATE CLEARINGHOUSE #2010012028

Prepared by

CITY OF RIO VISTA

January 2011

CONTENTS

	<u>Page</u>
1. INTRODUCTION	1-1
1.1 Relationship Between Draft EIR and Final EIR	1-1
1.2 Proposed Project Summary	1-1
2. RESPONSES TO COMMENTS ON THE DRAFT EIR	2-1
2.1 List of Draft EIR Commenters	2-2
2.2 Responses to September 8, 2010 Planning Commission Meeting Comments on the Draft EIR	2-3
2.3 Responses to October 13, 2010 Planning Commission Meeting Comments on the Draft EIR	2-13
2.4 Responses to Written Comments Received on the Draft EIR	2-23
3. REVISIONS TO THE DRAFT EIR	3-1

1. INTRODUCTION

1.1 RELATIONSHIP BETWEEN DRAFT EIR AND FINAL EIR

The Final Environmental Impact Report (Final EIR) for the proposed Rio Vista Army Reserve Center Redevelopment Plan has been prepared by the City of Rio Vista (City), the Lead Agency, in keeping with state environmental documentation requirements set forth in the California Environmental Quality Act (CEQA). The City has prepared the Final EIR pursuant to the CEQA Guidelines, including sections 15086 (Consultation Concerning Draft EIR), 15088 (Evaluation of and Response to Comments), and 15132 (Contents of Final Environmental Impact Report). In conformance with these guidelines, the Final EIR consists of the following **two volumes**:

(1) the **Draft EIR**, which was circulated for a 45-day public review and comment period on August 31, 2010 and circulated for a 45-day State agency review and comment period on September 9, 2010; and

(2) this **Final EIR document**, which includes a list of all commenters on the Draft EIR during and immediately after the Draft EIR public review period; the minutes of the September 8 and October 13 Planning Commission meetings and public hearing on the Draft EIR; verbatim versions of all written communications (letters) received during and immediately after the Draft EIR review period; the responses of the EIR authors to all environmental points raised during these public meetings and hearings and in these written communications; and associated revisions to the Draft EIR.

Both volumes of the Final EIR are available for public review at the City of Rio Vista Community Development Department, City Hall, One Main Street, Rio Vista.

The responses to comments included in this document are correlated to the Planning Commission public hearing minutes and letters by code numbers, which have been posted in the right hand margin of the minutes, letters and notice.

1.2 PROPOSED PROJECT SUMMARY

This summary should not be relied upon for a thorough understanding of the details of the project, its individual impacts, and related mitigation needs. Please refer to Draft EIR Chapter 3 for a complete description of the project, and Chapters 4 through 18 for a complete description of identified environmental impacts, mitigation measures, and alternatives.

1.2.1 Project Area Characteristics

The proposed Project Area is an approximately 28.16-acre parcel (Assessor's Parcel Number 0049-320-060) in the City of Rio Vista, California. The parcel, which extends 2,052 feet along Beach Drive and approximately 1,600 feet along the Sacramento River, and is approximately

680 feet wide. The property was used between 1911 and 1989 by the U.S. Army as a maintenance and storage facility, and for training of marine-oriented reserve units. The facility was deactivated in 1989, formally closed in 1995, conveyed by the Army to the City in 2003, and annexed to the City in 2006. There are 14 buildings, with a total floor area of 56,415 square feet, and 10 other facilities remaining within the proposed Project Area from the former military uses. The proposed Project Area is characterized by physical and economic blighting conditions.

1.2.2 Proposed Project

The City is proposing to establish a redevelopment Project Area encompassing the former Rio Vista Army Reserve Center and adopt an associated redevelopment plan. These actions--i.e., the "Project"--would establish the redevelopment Project Area, an associated tax increment limit within the Project Area of \$50 million, a bond debt limit within the Project Area of \$15 million, a period to incur debt of 20 years, a Plan effectiveness period of 30 years, and a time period for collection of tax increment/repayment of debt of 45 years. Anticipated redevelopment activities within the Project Area include infrastructure improvements; toxics clean-up; the development of a possible estuarine research station, community facilities, and recreational facilities; and the establishment of general rehabilitation and economic development incentives. The EIR assumes eventual development of up to 244,000 square feet of building space, including a 110,000 square feet research station, 150-room lodge, 9,000 square feet restaurant, and 21,000 square feet community center; plus 12.3 acres of parks and sports fields.

2. RESPONSES TO COMMENTS ON THE DRAFT EIR

After completion of the Draft EIR, the Lead Agency (the City) is required under CEQA Guidelines sections 15086 (Consultation Concerning Draft EIR) and 15088 (Evaluation of and Response to Comments) to consult with and obtain comments from other public agencies having jurisdiction by law with respect to the Project, and to provide the general public with an opportunity to comment on the Draft EIR. Under CEQA Guidelines section 15088, the Lead Agency is also required to respond in writing to substantive environmental points raised in this Draft EIR review and consultation process.

The Draft EIR was circulated for public review and comment on August 31, 2010 and for State agency review and comment on September 9, 2010. The required 45-day public review period (for state review) on the Draft EIR began on September 9, 2010. A public hearing to receive oral comments on the Draft EIR was conducted by the City of Rio Vista Planning Commission at its regular meetings on September 8, 2010 and October 13, 2010. The state-mandated minimum 45-day public review period on the Draft EIR ended on October 25, 2010.

Comments on the Draft EIR were submitted in the form of public testimony received at the September 8, 2010 and October 13, 2010 Planning Commission meetings, and four letters received by the City during the Draft EIR review period. Five Planning Commission members commented on the Draft EIR at the Planning Commission meetings.

CEQA Guidelines section 15132 (Contents of Final Environmental Impact Report), subsection (b), requires that the Final EIR include the full set of "comments and recommendations received on the Draft EIR either verbatim or in summary"; section 15132, subsection (c), requires that the Final EIR include "a list of persons, organizations, and public agencies commenting on the Draft EIR"; and section 15132, subsection (d), requires that the Final EIR include "the responses of the Lead Agency to significant environmental points raised in the review and consultation process." In keeping with these guidelines, this Responses to Comments chapter includes the following sections:

- a **list of Draft EIR commenters** (section 2.1) which lists each Planning Commission member that testified during the September 8 and October 13, 2010 Planning Commission meetings, and each individual and organization that submitted written comments (letters) to the City during the Draft EIR review period;
- a **responses to Planning Commission meeting questions and comments** section, which includes the minutes of the September 8, 2010 (section 2.2) and October 13, 2010 (section 2.3) Planning Commission meetings and public hearing on the Draft EIR, followed by a summary of and response to each comment pertaining to Draft EIR content or adequacy; and
- a **responses to written comments** section (section 2.4), which includes copies of the four letters received, followed by a summary of and response to each comment therein pertaining to Draft EIR content or adequacy.

2.1 LIST OF DRAFT EIR COMMENTERS

The organizations, individuals, and Planning Commission members who commented on the Draft EIR at the September 8 and October 13, 2010 Planning Commission meetings, and in writing during the Draft EIR review period, are listed below alphabetically. Each Planning Commission meeting and each letter received is also identified by a code in parentheses--e.g., Planning Commission meetings PC 1 and PC 2; and letters L 1, L 2, L 3, etc. The code numbers are chronological in the general order that the meetings occurred and letters were received.

2.1.1 Planning Commission Meetings

Anne Catherine Bowcutt (PC 2, PC 6, PC 7, PC 11)
Mary Ellen Lamothe (PC 1)
Mark McTeer, Chair (PC 4, PC 8)
Planning Commission member (PC 10)
Norman Richardson (PC 3 and PC 5)
Everett Upham (PC 9)

2.1.2 Responsible and Interested Agencies

Charles Armor, Regional Manager, Bay Delta Region, California Department of Fish and Game (L 4)
James Herota, Staff Environmental Scientist, Central Valley Flood Protection Board (L 2)

2.1.3 Individuals and Organizations

Anne Catherine Bowcutt, Rio Vista Planning Commission (L 3)
Mark McTeer, AIA, Chairman, Rio Vista Planning Commission (L 1)

2.2 RESPONSES TO SEPTEMBER 8, 2010 PLANNING COMMISSION MEETING COMMENTS ON THE DRAFT EIR

The following section includes the minutes of the September 8, 2010 Planning Commission meeting and public hearing pertaining to the adequacy of the Draft EIR, followed by a written response to each comment pertaining to the content or adequacy of the Draft EIR or a substantive environmental point. The comments and responses are correlated by code numbers added to the right margin of the minutes.

Rio Vista Planning Commission

MINUTES

Wednesday, September 8, 2010 at 7 p.m.

City Council Chambers

One Main Street

Rio Vista, California 94571

PC

Meeting called to order at 7:10 pm

Roll Call

Present: Chairman McTeer, Vice Chairman Upham, Commissioner Bowcutt, Cohn, Lamothe, Richardson, Van Nieuwburg

Absent: None

Staff: Acting Community Development Director Emi Theriault,

1. Public Comments

Lynne Hansen reported that more needs to be done for planning of Economic Development. Seek development, rather than respond to it.

2. Action Item: Review and approval of August 11, 2010 Planning Commission meeting minutes.

Commissioner Lamothe asked why minutes were almost verbatim, rather than summary.

Motion by Commissioner Cohn, second Commissioner Richardson to approve August 11, 2010 minutes with amendment to item 5 motion carried: Vote 7-0

3. Action Item: Review and consideration of recommendation of approval for a General Plan Amendment (GP 10-001) for update to the Housing Element and of a Mitigated Negative Declaration for environmental impacts associated with the proposed land use regulatory document update.

Commissioner Lamothe asked for clarification regarding revision.

Commissioner Bowcutt question regarding design criteria page 6-8 paragraph 3. She thinks unique character of Rio Vista and would like to see more specific language due to learning curve. Revise to include: Developments' design shall incorporate features that are recognizable landforms associated with Rio Vista such as: The Waterfront, Montezuma Hills, and/or historic architectural details.

The Commission consensus was that implementation is important

Motion by Commissioner Richardson, second Commissioner Van Nieuwburg to adopt revised draft resolution of the General Plan Amendment (GP 10-001) for update to the Housing Element and of a Mitigated Negative Declaration for environmental impacts associated with the proposed land use regulatory document update motion carried: Vote 7-0

4. Action Item: Review and consideration of Draft Environmental Impact Report for the Army Base Redevelopment Plan; public hearing to discuss scope of EIR and to direct adjunct staff regarding preparation of additional studies as needed. Action on certification of Final EIR will be taken by the City Council at a separate meeting.

Consultant gave an overview of the RDA Plan and EIR. EIR review 0.2 FAR. The consultant provided a Power Point illustrating key matters. He also clarified the Public Review period is 9/xx – 10/xx, while the State comment period would be extended through October 25, 2010

Chairman McTeer asked if item can be continued given the 45 day comment period.

Commissioner Lamothe asked for confirmation that the Planning Commission should focus study on Executive summary. She also noted most impacts were insignificant. Traffic impacts would not be significant until build out.

**PC 1
PC 1.01**

Commissioner Bowcutt asked if non FAR would be limited to open space?

**PC 2
PC 2.01**

The consultant said no, it could include parking no structural.

Commissioner Bowcutt asked if plan recommended not to reusing building.

PC 2.02

Consultant said EIR does not recommend that but the significance is based on overall district. If modifications to building would result in diminishment of historic character, then input would be significant; re: recreational uses, sports complexes, if any should be limited to adults. EIR should also consider uses to each other.

Commissioner Richardson question regarding traffic impacts?

**PC 3
PC 3.01**

Consultant clarified that improvements to State Highway 12 would be CalTrans responsibility. He also explained it would entail additions of second through lane.

Chairman McTeer was glad reports takes most conservative approach but was wondering if specific projects would be considered less than significant.

**PC 4
PC 4.01**

Consultant stated yes depends on intensity.

Chairman McTeer also glad historic district addressed, but concerned that individual structures not identified as significant.

PC 4.02

Consultant stated that the Army letters conclude not historical significant at National level, but significant at State level.

Commissioner Richardson clarified National Registry determination does not affect potential State designation.

**PC 5
PC 5.01**

Consultant stated character defining features not specified to date.

Commissioner Bowcutt spoke to historic preservation of building, not only architecturally building should be considered.

PC 6
PC 6.01

5. Continued Item: General Plan policy implementation; Downtown cultural and historic plan.

Item continued to next regular meeting.

6. Continued Item: Planning Commission responsibilities and purview; review of General Plan policies.

Commissioners discussed and would like a summary; this item will be continued to the next regular meeting.

