

# Final Environmental Impact Report for the Fairfield Train Station Specific Plan



State Clearinghouse # 2010042093

Prepared by:  
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Sacramento, CA 95811

July 2011

**AECOM**

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State Clearinghouse # 2010042093

Prepared for:

City of Fairfield Community  
Development Department  
1000 Webster Street  
Fairfield, CA 94533

Prepared by:

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**AECOM**

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# ACRONYMS AND ABBREVIATIONS

°F	degrees Fahrenheit
µg/m <sup>3</sup>	micrograms per cubic meter
AB	Assembly Bill
ABAG	Association of Bay Area Governments
ADA	Americans with Disabilities Act
ADWF	average dry weather flow
AFB	Air Force Base
afy	acre-feet per year
ALUC	Airport Land Use Commission
ALUCP	airport land use compatibility plans
ANSI	American National Standards Institute
APCO	Air Pollution Control Officer
APS	Alternative Planning Strategy
ARB	California Air Resources Board
AST	above ground storage tank
ASTM	American Society of Testing and Materials
ATHS	Air Toxics Hot Spots
B.P.	Before Present
BAAQMD	Bay Area Air Quality Management District
BACT	best available control technology for toxic
BAOS	Bay Area Ozone Strategy
BAT	Best Available Technology Economically Achievable
Bay-Delta	San Francisco Bay/Sacramento–San Joaquin Delta
BCDC	Bay Conservation and Development Commission
BCT	Best Conventional Pollutant Control Technology
bgs	below ground surface
BMP	best management practice
BO	Biological Opinion
BSC	California Building Standards Commission
CAA	federal Clean Air Act
CAAA	federal Clean Air Act Amendments of 1990
CAAQS	California Ambient Air Quality Standards
CAFE	corporate average fuel economy
CAL FIRE	California Department of Forestry and Fire Protection

CalARP	California Accidental Release Prevention Program
Cal-OSHA	California-Occupational Safety and Health Act
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CALVENO	California Vehicle Noise
CAMUTCD	California Manual of Uniform Traffic Control Devices
CAP	Clean Air Plan
CBC	California Building Standards Code
CBG	Carlson, Barbee & Gibson, Inc.
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDE	California Department of Education
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
CFC	chlorofluorocarbon
CFR	Code of Federal Regulations
CGS	California Geological Survey
CH <sub>4</sub>	methane
CHMIRS	California Hazardous Materials Incident Report System
City	City of Fairfield
CIWMA	California Integrated Waste Management Act
CIWMB	California Integrated Waste Management Board
CIWMP	Countywide Integrated Waste Management Plan
CLUP	comprehensive airport land use plan
CMP	Congestion Management Program
CNDDB	California Natural Diversity Data Base
CNEL	community noise equivalent level
CNPS	California Native Plant Society
CO	carbon monoxide
CO <sub>2</sub>	carbon dioxide
CO <sub>2</sub> e	carbon dioxide-equivalent
CPR	Cardiopulmonary resuscitation
CPUC	California Public Utilities Commission
CRHP	California Register of Historic Places

CRHR	California Register of Historical Resources
CRV	California Redemption Value
CTP	Solano Comprehensive Transportation Plan
CTR	California Toxics Rule
CUPA	Certified Unified Program Agency
CWA	Clean Water Act of 1972
dB	decibels
dB/DD	dB per doubling of distance
dBA	A-weighted dB
DEIR	Draft Environmental Impact Report
DFG	California Department of Fish and Game
DOC	California Department of Conservation
DTO	Division of Traffic Operations
DTSC	Department of Toxic Substances Control
DWQ	Division of Water Quality
DWR	California Department of Water Resources
EDR	Environmental Data Resources, Inc.
EIR	environmental impact report
EISA	Energy and Independence Security Act of 2007
EMF	electric and magnetic field
EMT	emergency medical technician
EPA	U.S. Environmental Protection Agency
ESA	federal Endangered Species Act
FAA	Federal Aviation Administration
FAR	Federal Aviation Regulations
FAST	Fairfield and Suisun Transit
FEIR	Final EIR
FEMA	Federal Emergency Management Agency
FER	CGS Fault Evaluation Report
FHWA	Federal Highway Administration
FICON	Federal Interagency Committee on Noise
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
FPD	Fire Protection District
FRA	Federal Railroad Administration

FSSD	Fairfield-Suisun Sewer District
FTA	Federal Transit Administration
FTTS	Federal Toxics Tracking System
g	gravity
G	gauss
g/bhp-hr	gram per brake-horsepower-hour
GHG	greenhouse gas
GWP	global warming potential
H <sub>2</sub> O	water vapor
HABS	Historic American Building Survey
HAER	Historic American Engineering Record
HAP	hazardous air pollutant
HCD	California Department of Housing and Community Development
HCFC	hydro-chlorofluorocarbon
HCP	habitat conservation plan
HOV	high-occupancy vehicle
HSWA	Hazardous and Solid Waste Amendments of 1984
HUD	U.S. Department of Housing and Urban Development
Hz	hertz
I-80	Interstate 80
JPA	Joint Powers Authority
kg	kilograms
KOP	Key Observation Point
kV	kilovolt
kW	kilowatts
kWh	kilowatt hours
LAFCO	local agency formation commission
LDL	Larson Davis Laboratories
L <sub>dn</sub>	Day-Night Noise Level
L <sub>eq</sub>	Equivalent Noise Level
LIM	Land Inventory and Monitoring
L <sub>max</sub>	Maximum Noise Level
L <sub>min</sub>	Minimum Noise Level
L <sub>n</sub>	Statistical Descriptor
LOS	level of service
LQG	Large quantity generator

LUCP	Land Use Compatibility Plan
LUP	Linear Underground/Overhead Projects
LUST	leaking underground storage tank
MACT	maximum available control technology for toxic
MBTA	Migratory Bird Treaty Act
MCL	Maximum Contaminant Level
mG	milligauss
mgd	million gallons per day
MMT CO <sub>2</sub> e	million gross metric tons of CO <sub>2</sub> e
MOU	Memorandum of Understanding
mpg	miles per gallon
MPO	metropolitan planning organizations
MPWD	Maine Prairie Water District
MRF	materials recovery facility
MSA	municipal service area
MSL	Mean Sea Level
MSR	Municipal Service Review
MTC	Metropolitan Transportation Commission
MXD	mixed-use development
MY	model year
N <sub>2</sub> O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NAL	Technology-Based Numeric Action Levels
NBA	North Bay Aqueduct
NEHRP	National Earthquake Hazards Reduction Program
NEHRPRA	National Earthquake Hazards Reduction Program Reauthorization Act
NEL	Technology-Based Numeric Effluent Limitations
NESHAP	National Emissions Standards for Hazardous Air Pollutants
NFIP	National Flood Insurance Program
NHTSA	National Highway Traffic Safety Administration
NIEH	National Institute of Environmental Health Sciences
NO	nitric oxide
NO <sub>2</sub>	nitrogen dioxide
NOI	Notices of Intent
NOP	notice of preparation



NO <sub>x</sub>	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NPL	National Priority List
NRCS	Natural Resources Conservation Service
NTR	National Toxics Rule
NTU	Nephelometric Turbidity Units
NWIC	Northwest Information Center
O <sub>3</sub>	ozone
OAL	Office of Administrative Law
OAP	ozone attainment plan
OMP	operations and management plan
OPR	California Office of Planning and Research
PAH	polycyclic aromatic hydrocarbon
PDA	Priority Development Area
perc	perchloroethylene
PG&E	Pacific Gas & Electric Company
Phase I ESA	Phase I Environmental Site Assessment
PM <sub>10</sub>	particulate matter 10 microns in diameter
PM <sub>2.5</sub>	particulate matter 2.5 microns in diameter
ppm	parts per million
PPV	peak particle velocity
PRC	California Public Resources Code
PUC	California Public Utilities Commission
RCRA	Resource Conservation and Recovery Act of 1976
REC	Recognized Environmental Conditions
Reclamation	U.S. Bureau of Reclamation
RHNA	Regional Housing Needs Allocation
RHNP	Regional Housing Needs Plan
RMS	root mean squared
RNHA	Regional Housing Needs Allocation
ROG	reactive organic gases
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SARA	Superfund Amendments and Reauthorization Act of 1986
SB	Senate Bill
SCH	State Clearinghouse

SCMAD	Solano County Mosquito Abatement District
SCS	Soil Conservation Service
SCS	Sustainable Communities Strategy
SCWA	Solano County Water Agency
SEL	Sound Exposure Level
SEMSC	Solano Emergency Medical Services Cooperative
SENEL	Single-Event Noise Exposure Level
SFBAAB	San Francisco Bay Area Air Basin
SFPD	School Facilities Planning Division
SID	Solano Irrigation District
SIDS	Sudden Infant Death Syndrome
SIP	State Implementation Plan
SLIC	Spills, Leaks, Investigations, and Cleanup Program
SLM	sound level meter
SMAQMD	Sacramento Metropolitan Air Quality Management District
SMARA	Surface Mining and Reclamation Act of 1975
SMBRP	Site Mitigation and Brownfields Reuse Program
SMHCP	Solano Multispecies Habitat Conservation Plan
SO <sub>2</sub>	sulfur dioxide
SO <sub>2</sub>	sulfur dioxide
SOI	Sphere of Influence
Solano OES	Solano County Office of Emergency
SO <sub>x</sub>	oxides of sulfur emissions
SP	service population
Specific Plan	Fairfield Train Station Specific Plan
SQG	Small quantity generator
SR	State Route
SRCD	Suisun Resource Conservation District
SSIM	Sustainable Systems Integrated Model
STA	Solano Transportation Authority
STA	Solano Transportation Authority
SVP	Society of Vertebrate Paleontology
SWP	State Water Project
SWPPP	stormwater pollution prevention plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminant

TAZ	traffic analysis zone
TMDL	total maximum daily load
TNM	Federal Highway Administration's Traffic Noise Model
TOD	transit-oriented development
TOMS	Topographically Occurring Mine Symbols
tpy	tons per year
Travis LUCP	Travis AFB Land Use Compatibility Plan
TRIS	Toxic Chemical Release Inventory System
TSCA	Toxic Substances Control Act
TSDF	Treatment, Storage and Disposal Facility
UBC	federal Uniform Building Code
UCMP	University of California Museum of Paleontology
UPRR	Union Pacific Railroad
USACE	U.S. Army Corps of Engineers
USDOT	U.S. Department of Transportation
USGS	U.S. Geological Survey
UWMP	Urban Water Management Plan
VdB	vibration decibels
VFPD	Vacaville Fire Protection District
VMT	vehicle miles traveled
VOCs	volatile organic compounds
WDR	waste discharge requirement
WTP	Water Treatment Plant
WWTP	Wastewater Treatment Plant
μin/sec	microinch per second

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# 1 INTRODUCTION

In accordance with Section 15088 of the State California Environmental Quality Act (CEQA) Guidelines, the City of Fairfield, as the lead agency, has reviewed the comments received on the Draft Environmental Impact Report (Draft EIR) for the Fairfield Train Station Specific Plan and has prepared written responses to the comments received.

The Draft EIR (State Clearinghouse Number 2010042093) was received on December 24<sup>th</sup>, 2010 by the State Clearinghouse, which provided a 45-day public review period that ended on February 7<sup>th</sup>, 2011. After the original Draft EIR was released, the City elected to revise the transportation and related sections with revised transportation analysis and clarifying information. The City also elected to revise the air quality analysis. The City then elected to recirculate for public review these revised sections of the original Draft EIR. The partially recirculated Draft EIR was received on February 15<sup>th</sup>, 2011 by the State Clearinghouse, which provided a 45-day public review period that ended on April 1<sup>st</sup>, 2011.

Chapter 2 of the Final EIR includes the written and oral comments received on the Draft EIR and presents responses to significant environmental issues raised in these comments (as required by the State CEQA Guidelines Section 15132).

The focus of the responses to comments is on the disposition of significant environmental issues that are raised in the comments, as specified by Section 15088(c) of the State CEQA Guidelines. Detailed responses are not provided to comments on the merits of the proposed project that do not pertain to the adequacy of the Draft EIR in addressing the adverse physical environmental impacts of the Specific Plan.

In some instances, responses to comments may warrant modification of the text of the draft EIR. In those cases, the text of the Draft EIR is revised and the changes compiled in Chapter 3, Corrections and Revisions to the Draft EIR (Errata). The text deletions are shown in strikeout (~~strikeout~~) and additions are shown in underline (underline).

This document and the Draft EIR together constitute the Final EIR that is being considered by the City of Fairfield.

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## 2 COMMENTS AND RESPONSES TO ENVIRONMENTAL ISSUES

This section of the Final EIR contains comment letters received during the public review period for the Draft EIR. The Draft EIR (State Clearinghouse Number 2010042093) was received on December 24<sup>th</sup>, 2010 by the State Clearinghouse, which provided a 45-day public review period that ended on February 7<sup>th</sup>, 2011.

After the original Draft EIR was released, the City elected to revise the transportation and related sections with revised transportation analysis and clarifying information. During the Draft EIR comment period, the City received a comment letter from the Bay Area Air Quality Management District (BAAQMD). In response to comments from BAAQMD, the City also elected to revise the air quality analysis. The City then elected to recirculate for public review these revised sections of the original Draft EIR. The following EIR sections were included in the Partially Recirculated EIR: Introduction; Executive Summary; 4.3 Air Quality; 4.11 Noise; 4.14 Transportation; 5 Alternatives; 6 Other CEQA Considerations; 7 References; and 8 Preparers. The partially recirculated Draft EIR was received on February 15<sup>th</sup>, 2011 by the State Clearinghouse, which provided a 45-day public review period that ended on April 1<sup>st</sup>, 2011.

The original (December 2010) Draft EIR and the Partially Recirculated Draft EIR are collectively known as the "Draft EIR."

Pursuant to the CEQA Guidelines Section 15088.5(f)(2), the City requested that reviewers of the partially recirculated Draft EIR document limit comments to the material included in the recirculated document, and not make new comments on matters not included. The City's written responses address (1) comments received on sections of the December 2010 Draft EIR that were not recirculated, and (2) comments received during the public review period on sections of the Draft EIR that were recirculated. No comment was received from BAAQMD regarding the recirculated Draft EIR.

This section also includes the oral comments received during the public meetings held on February 9<sup>th</sup>, 2011 to receive comments on the Draft EIR. In conformance with State CEQA Guidelines Section 15088(a), written responses to comments on environmental issues received from reviewers of the Draft EIR were prepared, including both written and oral comments.

### 2.1 LIST OF COMMENTS ON THE DRAFT EIR

Table 2-1 identifies a number for each comment letter received, the author of the comment letter, the comment letter date, the comment number and the comment topic.

<b>Table 2-1 Comments Received on the Draft EIR</b>		
<b>Letter #</b>	<b>Commenter</b>	<b>Date</b>
Jones	Frederick M. Etzel Henn, Etzel & Moore, Inc.	1/30/11
Air Force	Elizabeth J. Schwan, Director of Staff	1/31/11
SCWA	Chris Lee, Supervising Environmental Scientist	2/3/11
CVFPB	James Herota, Staff Environmental Scientist	2/7/11
FSSD	Marcie Bodeaux, P.E.	2/7/11
Vacaville Fire	Howard F. Wood, Fire Chief	2/7/11
Travis USD	Blair E. Aas, Senior Planning Consultant of SCI Consulting Group	2/8/11

**Table 2-1  
Comments Received on the Draft EIR**

Letter #	Commenter	Date
DFG	Scott Wilson, Acting Regional Manager	2/9/11
Solano Public Works	Paul Wiese, Engineering Manager	2/9/11
SID	Richard Wirth, Assistant Civil Engineer	2/9/11
Suisun City	April Wooden, Community Development Director	2/9/11
City of Vacaville	Maureen Carson, Community Development Director Rod Moresco, Public Works Director/City Engineer, Interim Utilities Director	2/9/11
G&S	Karen Shaffer, Principal	3/24/11
STA	Robert Macaulay, Director of Planning	2/9/11
DOT1	Lisa Carboni, District Branch Chief	2/7/11
DOT2	Becky Frank, District Branch Chief	4/4/11

## 2.2 COMMENTS AND RESPONSES ON THE DRAFT EIR

The written comments received on the Draft EIR and the responses to those comments are provided in this section.