7. Consideration of Reports of Chairperson, Commissioners and Staff

Commissioner Richardson spoke on the National Historic Area Presentation.

8. Correspondence and Distribution of planning education materials

There were none.

9. Adjournment

With no further business, the meeting was adjourned at 9:05 pm.

Emi Theriault
Secretary to the Planning Commission

PC 1 Lamothe, Planning Commission member

Comment PC 1.01: Commissioner Lamothe noted that traffic impacts will not be significant until buildout.

Response: All three of the traffic analysis scenarios evaluated in the Draft EIR (Existing Plus Project Conditions, Cumulative Year 2025 Conditions, and Cumulative Year 2025 Plus Project Conditions) assume full buildout of the proposed Project Area. For purposes of “worst-case” environmental analysis, the Draft EIR assumed that the proposed Redevelopment Plan would result in full buildout of the type and maximum intensity of development allowed by the “Army Base Reuse Area Special District” General Plan land use designation. The EIR assumes that the proposed Redevelopment Plan would facilitate the development of a total of 244,500 square feet within the proposed Project Area, including a 110,000 square foot research station, 150-room lodge with meeting and retail space (104,000 square feet), 9,000 square foot restaurant, and 21,000 square foot multi-purpose community center; plus 12.3 acres of recreation space.

Full buildout of the proposed Project Area with this assumed mix of uses would generate a total of approximately 2,606 daily trips, including 255 AM peak hour trips and 256 PM peak hour trips, and would result in the significant traffic impacts identified in Chapter 8 of the Draft EIR.

In addition, the Draft EIR analysis of cumulative year 2025 traffic conditions assumes buildout of the Riverwalk, Trilogy, Gibbs Ranch, Brann Ranch and Del Rio Hills developments.

As shown by the analysis of comparative traffic impacts under Alternative 4, depending on the actual mix of land uses that is developed, significant traffic impacts may occur before full buildout of the maximum amount of development allowed by the General Plan. The Draft EIR also analyzed an alternative that would reduce the amount of development on the site and the number of trips generated, and thereby avoid identified significant traffic impacts. Alternative 4: Redevelopment Without Parks and Recreation, would reduce the number of vehicle trips generated by development within the proposed Project Area to approximately 2,000 daily trips, 604 fewer trips than the Project, representing a 23 percent reduction, which would be sufficient to avoid significant traffic impacts. Other combinations of development which would result in a similar reduction in the number of peak hour trips would also avoid significant traffic impacts.

PC 2 Anne Catherine Bowcutt, Planning Commission member

Comment PC 2.01: Commissioner Bowcutt asked whether portions of the site not included in the developed floor area would be limited to open space.

Response: The Draft EIR assumed that the proposed Redevelopment Plan would facilitate the development of a total of 244,500 square feet of building floor area within the proposed Project Area. As shown in Table 3.6 of Chapter 3, Project Description, the Draft EIR assumed the remainder of the 28-acre proposed Project Area would be developed with parkland, sports fields and outdoor courts, internal streets, trails, parking and driveways, and outdoor storage.

Comment PC 2.02: Commissioner Bowcutt asked whether the Plan recommended not reusing the existing buildings on the site.

Response: The Redevelopment Plan does not specify any specific development program. The Plan contains no specific provisions regarding the existing buildings within the proposed Project Area and has no direct effect on the disposition of these structures.

Impact 6-2, Loss of Historic Resources, in the Draft EIR notes that redevelopment activities under the proposed Redevelopment Plan, including construction of development projects facilitated by the Plan, could damage or eliminate the character defining features or setting of the contributing buildings and structures within the suggested U.S. Engineer Storehouse Historic District. If such changes to individual structures were sufficient to cause a loss of district integrity, this would be a significant impact on historic resources under CEQA. The Draft EIR includes mitigation (Mitigation 6-2), which provides for reusing the existing buildings in a way that preserves district integrity. However, the Draft EIR also acknowledges in Mitigation 6-2 that in some cases, it can be very challenging to accommodate the needs of new uses while avoiding a loss of individual building integrity and, in many situations, it can be altogether infeasible. It cannot be determined at this time whether it would be feasible to mitigate to a less than significant level the historic resources impacts of future redevelopment activities under the proposed Redevelopment Plan. If reusing the existing buildings in a way that avoids a loss of district integrity is determined to be infeasible, then the Draft EIR recommends documenting the suggested historic district and its contributing elements before any changes that would cause a loss of integrity, reusing the buildings and structures to the maximum feasible extent, relocating the buildings to another location, salvaging character-defining features and materials for interpretation or for reuse in new construction, and/or interpreting the proposed historic district through a permanent exhibit or program.

PC 3 Richardson, Planning Commission member

Comment PC 3.01: Commissioner Richardson asked about the recommended mitigation measure for traffic impacts at the Highway 12/Front Street intersection.

Response: Impact 8-10 in the Draft EIR identifies a significant traffic impact at the SR 12/Front Street intersection with the addition of Project traffic to peak hour cumulative conditions in 2025. The estimated Project-related traffic volume increase would cause delay to increase by approximately 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. Mitigation of this impact would require installation of a second eastbound and westbound through lane on SR 12 to the SR 12/Front Street intersection. This mitigation measure would reduce this impact to a less-than-significant level.

PC 4 Mike McTeer, Planning Commission Chairman

Comment PC 4.01: Chairman McTeer noted the Draft EIR takes a conservative approach and asked whether specific projects would be considered less-than-significant.

Response: As set forth under CEQA, the scope of this first tier program EIR is limited to description of those project-related environmental impacts and mitigation measures that can be identified at this time, without being highly speculative. The more detailed impacts of future individual redevelopment actions resulting from the Redevelopment Plan that are not yet specifically known are not described in this program EIR; rather, the CEQA-required environmental review of such subsequent individual actions will be undertaken at a later time, if and when such actions come before the City in the form of a more detailed development application or public improvement project. At that time, when the details of the individual action are sufficiently defined, the action will be subject to its own, site-specific, environmental determination by the City that the action either: (1) is fully covered within the scope of this EIR (in which case no new environmental document would be required), (2) is exempt from CEQA under section 15061 (Review for Exemption) of the CEQA Guidelines, (3) warrants preparation of a Negative Declaration or Mitigated Negative Declaration under section 15070 (Decision to Prepare a Negative or Mitigated Negative Declaration) of the CEQA Guidelines, or (4) warrants preparation of a Subsequent EIR or Supplemental EIR limited to certain site-specific issues under sections 15162 (Subsequent EIRs and Negative Declarations) or 15163 (Supplement to an EIR) of the CEQA Guidelines.

CEQA Guidelines section 15168(c) (Program EIR--Use with Later Activities) details how this program EIR can be used with future activities to determine whether additional environmental documentation is needed. If applicable, feasible mitigation measures and alternatives developed in this program EIR must be incorporated into future activities within the Project Area. If the City determines under section 15162 (Subsequent EIRs and Negative Declarations) that no new environmental effects would occur and no new mitigation measures would be required in connection with a later activity, the City can approve the activity as being within the scope of this program EIR, and no additional environmental documentation would be required. For site-specific activities, a checklist (such as the Initial Study checklist) may be used to determine whether the environmental effects of the activity were covered in this program EIR. (See appendix 21.1 of the Draft EIR for a further explanation of the "program EIR" purpose and application.)

Comment PC 4.02: Chairman McTeer expressed concern that individual historic structures are not identified as significant.

Response: The Draft EIR findings regarding historic resources are based upon a 1997 historic resource evaluation report prepared for the U.S. Army Corps of Engineers by JRP Historical Consulting Services. The 1997 historic resource evaluation report concluded that none of the structures remaining within the proposed Project Area appeared to be individually eligible for listing in the National Register of Historic Places (National Register). Twelve of the buildings and structures, originally constructed by the Corps of Engineers to support dredging activities for its Sacramento River Flood Control Project (1914-1944), collectively appeared to be eligible for listing as a historic district, suggested by the JRP report as the "U.S. Engineer Storehouse Historic District."

PC 5 Richardson, Planning Commission member

Comment PC 5.01: Commissioner Richardson clarified National Registry determination does not affect potential State designation.

Response: The State Historic Preservation Officer (SHPO) maintains the California Register of Historic Resources (California Register, or CRHR). Properties listed, or formally designated eligible for listing, in the National Register are automatically listed in the California Register.

The Draft EIR findings regarding historic resources are based upon a 1997 historic resource evaluation report prepared for the U.S. Army Corps of Engineers by JRP Historical Consulting Services. The 1997 historic resource evaluation report concluded that twelve of the buildings and structures, originally constructed by the Corps of Engineers to support dredging activities for its Sacramento River Flood Control Project (1914-1944), collectively appeared to be eligible for listing on the National Register as a historic district, suggested by the JRP report as the "U.S. Engineer Storehouse Historic District."

Subsequent to issuance of the 1997 report, the Army determined that no buildings at the Rio Vista Army Reserve Center individually or collectively met the eligibility requirements for inclusion in the National Register. The State Historic Preservation Officer (SHPO) concurred with the Army determination that no buildings individually or collectively met the eligibility requirements for inclusion in the National Register. This SHPO concurrence in the Army finding remains a conclusive determination that there are no historical resources eligible for the National Register within the proposed Project Area.¹

PC 6 Anne Catherine Bowcutt, Planning Commission member

Comment 6.01: Commissioner Bowcutt spoke to historic preservation of buildings, not only architecturally significant buildings should be considered.

Response: Comment acknowledged. To be potentially eligible for individual listing on the CRHR, a structure must usually be more than 50 years old, must have historic significance, and must retain its physical integrity. In terms of historic significance, the California Register of Historical Resources evaluates a resource based on the following four criteria:

- *Criterion 1 (Event):* Resources associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.
- *Criterion 2 (Person):* Resources associated with the lives of persons important to local, California or national history.
- *Criterion 3 (Design/Construction):* Resources that embody the distinctive characteristics of a type, period, region or method of construction, or that represent the work of a master or possess high artistic values.

¹Mark Beason, State Historian II, California Office of Historic Preservation, Project Review Unit. Personal communication with Ricardo Bressanutti, Wagstaff/MIG, January 11, 2010.

- *Criterion 4 (Information Potential):* Resources that have yielded or have the potential to yield information important to the prehistory or history of the local area, California or the nation.

The Draft EIR recommends preservation and reuse of the 12 existing buildings and structures within the proposed Project Area on the basis of both their contribution to the unique visual character and “sense of place” of the site (Mitigation 7-1) as well as their status as their contribution to a potential (previously suggested) U.S. Engineer Storehouse Historic District. The potential historic district represents a “historical resource” for purposes of CEQA (Mitigation 6-2). Mitigation 6-2 provides for reusing the existing buildings in a way that preserves the historic integrity of the potential district by adhering to the Secretary of the Interior’s Standards for the Rehabilitation of Historic Properties in all work within the suggested historic district. Mitigation 7-1 requires that project-facilitated development protect, incorporate and enhance the unique visual character and “sense of place” of the proposed Project Area by, in part, preservation and reuse of the historic waterfront complex of buildings and structures.

2.3 RESPONSES TO OCTOBER 13, 2010 PLANNING COMMISSION MEETING COMMENTS ON THE DRAFT EIR

The following section includes the minutes of the October 13, 2010 Planning Commission meeting pertaining to the adequacy of the Draft EIR, followed by a written response to each comment pertaining to the content or adequacy of the Draft EIR or a substantive environmental point. The comments and responses are correlated by code numbers added to the right margin of the minutes.

Rio Vista Planning Commission

DRAFT AGENDA

Wednesday, October 13, 2010 at 7 p.m.

City Council Chambers

One Main Street

Rio Vista, California 94571

PC

Meeting called to order at 7:00 pm

Roll Call

Present: Vice Chairman Upham, Commissioner Bowcutt, Cohn, Lamothe, Richardson, Van Nieuwburg

Absent: Chairman McTeer

Staff: Acting Community Development Director Emi Theriault

Public Comments

Carolyn Bruce, resident on Montezuma Street had comments on the Ram Hotel she also stated concerns regarding police calls, parking, and the number of beds. Ms. Bruce suggested using alley on the side for parking and put a sound wall. She also asked if there would be transit, and will there be laundry and cooking services on site

Commissioners asked Ms. Bruce to put a letter together with her notes.

Commissioner Bowcutt asked if she supported the use if parking was addressed. Ms. Bruce stated yes she would.