City of Fairfield Planning Commission  
Study Session  
February 9<sup>th</sup>, 2011

The only comment offered at this Study Session was from Planning Commissioner Gary Walker. Commissioner Walker expressed concern regarding not having a plan for moving people and bikes from the train station to various areas in the Specific Plan Area, including the industrial areas. Commissioner Walker also suggested a cohesive plan be designed addressing large truck access and circulation in the area, and the use of raw water for irrigation and other uses to save on cost.

The Specific Plan provides comprehensive circulation planning for pedestrian, bicyclists, and drivers. The proposed roadway network includes multiple connections to Peabody Road and Cement Hill Road/Vanden Road and an internal network of roadways that will distribute traffic, while providing mobility for vehicles, bicycles, pedestrians and transit vehicles. The Specific Plan includes an extensive network of pedestrian pathways and a cohesive bicycle path system that will enable residents to access public transportation facilities, parks and other public amenities, and destination land uses. On-street bike paths will extend into the Employment (industrial) areas of the Specific Plan Area. Off-street bike paths are planned along Vanden Road, as well as on many of the connector roads throughout the Specific Plan Area. Class I bike trails are planned throughout the Specific Plan Area. Please refer to Exhibit 3-7 of the Draft EIR, which illustrates the proposed Land Use Plan, and Exhibit 3-8, which is the Bike and Pedestrian Circulation diagram. As shown in Exhibit 3-8, there are both on-street bike lanes and off-street bicycle/pedestrian pathways connecting to the planned train station area. Bicycle and pedestrian routes are especially dense in the area surrounding the planned train station, with connections provided in each direction (to the north, south, east, and west). The Specific Plan includes a roadway classification called “Industrial Collector,” which is specifically designed to handle a mix of truck traffic, along with other users. A new collector road will connect New Canon Road to the Employment area in the eastern portion of the Specific Plan Area. It is designed with an ultimate ROW of 62 feet when adjacent to open space with four traffic lanes. In addition, the Specific Plan provides for “Industrial Connectors,” within the Industrial/Employment areas to provide access off of the industrial collector. An industrial connector is designed with an ultimate ROW of 40 feet



with two lanes. Mitigation Measure 4.14-3 requires development within the Specific Plan to contribute funding toward provision of bus transit service commensurate with bus transit demand. This may include contributions to FAST to help extend a bus route to the train station or to extend that route further into the Town Center and Industrial Park areas, or direct funding of a shuttle service connecting these areas. As noted on page 3-10 of the Draft EIR, Solano Irrigation District (SID) approval will be required for the Specific Plan to use raw water from SID for landscape irrigation and operation of proposed water features.

**HENN, ETZEL & MOORE, INC.**

ATTORNEYS AT LAW

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January 30, 2011

VIA: U. S. Mail and e-mail

Mr. David Feinstein, Senior Planner  
City of Fairfield Community Development Department  
1000 Webster Street  
Fairfield, CA 94533-4883

RE: Comments on Draft Environmental Impact Report for the Train  
Station Specific Plan

Dear Mr. Feinstein:

As you know, I represent the Jones Family regarding the 10-acre parcel (the "Jones Parcel") which the family owns and which borders Vanden Road to the northeast of the Train Station. I have reviewed the Draft Environmental Impact Report ("DEIR") for the Train Station Specific Plan and I have the following comments. Each comment is prefaced by a page reference to the DEIR.

Page 3-15: Exhibit 3-7, Proposed Land Use Plan.

Comment: The Jones Family has been informed by City staff that the HR High Density Residential (20+ DU/AC) designation has been restored to the Jones Parcel,<sup>1</sup> and that this action is offset by the resignation of other properties within the Specific Plan from HR High Density (20+ DU/AC) to MR 10-20 DU/AC so that the net effect is that there is no substantial change in the total number of residential dwelling units. Please make this land use designation change to the Jones Parcel as it is shown in Exhibit 3-7 and elsewhere in the Draft EIR.

1

Page 3-28: Exhibit 3-12, Planning Area

Comment: Please allow me to note that Figure 3-12 correctly shows the Land Use designation of the Jones Parcel as HR High Density Residential (20+ DU/AC).

2

<sup>1</sup> E-mails from R. Rowland, January 14 and 27, 2011.  
JO070101.49

Page 4.4-18: Figure 4.4-3, Biological Resources Study Sites

Comment: Figure 4.4-3 shows “Sites Surveyed for Special-status Plants.” In March 2000 and again in May 2010, the Jones Family retained Wetlands Research Associates (WRA), Environmental Consultants, San Rafael, CA to conduct field surveys of the Jones Parcel to determine if any special status species are present on the property. At page 2 of the May 2010 findings report prepared by WRA it is stated:

The 2000 report indicated that occurrences of several special status plant and wildlife species had been recorded in the CNDDB (California Department of Fish and Game) database in areas surrounding the Jones parcel, however no occurrences were noted directly on the Jones parcel. Information from the most recent 2010 CNDDB indicates that there still are no direct occurrences of special status species recorded on the Jones parcel (Figure 2).

Upon request, the Jones Family would be happy to share the reports of these two field surveys with the City.

Page 4.4-35: In Exhibit 4.4-9, the Jones Parcel is shown as having a “Medium Value” as a Vernal Pool Conservation Area.

Comment: As determined by the two previously mentioned Special Status Species Habitat and Wetland Assessments field surveys conducted by Wetlands Research Associates on March 6, 2000 and May 25, 2010, the Jones Parcel has no value as a vernal pool conservation area. For fire suppression purposes, the Jones family has had the Jones Parcel disced and the brush removed every five years since 2000. Upon request, the Jones Family would be happy to share the reports of these two field surveys with the City. Please remove the “Medium Value” Vernal Pool Conservation Area green cross-hatched designation from the Jones Parcel.

Page 4.4-36:

Comment: At this page the DEIR states: “All biological resources impacts are analyzed at a program level of detail for the McAvenia, Developed 1, Developed 2, Developed 3, Eden Bridge, Ewings, Jones, and Kemp sites, as well as the off-site improvement areas.” As noted previously, based on the field surveys conducted by WRA in 2000 and 2010, there are no direct occurrences of special status species on the Jones parcel.

3

4

5

Mr. David Feinstein  
January 30, 2011  
Page 3

Page 4.9-4: Exhibit 4.9-2, Floodplain

Comment: In Exhibit 4.9-2, the Jones Parcel is crossed diagonally by a Collector Road. The alignment of this Road has previously been changed to run along the property boundary between the Jones Parcel and the Syar Industries Property which abuts it on the west. Please make this correction.

6

Page 4.10-33: Exhibit 4.10-11 Proposed Specific Plan Land Use Plan

Comment: Please see previous comment. Please change Exhibit 4.10-11 to show land use designation of the Jones Parcel as HR High Density (20+ DU/AC).

7

This concludes our comments on the Draft EIR on the Train Station Specific Plan and we look forward to your response to these comments. Thank you for your attention to this letter.

Very truly yours,

HENN, ETZEL & MOORE, INC.

Frederick M. Etzel

CC: Ron Rowland, Special Projects  
Elaine Jones  
Ramona Jones

- 1      *This comment requests a change in land use designation to be shown on diagrams in the Draft EIR.*
- The requested changes have been made. Please refer to Section 3 of this Final EIR, which includes revised exhibits (Final EIR page 3-3).
- 2      *This comment identifies that the comment concurs with the land use designation of a specific property on Exhibit 3-12 of the Draft EIR.*
- This comment is noted.
- 3      *The comment states that Wetlands Research Associates conducted field surveys on the Jones Parcel in March 2000 and May 2010 to determine if any special-status species are present on the property.*
- The comment is noted. It is possible that the extent of additional survey and mitigation work for future proposed developments on the subject property could be limited if the referenced surveys were conducted consistent with established protocols for determining presence or absence of special-status species. As stated on page 4.4-58, Mitigation Measure 4.4-3b, bullet 1) a): “If a protocol level survey targeting all potentially occurring special-status plant species has been conducted on the specific project site in the previous 5 years, a preconstruction survey shall not be required because surveys conducted according to established guidelines are generally considered valid by the resource agencies for a period of 5 years.” The protocol-level survey results would have to be provided to the City before they would approve grading or improvement plans and before ground disturbing activities on the Jones parcel.
- Please provide copies of additional field survey reports to the City that can be used in future entitlement processing.
- 4      *The comment states that the field surveys conducted by Wetlands Research Associates determined that the Jones parcel has no value as a vernal pool conservation area.*
- The medium and high value conservation areas designations shown on Exhibit 4.4-9 are as identified in the proposed Solano Multispecies Habitat Conservation Plan (SMHCP). The SMHCP defines medium value conservation areas for vernal pool grasslands as highly to very highly disturbed lands on historic vernal pool soils and adjacent valley floor grassland habitat located on non vernal pool soils. This includes lands with soils that have been altered by leveling or cultivation, but have an intact impermeable layer and are adjacent to high value conservation areas but separated from them by a road, levee, or other man-made structures. Medium value conservation areas typically do not support special-status species. Since the referenced map was produced not as a part of this EIR, but rather as a part of the SMHCP, we cannot revise the exhibit as requested. It is included as a reference and part of the background data incorporated into the EIR, but

does not necessarily dictate the EIR's conclusions with regard to the value of habitat on-site that would be subject to urban development.

The value of habitat on this property will be determined by means of site-specific surveys required by Mitigation Measures 4.4-3a, 4.4-3b, and 4.4-4. These measures requiring surveys of land for sensitive plant species or sensitive habitat (including vernal pools) before grading activities commence. Depending on whether applicable protocols were followed, the surveys prepared by Wetlands Research Associates may meet some or all of the requirements of these mitigation measures. The commenter is welcome to submit the referenced reports for inclusion in the record.

- 5                    *The comment states that the field surveys conducted by Wetlands Research Associates determined that there are no special-status species occurrences on the Jones parcel.*

See response to Comment 3.

- 6                    *The comment references the location of a roadway on a specific property within the Specific Plan Area.*

The subject exhibit has been revised. The revised version of Exhibit 4.9-2 is provided in Section 3 of this Final EIR, "CORRECTIONS AND REVISIONS TO THE DRAFT EIR." Please see Final EIR page 3-19.

- 7                    *This comment requests a change in land use designation to be shown on diagrams in the Draft EIR.*

The requested change has been made. The revised version of Exhibit 4.10-11 is provided in Section 3 of this Final EIR, "CORRECTIONS AND REVISIONS TO THE DRAFT EIR." Please see Final EIR page 3-21.



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS 60TH AIR MOBILITY WING (AMC)

Air Force

31 JAN 2011

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Mr. David Feinstein  
Senior Planner  
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1000 Webster Street  
Fairfield, CA 94533

Dear Mr. Feinstein

Thank you for allowing us to review and comment on the Draft Environmental Impact Report of the Fairfield Train Station Specific Plan. We very much appreciate that one of the guiding principles of the project is that development in the Specific Plan Area be compatible with the continued operations of Travis AFB and be protective of the ability to accommodate future expansions and changes in mission. We believe the development conceptualized in the Draft Report follows that guiding principle.

1

Attached hereto are a number of specific comments regarding the contents of the Draft Report. The primary focus of our comments is to point out an error within the Report that indicates Travis has a contaminated groundwater plume in the Specific Plan Area.

2

Should you have questions regarding our comments, please contact Nate Pyron at 707-424-8354.

Sincerely,

ELIZABETH J. SCHWAN  
Director of Staff

Attachment:  
Fairfield Train Station DEIR Comments

Travis AFB has the following specific comments regarding the Fairfield Train Station Draft Environmental Impact Report (DEIR):

On page 4.8-6 of the DEIR, under "National Priority List Sites," much of the discussion beginning with the third sentence is inaccurate. The third sentence indicates "the reason the base was listed on the EPA NPL is a solvent plume...consisting of lead acid solutions....and radioactive wastes from nuclear weapons manufacture." This statement is almost entirely inaccurate, and most specifically, there are no radioactive wastes in any groundwater plume at Travis AFB. We request this statement be struck from the draft EIR and replaced with: "The reasons Travis AFB was placed on the NPL are included in the EPA's NPL Site Narrative for Travis AFB, which is available at [www.epa.gov/superfund/sites/npl/nar1269.htm](http://www.epa.gov/superfund/sites/npl/nar1269.htm) "

3

We also request that the sentence in the same paragraph: "The plume is poorly defined, but EPA believes that the plume extends up to 500 feet north of Travis AFB into the Specific Plan Area (ENGEO August 2009:13)" be struck. There is no contaminated plume migrating off Travis AFB into the Specific Plan Area and both James Chang, with EPA, and Mr. Glenn Anderson, with Travis AFB's Environmental Restoration Branch, were misquoted on page 13 of ENGEO's 2009 Report (Appendix A of the DEIR). They were referring to a small TCE (not PCE) plume that migrated to the north off the installation near the base's old landfill, which is a considerable distance east of the Specific Plan Area. This plume is undergoing active pump and treat remediation, and the off-base property is accessed pursuant to a purchased easement from the private landowner. The farthest extent of this plume off the installation is 120 feet. A discussion of the plume and a pictorial extent of it (Figure 3-1) are contained in the NEWIOU Interim Groundwater Record of Decision, available for public review at <http://www.travis.af.mil/shared/media/document/AFD-060419-027.pdf>

4

Regarding Policy HS 7.7 on page 4.8.19, Travis is not aware of "existing contamination" in the project area within 0.5 miles of the boundary of Travis AFB that would be attributable to activities on Travis AFB.

5

Concerning the discussion under IMPACT 4.8.2 on page 4.8.24, Travis is not aware of any "particulate and nitrate contamination of groundwater that may be present in the project area based on historical use (at) Travis AFB." We request this assertion be deleted.

6

Regarding IMPACT 4.8.3, there is no "Travis AFB plume" in the Specific Plan Area. The assertion that "a poorly defined solvent plume in the groundwater extends north from Travis AFB....The plume is poorly defined, but EPA believes that the plume extends up to 500 feet north of Travis AFB..." is erroneous. We request that these statements be deleted. As previously discussed, the only TCE plume to the north of the base's boundaries is at the base's old landfill (LF007) which is a considerable distance from the Specific Plan Area.

7

Regarding the DEIR's indication that property north and east of Travis' main runway be considered for mitigation sites, Travis would have concerns if that property were proposed for wetlands creation mitigation because of bird strike potential.

8

Attachment 1 to 60 AMW/DS Letter to David Feinstein



- 1      *This comment includes salutation and appreciation for opportunity to review and comment on the Draft EIR.*
- This comment is noted.
- 2      *This comment indicates that additional comments are attached to the letter.*
- This comment is noted.
- 3      *This comment indicates that the reasons given for the listing of Travis AFB on the National Priority List Sites on page 4.8-6 are incorrect.*
- The Phase I Environmental Site Assessment prepared to support the Draft EIR incorrectly reported the nature of contamination being remediated at Travis AFB. This paragraph has been revised based on the comment to quote the Environmental Protection Agency's NPL Site Narrative for Travis AFB, as suggested by the Department of the Air Force. Please see Final EIR pages 3-12 and 3-13, which illustrate these revisions.
- 4      *This comment indicates that on page 4.8-6 of the Draft EIR, the extent and nature of the groundwater contamination plume is misstated.*
- The Phase I Environmental Site Assessment prepared to support the Draft EIR incorrectly reported the nature of groundwater contamination plume. This paragraph has been revised to report the extent and nature of the TCE groundwater plume, as it is described in the Environmental Protection Agency's Travis Air Force Base Second Five-Year Scoping Report (September 2008). In addition, an exhibit showing the groundwater plume extending approximately 120 feet from Travis AFB, approximately 0.75 mile from the Specific Plan Area has been added to this section.
- Please see Final EIR pages 3-12 and 3-13, which illustrate these revisions.
- 5      *The comment indicates that the Department of the Air Force is not aware of contamination in the Specific Plan Area that could be attributable to the Air Force Base.*
- The referenced portion of the Draft EIR includes City of Fairfield policies. The commenter references Policy HS 7.7, which is of particular relevance for this project. This policy is included below:
- Policy HS 7.7: During environmental document preparation for and before approval of any project within 0.5 mile of the boundaries of Travis Air Force Base, the City shall consult with the Travis AFB Environmental Cleanup Program, EPA, California Department of Toxic Substances Control, and the San Francisco Bay Regional Water Quality Control Board regarding continuing base contamination and remediation efforts. No projects shall be approved where there is substantial evidence of existing contamination that would pose an unacceptable risk to the health of future occupants of the project.*

The City did not, through including reference to this General Plan policy, intend to imply that there was necessarily a contamination problem attributable to Travis Air Force Base that affects the Specific Plan Area. The City included City of Fairfield General Plan Policy HS 7.7 (like all other plans, policies, regulations and ordinances identified in the Draft EIR) for the purpose of providing the regulatory background relevant to the project. The City acknowledges the Air Force Base comment for the purposes of compliance with this General Plan policy.

- 6 *This comment disputes Impact 4.8.2 on page 4.8.24 of the Draft EIR, which indicates the potential for particulate and nitrate contamination of groundwater resulting from Travis AFB.*

This impact has been revised based on the updated information from the Environmental Protection Agency. The significance conclusion and mitigation measures were not revised, however. This is because existing and historic land uses in the Specific Plan Area not related to Travis AFB could contribute potentially significant impacts. Please see Final EIR pages 3-13 and 3-14, which illustrate this revision.

- 7 *This comment disputes Impact 4.8.3 that a plume of contaminated groundwater extends into the Specific Plan Area.*

This impact has been revised based on the comment and on the updated information from the Environmental Protection Agency. Please see Final EIR pages 3-12 and 3-13.

- 8 *This comment expresses concern that if wetlands are created for mitigation banking in areas near the Travis AFB runway, this could increase the possibility of bird-strike incidents.*

The City shares this concern. Mitigation in Section 4.4 of this EIR requires future development to avoid fill of wetlands and other waters of the United States to the maximum extent feasible. Where this is not feasible, permits and conditions are required for direct and indirect effects to wetlands and other waters of the United States and waters of the state as spelled out in Mitigation Measure 4.4-1a. The framework of this mitigation is to achieve “no net loss.” The City’s intent is for wetlands regulated under Section 404 to be mitigated at ratios consistent with those proposed in the current draft Solano Multispecies Habitat Conservation Plan (SMHCP), which would require wetlands preservation at various ratios.

It is possible that a combination of replacement, restoration, or enhancement of wetland habitat would be used to mitigate impacts. Compensatory mitigation for losses of perennial and seasonal drainage channels is required through in-kind preservation, restoration, or enhancement. Project applicant(s) could purchase mitigation credits at a mitigation bank. Neither the Specific Plan nor the EIR propose the creation of wetlands.

In response to the commenter’s concerns that wetlands could be created near Travis’ main runway, creating potential for bird strike, Mitigation Measure 4.8-5 has been added to the Final EIR. Mitigation Measure 4.8-5 would require that if wetland creation is proposed to be created within 10,000 feet of a runway at Travis Air Force Base, the City will require that the proponent consult with Travis Air Force Base and include conditions, as necessary, to avoid substantial increase in the potential for bird-strike incidents. Specifically, Mitigation Measure 4.8-5 provides:

*Mitigation Measure: 4.8-5: Consult with Travis Air Force Base.*

1) *Project applicant(s) of project phases that propose creation of wetlands within 10,000 feet of a runway at Travis Air Force Base shall consult with representatives of Travis Air Force Base and incorporate conditions, as necessary, to avoid substantial increase in the potential for bird-strike incidents.*

*Implementation: Project applicant(s) of project phases that propose creation of wetlands within 10,000 feet of a runway at Travis Air Force Base.*

*Timing: Before approval of tentative maps, conditional use permits, improvements plans, or area plans where the plans for which project applicant(s) propose creation of wetlands within 10,000 feet of a runway at Travis Air Force Base to mitigate impacts.*

*Monitoring: City of Fairfield.*

Exhibit 4.4-10 shows lands in the Specific Plan Area and vicinity that are proposed options for compensatory wetland mitigation. These lands include both established mitigation banks and potential mitigation sites. Because of the large amount of on-site conservation, opportunities for on-site compensatory mitigation may exist through restoration and enhancement of existing and historic wetland habitats. For example, many of the wetlands in the Specific Plan Area are historic vernal pools that have been subjected to agricultural disturbances (e.g., grading, draining, and planting) that have resulted in varying levels of degradation of the vernal pool habitat.

The location of wetlands mitigation is not currently known. The selection of sites would be based on topographical features, soil types, hydrology, and other physical traits, including relative distance to existing wetlands, wetland types, and habitat values. The Draft EIR notes that the Solano ALUC and Travis AFB will have the opportunity to review specific projects as a condition of the ALUP, including a mitigation bank associated with phased development of the Specific Plan as pre-mitigation. The Draft EIR states at 4.8-29:

*“Other land uses that could potentially involve “hazards to flight,” as defined by the LUCP are required to be reviewed, conditioned if necessary, and approved by the Solano County ALUC prior to development. With specific land use and design review according to the standards described in the ALUP and administered by the Solano County ALUC, and conditioning of projects accommodated under the Specific Plan, as necessary, this impact is considered less than significant.”*

Because the regulatory regime would provide Solano ALUC and Travis AFB with the opportunity to review and require project applicants to comply with design modifications to protect safe flight patterns in the Travis AFB, the analysis is considered sufficient and the impact conclusion remains as it was written in the Draft EIR. The additional Mitigation Measure 4.8-5 would further ensure that if the approach to wetlands mitigation changes, consultation would ensure against any substantial effect on Travis AFB operations. Impact 4.8-5 would remain less than significant.

# SOLANO COUNTY WATER AGENCY



February 3, 2011

City of Fairfield  
Community Development Department  
1000 Webster Street  
Fairfield, CA 94533  
Attention: Dave Feinstein, Senior Planner



Re: Comments on Draft Environmental Impact Report for Fairfield Train Station Specific Plan

The Solano County Water Agency (SCWA) appreciates the opportunity to submit comments on the Draft Environmental Impact Report for the Fairfield Train Station Specific Plan. SCWA has one general comment and several specific comments.

## SCWA general comment:

Starting with Mitigation Measure 4.4-1a on page 4.4-38 and each subsequent mitigation measure for biological resources, the EIR follows the conservation measures of the Draft Solano Habitat Conservation Plan (HCP). While not yet adopted, SCWA commends Fairfield on following the Draft HCP measures and continuing its efforts to conserve important biological resources in Solano County.

1

## SCWA specific comments:

- Page 3-5-third paragraph, SCWA...Bureau of Reclamation ~~and~~ SID. SID maintains the PSC under contract with SCWA.
- Page 3-19, Exhibit 3-8, Exclusion fencing will be required along the PSC where bike and/or pedestrian access is anticipated. As bike/and or pedestrian access is not an existing condition, funding for exclusion fences shall be paid by the project developer.
- Page 4.9-8, U.S. Bureau of Reclamation...The Solano Project...Water Agency ~~and Solano Irrigation District~~, provides water....
- Page 4.9-19-Mitigation Measure 4.9-2. Prepare and Submit Final Drainage Plans to the City and Implement Requirements.

2

Runoff would be directed to McCoy Creek which drains to the McCoy Basin. Increased runoff could affect operation of the McCoy Basin. Final designs and specifications should show that the proposed stormwater facilities would appropriately convey off-site runoff and would

3

P.O. Box 349, Elmira, California 95625  
(707) 451-6090, FAX (707) 451-6099



Feinstein Letter, Page two

appropriately detain project-related on-site runoff so as not to affect McCoy Basin operations. If operations of McCoy Basin are affected, compensation to mitigate affects should be negotiated with SCWA.

- Page 4.15-2, The Solano Project-The Solano Project is ~~operated~~-owned by the U.S. Bureau of Reclamation (USBR), **SCWA is responsible for management of the Solano Project on behalf of the Bureau.** ...

If you have any questions on these comments, please call me at (707) 455-1105, thank you.

Sincerely,



Chris Lee,  
Supervising Environmental Scientist

S11.TrainStationSpecificPlan.EIR.Comment.Letter

- 1      *The comment states that the EIR follows the conservation measures in the Draft SMHCP and that SCWA commends the City of Fairfield on following these measures and continuing its efforts to conserve important biological resources in Solano County.*

The City acknowledges SCWA's support for the City's mitigation strategy for the Specific Plan.

- 2      *The comment provides specific suggested edits for Sections 3 and 4.9 of the Draft EIR and notes that fencing along Putah South Canal would have to be funded by Specific Plan project developer/s.*

The requested change to page 3-5 of the Draft EIR has been made as indicated below:

The northwest portion of the Specific Plan Area is traversed by the Putah South Canal. Solano County Water Agency (SCWA) is responsible for operating and maintaining the 33-mile long canal under an agreement with the Bureau of Reclamation ~~and SID~~. SID maintains the Putah South Canal under contract to SWCA.

Please see Final EIR page 3-1, which illustrates the above change.

With respect to exclusion fencing along Putah South Canal where pedestrian and bicycle access is anticipated, the only area along the Putah South Canal where Exhibit 3-8 proposes new pedestrian/bicycle access is along a short stretch of the Linear Park between New Canon Road and the north end of the North Bay Water Treatment Plant. Exclusion fencing will be included in the design for this stretch of the Linear Park, to be paid for by the developer.

Page 3-18 of the Draft EIR has been revised as shown below to the paragraph under the heading "Bicycle and Pedestrian System":

Bicycle and pedestrian facilities will be provided alongside public streets in the Specific Plan Area. The Specific Plan also anticipates a multi-use trail system to complement sidewalks and other pedestrian facilities throughout the area. An off-street bike path would extend along existing Vanden Road (future Jepson Parkway) through the Specific Plan Area northeast toward Vacaville. An additional multi-use trail will be extended to the south toward a pedestrian overcrossing of Vanden Road and Union Pacific railroad to connect with Center Elementary School, south of the Specific Plan Area (Exhibit 3-8). Exclusion fencing will be provided along Putah South Canal for the Linear Park between New Canon Road and the north end of the North Bay Water Treatment Plant to be paid for by the developer.

Please see Final EIR page 3-2, which illustrates the above change.

Page 4.9-8 of the Draft EIR has been revised as requested. See the strikeout language below:

...Reclamation owns the Solano Project facilities, including the Putah South Canal, a portion of which passes through the Specific Plan Area as shown on Exhibit 4.9-2. The Solano Project, operated under a cooperative agreement by the Solano County Water

Agency and Solano Irrigation District, provides water for irrigation and domestic supplies for the cities of Vacaville, Suisun City, Vallejo, and Fairfield.

Please see Final EIR page 3-19, which illustrates the above change.

3

*The comment states that drainage facilities should be designed so that McCoy Basin operations are not adversely affected.*

Mitigation Measure 4.9-2 has been revised for additional clarity. Please see Final EIR page 3-20, which shows this revision.

Under 3), text has been added as follows:

- 3) The final drainage plan shall demonstrate to the satisfaction of the City of Fairfield and FSSD that 100-year flood flows would be appropriately channeled and contained, such that the risk to people or damage to structures within or down gradient of the project site would not increase as a result of the Specific Plan. The final drainage plan shall demonstrate that stormwater facilities would appropriately convey off-site runoff and would appropriately contain project-related runoff so as not to adversely affect McCoy Basin operations.

4

*The comment suggests a specific revision to Section 4.15 of the Draft EIR.*

Page 4.15-2 has been revised as suggested by the commenter as shown below:

The Solano Project is ~~operated~~ owned by the U.S. Bureau of Reclamation (USBR). SCWA is responsible for management of the Solano Project on behalf of the USBR. The first Solano Project water was delivered in 1959. Facilities of the Solano Project include Monticello Dam, Putah Diversion Dam, and the Putah South Canal.

Please see Final EIR page 3-30, which illustrates this revision.



**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



February 7, 2011

Mr. David Feinstein  
 City of Fairfield  
 1000 Webster Street  
 Fairfield, CA 94533-4883

Dear Mr. Feinstein:

Subject: Fairfield Train Station Specific Plan  
SCH Number: 2010042093  
Document Type: Draft EIR

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 and the San Joaquin River, and designated floodways (Title 23 California Code of Regulations (CCR), Section 2).

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 that 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).

1



February 7, 2011  
Mr. David Feinstein  
Page 2 of 2

#### Potentially Significant Hydrologic Impacts

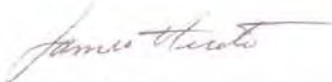
According to p. 4.4-64 "LSA found the Specific Plan to be generally consistent with the SMHCP goals and strategies with the following exceptions: the Specific Plan does not provide wildlife movement corridors across the proposed four-lane Jepson Parkway (a.k.a. Vanden Road) between habitat conservation areas to the east and open space to the west, small segments of Union and McCoy Creeks would not be provided with setbacks proposed in the SMHCP, and there is no plan to retain and restore segments of McCoy Creek between Peabody and Cement Hill Road."

McCoy Creek is a regulated stream in accordance with Title 23, CCR Section 112 which states "(a) The board requires applications to be filed for all proposed encroachments within the floodways under its jurisdiction (identified in Table 8.1) and on levees adjacent thereto, on any stream which may affect those floodways."

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

Should you have any further questions, please contact me by phone at (916) 574-0651, or via email at [jherota@water.ca.gov](mailto:jherota@water.ca.gov).

Sincerely,



James Herota  
Staff Environmental Scientist  
Floodway Projects Improvement Branch

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

2

- 1      *The comment summarizes the responsibilities of the Central Valley Flood Protection Board as they potentially related to activities accommodated under the Specific Plan.*
- The City acknowledges the cited requirements of the California Code of Regulations and the permit requirements for specified activities. The text of the Draft EIR has been revised to reflect the referenced requirements. This change applies to page 3-13 of the Draft EIR under the heading “Other State/Regional Agencies”:
- Approval of permits by state agencies, such as a streambed alternation agreement for Union Creek with the Department of Fish and Game, and other permits from the State Water Resources Control Board, Bay Area Air Quality Management District; the California Department of Transportation for encroachment permits for improvements to SR 12, as necessary; the Central Valley Flood Protection Board for structures or other facilities falling within its jurisdiction; and other agencies.
- Please see Final EIR page 3-1, which illustrates the above change.
- 2      *The comment restates information from the Draft EIR regarding McCoy Creek and indicates that a permit will be required for any proposed encroachments into the floodway of McCoy Creek and any adjacent levees.*
- The comment quotes from a discussion of potential encroachment onto McCoy Creek. This discussion appears at page 4.4-64 of the Draft EIR. The City acknowledges the cited requirements of the California Code of Regulations and the permit requirements for specified activities falling within the Board’s jurisdiction. Please refer to the response to Comment 1 from this same letter.