- 1. Continued Action Item: Review and consideration of Draft Environmental Impact Report for the Army Base Redevelopment Plan; public hearing to discuss scope of EIR and to direct adjunct staff regarding preparation of additional studies as needed. Action on certification of Final EIR will be taken by the City Council at a separate meeting.**

Commissioner Bowcutt had questions outside area housing; she also had questions regarding financial analysis and if an example such as, what would the tax increment be if there was a \$20 million dollar project. Commissioner Bowcutt asked about other alternatives, such as more recreation.

PC 7
PC 7.01

Public Hearing

Opened at 7:47 pm

There were no comments.

Closed at 7:48 pm

Vice Chairman Upham read Chairman McTeer's written comments. Chairman McTeer has concerns regarding size of lodge and historic preservation.

PC 8
PC 8.01
PC 8.02

Vice Chairman Upham agreed he stated that the approach is conservative. He also had a question regarding adding language to "background or executive summary" regarding the development scope is greater than the city would ultimately be willing or able to approve for the site because this is a conservative analysis and impact, especially traffic impacts, are likely to be less. Commissioner Van Nieuburg agreed.

PC 9
PC 9.01

Commissioner reiterated the supplemental Economic Analysis and suggested less development.

PC 10
PC 10.01

Commissioner Bowcutt pointed out a sport complex was considered but was to much development.

PC 11
PC 11.01

Motion by Commissioner Richardson, second Commissioner Cohn to adopt Resolution with suggested language: Vote 6-0

2. Action Item: Review and approval of September 8, 2010 Planning Commission meeting minutes.

Motion by Commissioner Van Nieuwburg, second Commissioner Bowcutt to approve September 8, 2010 minutes with amendment to item 7 motion carried: Vote 6-0

3. Consideration of Reports of Chairperson, Commissioners and Staff

Commissioner Richardson gave a report on National Heritage Area, an area designated by Congress.

Benefits are primary economic development. Much of the focus is on tourism and support of local areas of interest.

Concerns are that people think it is a historic area e.g.: land use authority, but it is a heritage area. They do not get into land use planning.

Commissioner Richardson proposes to have the Resolution of support go to Council for inclusion of Rio Vista in the area.

4. Correspondence and Distribution of planning education materials

There was not correspondence.

5. Adjournment

With no further business the meeting was adjourned at 8:20 pm

PC 7 Anne Catherine Bowcutt, Planning Commission member

Comment PC 7.01: Commissioner Bowcutt asked about an alternative with more recreation.

Response: In accordance with Section 15126.6(a) of the CEQA Guidelines, the Draft EIR evaluates a feasible range of alternatives that meet most of the basic objectives of the Project and would avoid or substantially lessen the significant effects of the proposed Redevelopment Plan. An alternative that includes more recreation was not among the alternatives evaluated. However, depending on the specific mixture and layout of recreational uses, such an alternative may have similar impacts to those already identified in the Draft EIR.

The development assumptions used in the Draft EIR include the following recreational facilities: a 12.3 acre community park; a 21,000 square foot multi-purpose community center with indoor hardwood courts, outdoor active recreation areas with three soccer fields or four ballfields; outdoor basketball courts and four tennis courts; a 2-acre Children's Delta Discovery Park; and a multi-use Primary Trail and riverfront promenade. These facilities are based upon and consistent with the uses for the site contained in the City's General Plan, Base Reuse Plan and Parks Master Plan. The development assumptions used in the Draft EIR represent full buildout of the maximum intensity of development allowed by General Plan.

PC 8 Mike McTeer, Planning Commission Chairman

Comment PC 8.01: Chairman McTeer expressed concern about the size of the lodge included in the development assumptions.

Response: For purposes of "worst-case" environmental analysis, the Draft EIR assumed that the proposed Redevelopment Plan would result in full buildout of the type and maximum intensity of development allowed by the "Army Base Reuse Area Special District" General Plan land use designation. The Draft EIR assumed that the proposed Redevelopment Plan would facilitate the development of a total of 244,500 square feet of building floor space within the proposed Project Area, including a 150-room lodge with meeting and retail space (104,000 square feet).

The Draft EIR development assumptions were also based upon the development concepts set forth in the 1998 Base Reuse Plan and 2001 Supplemental Economic Analysis. The 1998 Reuse Plan market-feasible preferred concept plan included a 50-room lodge/country inn retreat/conference center with meeting rooms for 100 persons, a small café/coffee shop and a small retail shop, as well as a community center, park and recreational facilities. The 2001 Base Reuse Plan Supplemental Economic Analysis evaluated the financial feasibility, economic benefits and fiscal implications of a 75-room lodge-retail-restaurant use.¹ Although, for purposes of "worst-case" environmental analysis, the Draft EIR assumed full buildout of the maximum intensity of development allowed by the City's General Plan, which is slightly different and greater than the mixture of uses in the 1998 Base Reuse Plan and the 2001 Supplemental Economic

¹Brion & Associates, Rio Vista Army Reserve Center Reuse Plan Supplemental Economic Analysis, July 2001.

Analysis, the Draft EIR is still generally consistent with the range of uses that have long been considered for the site.

Comment PC 8.02: Chairman McTeer expressed concern about historic preservation.

Response: Chapter 6, Cultural and Historic Resources, of the Draft EIR describes the existing historic resources within the proposed Project Area. Twelve of the existing buildings and structures within the proposed Project Area, originally constructed by the Corps of Engineers to support dredging activities for its Sacramento River Flood Control Project (1914-1944), appear to be collectively eligible for the California Register of Historic Resources (California Register) as a “U.S. Engineer Storehouse Historic District,” and therefore appear to be contributors to the integrity of the potential historic district; the potential historic district represents a “historical resource” for purposes of CEQA. A substantial adverse change in the significance of this historical resource would be a significant effect under CEQA.¹

Impact 6-2, Loss of Historic Resources, in the Draft EIR notes that redevelopment activities under the proposed Redevelopment Plan, or the construction of development projects facilitated by the Plan, could damage or eliminate the character defining features or setting of the contributing buildings and structures within the suggested U.S. Engineer Storehouse Historic District. If such changes were sufficient to cause a loss of integrity, this would be a significant impact on an historic resource under CEQA.

The Draft EIR includes mitigation (Mitigation 6-2), which provides for reusing the existing buildings in a way that preserves the historic integrity of the district. However, the Draft EIR also acknowledges in Mitigation 6-2 that in some cases, it can be very challenging to accommodate the needs of new uses while avoiding a loss of district integrity and, in many situations, it can be altogether infeasible. It cannot be determined at this time whether it would be feasible to mitigate to a less than significant level the impacts of redevelopment activities and development under the proposed Redevelopment Plan. If reusing the existing buildings in a way that avoids a loss of district integrity is infeasible, then the Draft EIR recommends documenting the suggested historic district and its contributing elements before any changes that would cause a loss of integrity, reusing the buildings and structures to the maximum feasible extent, relocating the buildings to another location, salvaging character-defining features and materials for interpretation or for reuse in new construction, and/or interpreting the proposed historic district through a permanent exhibit or program.

PC 9 Upham, Planning Commission member

Comment PC 9.01: Commissioner Upham requested that the Draft EIR explain that the development assumptions are conservative and greater than the City would be able or willing to approve for the site, and that therefore the identified impacts, especially traffic impacts, are likely to be less.

¹Mark Beason, State Historian II, California Office of Historic Preservation, Project Review Unit. Personal communication with Ricardo Bressanutti, Wagstaff/MIG, January 11, 2010.

Response: For purposes of “worst-case” environmental analysis, the Draft EIR assumed that the proposed Redevelopment Plan would result in full buildout of the maximum intensity of development allowed by the City’s General Plan. These development assumptions are based upon and consistent with the uses for the site contained in the City’s General Plan, 1998 Base Reuse Plan and 2001 Supplemental Economic Analysis, and Parks Master Plan, as well as the City’s discussions with State agencies regarding a proposed research station.

The Draft EIR, in Chapter 2, Summary (p. 2-4); Chapter 3, Project Description (p. 3-20); Chapter 5, Population, Housing and Employment (p. 5-6); and Chapter 12, Noise (pp. 12-13 and 12-14) already explains that the development assumptions that underlie the impact findings and recommended mitigations are for EIR analysis purposes only and may be conservatively high.

The Draft EIR also analyzed Alternative 4, Redevelopment Without Parks And Recreation, which would reduce the amount of development on the site and the number of trips generated, and thereby avoid significant traffic impacts and reduce air quality, greenhouse gas emissions and noise impacts. Alternative 4 would also reduce the number of vehicle trips generated by development within the proposed Project Area to approximately 2,000 daily trips, 604 fewer trips, a 23 percent reduction, which would be a sufficient reduction to avoid significant traffic impacts. Any other combination of development which would result in a similar reduction in the number of peak hour trips would also avoid significant traffic impacts.

Chapter 8, Transportation (p. 8-1), of the Draft EIR has been revised to also note that the development assumptions that underlie the impacts and mitigations are for EIR analysis purposes only and may be conservatively high. The revisions also explain that Alternative 4, Redevelopment Without Parks And Recreation, analyzed in Chapter 18, Alternatives to the Proposed Project, would reduce the amount of development on the site and the number of trips generated, and would thereby avoid significant traffic impacts, and that any other combination of development which would result in a similar reduction in the number of peak hour trips would also avoid significant traffic impacts.

PC 10 Planning Commission member

Comment 10.01: Commissioner reiterated the Rio Vista Army Base Reuse Plan 2001 Supplemental Economic Analysis and suggested less development.

Response: The Draft EIR development assumptions were based upon the development concepts set forth in the 1998 Base Reuse Plan and 2001 Supplemental Economic Analysis. However, for purposes of “worst-case” environmental analysis, the Draft EIR assumed full buildout of the maximum intensity of development allowed by the City’s General Plan, which is slightly different and greater than, but still generally consistent with, the mixture of uses in the 1998 Base Reuse Plan and the 2001 Supplemental Economic Analysis.

The Rio Vista Army Base Reuse Plan (“Reuse Plan”), originally prepared in 1998 and supplemented in 2001, set forth a vision for the reuse of the proposed Project Area. Although the Plan itself did not establish official City policy with respect to the land, the Plan did serve as the basis for the subsequently adopted General Plan designation and

policies that pertain to the site. The 1998 Reuse Plan market-feasible preferred concept plan included the following specific uses:

- a 21,000-square-foot multi-purpose community center;
- outdoor active recreation areas with three soccer fields or four ballfields, outdoor basketball courts and four tennis courts;
- a 2-acre Children's Delta Discovery Park;
- a riverfront promenade and a small public marina/cove with a few temporary berths for visitors;
- a 50-room lodge/country inn retreat/conference center with meeting rooms for 100 persons, a small café/coffee shop and a small retail shop;
- a 9,000-square-foot free-standing restaurant with some retail;
- a camping area and recreational vehicle park;
- a picnic area;

When the Reuse Plan was prepared in 1998, no user of a marine research facility was identified as having the need or resources for a facility in Rio Vista at that time, so a research facility was not included in the plan. The 2001 Base Reuse Plan Supplemental Economic Analysis reevaluated the financial feasibility of a marine research facility, and compared the research facility to the lodge-retail-restaurant use recommended by the 1998 Reuse Plan in terms of jobs, city revenue and economic multiplier effects. The 2001 supplemental analysis concluded that a research facility was a realistic project and was financially feasible.¹

The Draft EIR, in Chapter 2, Summary (p. 2-4); Chapter 3, Project Description (p. 3-20); Chapter 5, Population, Housing and Employment (p. 5-6); and Chapter 12, Noise (pp. 12-13 and 12-14) explains that the development assumptions that underlie the impact findings and recommended mitigations are for EIR analysis purposes only and may be conservatively high. Chapter 8, Transportation (p. 8-1), of the Draft EIR has been revised to also note that the development assumptions that underlie the impacts and mitigations are for EIR analysis purposes only and may be conservatively high. The revisions also explain that Alternative 4, Redevelopment Without Parks And Recreation, analyzed in Chapter 18, Alternatives to the Proposed Project, would reduce the amount of development on the site and the number of trips generated, and would thereby avoid significant traffic impacts, and that any other combination of development which would result in a similar reduction in the number of peak hour trips would also avoid significant traffic impacts and reduce air quality, greenhouse gas emissions and noise impacts.

PC 11 Anne Catherine Bowcutt, Planning Commission member

Comment 11.01: Commissioner Bowcutt said a sports complex was considered but was too much development.