**From:** Feinstein, David M [DFEINSTEIN@fairfield.ca.gov]  
**Sent:** Monday, February 07, 2011 7:38 AM  
**To:** Beavers, Erin L; Rowland, Ron  
**Cc:** Gerken, Matthew  
**Subject:** FW: Train Station Specific Plan DEIR

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**From:** Marcie Bodeaux [mailto:MBodeaux@fssd.com]  
**Sent:** Friday, February 04, 2011 3:36 PM  
**To:** Feinstein, David M  
**Subject:** Train Station Specific Plan DEIR

Hi Dave,  
 Very nice job on FSSD sewer issues in the Train Station Specific Plan DEIR. I don't see the need for  
 any comments from FSSD. Thank you!  
 Marcie

1

*Marcie Bodeaux, P. E.  
 Fairfield-Suisun Sewer District  
 1010 Chadbourne Road  
 Fairfield, CA 94534  
 707.429.8930*

- 1                      *The comment compliments the City on the analysis of wastewater related issues in the Draft EIR.*
- The City acknowledges the comment from the Fairfield-Suisun Sewer District, which is included here for decision maker consideration.

## VACAVILLE FIRE PROTECTION DISTRICT

420 VINE STREET  
VACAVILLE, CA 95688  
(707) 447-2252  
FAX (707) 447-2769



HOWARD F. WOOD  
FIRE CHIEF

February 7, 2011

David Feinstein, Senior Planner  
City of Fairfield  
Community Development Department  
1000 Webster Street, 2<sup>nd</sup> Floor  
Fairfield, CA 94533



Dear Mr. Feinstein:

Subject: Draft Environmental Impact Report for Fairfield Train Station  
Specific Plan – Request for Comments

After reading the Draft Environmental Impact Report it does not include concerns of the Annexation and potential impact on the County portion of the City expansion.

Annexation: When I spoke to you on the Train Station proposal hearing several months ago, you stated there was no need to discuss the issue of your Annexation. This letter is to inform you that the Annexation will be a large impact on the Fire District and as such we will have to meet and come to an agreement prior to the LAFCo Board approving the Annexation.

The letter dated May 11, 2010 from LAFCo states that you meet and Mitigate before the annexation goes forward. I do not see this in the mitigation plan. Enclosed are copies of comments on annexation.

Also, we request that all boundary lines not fronted by roadways have a minimum of a 10 foot fire access road between the city and county so as to maintain access between the wildland area and the city properties.

Sincerely,

A handwritten signature in black ink that appears to read "Howard F. Wood".

Howard F. Wood  
Fire Chief

Enclosures

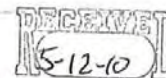
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**Solano Local Agency Formation Commission**

744 Empire St., Suite 216 • Fairfield, California 94533  
(707) 439-3897 • FAX: (707) 438-1788



**COPY**

May 11, 2010

Mr. David Feinstein, Senior Planner  
Department of Community Development  
City of Fairfield  
1000 Webster Street  
Fairfield, CA 94533-4883

RE: Fairfield Train Station Specific Plan/Annexation

Dear Mr. Feinstein:

Below are my comments with respect to the above proposed project.

1. Include the Vacaville Fire Protection District (VFPD) as an affected agency. As required, the proposal area will have to be detached from the VFPD concurrently with the City Annexation. In December 2007, LAFCo amended its' policy (LAFCo Standard 11 - attached) that requires mitigation for negative impacts to Special Districts. The standard requires that the applicant, at minimum, make a good faith effort to reach an agreement with the affected agencies prior to the LAFCo hearing. Attached is a recent example of an agreement between the City of Dixon and the Dixon Fire Protection District.
2. Include the Suisun Fairfield Rockville Cemetery District (SFRCD) as an affected agency. The proposal area is within the Sphere of Influence of the SFRCD and therefore the proposal must also include annexation to the District. Again, an agreement for mitigation must be reached with this District. Attached for your reference is an agreement from the Madison and Discovery II/III at Goldridge Annexations whereby an annual funding source was established to fund the Cemetery District's operations to service the annexed area. I would encourage the City to work with Mr. Jim Campi, SFRCD District Chairman (707-864-2421) in the establishment of an agreement.

**Commissioners**

John Saunderson, Chairperson • Jim Spering, Vice-Chairperson  
Harry Price • Mike Reagan • Len Augustine

**Alternate Commissioners**

Jack Batchelor • Nancy Shopay • Linda Seifert

**Staff**

Shaun Pritchard, Executive Officer • Michelle McIntyre, Commission Clerk



COPY

**AGREEMENT BETWEEN DIXON FIRE PROTECTION DISTRICT  
AND CITY OF DIXON RELATING TO THE WEST PARKWAY INFILL PROJECT ANNEXATION**

This Agreement ("Agreement") is made by and between the Dixon Fire Protection District ("District"), a special district, and the City of Dixon ("City"), a municipal corporation, as of *April 14,* 2010.

**RECITALS**

**WHEREAS**, City applied to the Local Agency Formation Commission of Solano County ("LAFCo") for a reorganization pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (Govt. Code section 56000, *et seq.*) seeking to annex to the City certain lands known as the West Parkway Infill Project ("Annexed Area"), including the detachment of the Annexed Area from the District; and

**WHEREAS**, on December 14, 2009, LAFCo adopted its Resolution Number 09-16, approving the annexation of the Annexed Area to City and the detachment of the Annexed Area from the District as shown on Exhibit "A"; and

**WHEREAS**, as a Condition #6 of its approval (Resolution 09-16), LAFCO required that City and District enter into an agreement whereby City will annually pay District \$1,240.77, with an adjustment made to reflect any increase in the Consumer Price Index for that year. This amount will be included in the District's annual tax revenues.

**NOW THEREFORE**, in order to ensure compliance with the LAFCo condition, the parties agree as follows:

1. Payment. Commencing on August 1, 2010, on August 1 of each year City shall pay to District an amount intended to compensate District for the detachment of the Annexed Area from the District during the prior fiscal year. The base amount of the payment shall be one thousand two hundred forty dollars and seventy-seven cents (\$1,240.77) ("Base Amount") for each full fiscal year that the Annexed Area remains a part of City.

a. The amount of the first such payment shall be the Base Amount, prorated on the basis which the number of days the Annexed Area was actually annexed to the City in the 2009-2010 Fiscal Year (July 1, 2009 to June 30, 2010) bears to the total number of days in a full fiscal year.

b. Commencing with the payment due on August 1, 2011, the amount of all subsequent payments shall be subject to adjustment. The basis for the adjustment is the index figure for the month of January, 2010, as shown for the Consumer's Price Index for all Urban Consumers, published by the U.S. Department of Labor's Bureau of Labor Statistics ("CPI-U"), which is referred to as the "Beginning Index." The CPI index figure published for each subsequent January, which is referred to as the "Adjustment Index," shall be utilized to determine the amount of adjustment.

July, 2010

# COPY The Sphere

## Attorney General Supports Solano LAFCo Revenue Protection Policy *Policy protects special district revenues in annexations*

By Shaun Pritchard, Solano LAFCo Executive Officer

Solano County has never been in the business of urban development. Its long-standing Orderly Growth Initiative dictates that urban development shall occur in its seven cities: Benicia, Dixon, Fairfield, Suisun City, Rio Vista, Vacaville, and Vallejo. This practice has led to 95% of Solano County's population living within city limits with only 5% living in the unincorporated County. Aside from San Francisco County, Solano has the highest ratio of urban to unincorporated population in the State.

Practicing "Smart Growth" before the term was even coined has led to much efficiency in Solano County. However one group of agencies, Solano Rural Fire Protection Districts, has suffered as a result of these growth patterns. With every city annexation a fire district was detached and revenues were lost. While these amounts were often small the cumulative impact had put the long-term viability of the fire districts in question. Meanwhile, the cost of operating the fire districts did not diminish in proportion to the territory it no longer protected. In fact, operational costs only increased and the fire districts were left to deal with the perils of the fire danger along the rural/urban interface that result from the city annexations.

In 2008, Solano LAFCo determined that it could no longer allow the incremental loss of revenues to the fire districts.

Staff set out to amend existing policy to address the commission's and fire districts' concerns.

Solano LAFCo already had in place a standard that dealt with "the effect of the proposed action on the adjacent areas, mutual social and economic interests, and on local government structure."

Staff amended this policy to further read "... potential negative impacts upon the County and neighboring agencies will also be considered. Examples include proposals that negatively impact special district budgets or service provision or proposals that demand special district services without the provision of adequate funding..."

The amended policy further stated, "in cases where special districts might be harmed, either through detachment or annexation, the applicant should work with the executive officer to identify the affected agencies and work with those agencies to identify and mitigate the impacts prior to the LAFCo hearing. LAFCo will not normally approve detachments from special districts or annexations that fail to provide for adequate mitigation of the adverse impacts on the district. Where the adverse impact is fiscal, adequate mitigation will normally include a permanent funding source for lost revenues or increased costs to the affected special district. Where potential impacts on other agencies have been identified, the application may be deemed incomplete or the LAFCo hearing continued, until the



Continued on page 12

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Legislative Report



- 1      *The comment discusses the need for annexation to the City of Fairfield and contends that annexation will be a large impact on the Fire District and discusses the desire to meet with the City regarding annexation.*

The City acknowledges the comment from the Vacaville Fire Protection District, which is included here for decision maker consideration. Please refer to Section 3.0 of the Draft EIR, which discusses the various annexation and detachment actions that the City anticipates will be necessary to fully implement the Specific Plan, as proposed. Please refer to page 3-10 of the Draft EIR. The Specific Plan proposes detachment from the Vacaville Fire Protection District, which may decrease the amount of revenue provided today, along with a reduction in a reduction in Vacaville Fire Protection District's responsibilities for providing fire protection and associated costs.

Section 4.10 of the EIR describes the responsibilities of the Solano Local Agency Formation Commission (LAFCo). Impact 4.10-1 is a detailed examination of the proposed Project and Solano LAFCo standards. As discussed in relation to Standard 11, LAFCo evaluates change of organization and reorganization according to social and economic effects on adjacent areas and other service providers. While, the EIR is not required to provide social or economic analysis unless related to a reasonably foreseeable adverse physical impact, the City has analyzed and described public facilities, services, and utilities that will be required to serve the Specific Plan at buildout. This information is presented in the EIR and Specific Plan. The Specific Plan has been prepared with City standards for utilities and levels of service for public services. As noted, the City will require the Specific Plan to provide for public facilities and utilities according to City standards. Please refer to various mitigation measures identified throughout the EIR, included, but not limited to Mitigation Measure 4.10-3, which requires long-term financing for maintenance of open space lands; Mitigation Measure 4.13-1, which requires fair-share contributions toward the cost of fire response; Mitigation Measure 4.13-2, which requires fair-share contributions toward the cost of law enforcement; Mitigation Measure 4.13-4, which requires fair-share contributions toward the cost of library services; Mitigation Measure 4.13-6, which requires fair-share contributions toward the cost of parks and recreation facilities; Mitigation Measure 4.14-2, which requires fair-share contributions toward transportation facilities; Mitigation Measure 4.14-3, which requires fair-share contributions toward transit needs; Mitigation Measure 4.14-8, which outlines the approach to planning and financing of roadway improvements; and mitigation measures in Section 4.15 of the EIR, which outline planning and financing of water and wastewater infrastructure.

Standard 11 in the LAFCo Standards and Procedures document indicates that project applicants "should work with the Executive Director to identify the affected agencies and work with those agencies to identify and mitigate the impacts prior to the LAFCo hearing." The City is aware of the most recent Solano LAFCo Standards and Procedures document and acknowledges the applicability of LAFCo review, including an analysis of revenue implications of development of the Specific Plan Area within the City of Fairfield and the associated need for changes to organization and service areas.

The environmental impacts of adoption, construction, and operation of the Specific Plan are comprehensively addressed at a programmatic level in the environmental topic sections of this EIR, including direct and reasonably foreseeable indirect impacts associated with providing public services and facilities needed to serve land use change anticipated under the Specific Plan. The impacts of construction and operation, related to fire protection, have been analyzed throughout this EIR (see Draft EIR, pages 4.13-15 through 4.13-19). There is no aspect of this comment that relates to the adequacy of the EIR in addressing adverse physical environmental impacts. As noted in the Draft EIR (see page 4.13-19), implementation of Mitigation Measure 4.13-1 would reduce the significant impact associated with inadequate fire protection facilities, services, and equipment. However, since a site has not been selected, and it has not been determined whether a vacant site would be selected or whether an existing building and developed site would be selected, it is not possible for the City to determine whether there would be significant impacts after mitigation. Therefore, the impact is considered significant and unavoidable.

The commenter misunderstood City staff during the referenced conversation. The commenter had expressed strong concern during the referenced conversation that the City had not yet initiated the "good faith effort" referenced in Local Agency Formation Commission guidelines to enter into an agreement with the Vacaville Fire Protection District. As noted in the LAFCo attachment to the comment letter, the good faith effort should occur "prior to the LAFCo hearing." City staff provided information to the commenter regarding the Specific Plan process and explained that no annexation request had been submitted to LAFCo, and therefore, it was premature to enter into an agreement. As no hearing can be requested until after the Specific Plan is adopted, and the Specific Plan has not yet been adopted, it remains premature to begin such an effort.

- 2      *The comment requests that all boundary lines not fronted by roadways have a minimum of a 10-foot access road between the City and County to maintain access between the wildland area and City properties.*

Where urban development is proposed in the immediate vicinity of the proposed boundary between the City of Fairfield and the unincorporated County, the City will require appropriate fire access to adjacent non-urbanized land. Construction of fire access roads along much of the anticipated boundary is either infeasible or would not be permitted due to wetland or other sensitive habitat conditions. For example, it would not be feasible to construct fire roads adjacent to future City boundary areas along the Union Pacific Railroad tracks. Other City boundary areas abut a protected mitigation bank. The City will not require fire access roads in these areas or other areas where the construction would be infeasible due to existing physical features, environmental resources, or other existing conditions.

The City has added clarifying information pertaining to fire access. Please see Final EIR pages 3-2 and 3-8, which illustrate these changes.

- 3      *The comment is a reproduction of a letter from Solano Local Agency Formation Commission related to annexation.*

The City acknowledges this attachment to the comment letter, which is included here for decision maker consideration. There is no aspect of this attachment that relates to the adequacy of the EIR in addressing adverse physical environmental impacts.

4                    *This is a reproduction of an agreement between the Dixon Fire Protection District and the City of Dixon.*

The City acknowledges this attachment to the comment letter, which is included here for decision maker consideration. There is no aspect of this attachment that relates to the adequacy of the EIR in addressing adverse physical environmental impacts.

5                    *This is a reproduction of an article related to growth management, annexation, and revenue policy.*

The City acknowledges this attachment to the comment letter, which is included here for decision maker consideration. There is no aspect of this attachment that relates to the adequacy of the EIR in addressing adverse physical environmental impacts.

Tuesday, February 8, 2011

David Feinstein, Senior Planner  
City of Fairfield, Community Development Department  
1000 Webster Street  
Fairfield, CA 94533

**Re: Comment by Travis Unified School District on the Draft Environmental Impact Report for the Train Station Specific Plan**

Dear Mr. Feinstein,

On behalf of the Travis Unified School District ("District"), SCI Consulting Group submits this letter which outlines the District's preliminary comments about the impact that Train Station Specific Plan ("Specific Plan") will have on the District's ability to continue to provide quality educational facilities to its students. In general, the District believes that the Draft EIR does not adequately address the Specific Plan's impact on Travis schools. This letter details the District's primary concerns and provides some preliminary analysis to support our findings.

The District hopes to continue the open, constructive dialogue regarding these matters. We will provide more detailed comments as the project's scope becomes more detailed. We also look forward to working with the City, the project applicants Canon Station LLC and Andrews Lando and Associates ("Applicants") and other involved parties to address school facilities concerns in a way that maximizes the Specific Plan's potential and makes it an attractive, vibrant hub for the City of Fairfield and Solano County.

**2010-11 Enrollment and Existing School Building Capacity.** The Specific Plan is currently within the attendance boundaries of Center Elementary School, Golden West Middle School and Vanden High School. Center Elementary School serves students in grades K-6. Center Elementary has a capacity of 489 students, and 417 students were enrolled there for current 2010-11 academic year. Golden West Middle School serves students in grades 7-8. Golden West Middle has a design capacity of 997 students, and a 2010-11 enrollment of 819 students. Vanden High School serves students in grades 9-12. Vanden High has a design capacity of 1,837 students, and a 2010-11 school year enrollment of 1,623 students. Therefore, for the 2010-11 school year, Center Elementary, Golden West Middle and Vanden High have excess school building capacity for 72, 178 and 214 students respectively.

**Cumulative Housing Units.** The Draft EIR does not adequately address the cumulative impacts of the remaining and proposed residential projects with the Fairfield portion of the District. It is our current understanding that Specific Plan envisions 2,666 low density, 2,350 medium density and 1,784 high density housing units. Additionally, within the Fairfield area of the District, the District is aware of five other residential development projects that call for another 3,000 total

housing units. These residential projects include Goldridge, Zinn/Goldridge Remainders, Villages of Fairfield 3 and 4, Hawthorne Mill East and Madison Square.

The table below summarizes the District's understanding of the remaining and proposed residential housing projects with Fairfield area of the District. As shown, this area could generate over 9,600 housing units at buildout.

**Remaining / Proposed Projects - TUSD / Fairfield Area**  
Medium Yield Scenario  
As of January 2011

Development Projects	Low Density	Medium Density	High Density	Total
Goldridge	594	0	0	594
Zinn/Goldridge Remainders	51	0	0	51
Villages at Fairfield (3 & 4)	80	884	275	1,239
Hawthorne Mill East	501	0	324	825
Train Station Specific Plan	2,666	2,350	1,784	6,800
Madison	0	174	0	174
<b>TUSD / Fairfield Area</b>	<b>3,892</b>	<b>3,408</b>	<b>2,383</b>	<b>9,683</b>

2 cont'd

Notes:

\* For planning purposes, the land use densities are generally described as follows: **low density** is single-family detached homes on lots 4,500 square feet or greater in size; **medium density** is single family detached homes on lots less than 4,500 square feet in size and single family attached units ("townhomes"); and **high density** is multi-family units ("condominiums / apartments").



**Student Generation Rate Assignments.** The District's current student generation rate for single-family detached housing ("low density") is 0.74 K-12 students. It is our experience that student generation rates (or "yields") for small-lot single-family housing and townhomes developments ("medium density") and multi-family developments ("high density housing") tend to be relatively lower compared with the rates for low density housing. High-density condominium or apartment type housing typically has less living area, fewer bedrooms and little to no outside play area for children. Moreover, there are other factors beyond housing type / housing density that influence the average number of students to be generated by new development. These factors include, but are not limited to, the following:

- A district's API score as an indicator of desirability to live in the district;
- Average home / unit price;
- The percentage of income restricted housing units;
- Average unit size; lot size and number of bedrooms.

The table below summarizes the assigned student generation rates for the Specific Plan based on three "yield" scenarios. The assigned student generation rates under the medium yield scenario are representative of the District's current student generation rates ("SGRs"). Other factors could cause the Specific Plan to generate more or less students than the medium yield scenario. For these reasons, student generation rates under low and high yield scenarios are presented as well.

**Assigned Student Generation Rates**

<b>Land Use Category</b>	<b>K-6</b>	<b>7-8</b>	<b>9-12</b>	<b>K-12</b>
<b>Medium Yield Scenario</b>				
Low Density	0.435	0.115	0.190	<b>0.740</b>
Medium Density	0.244	0.066	0.110	<b>0.420</b>
High Density	0.075	0.020	0.030	<b>0.125</b>
<b>Low Yield Scenario</b>				
Low Density	0.370	0.098	0.162	<b>0.630</b>
Medium Density	0.207	0.056	0.094	<b>0.357</b>
High Density	0.064	0.017	0.026	<b>0.107</b>
<b>High Yield Scenario</b>				
Low Density	0.500	0.132	0.219	<b>0.851</b>
Medium Density	0.281	0.076	0.127	<b>0.484</b>
High Density	0.086	0.023	0.035	<b>0.144</b>

3

**Cumulative Enrollment Impact.** The Draft EIR does not address the enrollment impact of Specific Plan or the cumulative enrollment impact of the other large development projects within the Fairfield portion of the District. As previously shown, this area will experience significant growth over the next 25+ years. Over 9,600 housing units (including the Specific Plan) are remaining, approved or proposed to be to be built within the City. Using the assigned student generation rates under the medium yield scenario, these projects alone could generate over 2,700 elementary school students, over 700 middle school students and nearly 1,200 high school students for a total of 4,600 students.

**Student Generation at Buildout within TUSD / Fairfield Area**  
Medium Yield Scenario  
As of January 2011

Development Projects	Remaining Housing Units	K-6	7-8	9-12	K-12
Goldridge	594	258	68	113	439
Zinn/Goldridge Remainders	51	22	6	10	38
Villages at Fairfield (3 & 4)	1,239	271	73	121	465
Hawthorne Mill East	825	242	64	105	411
Train Station Specific Plan	6,800	1,867	497	819	3,183
Madison	174	42	11	19	72
<b>Fairfield Area of District</b>	<b>9,683</b>	<b>2,702</b>	<b>719</b>	<b>1,187</b>	<b>4,608</b>

For comparison purposes, the table on the following page presents the cumulative enrollment impact of the remaining and proposed developments at buildout under the three yield scenarios.

4

**TUSD / Fairfield Area Buildout Enrollment by Grade Level**

Housing Density	# of Units <sup>1</sup>	K-6	7-8	9-12	K-12
<b>Medium Yield Scenario</b>					
Low Density	3,892	1,693	448	739	2,880
Medium Density	3,408	832	225	375	1,432
High Density	2,383	179	48	71	298
<b>Project Total</b>	<b>9,683</b>	<b>2,704</b>	<b>721</b>	<b>1,185</b>	<b>4,610</b>
<b>Low Yield Scenario</b>					
Low Density	3,892	1,440	381	631	2,452
Medium Density	3,408	705	191	320	1,216
High Density	2,383	153	41	62	256
<b>Project Total</b>	<b>9,683</b>	<b>2,298</b>	<b>613</b>	<b>1,013</b>	<b>3,924</b>
<b>High Yield Scenario</b>					
Low Density	3,892	1,946	514	852	3,312
Medium Density	3,408	958	259	433	1,650
High Density	2,383	205	55	83	343
<b>Project Total</b>	<b>9,683</b>	<b>3,109</b>	<b>828</b>	<b>1,368</b>	<b>5,305</b>

Source: City of Fairfield, Train Station Specific Plan DEIR and SCI Consulting Group

Notes:

<sup>1</sup> Maximum number of residential units allowed by Specific Plan.

4 cont'd



**Enrollment Impact from Train Station Specific Plan.** The table below presents the expected student generation from the Specific Plan under the low, medium and high yield scenarios. As shown, the Specific Plan at buildout could generate 1,590 to nearly 2,150 elementary school students, 420 to over 570 middle school students and 700 to over 940 high school students.

**TUSD / Fairfield Area Buildout Enrollment by Grade Level**

Housing Density	Acres	# of Units <sup>1</sup>	K-6	7-8	9-12	K-12
<b>Medium Yield Scenario</b>						
Low Density	86	2,666	1,160	307	507	1,974
Medium Density	168	2,350	573	155	259	987
High Density	255	1,784	134	36	54	224
<b>Project Total</b>	<b>509</b>	<b>6,800</b>	<b>1,867</b>	<b>498</b>	<b>820</b>	<b>3,185</b>
<b>Low Yield Scenario</b>						
Low Density	86	2,666	986	261	432	1,679
Medium Density	168	2,350	486	132	221	839
High Density	255	1,784	114	30	46	190
<b>Project Total</b>	<b>509</b>	<b>6,800</b>	<b>1,586</b>	<b>423</b>	<b>699</b>	<b>2,708</b>
<b>High Yield Scenario</b>						
Low Density	86	2,666	1,333	352	584	2,269
Medium Density	168	2,350	660	179	298	1,137
High Density	255	1,784	153	41	62	256
<b>Project Total</b>	<b>509</b>	<b>6,800</b>	<b>2,146</b>	<b>572</b>	<b>944</b>	<b>3,662</b>

Source: City of Fairfield, Train Station Specific Plan DEIR and SCI Consulting Group

Notes:

<sup>1</sup> Maximum number of residential units allowed by Specific Plan.

**New School Capacity Standards & Siting Criteria.** Under the School Services section of Section 4.13.1 of the Draft EIR, Table 4.13.2 incorrectly references the District's capacity standards for new schools and their required site acreage. The District's capacity standard for new schools within the Fairfield area of the District has yet to be determined. However, for the purposed of this analysis, the District has incorporated two new elementary school capacity scenarios - an elementary school capacity of 750 K-6 and the average elementary school capacity of 600 K-6 students.

Additionally, the required site acreage for new elementary and middle schools referenced in the Table 4.13-3 are found to be grossly understated. The final EIR should utilize California Department of Education guidelines and criteria for siting new schools.

**Cumulative Facility Needs.** The following two tables present the District's elementary school facility needs for the Specific Plan and the greater Fairfield area of the District. As shown, the remaining and proposed housing units will create the need for at least three (3) new K-6 elementary schools in addition to the Goldridge site. The one (1) ten-acre school site set aside in the land use plan will clearly not be adequate for the number of elementary schools needed to serve the students generated by the Specific Plan and the other Fairfield area projects. The District requests that the final EIR address this shortfall by modifying land use plan to include at least three (3) 14-acre elementary school sites.

With the additional development expected within the City of Vacaville area of the District, a second middle school and second high school or significant expansion of Vanden High School will be required.

**K-6 Facility Needs - Train Station Specific Plan**

Train Station Specific Plan	<u>Residential Units</u>			<u>K-6 Enrollment</u>		
	Low Density	Medium Density	High Density	Low Yield	Medium Yield	High Yield
Housing Units	2,666	2,350	1,784	1,586	1,867	2,146
	K-6 Schools Needed (School Capacity = 600 K-6)			2.6	3.1	3.6
	K-6 Schools Needed (School Capacity = 750 K-6)			2.1	2.5	2.9

Notes:

<sup>1</sup> Assumes no excess capacity will be available to serve the students generated by the project.

**K-6 Facility Needs - Fairfield Area Development Projects**

TUSD / City of Fairfield Area	<u>Residential Units</u>			<u>K-6 Enrollment</u>		
	Low Density	Medium Density	High Density	Low Yield	Medium Yield	High Yield
Housing Units	3,892	3,408	2,383	2,298	2,704	3,109
	K-6 Schools Needed (School Capacity = 600 K-6)			3.8	4.5	5.2
	K-6 Schools Needed (School Capacity = 750 K-6)			3.1	3.6	4.1

Notes:

<sup>1</sup> Assumes no excess capacity will be available to serve the students generated by the project.

7

**School Facilities Funding.** As referenced in the Draft EIR, the District is currently eligible for school facilities funding for new school construction under the State School Facilities Program ("State Funding") and development fees authorized by Senate Bill 50. However such development fees, in conjunction with State funding, will be insufficient to fully and completely mitigate the impact of development within the Specific Plan.

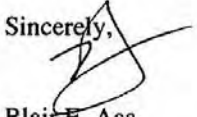
There are several ways that the City, the Applicants and the District can coordinate and plan for full and complete funding to provide adequate school facilities for the Specific Plan. Options include, but are not limited to, the formation of a new or annexation into the District's existing Community Facilities District No. 2; maximizing State funding; and mutually agreed upon mitigation measures between the Applicants and the District. The District looks forward to opening a constructive dialogue regarding all local funding options.

Also, it is important to note that the while state law clarifies that a project may not be denied solely on the basis of inadequate school facilities, it does not prevent the City from analyzing schools facility needs and concluding that there are significant impacts that remain unmitigated. Specifically, an analysis could be conducted to properly analyze whether the developer fees in fact mitigate the impacts of the project. If they are found not to do so, the City would then be required to adopt a statement of overriding considerations, finding that the merits of the project outweigh the unmitigated impacts.

**Conclusion.** The City of Fairfield has ample opportunity to work with the District, the Applicants, and other interested parties to address the school facility needs for the Specific Plan. As you know, the best solutions for these complex challenges come from collaborative efforts and creative discussions. The District looks forward to an open dialogue and continued close communication about this important project.

Please contact me, Superintendent Wren Gavlak or Jim Cerreta if you need any further information at this time. We plan to send more detailed comments and information as the Specific Plan progresses. I can be reached at 707-430-4300 or [blair.aas@sci-cg.com](mailto:blair.aas@sci-cg.com).

Sincerely,

  
Blair E. Aas  
Senior Planning Consultant  
SCI Consulting Group

cc: Kate Wren Gavlak, Travis Unified School District  
Jim Cerreta, Travis Unified School District



- 1                    *The comment summarizes information related to school enrollment and capacity.*
- The City acknowledges the comment, which is included here for decision maker consideration.
- 2                    *The comment contends that the Draft EIR does not adequately address the cumulative impacts of the remaining and proposed residential projects within the Fairfield portion of the School District.*
- The comment suggests that the Specific Plan would accommodate up to 2,666 low density, 2,350 medium density, and 1,784 high density dwelling units. The comment letter has transposed the high density and low density figures. As noted in Section 3.0 of the Draft EIR and elsewhere, at maximum buildout, the Specific Plan is anticipated to accommodate up to 2,666 high density units, 2,350 medium density units, and 1,784 low density units. The District's calculations (for a medium yield scenario) would yield approximately 543 more students than using the District's student generation rates with the correct housing buildout figures.
- Using the student generation rates provided in the comment letter (but the correct housing estimates), if the Specific Plan were fully built out, it could generate roughly 2,640 students (using the School District's medium yield scenario). If the figures provided in the comment letter are used instead, the student generation estimate would be roughly 3,183 – approximately 543 more students than would be derived using the correct buildout estimates provided in the Specific Plan and Draft EIR (using the School District's medium yield scenario). As noted by the commenter, the student generation rates for small-lot single-family housing and townhomes developments and multi-family developments are lower compared with the rates for low-density housing.
- The Draft EIR comprehensively addresses potential impacts related to school services in Section 4.13, including a description of existing conditions and regulatory requirements, impact analysis, and significance characterization (see Draft EIR, pages 4.13-3 through 4.13-4, 4.13-7 through 4.13-9, 4.13-14, and 4.13-23 through 4.13-24). As noted, school facilities are provided within the Specific Plan Area, impact fees would be required to go toward funding and construction of any additional facilities needed, and the California State Legislature has declared the school impact fee to be full and adequate mitigation under CEQA (see Draft EIR, pages 4.13-7 through 4.13-8).
- In addition, pages 6-16 and 6-17 of Section 6 of the Draft EIR provide an analysis of the cumulative impacts of the Specific Plan related to provision of public services. As noted, development of the Specific Plan and future development in Solano County would increase the demand for public services (Draft EIR, page 6-17). State law provides that payment of school impact fees constitutes adequate CEQA mitigation for all project-specific and cumulative effects relating to adequacy of school facilities as a result of residential development. Although a cumulative shortage of public services and facilities would not represent a significant environmental impact under CEQA because these are no physical impacts on the environment, such a shortage could lead to the need to develop additional public-services facilities, which could in turn lead to significant construction- and operation-related environmental impacts.