Response: The proposed Redevelopment Plan merely establishes a redevelopment project area, a tax increment limit, a bond debt limit, a period to incur debt, a Plan

¹Brion & Associates, Rio Vista Army Reserve Center Reuse Plan Supplemental Economic Analysis, July 2001, pages 1-2.

effectiveness period, and a time period for collection of tax increment/repayment of debt. The Redevelopment Plan does not establish any specific development program.

The development assumptions used in the Draft EIR for environmental analysis purposes include the following recreational facilities: a 12.3 acre community park; a 21,000 square foot multi-purpose community center with indoor hardwood courts, outdoor active recreation areas with three soccer fields or four ballfields; outdoor basketball courts and four tennis courts; a 2-acre Children's Delta Discovery Park; and a multi-use Primary Trail and riverfront promenade. The facilities assumed in the Draft EIR for environmental analysis purposes are based upon and consistent with the uses for the site identified in the City's General Plan, Base Reuse Plan and Parks Master Plan.

The Parks Master Plan delineates five potential community park sites throughout the city, including one potential Army Base Community Park within the proposed Project Area. The Parks Master Plan describes this potential community park as including four lighted soccer or ballfields located on the portion of the park set back from the river. In addition, the Parks Master Plan recommends eight new hardball and softball fields and four new soccer fields either at the Army Base Community Park or at a Sports Complex somewhere else in the city. The Parks Master Plan also identifies a citywide need for three additional basketball courts and four new tennis courts, in new neighborhood or community park sites. The facilities assumed in the Draft EIR for environmental analysis purposes are consistent with these uses for the site identified in the Parks Master Plan.

2.4 RESPONSES TO WRITTEN COMMENTS RECEIVED ON THE DRAFT EIR

The following section includes copies of letters received during the Draft EIR public review period, each followed by written responses to each comment on the content or adequacy of the Draft EIR or on a substantive environmental point. The comments and responses are correlated by code numbers added to the right margin of each letter.

October 4, 2010

Emi Theriault
Acting Community Development Director
City of Rio Vista
Post Office Box 745
Rio Vista, CA 94571

Dear Emi,

I have reviewed the Draft EIR and found it to be thorough. I was concerned the loss of historical and cultural resources would be glossed over yet was surprised to see the weight placed on these impacts considering no official determination of historical significance was ever achieved.

I do question one assumption that is repeated throughout the document which is the 150 room lodge. I understand the EIR assumes that the Project *could* facilitate the maximum intensity of development allowed by the City’s General Plan, but I believe including a 150 room lodge in the environmental equation is misleading.

L1.01

First of all, a lodge of that size was never included in the Rio Vista Army Reserve Center Reuse Plan Supplemental Economic Analysis (SEA) or the 2001 General Plan. Although the SEA considered a 50-100 room lodge, it also found it to be financially infeasible at the time. The current economic crisis and projected recovery doesn’t improve its viability. Also considering the property’s physical and legal restraints, a 75-150 room lodge would be hard to achieve given the combined uses prescribed in the Project Assumptions and Project Alternatives 2, 3, 4, and 5. (Table 18.1)

The significant and unavoidable traffic related impacts derived from the 150-room lodge assumption is deceptive. Even though the Report concludes the reduction of lodge rooms (in conjunction with the elimination of a few other items listed on page 18-10) “would be enough to avoid the significant and unavoidable traffic impacts”, this is not easily gleaned without reading the entire report. I would like to see this clarified and highlighted earlier in the document.

L1.02



Mark McTeer, AIA
Chairman, Rio Vista Planning Commission
183 Main Street, Suite A
Rio Vista, CA 94571
(707) 374-5100

L 1. Mark McTeer, AIA, Chairman, Rio Vista Planning Commission, October 4, 2010

Comment L 1.01: The development assumptions used in the Draft EIR, in particular, the inclusion of a 150-room lodge, are overly intensive, not feasible and therefore misleading.

Response: Please see response herein to similar comment PC 8.02 by the same commenter. For purposes of “worst-case” environmental analysis, the Draft EIR assumed that the proposed Redevelopment Plan would result in full buildout of the maximum intensity of development allowed by the City’s General Plan. The Draft EIR development assumptions were also based upon the development concepts set forth in the 1998 Base Reuse Plan and 2001 Supplemental Economic Analysis. The 1998 Reuse Plan market-feasible preferred concept plan included a 50-room lodge/country inn retreat/conference center with meeting rooms for 100 persons, a small café/coffee shop and a small retail shop, as well as a community center, park and recreational facilities. The 2001 Base Reuse Plan Supplemental Economic Analysis evaluated the financial feasibility, economic benefits and fiscal implications of a 75-room lodge-retail-restaurant use.¹ Although, for purposes of “worst-case” environmental analysis, the Draft EIR assumed full buildout of the maximum intensity of development allowed by the City’s General Plan, which is slightly different and greater than the mixture of uses in the 1998 Base Reuse Plan and the 2001 Supplemental Economic Analysis, the Draft EIR is still generally consistent with the range of uses that have long been considered for the site.

In response to this comment, Chapter 8, Transportation (p. 8-1), of the Draft EIR has been revised to note that the development assumptions that underlie the impacts and mitigations are for EIR analysis purposes only and may be conservatively high.

Comment L 1.02: The significant unavoidable traffic impacts due to the 150-room lodge assumption is deceptive. Also, the conclusion on Draft EIR page 18-10 that a reduction in lodge rooms, together with the elimination of certain other uses included in the development assumptions, would be enough to avoid the significant unavoidable traffic impacts should be highlighted earlier in the document.

Response: The Draft EIR, in Chapter 2, Summary (p. 2-4); Chapter 3, Project Description (p. 3-20); Chapter 5, Population, Housing and Employment (p. 5-6); and Chapter 12, Noise (pp. 12-13 and 12-14) explains that the development assumptions that underlie the impact findings and recommended mitigations are for EIR analysis purposes only and may be conservatively high. In response to this comment, Chapter 8, Transportation (p. 8-1), of the Draft EIR has been revised to note that the development assumptions that underlie the impacts and mitigations are for EIR analysis purposes only and may be conservatively high. The revisions also explain that Alternative 4, Redevelopment Without Parks And Recreation, analyzed in Chapter 18, Alternatives to the Proposed Project, would reduce the amount of development on the site and the number of trips generated to approximately 2,000 daily trips, 604 fewer trips, a 23 percent reduction, and thereby avoid significant traffic impacts, and that any other

¹Brion & Associates, Rio Vista Army Reserve Center Reuse Plan Supplemental Economic Analysis, July 2001.

combination of development which would result in a similar reduction in the number of peak hour trips would also avoid significant traffic impacts.

CENTRAL VALLEY FLOOD PROTECTION BOARD

3310 El Camino Ave., Rm. 151
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0682
PERMITS: (916) 574-0685 FAX: (916) 574-0682



October 11, 2010

Emi Theriault
City of Rio Vista
One Main Street
Rio Vista, California 94571

Dear Ms. Theriault:

Subject: Rio Vista Army Reserve Center Redevelopment Plan
Draft Environmental Impact Report SCH No. 2010012028

Staff for the Central Valley Flood Protection Board has reviewed the subject document and provides the following comments:

The proposed project is located within the jurisdiction of the Central Valley Flood Protection Board (Formerly known as The Reclamation Board). The Board is required to enforce standards for the construction, maintenance and protection of adopted flood control plans that will protect public lands from floods. The jurisdiction of the Board includes the Central Valley, including all tributaries and distributaries of the Sacramento River, the San Joaquin River, and designated floodways (Title 23 California Code of Regulations (CCR), Section 2). **L2.01**

A Board permit is required prior to starting the work within the Board's jurisdiction for the following:

- The placement, construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction, encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee (CCR Section 6);
- Existing structures that predate permitting or where it is necessary to establish the conditions normally imposed by permitting. The circumstances include those where responsibility for the encroachment has not been clearly established or ownership and use have been revised (CCR Section 6);
- Vegetation plantings will require the submission of detailed design drawings; identification of vegetation type; plant and tree names (i.e. common name and scientific name); total number of each type of plant and tree; planting spacing and irrigation method that will be within the project area; a complete vegetative management plan for maintenance to prevent the interference with flood control, levee maintenance, inspection and flood fight procedures (Title 23, California Code of Regulations CCR Section 131).

Ms. Emi Theriault
October 11, 2010
Page 2 of 2

The permit application and Title 23 CCR can be found on the Central Valley Flood Protection Board's website at <http://www.cvfpb.ca.gov/>. Contact your local, federal and state agencies, as other permits may apply.

If you have any questions please contact me by phone at (916) 574-0651, or via email at jherota@water.ca.gov .

Sincerely,



James Herota
Staff Environmental Scientist
Floodway Protection Section

cc: Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814

L 2 James Herota, Staff Environmental Scientist, Central Valley Flood Protection Board,
October 11, 2010

Comment L 2.01: The proposed Project Area is located within the jurisdiction of the Central Valley Flood Protection Board. A Board permit is required prior to certain types of work with the Board's jurisdiction.

Response: Comment acknowledged. In response, Chapter 11, Drainage and Water Quality (p. 11-7), of the Draft EIR has been revised to explain that the proposed Project Area is located within the jurisdiction of the Central Valley Flood Protection Board and a Board permit would be required prior to certain types of work with the Board's jurisdiction.

October 13, 2010

Emi Theriault
Acting Community Development Director
City of Rio Vista
Post Office Box 745
Rio Vista, CA 94571

Dear Emi,

I would like to submit my public comment via email to meet the deadline of October 14, 2010.

I have reviewed the Draft EIR for the Army Base and I have three major concerns that I would like to voice.

The first, though I understand that the EIR is to consider the most intensive development of the parcel, I feel that proposed development exceeds the site’s capacity and as such does not represent the true environmental impact of developing the site and is therefore misleading. I concur with Planning Commission Chairman McTeer’s comments regarding the 150 room lodge in this regard. The alternative proposes research facilities, of which two are actively being considered, a 150 room lodge and a competition sports fields, tennis courts and an interpretive center among other details. This level of development would have unavoidable and significant impacts that cannot be mitigated specifically to traffic in our rural, historic small town and I feel the level of proposed development and use would ultimately degrade the site to below it’s highest best use. However, a more reasonable alternative is not considered. It goes straight to no parks and recreation component in Alternative 4.

L3.01

Second, I am pleased that the EIR confirms that the historic buildings as a group are eligible for historic designation. In my opinion, the only satisfactory mitigation measure is preservation, reuse and repurposing these buildings. The large white warehouse is actually a spectacular space and I sincerely hope that the architects for both the research center and fish hatchery find ways to utilize and incorporate these buildings into their design proposals for the space. These buildings are character defining. Having placed 530 properties on the National Registry as President of St. Vincent Hill Neighborhood Association, I am very versed in historic preservation. Also, if Rio Vista wants to promote itself to green minded business, then reuse is the most “green” response. Having a throw away mentality is antithetical to green principals. These buildings, in capable hands, can be restored in a way to give pride and a continued sense of place that we value in our small river town.

L3.02

Third, the draft EIR proposed development is inconsistent with the conclusions and developed priorities we have in our thorough Parks Master Plan. Most specifically is choosing this site for anything approximating a sports complex that according to the Parks Master Plan needs a minimum of 20 acres whereas the site is approx. only 28 acres

L3.03

in total – this would be a mistake. The Army Base must have a public access recreational component. Water access and peaceful enjoyment and access to the water is a key priority for development of the site and for the City of Rio Vista's defining destination character. Unfortunately the next alternative #4 calls for NO Parks/Rec component. My opinion, in reading all of the planning documents made available to me, is that the ideal alternative would be the Bridge to Beach riverfront promenade combined with passive low impact, day use only recreational uses woven through the site such as trails and bike paths, a dog park combined with the research facility and fish hatchery.