The geographic scope for the analysis of cumulative effects in the Draft EIR includes the City of Fairfield Planning Area, the City of Vacaville, and other nearby areas of Solano County, including the projects identified by the commenter. The City compiled future population and employment estimates from the Association of Bay Area Governments (ABAG), which were used in the most recent Regional Transportation Plan (Transportation 2035 Plan) by the Metropolitan Transportation Commission (MTC). It is assumed that the development of the related projects, and/or development of the additional public-services facilities required to serve them, would be preceded by the required CEQA review. However, conducting the required CEQA review of the related projects would not necessarily guarantee that significant environmental effects associated with construction of new school facilities and other public services would not occur. Hence, the development of new school facilities and other public services could result in significant cumulative impacts. Mitigation measures considered in Section 4.13 would reduce some but not all of these cumulative impacts. The Draft EIR concludes that the Specific Plan would result in a cumulatively considerable incremental contribution to this cumulatively significant impact (Draft EIR, page 6-17).

Please refer to the response to comment 8.

3

*The comment identifies the student generation rates used by the School District.*

The City appreciates the submittal of this information. Lacking information during the preparation of the Draft EIR, the City resorted to use of generation rates published in a recent EIR.

In the City's EIR for the Villages at Fairfield (published in 2005), estimates of student generation are presented. This EIR reported an estimated student generation of 382 elementary, 83 middle, and 135 high school students from Villages III and IV. Villages III and IV proposed a total of 1,226 dwelling units. This equates to 0.312 elementary, 0.068 middle, and 0.110 high school students per dwelling unit. If this same ratio were applied to the Specific Plan, the Specific Plan would generate roughly 2,119 elementary, 460 middle, and 749 high school students.

With the receipt of this information from the School District, it is now acknowledged that full buildout of the Specific Plan would not generate as many students as previously estimated. Using the updated student generation rates, full buildout of the Specific Plan could generate as many as 1,549 elementary students compared to 2,119 presented in the Draft EIR, 414 middle school students compared to 460 presented in the Draft EIR, and 677 high school students compared to 749 estimated in the Draft EIR (using the School District's medium yield scenario). This additional information does not materially affect the impact analysis and does not change any conclusions presented in the Draft EIR.

4

*The comment contends that the Draft EIR does not address the enrollment impact of the Specific Plan or the cumulative enrollment impact of the other development projects in the City that would be served by the School District.*

The Draft EIR comprehensively addresses potential impacts related to school services in Section 4.13, including a description of existing conditions and regulatory requirements, impact analysis, and significance characterization (see DEIR, pages 4.13-3 through 4.13-4, 4.13-7 through 4.13-9, 4.13-14, and 4.13-23 through 4.13-24). As noted, school facilities are provided within the Specific Plan Area, impact fees would be required to go toward funding and construction of any additional facilities needed, and the California

State Legislature has declared the school impact fee to be full and adequate mitigation under CEQA (see DEIR, pages 4.13-7 through 4.13-8).

In addition, pages 6-16 and 6-17 in Section 6 of the Draft EIR provide an analysis of the cumulative impacts of the Specific Plan related to provision of public services. As noted, development of the Specific Plan and future development in Solano County would increase the demand for public services (Draft EIR, page 6-17). State law provides that payment of school impact fees constitutes adequate CEQA mitigation for all project-specific and cumulative effects relating to adequacy of school facilities as a result of residential development.

Although a cumulative shortage of public services and facilities would not represent a significant environmental impact under CEQA because these are not physical impacts on the environment, such a shortage could lead to the need to develop additional public-services facilities, which could in turn lead to significant construction- and operation-related environmental impacts. It is assumed that the development of the related projects, and/or development of the additional public-services facilities required to serve them, would be preceded by the required CEQA review. However, conducting the required CEQA review of the related projects would not necessarily guarantee that significant environmental effects associated with construction of new school facilities and other public services would not occur. Hence, the development of new school facilities and other public services could result in significant cumulative impacts. Mitigation measures considered in Section 4.13 would reduce some but not all of these cumulative impacts. The Draft EIR concludes that the Specific Plan would result in a cumulatively considerable incremental contribution to this cumulatively significant impact (Draft EIR, page 6-17). The information contained in the comment letter does not change this determination, as presented in the Draft EIR.

The comment identifies several development projects in addition to the Specific Plan that would be anticipated to increase demand for school services within the area served by the School District. The commenter estimates that development projects in the vicinity of the Specific Plan Area together would generate approximately 4,608 students. If the correct figures are used for the Specific Plan, that estimate would be 4,065, approximately 543 fewer students than indicated in this comment (see Table 2-1) (using the School District's medium yield scenario).

<b>Table 2-1 Student Generation Estimates</b>					
<b>Development Project</b>	<b>Remaining Units</b>	<b>K through 6</b>	<b>7th and 8th</b>	<b>9 through 12</b>	<b>K through 12</b>
<b>Goldridge</b>	594	258	68	113	439
<b>Zinn/Goldridge Remainders</b>	51	22	6	10	38
<b>Villages at Fairfield (3 &amp; 4)</b>	1,239	271	73	121	465
<b>Hawthorne Mill East</b>	825	242	64	105	411
<b>Madison</b>	174	42	11	19	72
<b>Fairfield Train Station Specific Plan</b>	6,800	1,549	414	677	2,640
<b>Total Fairfield Portion of District</b>	9,683	2,384	636	1,045	4,065
<b><i>Difference</i></b>		<i>(318)</i>	<i>(83)</i>	<i>(142)</i>	<i>(543)</i>

Please refer to the response to comment 8.

5                    *The comment provides a range of estimates for student generation for the Specific Plan.*

The City acknowledges the comment, which is included here for decision maker consideration. These estimates do not use the correct estimates for full buildout of the Specific Plan as explained more fully under the response to Comment #3.

6                    *The comment suggests that additional or different information on School District and California Department of Education standards should be referenced in the Draft EIR.*

The comment states that Table 4.13-2 in Section 4.13.1 of the Draft EIR incorrectly references the School District's capacity and acreage standards. The City acknowledges this comment. The City did not have access to the School District's capacity or acreage standards. According to the commenter, the capacity standard for new schools within the Fairfield area of the District has yet to be determined. In Comment #7, it is suggested that the School District's acreage recommendation is 14 acres for elementary schools – at least for schools within the Specific Plan Area.

The commenter states that the required site acreage for new elementary and middle schools referenced in the Table 4.13-3 are understated. Table 4.13-3 is a table summarizing library service level guidelines. The City presumes that the commenter instead is referencing Table 4.13-2, which presents information from the City's 2002 General Plan on school facility standards, the best information available to the City at the time the Draft EIR was published. This additional information is included here for decision maker consideration and does not change the conclusions reached in the Draft EIR.

The District suggests that the City should use California Department of Education guidelines and criteria for siting new schools. The City has added reference to California Department of Education guidance and a cross reference to existing information in the Draft EIR providing information on siting criteria.<sup>1</sup> Please see Final EIR page 3-22. This additional information does not change any conclusion in the Draft EIR.

Please also refer to the response to comment 8, which addresses the need for additional school acreage.

7                    *The comment provides the commenter's estimate of elementary school facility needs for the Fairfield portion of the School District's service area.*

The commenter estimates that the remaining housing units to be constructed within the City would create the need for at least three new schools in addition to the Goldridge site. It is unclear to the City at this time what this estimate would be if the correct housing unit estimates were used for the Specific Plan in the commenter's calculations. However, using the capacity estimates in this comment letter, it is possible that full development of the Specific Plan could generate demand for approximately 1 to 1.5 elementary schools in addition to the school provided on-site as referenced in the Draft Specific Plan.

The commenter estimates that with development in Vacaville, a second middle school site and a second high school or significant expansion of Vanden High School will be required. It is not clear to what degree the housing unit estimates were used to derive this

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<sup>1</sup> California Department of Education. Guide to School Site Analysis and Development. Available online: <http://www.cde.ca.gov/ls/fa/sf/guideschoolsite.asp#Rule>

estimate or if the same needs would occur if the correct housing unit totals were used for the Specific Plan.

Please refer to the response to comment 8.

- 8 *The comment states that the Draft EIR includes information on requirements for school funding and that State law does not provide for funding that is sufficient to construct schools needed to serve the Specific Plan.*

The Draft EIR comprehensively addresses potential impacts related to school services on pages 4.13-23 through 4.13-24 in Section 4.13. In addition, pages 6-16 and 6-17 in Section 6 of the Draft EIR provide an analysis of the cumulative impacts of the Specific Plan related to provision of public services. State law provides that payment of school impact fees constitutes adequate CEQA mitigation for all project-specific and cumulative effects relating to adequacy of school facilities as a result of residential development. Although a cumulative shortage of public services and facilities would not represent a significant environmental impact under CEQA because these are not physical impacts on the environment, such a shortage could lead to the need to develop additional public-services facilities, including schools, which could in turn lead to significant construction- and operation-related environmental impacts. It is assumed that the development of the related projects, and/or development of the additional school facilities required to serve them, would be preceded by the required CEQA review. The Draft EIR concludes that the Specific Plan would result in a cumulatively considerable incremental contribution to this cumulatively significant impact (see page 6-17 of the Draft EIR).

The commenter discusses different strategies for funding of school facilities for the Specific Plan, including participation in a new or community facilities district, additional state funding, or other unspecified agreements between future project proponents under the Specific Plan and the School District.

The commenter notes that state law dictates that a project may not be denied solely on the basis of inadequate school facilities. The commenter contends that state law does not prevent the City from analyzing schools facility needs and concluding that there are significant impacts that remain unmitigated. The commenter suggests that an analysis could be conducted to analyze whether developer fees, as dictated by state law, would be adequate for funding school facilities needed to serve estimated demand generated by the Specific Plan. If they are found not to do so, the City would then be required to adopt a statement of overriding considerations, finding that the merits of the project outweigh the unmitigated impacts. The City has concluded that there could significant and unavoidable cumulative impacts related to public services provision (including schools) (see page 6-16 and 6-17).

The City does not set school impact fees and, as such, does not intend to conduct analysis of the relationship between impact fees and school construction costs. The commenter is incorrect to suggest that, if the City were to conduct such a fiscal analysis and find unmet needs, there would be the need for overriding considerations (and by implication, significant and unavoidable impacts).

According to Government Code Section 65995 (h) “The payment or satisfaction of a fee, charge, or other requirement levied or imposed pursuant to Section 17620 of the Education Code in the amount specified in Section 65995 and, if applicable, any amounts specified in Section 65995.5 or 65995.7 are hereby deemed to be full and complete



mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization as defined in Section 56021 or 56073, on the provision of adequate school facilities. This provision is understood to mean that the payment of school impact fees is all that may be required under CEQA to mitigate impacts to school facilities. Government Code Section 65996, subdivision (a) provides that the provisions set forth in the Government Code are “the exclusive methods of considering and mitigating impacts on school facilities.” This provision is interpreted to mean that CEQA does not require an EIR to analyze adverse physical changes to school grounds, school buildings, and any school-related consideration relating to a school district’s ability to accommodate enrollment. (*Chawanakee Unified School District v. County of Madera* (June 21, 2011) Cal.App.4th (Case No. F059382)). Under the law, it is legally infeasible to require developers to do more to mitigate school-related impacts than pay the fees that are required by state law, as implemented by the local school district. In some instances, developers agree to pay fees to school districts in excess of the amounts established by state law. In this case, if the project applicants agree to carry out additional options for funding after coordination with Travis Unified School District, they would be doing so on a voluntary basis. The payment of such additional fees would not properly be characterized as CEQA mitigation, however.

According to Government Code Section 65996 ((b) The provisions of this chapter are hereby deemed to provide full and complete school facilities mitigation and, notwithstanding Section 65858, or Division 13 (commencing with Section 21000) of the Public Resources Code, or any other provision of state or local law, a state or local agency may not deny or refuse to approve a legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property or any change in governmental organization or reorganization, as defined in Section 56021 or 56073, on the basis that school facilities are inadequate.

The Specific Plan envisions development over a more than a 20-year time horizon. Over such a lengthy period, various conditions can change that would affect school facility needs. For example, development may occur at lower densities than maximum allowed, school site size standards may be revised, or student yields may change. Demographic trends not only affecting the Specific Plan Area but the balance of the School District would have an influence on the need for school facilities. Construction of the Goldridge School is anticipated to serve the needs of the School District in the short term. As noted elsewhere, to fully satisfy its obligations under state law, the City will collect impact fees on behalf of the School District to fund acquisition of land and construction of additional school facilities. Subject to limitations of state law, the School District is empowered to use these funds to acquire appropriate land for school sites. School District powers for acquisition include the use of eminent domain, when necessary and justified. Based on this understanding, it is not the obligation of the City to identify or designate on behalf of the School District, the location of new school facilities. That said, the City wishes to ensure that the School District has all the information needed to effectively plan for new school facilities. To assist with this effort, the City has added a mitigation measure to the Draft EIR, as shown below. This measure does not constitute CEQA mitigation, in that the measure does not address an impact that would otherwise be significant. Nevertheless, this measure will assist the School District in ensuring that adequate school facilities are provided. The following measure is therefore recommended for adoption.

**Mitigation Measure 4.13-3. School Facilities Planning.**

- 1) The City shall continue to work cooperatively with the Travis Unified School District to identify land for elementary schools in appropriate locations in the City's northeast area. In particular, the City will continue to provide updated information, as requested, regarding cumulative development plans and active or proposed development applications. The City will also provide the School District with proposed plans for residential development when submitted to the City by private developers.
- 2) Following the completion of all necessary CEQA review and documentation by the School District and the subsequent acquisition of land for a new school, the City will promptly process an application by the District to amend the General Plan Land Use Diagram to identify the acquired property with a Public Facility land use designation, in accordance with the requirements of law. The City may bundle the amendment with other amendments pending during the calendar year due to the limitation on the number of amendments that are permitted under state law in a calendar year.
- 3) If additional land for schools is acquired within the boundary of the Specific Plan, following the completion of all necessary CEQA review and documentation by the School District, the City will promptly process an application by the School District to amend the Specific Plan Land Use exhibit and other pertinent information in the Specific Plan to reflect the planned school, in accordance with the requirements of law.
- 4) If land for a school site is within the Specific Plan boundary, or otherwise within one half mile of the Fairfield-Vacaville Train Station, the City will strongly encourage the District to consider school site designs that are more land efficient than a single-story plan. In particular, multiple story buildings or joint-use facilities, where feasible, would be encouraged to reflect the higher-density, transit-oriented, pedestrian-friendly character of the Specific Plan and its surroundings.

**Implementation:** City of Fairfield.

**Timing:** Throughout Specific Plan buildout.

**Enforcement:** City of Fairfield.

9 *The comment states that the City has ample opportunity to work with the District, Specific Plan proponent, and other interested parties to address the school facility needs for the Specific Plan. The commenter states that the best solutions for complex challenges come from collaborative efforts and creative discussions. The commenter states that the School District looks forward to an open dialogue and continued close communication about this important project.*

The City acknowledges the comment, which is included here for decision maker consideration.



State of California – The Natural Resources Agency  
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EDMUND G. BROWN, Jr., Governor  
JOHN McCAMMAN, Director



February 9, 2011

Mr. David Feinstein  
City of Fairfield  
1000 Webster Street  
Fairfield, CA 94533-4883

Dear Mr. Feinstein:

Subject: Fairfield Train Station Specific Plan, Draft Environmental Impact Report,  
SCH #2010042093, Solano County

The Department of Fish and Game (DFG) has reviewed the draft Environmental Impact Report (EIR) for the Fairfield Train Station Specific Plan (Plan). DFG is providing comments on the draft EIR as a Trustee Agency and Responsible Agency. DFG provided comments on the Notice of Preparation (NOP) for the subject project in a letter dated June 3, 2010. 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.

#### Project Description

The 2,972-acre proposed Plan area is located partially within the city limits of the City of Fairfield, north of Travis Air Force Base and south of the City of Vacaville. The majority of the Plan area is located within the Union Creek watershed. A segment of the Solano Irrigation District (SID) canal is located in the northern portion of the Plan area. The Plan includes the development of a transit-oriented community with a variety of land uses, including residential, industrial, commercial, public parks, schools, public facilities and open space. The train station, which has already been approved, will be located within the proposed Plan area at the intersection of Peabody and Vanden roads. The train station is not part of the subject Plan; however, the draft EIR considers the relationships between the station and the proposed uses as described in the Plan.

The main components of the proposed Plan include residential development of up to 6,800 housing units with a broad range of densities and housing types, commercial and industrial development with employment land use, development of public and mixed use facilities, public parks and artificially-created lakes, and establishment of open space areas. Current land uses within the proposed Plan area include some residential and industrial development mainly in the southern and western portions of the Plan area. The Union Pacific Railroad traverses the central portion of the Plan area. The remainder of the Plan area is used for cattle grazing or as open space. The Plan area also includes the Noonan Ranch Conservation Bank which is a 190-acre federally-approved bank which protects sensitive vernal pool communities and listed plant and animal species. The draft EIR designates a total of 1,684 acres which are located within the proposed Plan area as "Parks and Open Space," and includes recreational parks, greenbelt recreation, open space, detention basins and the mitigation bank. This land use

*Conserving California's Wildlife Since 1870*

category also includes approximately 676 acres for habitat conservation purposes (including wetlands and vernal pools). Approximately 1,775 acres located outside of the Plan area are proposed to serve as off-site mitigation for future project-related impacts.

1 cont'd

### Biological Resources

The habitat types present within the proposed Plan area include annual grassland composed mainly of non-native grass species with some native wildflowers, perennial grassland composed of purple needlegrass (*Nasella pulchra*), northern claypan vernal pools, seasonal wetlands, freshwater marsh, and riparian scrub and woodland. Special-status plant and wildlife species with known habitat within the Plan area include Contra Costa goldfields (*Lasthenia conjugens*), California tiger salamander (*Ambystoma californiense*), Swainson's hawk (*Buteo swainsoni*), burrowing owl (*Athene cunicularia*), loggerhead shrike (*Lanius ludovicianus*), northern harrier (*Circus cyaneus*) and western pond turtle (*Actinemys marmorata*). The salamander and hawk are listed as threatened under the California Endangered Species Act (CESA). The goldfields and salamander are also federally-listed by the U.S. Fish and Wildlife Service (USFWS). The owl, shrike and turtle are State Species of Special Concern (SSC). The Plan area also supports potential habitat for white-tailed kite (*Elanus leucurus*) which is a state fully-protected species under Fish and Game Code Section 3511, tricolored-blackbird (*Agelaius tricolor*) which is a SSC, and other special-status species.

2

### Mitigation Measures 4.4-1 and 4.4-4 Lake and Streambed Alteration Agreement

The draft EIR states that future Plan-related development would result in the permanent loss or degradation of perennial and seasonal drainage channels, wetlands and vernal pools. Approximately 6.6 acres of waters classified in the draft EIR as stream and canal would be directly or indirectly affected by future development. Additional impacts would occur to seasonal wetland, freshwater marsh and roadside ditch. The draft EIR states that compensatory mitigation for those losses would be achieved through in-kind preservation, restoration or enhancement and described in a mitigation and monitoring plan (MMP). DFG will require a Lake and Streambed Alteration Agreement (LSAA), pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant for any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank of a river, stream or lake, or use material from a streambed. Projects such as the proposed relocation of a segment of the SID canal and construction of the lake within the 50-acre Great Park located adjacent to Union Creek would be subject to Section 1600 requirements. DFG jurisdiction also extends to channel-associated riparian and/or wetland resources. Issuance of an LSAA is subject to the California Environmental Quality Act (CEQA). DFG, as a responsible agency under CEQA, will consider the EIR for the project. To obtain information about the LSAA notification process, please access our website at <http://www.dfg.ca.gov/habcon/1600/>; or to request a notification package, contact the Lake and Streambed Alteration Program at (707) 944-5520.

3

As indicated in the DFG comment letter for the NOP, water diversion and storage may require a water rights permit from the State Water Resources Control Board, Division of Water Rights. Consultation with the DFG and other permitting agencies may require mitigation and avoidance measures which could have a significant impact on Plan design and feasibility. Therefore, the MMP should be prepared for DFG review and approval, and specific avoidance measures should be included in the final EIR.

4

*Mitigation Measure 4.4-2b California Tiger Salamander*

Implementation of the proposed Plan would result in permanent impacts to 0.11 acres of known breeding habitat and 3.89 acres of potential breeding habitat for California tiger salamander. Proposed development would also result in loss of 960 acres of upland habitat for the salamander. An additional breeding site would be indirectly affected by surrounding development. The draft EIR states that take authorization for project-related impacts to the salamander will be obtained from the USFWS, and includes measures to mitigate for negative impacts to the salamander as a result of Plan implementation. Please be advised that take authorization must be obtained from DFG for projects with the potential to result in take of species listed under CESA [pursuant to Fish and Game Code sections 2080.1 or 2081(b)].

Under CESA, project-related impacts of the authorized take must be minimized and fully mitigated, and adequate funding to implement those mitigation measures and monitor compliance with and the effectiveness of the measures must be ensured. In order to meet the full mitigation standard under CESA, permanent protection and perpetual management of compensatory habitat will be necessary to fully mitigate project-related impacts of the taking on California tiger salamander that will result with implementation of Plan. Early consultation is encouraged during the CESA permitting process, as significant modification to the project and mitigation measures may be required in order to obtain a CESA Permit. Issuance of a CESA Permit is subject to CEQA documentation, therefore, the EIR must specify impacts, mitigation measures, and mitigation monitoring and reporting programs. The EIR should describe standard CESA issuance requirements such as land acquisition, permanent protection and management, and funding in perpetuity of compensatory lands.

5

*Mitigation Measure 4.4-2c Swainson's hawk, Burrowing Owl and Other Raptors*

A Swainson's hawk nest was documented in 2010 in the southern portion of the proposed Plan area, and our records also show a record from 2005 of a nest tree in the northern portion of the Plan area. Several other known Swainson's hawk nest sites are present within five miles of the Plan area. Plan implementation would result in the permanent loss of approximately 1,021 acres of foraging habitat for the hawk as well as for other raptor species. The draft EIR states that 1,759 acres of open space land within the Plan area would be preserved as compensatory mitigation for impacts to raptor nesting and foraging habitat, and that additional mitigation would occur at off-site locations. Total mitigation for loss of Swainson's hawk foraging habitat would occur at a 3:1 ratio.

6

The Plan would also result in removal of nesting habitat for the burrowing owl. The draft EIR includes mitigation for the permanent loss of active burrowing owl nests as a result of project-related activities by preserving other known nest sites at a ratio of 1:1. Mitigation for loss of owl foraging habitat would occur at a 3:1 ratio. Under the draft EIR *Mitigation Measures 4.4-2d and e* for tricolored blackbird and loggerhead shrike, respectively, measures are included to avoid or minimize impacts to nesting birds (pursuant to Fish and Game Code Section 3503). However, mitigation for permanent loss of nesting and foraging habitat should be specified and included in the final EIR.

7

The draft EIR states that impacts to nesting Swainson's hawk and other raptors will be avoided by establishing appropriate buffers surrounding active nest sites prior to construction. The draft EIR indicates that a minimum 0.25-mile buffer will be initially established surrounding a

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Swainson's hawk nest site, but that this buffer may be reduced if the qualified biologist, in consultation with DFG, determines that the young have fledged, the nest is no longer active, or project activities would not result in nest abandonment. The draft EIR does not specify permanent protective measures for known Swainson's hawk nest sites. Factors that may be involved in nest abandonment include human disturbance and loss of foraging habitat. Any new residential, industrial or commercial development, roads or public recreational facility such as a park, trail or bike path constructed in close proximity (e.g., 250 to 500 feet) to a known nest site will likely eventually lead to nest abandonment. Although raptors generally show high site fidelity to a nest site, there is a low likelihood that a nest tree surrounded by development would remain viable in the long-term, especially after one of the breeding pair dies and the other is unsuccessful in recruiting another mate in the new urban landscape. The EIR should include measures to permanently protect known or historic nest sites or include compensation for any loss of nesting habitat. A CESA permit would be required from DFG for any projects that have the potential to result in take of Swainson's hawk.

8 cont'd

Mitigation lands should be protected in perpetuity and provide for long-term management of habitat for each special-status species that may be adversely affected by the proposed Plan. The draft EIR states that some recreational development such as pedestrian and bike trails may occur within portions of the open space areas not specifically designated for habitat conservation purposes. Project proponents should ensure that incompatible land uses be prohibited on lands designated for species protection. Mitigation lands should be at a ratio appropriate for the impact and determined by the quality and function of the proposed mitigation. A detailed MMP should be prepared for each future development project and include a site-specific habitat assessment and species occurrence information, effective compensatory mitigation, monitoring methods, performance criteria to ensure mitigation success, adaptive management, and reporting requirements. All off-site mitigation lands should be preserved with a conservation easement in perpetuity and include an endowment fund for long-term resource management. The MMP should be submitted to DFG for review and approval.

9

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,



Scott Wilson  
Acting Regional Manager  
Bay Delta Region

cc: State Clearinghouse  
Mr. Ryan Olah – U.S. Fish and Wildlife Service  
Ms. Michelle Tovar – U.S. Fish and Wildlife Service  
Mr. Steven Herrera – State Water Resources Control Board

- 1      *The comment summarizes the Project Description of the Specific Plan Draft EIR.*
- This comment does not pertain to the adequacy of the environmental analysis provided in the Draft EIR. All of the biological resources noted by DFG are discussed on pages 4.4-2 through 4.4-25 of the Draft EIR.
- 2      *The comment summarizes the biological resources present in the Specific Plan Area as reported in the Draft EIR.*
- This comment does not pertain to the adequacy of the environmental analysis provided in the Draft EIR.
- 3      *The comment states that DFG will require a Lake and Streambed Alteration Agreement under Section 1600 et seq. of the California Fish and Game Code for any activity that will divert or obstruct the natural flow or change the bed, channel, or bank of a river, stream, or lake, or use material from a streambed. The comment states that the proposed relocation of a segment of the Solano Irrigation District canal and construction of a lake adjacent to Union Creek are project activities that would be subject to Section 1600 requirements.*
- The comment is noted and the requirement for a streambed alteration agreement is specifically discussed under Impact 4.4-4 on page 4.4-60 of the Draft EIR. Mitigation Measure 4.4-4 requires the project applicant(s) to secure and implement a Section 1602 streambed alteration agreement.
- Page 4.4-60, Impact 4.4-4, paragraph 3 of the Draft EIR is revised to read:
- Any changes to the bed, bank, channel, or flow of Union Creek or the SID canal could result in significant direct and indirect effects on in stream habitat and would require a streambed alteration agreement from DFG. Please see Final EIR pages 3-11 and 3-12.
- In addition, the City has revised Section 3, page 3-13, under the heading “Other State/Regional Agencies,” as shown below:
- ▶ Approval of permits by state agencies, such as a streambed alteration agreement for alterations to Union Creek or the SID canal with the Department of Fish and Game, and other permits from the State Water Resources Control Board, Bay Area Air Quality Management District; the California Department of Transportation for encroachment permits for improvements to SR 12, as necessary; and other agencies.
- Please refer to Final EIR page 3-1, which illustrates the above change.
- 4      *The comment states that water diversion and storage may require a water rights permit from the State Water Resources Control Board and that DFG and other permitting agencies may require mitigation and avoidance measures that could have a significant impact on Plan design and feasibility. The comment states, therefore, that a mitigation and monitoring plan should be prepared for DFG review and that specific avoidance measures should be included in the Final EIR.*

The project would rely on existing water supply already appropriated through the Solano Project, the State Water Project, and agreements and contracts with the California Department of Water Resources and the Solano Irrigation District. Water supply is delivered to the City of Fairfield through the Solano County Water Agency and the Solano Irrigation District. The proposed project would result in a change in how or where some of the appropriated water supply might be used, but would not require appropriation of new water rights that have not already been through environmental review and the water rights permitting process. The proposed project would also not require a change in the point of surface water diversion. The Water Supply Assessment prepared for the Specific Plan showed that the City would have enough water to serve the proposed Specific Plan, in addition to existing and planned development, under the multiple dry year condition. Water supply and the results of the Water Supply Assessment are discussed in detail in Section 4.15, “Utilities” of the Draft EIR. As discussed in Impact 4.15-1 beginning on page 4.15-19, the City of Fairfield would not need additional water supplies to meet Specific Plan demands.

The comment does not specify what resource impacts are lacking specific avoidance measures in the Draft EIR. The Draft EIR presents avoidance, minimization, and compensatory mitigation measures for all of the biological resources that would be affected by the project (see Mitigation Measures 4.4-1 through 4.4-6). The mitigation approach presented in the Draft EIR is appropriate for this program EIR. There is no requirement to present a project-specific mitigation plan to DFG for review before completion of the Final EIR.

5

*The comment states that the project applicants would be required to obtain take authorization from DFG for projects that could result in the take of species listed under the California Endangered Species Act (CESA), including California tiger salamander, and that project-related impacts of the authorized take must be minimized and fully mitigated. The comment states further that the EIR must specify impacts, mitigation measures, and monitoring and reporting programs and should describe standard CESA requirements such as land acquisition, permanent protection and management, and funding in perpetuity of compensatory lands.*

Mitigation Measure 4.4-2b of the Draft EIR, the first bullet is revised to read (please see Final EIR pages 3-10 and 3-11):

- 1) No project construction shall proceed in areas supporting potential habitat for California tiger salamander (known or potential breeding pools/ponds plus surrounding Specific Plan Area grasslands within 1.3 miles), until take authorization has been obtained from the USFWS and DFG, and the project applicant(s) of all project phases have abided by all conditions in the take authorization, including conservation and minimization measures, intended to be completed before on-site construction. Conservation and minimization measures are expected to include requirements for preparing supporting documentation describing methods to protect existing vernal pools during and after project construction, methods for determining impact ratios, a detailed monitoring plan, and reporting requirements. DFG may issue a Consistency Determination under Section 2080.1 of CESA if the applicant(s) obtains take authorization from USFWS and submits the federal opinion take statement to the Director of Fish and Game. DFG must determine that conditions specified in the Federal take authorization are consistent with CESA. If a Consistency Determination is not



obtained, the applicants shall obtain a separate incidental take permit under Section 2081(b) of CESA.