The choice of the proposed recreational uses, sports fields and tennis courts, are flawed for several reasons. First, sports fields concentrate traffic and multiply traffic for every participant and would bring traffic to unacceptable levels and negatively affect residential neighborhoods. In the Master Plan, two sites that are recommended for a new sports complex are the City's closed landfill, and the City's industrial park. The Army Base should be adult only *if at all* because of the lack of pedestrian access. These other sites have adequate and underutilized road access and are north of Highway 12 where to better serve the youth of Rio Vista and not cause traffic impacts that cannot be mitigated. Though Rio Vista lacks tennis courts, we also lack a dog park. Tennis has a low involvement rate, below 13% and is in fact declining, see the recreational trends report that follows whereas, 37% of US households have dogs with an average of 1.7 dogs per those households. Furthermore, 40% of dog owners say that having a dog encourages them to exercise with their dog(s). With both an aging population and obesity on the rise, more people can take their dog to a park, chat with fellow dog lovers and take a walk around the park than play a game of tennis. Dog parks are more passive recreation and social too. Dog parks also help socialize our canine citizens. Since a large percentage of our community lives in Trilogy, a dog park would give Trilogy residents an opportunity to socialize outside of Trilogy. Finally, given Rio Vista's location, it would give passing travelers with dogs a reason to stop in Rio Vista. If we offered a unique dog park that had river access for water loving dogs, this would help to achieve our desire to become a destination. The closest high quality dog park is Vallejo and the closest dog park with water access is Point Isabel in El Cerrito. My point is that we could meet significantly more of our citizens' recreational needs with a dog park than with 4 tennis courts, especially if you count both the humans and the canines!

I will follow with some direct excerpts from the Parks Master Plan.

Thank you for including my comments in the record.

Warm regards,

Anne Catherine Bowcutt
Rio Vista Planning Commissioner
125 California Street
Rio Vista, CA 94571
925-234-3450

"Sports Complex

A sports complex is a specialized type of community park that provides for active recreation only. It serves the entire community. Twenty acres is considered to be the minimum size to accommodate several ball fields, off-street parking, and related support facilities." Parks Master Plan – page 10

It also calls for the following:

- Develop a City-wide trail system to link the park system and provide additional recreation opportunities
- Provide improved river access for boating, fishing, and passive enjoyment
- Design open space areas to protect significant wetlands and natural drainage areas, and to provide passive recreation opportunities

"Sports Fields Needs

Active sports fields are an important component of community parks. Elsewhere in this chapter, it is recommended that an additional 34 acres of park space be devoted to ball fields and soccer fields. It is recommended that one of the new community parks be developed as a dedicated sports complex. This would provide a critical mass of high-quality, lighted facilities that would support a range of league play. A sports complex would also provide a venue for tournaments, which would provide needed revenue. Two possible sites for the complex are the City's closed landfill, and the City's industrial park. These two sites should be further studied for feasibility and one site selected for development."

U.S. Army Reuse Site (15 acres public park space)

The Army Base reuse site is currently owned by the City and is located on the Sacramento River just south of the City limits. This site has the potential to become a unique community park resource. A public park in this pleasant and scenic riverfront location would capitalize on Rio Vista's greatest natural amenity. The park would feature an array of recreation facilities, including a public boat ramp, a riverfront pathway, observation overlooks, interpretive exhibits, and picnic areas for families and large groups.

Up to four lighted soccer or ballfields can be located on the portion of the park set back from the river. It is recommended that these fields be oriented toward adult rather than youth play, given the lack of direct pedestrian access to the site. Youth sports would be better accommodated at the proposed sports complex north of Highway 12.

The site would also serve the State Department of Fish and Game (DFG), who would locate office and laboratory space here. A creative park design could protect the security and safety of the DFG facility while maximizing the public benefit through cooperative educational programs." Page 31

“SKATEPARK

A skatepark should be provided in close proximity to the City’s youth population. Possible sites include the proposed sports complex at the landfill or industrial park sites, the High School grounds, the Middle School Grounds, or the community park proposed as part of the development in Neighborhood Planning Area 4. A second skatepark should be incorporated into the design of Neighborhood Park 8B, to serve the youth of the western subdivisions.” Page 49

“Youth Center

Type: Special Facility
 Location: Sacramento Street
 Neighborhood Planning Area: #1 – Rio Vista South
 Size: XXX square feet
 Inventory Indoor space for youth activities

<i>ADA Compliance</i>	Parking	Not applicable
	Access to the building	No
	Restrooms	No

Programmed Activities Youth programs
 Arts and crafts
 Games
 Field trips

Analysis
 The youth center is geared toward younger children ages 5 to 14 years. The building is in poor condition. No activities are provided for teens. **The location is not ideal, as youth must travel from D.H. White School and across highway 12 to arrive at the center.** The City prefers to locate the after school and weekend programs at D.H. White School to make use of the new multi-purpose room and supporting facilities, however has not been able to come to agreement with the School District regarding the fees to be paid for use of the facility.” Appendix A page 10

Summary of Demand:

- “Dog Park: Both families and seniors have a need for acceptable venues for pet exercise and play.
- Sports Fields and Courts: The Comparative Facilities Study has projected a need for an additional six to eight softball/baseball fields, four additional multi-use fields, four basketball courts, one volleyball court, and four tennis courts.
- Waterfront Access and Development: The Sacramento riverfront is perhaps Rio Vista’s greatest asset, the development of which will create significant recreational opportunities as well as economic and civic development. People are naturally attracted to waterfronts for views, a sense of open space, and enjoyment. Every effort should be made to require and ensure generous public access to the water’s edge as development moves forward. A riverfront public access pathway in

combination with a waterfront park would be of great benefit to the community.”
Appendix C Page 1

Statewide Recreation Trends

The State Department of Parks and Recreation publishes public opinion survey data in a document entitled *Public Opinions and Attitudes on Outdoor Recreation in California*. The 1997 edition listed the 20 activities with the highest adult participation rates (defined as one or more days per year participation in each of 43 listed activities):

1. Walking - recreational (84.8%)
2. Visiting museums or historic sites (74.6%)
3. Use of open turf areas for casual and unstructured activities (68.4%)
4. Driving for pleasure (68.3%)
5. Beach activities (67.8%)
6. Visiting zoos and arboretums (66.3%)
7. Picnicking in developed sites (65.0%)
8. Trail hiking (58.0%)
9. Swimming in lakes, rivers, and the ocean - not in pools (57.2%)
10. Attending outdoor cultural events (56.0%)
11. General nature study & wildlife viewing (54.0%)
12. Attending outdoor sports (51.9%)
13. Camping in developed sites (51.8%)
14. Swimming - in outdoor pools (48.0%)
15. Bicycling - on paved surfaces (42.8%)
16. Use of play equipment, tot lots (40.0%)
17. Fishing – freshwater (37.3%)
18. Jogging and running (28.6%)
19. Softball and baseball (26.4%)
20. Camping in primitive areas (25.8%)

By contrast, participation rates for organized, active sports other than baseball and softball were lower:

25. Basketball (18.1%)
26. Golf (17.9%)
33. Soccer (13.8%)
35. Tennis (12.6%)
38. Football (8.5%)

The ten activities with the highest youth activity days per year were:

1. Walking (94.7 days per year)
2. Bicycling on paved surfaces (61.0)
3. Use of open turf areas for casual and unstructured activities (57.5)
4. Jogging and running (51.8)
5. Basketball (37.4)

- Bowling
- Camping
- Exercise walking
- Exercising with equipment
- Golf
- Hiking
- Running/jogging
- Skateboarding

Between 1994 and 2004, a **decrease** in participation was experienced in the following major recreation activities:

- Bicycle riding
- Fishing
- Roller Skating (in-line)
- Skiing (alpine)
- Skiing (cross country)
- Softball
- Swimming
- Tennis
- Volleyball

Between 1994 and 2004, participation levels remained flat in the following major recreation activities:

- Baseball
- Basketball
- Billiards/pool
- Boating
- Golf
- Hiking
- Soccer

Appendix C Pages 4-7

New Parks and Recreation Facilities

- Need a dog park

Appendix D Page 1

- Question: will the landfill site be recommended as a community park site?
- The landfill site has good road access.
- The Army Base site has poor road access.

Appendix D Page 3

L 3. Anne Catherine Bowcutt, Rio Vista Planning Commission, October 13, 2010

Comment L 3.01: The development assumptions used in the Draft EIR, in particular, the inclusion of a 150-room lodge, are overly intensive, not feasible and therefore overstate the true environmental impacts of developing the site.

Response: Please see responses herein to similar comments PC 8.02 and L 1.01. For purposes of “worst-case” environmental analysis, the Draft EIR assumed that the proposed Redevelopment Plan would result in full buildout of the maximum intensity of development allowed by the City’s General Plan. The Draft EIR development assumptions were also based upon the development concepts set forth in the 1998 Base Reuse Plan and 2001 Supplemental Economic Analysis. The 1998 Reuse Plan market-feasible preferred concept plan included a 50-room lodge/country inn retreat/conference center with meeting rooms for 100 persons, a small café/coffee shop and a small retail shop, as well as a community center, park and recreational facilities. The 2001 Base Reuse Plan Supplemental Economic Analysis evaluated the financial feasibility, economic benefits and fiscal implications of a 75-room lodge-retail-restaurant use.¹ Although, for purposes of “worst-case” environmental analysis, the Draft EIR assumed full buildout of the maximum intensity of development allowed by the City’s General Plan, which is slightly different and greater than the mixture of uses in the 1998 Base Reuse Plan and the 2001 Supplemental Economic Analysis, the Draft EIR is still generally consistent with the range of uses that have long been considered for the site.

The Draft EIR, in Chapter 2, Summary (p. 2-4); Chapter 3, Project Description (p. 3-20); Chapter 5, Population, Housing and Employment (p. 5-6); and Chapter 12, Noise (pp. 12-13 and 12-14) explains that the development assumptions that underlie the impact findings and recommended mitigations are for EIR analysis purposes only and may be conservatively high. Also, in response to this and similar comments received on the Draft EIR, Chapter 8, Transportation (p. 8-1), of the Draft EIR has been revised to note that the development assumptions that underlie the impacts and mitigations are for EIR analysis purposes only and may be conservatively high.

Comment L 3.02: The historic buildings on the site should be preserved and reused.

Response: Chapter 6, Cultural and Historic Resources, of the Draft EIR describes the existing historic resources within the proposed Project Area. Twelve of the existing buildings and structures within the proposed Project Area, originally constructed by the Corps of Engineers to support dredging activities for its Sacramento River Flood Control Project (1914-1944), appear to be collectively eligible for the California Register of Historic Resources (California Register) as contributors to a potential “U.S. Engineer Storehouse Historic District.” Impact 6-2, Loss of Historic Resources, in the Draft EIR notes that redevelopment activities under the proposed Redevelopment Plan, or the construction of development projects facilitated by the Plan, could damage or eliminate the character defining features or setting of the contributing buildings and structures within the suggested U.S. Engineer Storehouse Historic District. If such changes were

¹Brion & Associates, Rio Vista Army Reserve Center Reuse Plan Supplemental Economic Analysis, July 2001.

sufficient to cause a loss of district integrity, this would be a significant impact on an historic resource under CEQA.

The Draft EIR includes mitigation (Mitigation 6-2), which provides for reusing the existing buildings in a way that preserves district historic integrity. However, the Draft EIR also acknowledges in Mitigation 6-2 that in some cases, it can be very challenging to accommodate the needs of new uses while avoiding a loss of integrity and, in many situations, it can be altogether infeasible. It cannot be determined at this time whether it would be feasible to mitigate to a less than significant level the impacts of redevelopment activities and development under the proposed Redevelopment Plan. If reusing the existing buildings in a way that avoids a loss of district integrity is infeasible, then the Draft EIR recommends documenting the suggested historic district and its contributing elements before any changes that would cause a loss of district integrity, reusing the buildings and structures to the maximum feasible extent, relocating the buildings to another location, salvaging character-defining features and materials for interpretation or for reuse in new construction, and/or interpreting the proposed historic district through a permanent exhibit or program.

Comment L 3.03: The development assumptions used in the Draft EIR are inconsistent with the Parks Master Plan. Specifically, the site is inappropriate for a sports complex due to insufficient available site area, traffic impacts, and lack of pedestrian and bicycle access for children and youth. Passive recreation uses, including trails, riverfront access, and a dog park, would be a more appropriate use for this site.

Response: Under California Community Redevelopment Law, proposed redevelopment plans must be consistent with the local jurisdiction's adopted General Plan and other applicable adopted land use policies and regulations. The development scenario assumed in the Draft EIR for environmental analysis purposes is therefore based upon and consistent with the uses for the site identified in the City's General Plan, Base Reuse Plan and Parks Master Plan. The development assumptions used in the Draft EIR for environmental analysis purposes include a 12.3 acre community park; a 21,000 square foot multi-purpose community center with indoor hardwood courts, outdoor active recreation areas with three soccer fields or four ballfields; outdoor basketball courts and four tennis courts; a 2-acre Children's Delta Discovery Park; and a multi-use Primary Trail and riverfront promenade.

The Parks Master Plan delineates five potential community park sites throughout the city, including one potential Army Base Community Park within the proposed Project Area. The Parks Master Plan describes this potential community park as including four lighted soccer or ballfields located on the portion of the park set back from the river. The Parks Master Plan also recommends eight new hardball and softball fields and four new soccer fields either at the Army Base Community Park or at a Sports Complex somewhere else in the city. In addition, the Parks Master Plan identifies a citywide need for three additional basketball courts and four new tennis courts, in new neighborhood or community park sites. The facilities assumed in the Draft EIR for environmental analysis purposes are consistent with these uses for the site identified in the Parks Master Plan.

The assumed community park and community center would generate approximately 19 percent of the Project's total daily trips and approximately 13 percent of peak hour trips. Alternative 4, Redevelopment Without Parks And Recreation, analyzed in Chapter 18,

Alternatives to the Proposed Project, would reduce the number of trips generated to approximately 2,000 daily trips, 604 fewer trips, a 23 percent reduction, and thereby avoid significant traffic impacts.

Mitigation 14-2 (pp. 14-13 and 14-14) of the Draft EIR for operational GHG emissions would address the issue of pedestrian and bicycle access for children and youth. Mitigation 14-2 recommends that 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.



State of California – The Natural Resources Agency
DEPARTMENT OF FISH AND GAME
Bay Delta Region
7329 Silverado Trail
Napa, CA 94558
(707) 944-5500
www.dfg.ca.gov

ARNOLD SCHWARZENEGGER, Governor
John McCamman, Director



L 4

October 25, 2010

Ms. Emi Theriault
City of Rio Vista
One Main Street
Rio Vista, CA 94571

Dear Ms. Theriault:

Subject: Rio Vista Army Reserve Center Redevelopment Plan, Draft Environmental Impact Report, SCH #2010012028, Sacramento River, Solano County

The Department of Fish and Game (DFG) has reviewed the draft Environmental Impact Report (EIR) for the Rio Vista Army Reserve Center Redevelopment Plan (Plan). DFG is providing comments on the draft EIR as a Trustee Agency and Responsible Agency. As Trustee for the State's fish and wildlife resources, DFG has jurisdiction over the conservation, protection, and management of the fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of such species for the benefit and use by the people of California. DFG provided comments on the Notice of Preparation for the proposed Plan in a letter dated February 11, 2010.

The proposed Plan is located along approximately 1,600 feet of the west side of the Sacramento River within the City of Rio Vista in Solano County. The 28.16-acre Plan area is located to the east of Beach Drive, and occupies a portion of the former Rio Vista Army Reserve Center. The Army Reserve Center was formally closed in 1995 and later conveyed to the City of Rio Vista. The Plan area includes 14 buildings (total of 56,415 square feet) and 10 other facilities remaining from the former military uses. The proposed Plan includes redevelopment and site improvements such as hazardous material clean-up, park, recreation and community facility development, affordable housing development, and the establishment of a public multi-agency Rio Vista Estuarine Research Station. Proposed development would total approximately 244,000 square feet. The Plan would be effective for approximately 45 years; however, the EIR will assume full build-out within 20 years (or by 2030).

Land uses within and surrounding the proposed Plan area include residential and commercial development and public facilities to the north and south, and agriculture to the west. Development and non-native ruderal grassland comprise a large portion of the proposed Plan area; however, the area also supports habitat types such as freshwater marsh, and riparian and shaded riverine aquatic habitat located adjacent to the Sacramento River.

Mitigation 10-1

The EIR states that proposed redevelopment projects within the Plan area would result in adverse impacts to aquatic, riparian and wetland habitats through direct removal of habitat or alteration of the hydrology, soil or vegetation. The Sacramento River supports the Delta smelt (*Hypomesus transpacificus*) which is designated as threatened under both the federal Endangered Species Act (ESA) and California Endangered Act (CESA). Several anadromous fish species also utilize the Sacramento/San Joaquin River Delta. Riparian forests maintain shade, protect against windthrow, produce litterfall, provide important migratory routes for wildlife, and act as a filter strip for sedimentation from erosion sources.

L4.01

As mitigation for impacts of the proposed Plan, the EIR states that prior to any project-related activity that could have a substantial adverse effect on wetlands and other waters, the applicant will contact the permitting agencies, including DFG, to discuss avoidance or minimization of impacts to jurisdictional waters. During this consultation and permitting process, DFG will discuss with the applicant the feasibility of providing long-term protection and maintenance of sensitive habitat types within the Plan 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.

L4.02

Mitigation 10-2

The draft EIR states that suitable habitat is present within and surrounding the proposed Plan area for 17 special-status plant, wildlife and fish species. Species that are known to occur within the Plan area include the Delta tule pea (*Lathyrus jepsonii* var. *jepsonii*), northern pacific pond turtle (*Actinemys marmorata marmorata*) and tricolored blackbird (*Agelaius tricolor*). The Delta tule pea is listed by the California Native Plant Society (CNPS) as 1B.2 meaning the species is regarded as endangered in California. The pond turtle and tricolored blackbird are both State Species of Special Concern (SSC). Pond turtle nests are very difficult to detect and may be located up to 600 feet away from aquatic habitat. To avoid noise disturbance to tricolored blackbirds during the nesting season, a minimum 100-foot buffer should be established. Appropriate mitigation for impacts to species such as the pond turtle and tricolored blackbird includes preservation of occupied habitat that also provides nesting sites. These species are addressed under CEQA, Section 15380.

L4.03

The EIR should specify the avoidance and minimization measures that will be implemented as a result of project-related impacts to special-status plant and wildlife species. If Plan-related impacts to sensitive plant and wildlife species cannot be avoided then off-site conservation should be included as part of a mitigation and monitoring plan. DFG should be consulted to review and approve the mitigation and monitoring plan. The EIR should indicate that protocol-level surveys for special-status plant species will 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 DFG

L4.04

protocols for surveying and evaluating impacts to rare plants available at <http://dfg.ca.gov/habcon/plant/plants.html>. The EIR should specify that rare, threatened and endangered species to be addressed should include all those which meet CEQA definition (see CEQA Guidelines, Section 15380).

The draft EIR states that future development activities undertaken within the proposed Plan area shall comply with the terms of the Solano County Water Agency's Multi-species Habitat Conservation Plan (HCP). The HCP establishes a framework for complying with state and federal endangered species regulations while accommodating future urban growth and development of various public infrastructures undertaken by or under the permitting authority/control of the HCP participants within Solano County over the next 30 years. The HCP is currently a final administrative draft, and has not been circulated for public review or formally adopted. Conservation and compensation measures to address impacts to special-status plant and wildlife species as a result of implementation of a project should be consistent with the provisions of an adopted HCP. However, until the HCP is formally adopted, the CEQA document should include specific avoidance and minimization measures and mitigation requirements for special-status species that will be implemented as a result of Plan-related impacts.

L4.05

Mitigation 10-4

Nesting activity for Swainson's hawk (*Buteo swainsoni*), which is listed as threatened under CESA, has been documented within three miles of the proposed Plan area. The draft EIR states that mature trees located within the Plan area may provide suitable raptor habitat. The draft EIR states that western burrowing owl (*Athene cunicularia*) which is an SSC is unlikely to occur within the Plan area. As mitigation for project-related impacts, a qualified biologist will conduct pre-construction surveys if suitable habitat for birds and bats will be removed between February 1 and August 31. The draft EIR also states that noise minimization buffers of 300 feet for raptors and 75 feet for other birds will be established between active nest sites and project-related activities.

L4.06

To avoid adverse impacts to Swainson's hawk, construction-related activities should be avoided within a minimum of 0.25 miles of a nesting Swainson's hawk between March 1 and September 15 without consultation with DFG. DFG-recommended hawk survey methodology and other monitoring protocols and guidelines are available at http://www.dfg.ca.gov/wildlife/nongame/survey_monitor.html. The EIR does not indicate whether suitable foraging habitat for the hawk is present within the proposed Plan area; however, ruderal grassland may be used by the hawk during foraging especially if an active nest is located nearby..

If Swainson's hawk foraging habitat is impacted, mitigation land should be protected in perpetuity and provide for long-term management of Swainson's hawk habitat. DFG recommends mitigation for loss of Swainson's hawk foraging habitat based on the following ratios:

- For projects within one mile of an active nest tree shall provide one acre of land for each acre of development authorized (1:1 ratio).
- For projects within 5 miles of an active nest tree but greater than one mile from the nest tree shall provide 0.75 acres of land for each acre of urban development authorized (0.75:1 ratio).
- For projects within 10 miles of an active nest tree but greater than 5 miles from an active nest tree shall provide 0.5 acres of land for each acre of urban development authorized (0.5:1 ratio).

Mitigation requirements for special-status species should be determined in consultation with the U.S. Fish and Wildlife Service and DFG, and fully disclosed in the EIR prior to certification. Please be advised that a CESA Permit must be obtained if the project has the potential to result in take of species of plants or animals listed under CESA, either during construction or over the life of the Plan. Issuance of a CESA Permit is subject to CEQA documentation; therefore, the EIR must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the project will impact CESA listed species, early consultation is encouraged, as significant modification to the project and mitigation measures may be required in order to obtain a CESA Permit.

L4.07

If you have any questions, please contact Ms. Brenda Blinn, Environmental Scientist, at (707) 944-5541; or Mr. Liam Davis, Habitat Conservation Supervisor, at (707) 944-5529.

Sincerely,



Charles Armor
Regional Manager
Bay Delta Region

cc: State Clearinghouse

Ms. Jana Affonso – jana_affonso@fws.gov
U.S. Fish and Wildlife Service

Mr. Gary Stern – gary.stern@noaa.gov
National Marine Fisheries Service

L 4. Charles Armor, Regional Manager, Bay Delta Region, California Department of Fish and Game, October 25, 2010

Comment L 4.01: Several anadromous fish species also use the Sacramento/San Joaquin River Delta. Riparian forests maintain shade, protect against windthrow, produce litterfall, provide important migratory routes for wildlife, and act as a filter strip for sedimentation from erosion sources.

Response: Chapter 10, Biological Resources (p. 10-3), of the Draft EIR has been revised to incorporate this information.

Comment L4.02: During the consultation and permitting process for jurisdictional wetlands and waters, the California Department of Fish and Game (CDFG) will discuss with the 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.

Response: Mitigation 10-1 (p. 10-13) in Chapter 10, Biological Resources, of the Draft EIR has been revised to incorporate this information.

Comment L4.03: Species that are known to occur within the Plan area include the Delta tule pea (*Lathyrus jepsonii* var. *jepsonii*), northern pacific pond turtle (*Actinemys marmorata marmorata*) and tricolored blackbird (*Agelaius tricolor*). The Delta tule pea, which is known to occur within the proposed Project Area is listed by the California Native Plant Society (CNPS) as 1B.2, meaning the species is regarded as endangered in California. The pond turtle and tricolored blackbird are both State Species of Special Concern (SSC). Pond turtle nests are very difficult to detect and may be located up to 600 feet away from aquatic habitat. To avoid noise disturbance to tricolored blackbirds during the nesting season, a minimum 100-foot buffer should be established. Appropriate mitigation for impacts to species such as the pond turtle and tricolored blackbird includes preservation of occupied habitat that also provides nesting sites.

Response: Mitigation 10-2 (p. 10-14) in Chapter 10, Biological Resources, of the Draft EIR has been revised to incorporate this information.

Comment L4.04: The EIR should specify the avoidance and minimization measures that will be implemented as a result of project-related impacts to special-status plant and wildlife species. If Plan-related impacts to sensitive plant and wildlife species cannot be avoided then off-site conservation should be included as part of a mitigation and monitoring plan. The CDFG should be consulted to review and approve the mitigation and monitoring plan. The EIR should indicate that protocol-level surveys for special-status plant species will 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>. The EIR should specify that rare, threatened and endangered species to be addressed should include all those which meet CEQA definition (see CEQA Guidelines, Section 15380).

Response: Mitigation 10-2 (p. 10-14) in Chapter 10, Biological Resources, of the Draft EIR has been revised to incorporate this information. See also response to Comment L 4.07 below.

Comment L4.05: Until the Solano County Water Agency's Multi-Species Habitat Conservation Plan (HCP) is formally adopted, the EIR should include specific avoidance and minimization measures and mitigation requirements for special-status species that will be implemented as a result of Plan-related impacts.

Response: Mitigation 10-2 (p. 10-14) in Chapter 10, Biological Resources, of the Draft EIR has been revised to incorporate this information. The revisions clarify that until the Solano County Water Agency's Multi-Species Habitat Conservation Plan (HCP) is formally adopted, future redevelopment activities and redevelopment-facilitated development projects within the proposed Project Area would need to consult with the U.S. Fish and Wildlife Service (USFWS) and the CDFG regarding proposed activities to determine if they could result in a "take" of a federal or State protected species, whether additional focused surveys are required to determine whether any protected species are still present on the site, and to develop and implement a mitigation plan in consultation with, and meeting the mitigation criteria of, the USFWS and the CDFG to provide for protection of such species. See also response to Comment L 4.07 below.

Comment L4.06: Nesting activity for Swainson's hawk (*Buteo swainsoni*), which is listed as threatened under CESA, has been documented within three miles of the proposed Project Area. The Draft EIR states that mature trees located within the Project Area may provide suitable raptor habitat. To avoid adverse impacts to Swainson's hawk, construction-related activities should be avoided within a minimum of 0.25 miles of a nesting Swainson's hawk between March 1 and September 15 without consultation with CDFG. CDFG-recommended hawk survey methodology and other monitoring protocols and guidelines are available at <http://www.dfg.ca.gov/wildlife/nongame/surveymonitor.html>. The Draft EIR does not indicate whether suitable foraging habitat for the hawk is present within the proposed Project Area; however, ruderal grassland may be used by the hawk during foraging especially if an active nest is located nearby.

If Swainson's hawk foraging habitat is impacted, mitigation land should be protected in perpetuity and provide for long-term management of Swainson's hawk habitat. CDFG recommends mitigation for loss of Swainson's hawk foraging habitat based on the following ratios:

- For projects within one mile of an active nest tree shall provide one acre of land for each acre of development authorized (1:1 ratio).
- For projects within 5 miles of an active nest tree but greater than one mile from the nest tree shall provide 0.75 acres of land for each acre of urban development authorized (0.75:1 ratio).
- For projects within 10 miles of an active nest tree but greater than 5 miles from an active nest tree shall provide 0.5 acres of land for each acre of urban development authorized (0.5:1 ratio).

Response: Mitigation 10-2 (p. 10-14) in Chapter 10, Biological Resources, of the Draft EIR has been revised to reflect these typical CDFG-recommended Swainson's hawk survey protocols and mitigation measures.

Comment L4.07: Mitigation requirements for special-status species should be determined in consultation with the U.S. Fish and Wildlife Service and the CDFG, and fully disclosed in the EIR prior to certification. Issuance of a California Endangered Species Act (CESA) Permit is subject to CEQA documentation; therefore, the EIR must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the project will impact CESA listed species, early consultation is encouraged, as significant modification to the project and mitigation measures may be required in order to obtain a CESA Permit.

Response: As described on Draft EIR p. 1-3 and further explained in DEIR Appendix 20.1, the Rio Vista Army Reserve Center Redevelopment Plan EIR has been prepared as a "program EIR," pursuant to CEQA Guidelines sec. 15168 (Program EIR). As a program EIR, the document is designed to describe the environmental consequences of the "first tier" of this project. The Project merely establishes a redevelopment project area, a tax increment limit, a bond debt limit, a period to incur debt, a Plan effectiveness period, and a time period for collection of tax increment/repayment of debt. The Redevelopment Plan does not specify any specific development program. The anticipated redevelopment activities to be carried out under the Plan and the type and intensity of land uses included in the development assumptions used in the Draft EIR are for environmental analysis purposes only. Future redevelopment activities and redevelopment-facilitated development within the proposed Project Area would require their own project-level environmental review in accordance with CEQA, with a likely focus on biological resources.

A program EIR may be used in a tiering situation (see CEQA Guidelines sec. 15152[h][3]). "Tiering" or "tier" means the coverage of general matters and environmental effects in an environmental impact report prepared for a policy, plan, program or ordinance followed by narrower or site-specific CEQA documentation which incorporate by reference the discussion in any prior CEQA documentation and which concentrate on the environmental effects which (a) are capable of being mitigated, or (b) were not analyzed as significant effects on the environment in the prior environmental impact report." (Pub. Resources Code sec. 21068.5; and CEQA Guidelines secs. 15152 and 15185).

The following aspects of a program-level EIR are pertinent to this comment regarding the specificity of Draft EIR mitigations and deferral of mitigation:

- The degree of specificity required in an EIR corresponds to the degree of specificity of the underlying project (14 C.C.R. §15146). Environmental analysis in a program EIR must be "appropriately tailored to the current first-tier stage of the planning process, with the understanding that additional detail will be forthcoming when specific second-tier projects are under consideration." *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1172.
- Therefore, the level of detail for a conceptual redevelopment plan will be lesser than the level of detail in subsequent environmental analyses that evaluate specific

construction projects. Thus, where future development is as yet unspecified and uncertain, requiring an EIR to engage in sheer speculation regarding future environmental consequences would serve no purpose. *Atherton v. Board of Supervisors* (1983) 146 Cal.App.3d 346, 350-351.

Consistent with the concept of “tiering,” the DEIR provides information, analysis, and conclusions appropriate to the redevelopment plan adoptions stage of the planning and development process.

Without knowing the type, intensity, layout and operational characteristics of future development within the proposed Project Area, it is not reasonably possible to more precisely and conclusively determine at this time the impacts on sensitive habitats and special status species, the feasibility of providing long-term protection and maintenance of sensitive habitat types within the proposed Project Area, or the specific avoidance and minimization measures and mitigation requirements for special-status species. It is appropriate to defer agency consultation, protocol-level surveys and specific mitigation until actual future development projects are proposed and subsequent project-level environmental review is performed.

In response to this comment, Mitigation 10-2 (p. 10-14) in Chapter 10, Biological Resources, of the Draft EIR has been revised to indicate that protocol-level surveys for special-status plant species will be conducted throughout the blooming period in suitable habitat in conformance with recently revised CDFG protocols for surveying and evaluating impacts to rare plants prior to approval of future individual project-level development plans, and to reflect typical CDFG-recommended Swainson’s hawk survey protocols and mitigation measures.



OPR Home > CEQAnet Home > CEQAnet Query > Search Results > Document Description

Rio Vista Army Reserve Center Redevelopment Plan

SCH Number: 2010012028

Document Type: EIR - Draft EIR

Project Lead Agency: Rio Vista, City of

Project Description

L 5.01

The City of Rio Vista is proposing to establish a redevelopment project area encompassing the former Rio Vista Army Reserve Center and adopt a redevelopment plan. The Project would establish the Project Area, a tax increment limit of \$50 million, a bond debt limit of \$15 million, a period to incur debt of 20 years, a Plan effectiveness period of 30 years, and a time period for collection of tax increment/repayment of debt of 45 years. Anticipated redevelopment activities include infrastructure improvements, toxics clean-up, the development of community and recreational facilities, and rehabilitation and economic development incentives. The EIR assumes up to 244,000sf of development: 110,000sf research station, 150-room lodge, 9,000-sf restaurant, 21,000sf community center, and 12.3 acres of parks and sports fields.

Contact Information

Primary Contact:

Emi Theriault
City of Rio Vista
(707) 374-2205
One Main Street
Rio Vista, CA 94571

Project Location

County: Solano
City: Rio Vista
Region:
Cross Streets: Beach Drive/Montezume Hills Road
Latitude/Longitude:
Parcel No: 0049-320-060
Township:
Range:
Section:
Base:
Other Location Info:

Proximity To

Highways: Hwy 12, 84, 160
Airports: Rio Vista
Railways:
Waterways: Sacramento River
Schools: River Delta Unified
Land Use: Vacant (former Army base)/O-A-R Open Area Resort/Army Base Reuse Area Special District.

Development Type

Local Action

Redevelopment

Project Issues

L 5

Agricultural Land, Air Quality, Archaeologic-Historic, Drainage/Absorption, Economics/Jobs, Flood Plain/Flooding, Forest Land/Fire Hazard, Geologic/Seismic, Minerals, Noise, Population/Housing Balance, Public Services, Recreation/Parks, Schools/Universities, Sewer Capacity, Soil Erosion/Compaction/Grading, Solid Waste, Toxic/Hazardous, Traffic/Circulation, Vegetation, Water Quality, Water Supply, Wetland/Riparian, Growth Inducing, Landuse, Cumulative Effects, Aesthetic/Visual, Biological Resources, Coastal Zone, Septic System

Reviewing Agencies (Agencies in **Bold Type** submitted comment letters to the State Clearinghouse)

Resources Agency; **Department of Fish and Game, Region 3**; Department of Parks and Recreation; **Central Valley Flood Protection Board**; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 4; Regional Water Quality Control Bd., Region 5 (Sacramento); Department of Toxic Substances Control; Native American Heritage Commission; State Lands Commission

Date Received: 9/9/2010 **Start of Review:** 9/9/2010 **End of Review:** 10/25/2010

[CEQAnet HOME](#) | [NEW SEARCH](#)

L 5 State Clearinghouse, Governor's Office of Planning and Research, State of California

Comment L 5.01: Document evidences that City has complied with State Clearinghouse requirements for Draft EIRs pursuant to CEQA.

Response: Comment acknowledged. No further response is required.

3. REVISIONS TO THE DRAFT EIR

The following section includes all revisions to the August 17, 2010 Draft EIR made in response to comments received during the Draft EIR comment period. All text revisions are indicated by a bracket in the left margin next to the revised line(s). All of the revised pages supersede the corresponding pages in the August 16, 2010 Draft EIR. None of the criteria listed in CEQA Guidelines section 15088.5 (Recirculation of an EIR Prior to Certification) indicating the need for recirculation of the EIR has been met as a result of the revisions which follow. In particular:

- no new significant environmental impact due to the project or due to a new mitigation measure has been identified;
- no substantial increase in the severity of an environmental impact has been identified; and
- no additional feasible project alternative or mitigation measure considerably different from others previously analyzed in the Draft EIR has been identified that would clearly lessen the significant environmental impacts of the project, but the project proponents decline to adopt.

8. TRANSPORTATION AND CIRCULATION

This chapter describes existing conditions and policies related to transportation, evaluates the short- and long-term impacts of the Project on transportation, and identifies transportation system improvements needed to mitigate the impacts of the Project. The analysis methodology is described first.

For conservative, “worst case” environmental analysis purposes, the Project development assumptions used in this traffic impact assessment and throughout the EIR assume full buildout to the maximum intensity of development allowed by the City’s General Plan and therefore may be conservatively high. The amount of development that ultimately occurs within the proposed Project Area may be substantially less. Additionally, future development that occurs within the proposed Project Area may have lower trip generation characteristics than the mix of uses assumed in the EIR development assumptions. Therefore, the traffic impacts identified in this chapter, as well as traffic-related noise, air quality, greenhouse gas emissions impacts identified in Chapters 13, 14 and 15, respectively, may also be conservatively high.

Alternative 4, Redevelopment Without Parks And Recreation, analyzed in Chapter 18, Alternatives to the Proposed Project, of this Draft EIR would reduce the amount of development on the site and the number of trips generated, and would thereby avoid significant traffic impacts and reduce traffic-related noise, air quality, and greenhouse gas emissions impacts. Other combinations of development within the proposed Project Area which would result in a similar reduction in the number of daily and peak hour trips could also avoid significant traffic impacts.

8.1 METHODOLOGY

8.1.1 Roadway System

Traffic operations on study roadway segments and at study intersections were analyzed in accordance with nationally accepted analysis methods. The following summarizes the methodologies used for study roadway segments and intersections.

(a) Roadway Segments and Intersections Studied. The following local roadway segments and intersections were evaluated:

(1) *Roadway Segments:*

- SR 12--west of SR 113 to east of SR 160
- SR 160--north of SR 12 to south of SR 12
- Main Street--SR 12 to Front Street
- Front Street--Main Street to SR 12
- 2nd Street--Main Street to Beach Drive
- Montezuma Hills Road--South of Beach Drive
- Beach Drive--2nd Street to end

(2) *Intersections:*

- SR 12/Main Street--Hillside Terrace
- SR 12/N. 5th Street
- SR 12/Front Street
- SR 12/ River Road (SR 84)
- Beach Drive/2nd Street
- Main Street/N. 5th Street
- Main Street/N. 2nd Street
- Main Street/Front Street

(b) Roadway Segments. Roadway segments were analyzed by comparing the average daily traffic volume to daily traffic volume thresholds that were developed based on information presented in the Highway Capacity Manual (1998). Table 8.1 displays the daily volume thresholds for various facility types. These thresholds are used as a guide to identify the need for new or upgraded facilities based on daily traffic volumes.

The unused buildings remaining within the proposed Project Area potentially provide habitat for some wildlife species. For example, common birds such as house finch (*Carpodacus mexicanus*) build their nests on structures. Less abundant species, including the cliff swallow (*Hirundo pyrrhonata*) and barn swallow (*Hirundo rustica*) also use buildings, and particularly buildings near water. Bat species (*Order Chiroptera*) use buildings for short- and long-term roosts.

(b) Riparian and Shaded Riverine Aquatic Habitat. The proposed Project Area contains riparian habitat and associated shaded riverine aquatic habitat along the margins of the Sacramento River (Figure 10.1). Approximately 1,100 linear feet of riparian habitat exists along the shoreline and docks of the proposed Project Area, totaling roughly 4,000 square feet. Riparian habitat on the site contains a limited number of trees and understory shrubs, rushes, reeds and grasses.

Riparian habitat typically supports an abundant diversity of species. Riparian forests maintain shade, protect against windthrow, produce litterfall, provide important migratory routes for wildlife, and act as a filter strip for sedimentation from erosion sources. Several anadromous fish species also use the Sacramento/San Joaquin River Delta. Typical riparian species include cottonwoods (*Populus deltoides*), alders (*Alnus spp.*), willow (*Salix spp.*), common reed (*Phragmites communis*), giant reed (*Arundo donax*), cattails (*Typhus spp.*), and grasses (*Dactylis spp.*). The Delta tule pea (*Lathyrus jepsonii var. jepsonii*), a federal species of concern also considered rare and endangered in California by the California Native Plant Society (CNPS), is documented as present within the riparian habitat of the proposed Project Area (Figure 10.1).

(c) Freshwater Marsh. Freshwater marshes are often found in open areas near rivers and lakes, and form in areas with mineral soils that drain very slowly. Freshwater marsh occurs along the sides of the marine railway. Typical vegetation includes low-growing plants like grasses and sedges. The northwestern pond turtle (*Clemmys marmorata marmorata*), a state species of concern known to occur within the proposed Project Area, is found primarily in freshwater near a wide variety of wetlands, including ponds and marshes, and builds nests along wetland margins or in adjacent uplands.

(d) Critical Habitat. The proposed Project Area is not critical habitat for any species. However, the portion of the Sacramento River adjacent to Rio Vista has been identified by the U.S. Fish and Wildlife Service (USFWS) as critical habitat for Delta smelt (*Hypomesus transpacificus*), and has been proposed as critical habitat for Central Valley spring-run Chinook salmon (*Oncorhynchus tshawytscha*). In addition, in 2009, the National Marine Fisheries Service (NMFS) designated the Sacramento River as critical habitat for the Southern Distinct population of North American Green Sturgeon (*Acipensor medirostris*).¹

10.1.3 Special-Status Species

This section discusses special-status plant and wildlife species with possible or confirmed occurrences in and around the proposed Project Area. Special status species known to occur or potentially occurring within the proposed Project Area or in the adjoining river are presented

¹Federal Register Vol. 74, No. 195, 50 CFR Part 226: Endangered and Threatened Wildlife and Plants: Final Rulemaking to Designate Critical Habitat for the Threatened Southern Distinct Population Segment of North American Green Sturgeon; Final Rule, October 9, 2009.

in Table 10.1. For the purposes of this assessment, special-status species are defined as plants or animals that:

- Have been designated as either rare, threatened, or endangered by the California Department of Fish and Game (CDFG) or the USFWS, and are protected under either the California or federal Endangered Species Acts;
- Are candidate species being considered or proposed for listing under these same acts;
- Are fully protected by the California Fish and Game Code, Sections 3511, 4700, 5050, or 5515; or
- Are of expressed concern to resource and regulatory agencies or local jurisdictions.

(a) Plants. In 2000, the U.S. Army Corps of Engineers documented occurrences of two federally listed plant species of concern within the proposed Project Area: the northern California black walnut (*Juglans californica* var. *hindsii*) and the Delta tule pea (*Lathyrus jepsonii* var. *jepsonii*). The Suisun Marsh aster (*Aster lentus*), a federally listed species of concern, is potentially present on the property. No federally designated threatened, endangered or proposed status plant species are known to occur in the proposed Project Area.¹

The CDFG Natural Diversity Database (NDDDB) includes a documented occurrence of the Woolly rose mallow (*Hibiscus lasiocarpus*) in the northern portion of the proposed Project Area. The Woolly rose mallow is a freshwater marsh species occurring in moist, freshwater-soaked riverbanks.

The NDDDB reports a number of sensitive plant species found in the vicinity of the proposed Project Area.² These include Mason's lilaepsis (*Lilaeopsis masonii*), the San Joaquin spearscale (*Atriplex joaquiniana*), California black walnut, Delta mudwort (*Limosella subulata*), and Suisun marsh aster (*Aster lentus*)³

(b) Wildlife. Special-status wildlife species with documented occurrences in the proposed Project Area include the northwestern pond turtle (*Clemmys marmorata marmorata*) and the tri-colored blackbird (*Agelaius tricolor*).⁴ Pond turtle nests may be located up to 600 feet away from aquatic habitat, which would encompass up to the entire Project Area.

Two special-status raptor species occur within three miles of the proposed Project Area: the Swainson's hawk (*Buteo swainsoni*), which is listed as threatened under the California Endangered Species Act; and the western burrowing owl (*Athene cunicularia*), which is a State Species of Special Concern.⁵ Ruderal grassland may be used by the hawk during foraging especially if an active nest is located nearby.

¹U.S. Army Corps of Engineers 2000. pp. 4-23, 4-24.

²United States Geological Survey 7.5-minute Quadrangle for Rio Vista, CA.

³California Department of Fish and Game Bay Delta Region, "Rio Vista Army Reserve Center Redevelopment Plan, Notice of Preparation of an Environmental Impact Report, SCH #2010012028, Sacramento River, Solano County," February 11, 2010, p. 2.

⁴U.S. Army Corps of Engineers 2000, Table 4-6, p. 4-25.

⁵California Department of Fish and Game Bay Delta Region, February 11, 2010, pp. 1-2.

Based on habitat requirements and preferences, the western burrowing owl (*Athene cunicularia*), Antioch Dunes anthicid beetle (*Antichus antiochensis*), and Sacramento anthicid beetle (*Anthicus sacramento*) are not likely to be present within the proposed Project Area.

10.3.2 Impacts And Mitigation Measures

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 California Department of Fish and Game. 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*** (see Criteria (b) and (c) under subsection 10.3.1, "Significance Criteria," above).

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***.

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. The possible impact of the Project on special-status species represents a **potentially significant impact** (see Criteria (a), (d), and (f) under subsection 10.3.1, "Significance Criteria," above).

Explanation:

Seventeen of the 21 special-status species occurring or potentially occurring in and adjacent to the proposed Project Area are covered by the Solano HCP. The western pond turtle, great

blue heron, western red bat and hoary bat are not covered by the Solano HCP. Redevelopment activities undertaken by the City or development projects that may affect covered species may comply with the ESA and CESA, and mitigate their impacts, through the HCP framework. Projects that may affect species not covered by the HCP would need to obtain required ESA and CESA permits or authorizations directly from the fish and wildlife regulating agencies. ESA and CESA permitting may also occur as part of Corps Section 404 permit and CDFG Lake and Streambed Alteration Agreement actions.

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>.

Avoidance and minimization measures, and a mitigation and monitoring plan, shall be developed as warranted in consultation with, and meeting the mitigation criteria of, the USFWS and the CDFG. If impacts to special-status species cannot be avoided, then off-site conservation shall be included as part of a mitigation and monitoring plan. The CDFG should be consulted to review and approve the mitigation and monitoring plan.

To avoid noise disturbance to tricolored blackbirds during the nesting season (if their presence is confirmed), construction activities in the nesting season should be avoided or a minimum 100-foot buffer should be established. Appropriate mitigation for impacts to species such as the pond turtle and tricolored blackbird (if their presence is confirmed) includes preservation of occupied habitat that also provides nesting sites.

To avoid adverse impacts to Swainson's hawk (if its presence is confirmed), construction-related activities should be avoided within a minimum of 0.25 miles of a nesting Swainson's hawk between March 1 and September 15 without consultation with CDFG. CDFG-recommended hawk survey methodology and other monitoring

(continued)

Mitigation 10-2 (continued):

protocols and guidelines shall be followed. If Swainson's hawk foraging habitat is impacted, mitigation land shall be protected in perpetuity and provide for long-term management of Swainson's hawk habitat. CDFG recommends mitigation for loss of Swainson's hawk foraging habitat based on the following ratios:

- For projects within one mile of an active nest tree shall provide one acre of land for each acre of development authorized (1:1 ratio).
- For projects within 5 miles of an active nest tree but greater than one mile from the nest tree shall provide 0.75 acres of land for each acre of urban development authorized (0.75:1 ratio).
- For projects within 10 miles of an active nest tree but greater than 5 miles from an active nest tree shall provide 0.5 acres of land for each acre of urban development authorized (0.5:1 ratio).

Implementation of these measures would reduce Project impacts related to special-status species 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*** (see Criteria (b) and (d) under subsection 10.3.1, "Significance Criteria," above).

Explanation:

The introduction of invasive species is thought to be second only to habitat loss in contributing to the decline of native species and the loss of biodiversity throughout the United States.¹

¹California Department of Fish and Game, California Aquatic Invasive Species Management Plan, January 2008, p. 7.

Statewide, researchers have identified 607 non-native, or likely non-native, species in California's estuarine waters. More than 250 non-native species have been found in the San Francisco Bay-Delta Estuary.¹

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

(continued)

¹California Department of Fish and Game 2008, p. 2.

(b) National Pollutant Discharge Elimination System. The Central Valley RWQCB administers the NPDES stormwater permitting program in the Central Valley region for both construction and industrial activities. Construction sites disturbing one acre or more of land are subject to the permitting requirements of the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Construction Permit). For qualifying projects, the project applicant must submit a Notice of Intent to the RWQCB to be covered by the General Construction Permit prior to the beginning of construction.

The General Construction Permit requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP), which also must be completed before construction begins. Implementation of the plan starts with the commencement of construction and continues through the completion of the project. Upon completion of the project, the applicant must submit a Notice of Termination to the RWQCB to indicate that construction is completed.

Rio Vista is required to operate under the NPDES Municipal Stormwater Phase II Permit (Phase II General Permit) requirements set forth in the Rio Vista Stormwater Management Plan (SWMP). Discharges of urban runoff are regulated under the SWMP through the promulgation of regulations applicable to Small Municipal Separate Stormwater Sewer Systems (MS4s). Under the Phase II General Permit, the City is required to develop, implement, and enforce a stormwater management program. The details of the development, implementation, and enforcement of the Phase II General Permit requirements are provided in the SWMP, which has not yet been approved by the Central Valley RWQCB.¹

(c) Central Valley Flood Protection Board. The Central Valley Flood Protection Board (formerly known as the Reclamation Board) is required to enforce standards for the construction, maintenance and protection of adopted flood control plans that will protect public lands from floods. The jurisdiction of the Board includes the Central Valley, including all tributaries and distributaries of the Sacramento River, the San Joaquin River and designated floodways (Title 23 California Code of Regulations Section 2). Portions of the proposed Project Area located within approximately 300 feet of the mean high water mark are within the jurisdiction of the Central Valley Flood Protection Board. A Board permit would be required for most types of work within the Board's jurisdiction.

11.2.3 City of Rio Vista

(a) Rio Vista General Plan. The General Plan Resource Conservation and Management Element contains the following relevant goals, policies and actions.

- *To preserve, protect, and enhance an interconnected system of significant open space areas, including sensitive local resource areas. (Goal 10.1)*
- *The City shall require that new development be designed and constructed to preserve the following types of areas and features as open space to the maximum extent feasible:*
 - *High erosion hazard areas*
 - *Scenic and trail corridors*
 - *Streams and riparian vegetation*
 - *Wetlands*

¹PBS&J. 2008. p. 4.7-17.

- *Drainage corridors*
 - *Other significant stands of vegetation*
 - *Wildlife corridors*
 - *Key hilltops*
 - *Views of the Sacramento River*
 - *Any areas of federal, state or local significance*
 - *Sensitive Local Resource Areas shown in Figure 10-2 (Policy 10.1.C)*
-
- *To preserve and protect the Sacramento River Delta as an important land resource for agriculture and wildlife habitat. (Goal 10.3)*