- 3) If the SMHCP is not adopted in time for project implementation, or if the City chooses to not seek coverage, the project applicant(s) shall secure take authorization prior to project construction through formal consultation with the USFWS pursuant to Section 7 of the ESA, and with DFG pursuant to Fish and Game Code Sections 2080.1 or 2081(b), and shall implement all measures included in the Biological Opinion (BO) issued by the USFWS and in the take authorization or consistency determination issued by DFG.

Mitigation Measure 4.4-2b of the Draft EIR identifies specific preservation and creation ratios and methods for mitigating impacts on California tiger salamander aquatic breeding habitat and upland habitat and explains the need to include supporting documentation describing methods to protect existing vernal pools during and after project construction, methods for determining impact ratios, a detailed monitoring plan, and reporting requirements. Implementation of Mitigation Measure 4.4-2b would reduce significant impacts on California tiger salamander to a less-than-significant level because it would ensure that substantial breeding and upland habitat would be preserved in the Specific Plan Area and that breeding habitat lost as a result of project implementation would be replaced (Draft EIR, page 4.4-53). As discussed in the Draft EIR, it is the City's intent that Specific Plan projects participate in the proposed Solano Multispecies Habitat Conservation Plan (SMHCP) as an avenue for take authorization under CESA and ESA (Draft EIR, page 4.4-52). If the SMHCP is adopted, DFG take authorization would be granted to participants. The mitigation approach presented in the Draft EIR is adequate for a program-level CEQA analysis. As noted in the Solano County Water Agency comment letter that was submitted on the Draft EIR, the EIR mitigation approach follows the approach outlined in the draft SMHCP.

The City has added information to the Draft EIR, as shown below under the heading "California Endangered Species Act" (see Final EIR pages 3-9 and 3-10).

The California Endangered Species Act (CESA) (California Fish and Game Code Section 2050, *et seq.*) directs state agencies not to approve projects that would jeopardize the continued existence of an endangered or threatened species or result in the destruction or adverse modification of habitat essential to the continued existence of a species. Furthermore, CESA states that reasonable and prudent alternatives shall be developed by DFG, together with the project proponent and any state lead agency, consistent with conserving the species, while at the same time maintaining the project purpose to the greatest extent possible. Under CESA, project-related impacts of the authorized take must be minimized and fully mitigated, and adequate funding to implement those mitigation measures and monitor compliance with and the effectiveness of the measures must be ensured. Standard CESA issuance requirements can include land acquisition, permanent protection and management, and/or funding in perpetuity of compensatory lands.

- 6 *The comment states that a Swainson's hawk nest was documented in the southern portion of the Specific Plan Area in 2010, as reported in the Draft EIR, and that their records show a nest tree was documented in the northern portion of the Specific Plan Area in 2005 and several other nest sites within 5 miles of the Specific Plan Area. The comment further summarizes information from the Draft EIR about Swainson's hawk impacts and mitigation.*

The record of a Swainson's hawk nest in the northern portion of the Specific Plan Area is acknowledged on page 4.4-22 of the Draft EIR and the nest site is shown on Exhibit 4.4-5. The Draft EIR also acknowledges on page 4.4-22, that there are several CNDDDB records of Swainson's hawks nesting in the Specific Plan Area. Please see Table 4.4-2 on page 4.4-14 of the Draft EIR, which notes in reference to Swainson's hawk:

"Known to forage in the Specific Plan Area. LSA documented a nesting pair in the southern portion of the Specific Plan Area in 2010 and there is a 2005 CNDDDB record of a pair nesting in a eucalyptus tree near Vanden Road on the north end of the Specific Plan Area. There are several CNDDDB records of nesting pairs in the Specific Plan Area vicinity, including two at Cypress Lakes Golf Course."

See also the discussion of Swainson's hawk on page 4.4-22 of the Draft EIR.

7 *The comment states that the Draft EIR includes measures to avoid or minimize impacts to nesting tricolored blackbirds and loggerhead shrikes, but that mitigation for permanent loss of nesting and foraging habitat for these species should be included in the Final EIR.*

Implementing measures to minimize impacts on nesting tricolored blackbirds and loggerhead shrikes is sufficient to reduce potential project impacts on these species to a less-than-significant level. As noted by the commenter, Mitigation Measures 4.4-2d and 4.4-2e would reduce significant impacts on tricolored blackbird and loggerhead shrike to a less-than-significant level by minimizing disturbance to active nests (Draft EIR, page 4.4-55).

The comment cites Section 3503 of the Fish and Game Code, which states that it is illegal to take possess, or needlessly destroy the nest or eggs of any bird. The Fish and Game Code does not state that it is unlawful to remove foraging habitat or nesting habitat that does not contain active nests at the time of removal. The loss of foraging and nesting habitat would not constitute a significant impact on tricolored blackbirds or loggerhead shrikes because it would not result in a substantial reduction in local population numbers or reduce the population below self-sustaining levels and because the Specific Plan open space design would ensure that suitable nesting and foraging habitat for these species would still be available in the Specific Plan Area after full build out. The Specific Plan would propose preserved open space for significant areas of grassland (foraging for Swainson's hawk, burrowing owl) and the area where an active Swainson's hawk nest was identified the southern portion of the Specific Plan Area in 2010.

Mitigation Measures 4.4-2d and 4.4-2e require projects developed under the Specific Plan to avoid and minimize impacts to tricolored blackbird and loggerhead shrike, through a preconstruction survey and, if necessary, buffering around any nesting colony, in consultation with DFG. Compensatory mitigation for the loss of nesting and foraging habitat for tricolored blackbirds and loggerhead shrikes is not required to reduce the impact to a less-than-significant level.

8 *The comment states that the Draft EIR does not specify permanent protective measures for known Swainson's hawk nest sites and that new development within 250 to 500 feet of known nest sites will likely lead to eventual abandonment of that site, especially if the breeding pair dies and the other cannot attract a new mate in the new urban landscape. The comment states further that a CESA permit would be required from DFG for any projects that have potential to result in take of Swainson's hawk.*

Planned residential and urban land uses are more than 500 feet away from the current known Swainson's hawk nest sites in the Specific Plan Area. However, the northern CNDDDB 2005 Swainson's hawk nest site record is within the Jepson Parkway project, which was evaluated under a separate CEQA/NEPA process. Swainson's hawks nests were not observed at this site during surveys conducted for the Jepson Parkway project or for the Fairfield Train Station Specific Plan. The active nest identified in the southern portion of the Specific Plan Area in 2010 is located just 600 feet north of an existing elementary school and residential development. Therefore, the birds nesting here are adapted to human disturbance within this distance. The majority of remaining trees in the Specific Plan Area are either located in the designated open space areas or along Vanden Road in areas that already support residential and commercial development. Because the known nest sites would continue to have a greater than 500-foot buffer, other potential nest trees surrounded by 1,759 acres of interconnected open space would be retained in the Specific Plan Area following development and foraging habitat would be preserved at a 3:1 ratio, the mitigation measures presented in the Draft EIR (Mitigation Measure 4.4-2c) are sufficient to reduce project impacts on Swainson's hawk to a less-than-significant level and no further mitigation is needed. DFG may require additional measures as a condition of the CESA permit, but additional mitigation are not required to reduce impacts to a less-than-significant level under CEQA.

9 *The comment states that mitigation lands should be protected in perpetuity and provide for the long-term management of habitat for each special-status species that may be adversely affected, that project proponents should ensure that incompatible land uses be prohibited in lands designated for species conservation, and that a detailed MMP should be prepared for each future project and submitted to DFG for review.*

The Mitigation Measures presented in the Draft EIR specify that mitigation and monitoring plans shall be developed if the SMHCP is not adopted prior to project implementation (for example, see Mitigation Measure 4.4-2a, bullets 3 and 4). However, if the SMHCP is adopted, project applicants would participate in the SMHCP to obtain take authorization and mitigation would be carried out according to the terms and conditions of the SMHCP and would not require development of an MMP for individual biological resource impacts covered under the SMHCP. The following revisions are incorporated to address the remaining elements of the comment:

Mitigation Measure 4.4-2a of the Draft EIR is revised to add mitigation bullet 11 as follows (see Final EIR page 3-10):

11) All vernal pool habitat mitigation lands shall be preserved in perpetuity and incompatible land uses shall be prohibited in habitat conservation areas.

Mitigation Measure 4.4-2b of the Draft EIR is revised to add mitigation bullet 7 as follows (see Final EIR page 3-10):

7) All California tiger salamander habitat mitigation lands shall be preserved in perpetuity and incompatible land uses shall be prohibited in habitat conservation areas.

Mitigation Measure 4.4-2c of the Draft EIR is revised to add mitigation bullet 9 as follows (see Final EIR page 3-11):

- 9) All Swainson's hawk and burrowing owl habitat mitigation lands shall be preserved in perpetuity and incompatible land uses shall be prohibited in habitat conservation areas.

Mitigation Measure 4.4-3a of the Draft EIR is revised to add mitigation bullet 4 as follows (see Final EIR page 3-11):

- 4) All Contra Costa goldfields habitat mitigation lands shall be preserved in perpetuity and incompatible land uses shall be prohibited in habitat conservation areas.

Please see also Section 3 of the Final EIR, which summarizes changes to the Draft EIR by section.



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Bill Emlen, Director  
Cliff Covey, Assistant Director

February 9, 2011

David Feinstein, Senior Planner  
City of Fairfield  
Community Development Department  
1000 Webster Street, 2<sup>nd</sup> Floor  
Fairfield, CA 94533

Re: Fairfield Train Station Specific Plan Draft EIR

Dear Mr. Feinstein:

Thank you for making available to Solano County the Draft Environmental Impact Report for the Fairfield Train Station Specific Plan, dated December, 2010. I have the following comments:

Section 3.4.1 (page 3-10)

This page refers to a reduction of the future planned widening of the Walters Road Extension from four lanes to two. The traffic analyses prepared by the Solano Transportation Authority (STA) for the Jepson Parkway Project considered several alternative alignments, and concluded that the alignment which included a four lane Walters Road Extension was preferred. Fairfield should work cooperatively with the STA to ensure that the roadway improvements included in the Specific Plan adequately address regional traffic needs, particularly if the Walters Road Extension will only be built to a two lane width.

1

Section 3.4.3 (page 3-18)

This page refers to the construction of New Canon Road, consisting of a complete realignment of the existing Canon Road as well as most of North Gate Road and some of McCrory Road. Solano County has initiated work on a project, funded with federal High Priority Project funds, to improve the existing Canon Road and North Gate Road. Fairfield should work cooperatively with Solano County and the STA to redefine the federal project to provide useful public

2

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David Cliche,  
Chief Building  
Official

Planning Services  
Mike Yankovich  
Program Manager

Environmental  
Health  
Terry Schmidtbauer  
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Public Works  
Engineering  
Paul Wiese  
Engineering Manager

Public Works  
Operations  
Wayne Spencer  
Operations Manager

improvements consistent with the Specific Plan, including the Vanden Road – Canon Road intersection. | 2 cont'd

Exhibit 3-8 (page 3-19)

This exhibit shows an on-street bike path extending along Peabody Road from the Specific Plan area northward toward Vacaville. Peabody Road is the primary corridor between Fairfield and Vacaville. While an on-street bike route (path) is appropriate, consideration should also be given to an off-street or multi-use sidewalk or path connecting the two cities along Peabody Road, because of the speed and volume of traffic. Such an off-street path would be beneficial to pedestrians as well as bicyclists. | 3

Section 4.14.1 (page 4.14-5)

This page indicates the speed limit on Vanden Road to be 55 mph. In fact, it varies from 45 – 50 mph. | 4

Section 4.14.3 (page 4.14-51)

This page discusses the improvements to Vanden Road within the Specific Plan area. Fairfield should work cooperatively with the STA and its partners (Solano County, Vacaville and Suisun City) to ensure that the road improvements proposed for the Specific Plan area, including Vanden Road, adequately address the movement of regional traffic, and are consistent with the STA's Jepson Parkway Project. | 5

This page also discusses Fairfield's intent to provide the 50 percent local match for the city's share of the Jepson Parkway Project. The development of the Specific Plan area will have a significant impact on Solano County's remaining portion of Vanden Road. Since the County doesn't have any development planned along its portion of Vanden Road, and the County doesn't have a traffic impact fee, the development that occurs in the Specific Plan area should mitigate its impact on the County portion of Vanden Road by paying for the 50 percent local match on the County's segment of Vanden Road. | 5

Section 4.14.3 Comment #2 (page 4.14-51)

Proposed transportation improvements should be constructed in advance of development to prevent offsite impacts from going unmitigated, even temporarily. | 6

Table 4.14-6 (page 4.14-53)

This table indicates the Specific Plan area will generate about 59,000 daily external trips. Traffic generated in the Specific Plan area will have an impact on much of Solano County's roadway network, in addition to Vanden Road. To mitigate these impacts, Fairfield should participate in a traffic impact fee to implement appropriate Solano County's road system mitigation improvements, as established either by Solano County or by the STA as a Regional Traffic Impact Fee. | 7

#### Section 4.14.3

This section analyzes a number of intersections in the project area. It should also analyze the Meridian Road – Fry Road intersection, since the analysis shows over 800 vph travelling on the south leg of that intersection, which is currently controlled by a 4-way stop.

8

Thank you for the opportunity to comment on this EIR. Please call me at (707) 784-6072 if you have any questions.

Sincerely,



Paul Wiese  
Engineering Manager

U:/users/pwiese/data/word/Miscellaneous/Fairfield Train Station Specific Plan EIR Letter.doc

- 1      *This comment indicates that analysis by the Solano Transportation Authority included a future four-lane Walters Road extension as the preferred alternative. The comment recommends that the City work cooperatively with the Solano Transportation Authority to ensure roadway improvements included in the Specific Plan adequately address regional traffic needs, particularly if the Walters Road extension will only be built to a two-lane width.*
- The City concurs with the commenter's suggestion that the City work cooperatively with Solano Transportation Authority to ensure that roadway improvements adequately address regional transportation needs.
- Comprehensive transportation analysis is included in Section 4.14 of the Draft EIR. Both direct project impacts are considered, in addition to cumulative impacts using a long-term growth scenario. The analysis in Section 4.14 fully considers roadway improvements needed within the Specific Plan as a part of future projects, as well as planned regional improvements and off-site locations to which Specific Plan projects would need to contribute on a fair-share basis. As discussed on page 4.14-125 of the Partially Recirculated Draft EIR, the City shall adopt a Road Improvement Phasing Plan concurrently with adoption of the Specific Plan. The Road Improvement Phasing Plan is required to correlate the timing of required construction of road improvements with the level of new development within the Specific Plan such that the Level of Service policies of the City are maintained throughout buildout of the Specific Plan. Mitigation Measure 4.14-8 requires new development within the Specific Plan to participate in the construction and financing of road improvements, including constructing Walters Road extension from Intersection 15 to Intersection 11 with 4 travel lanes. The City intends to work cooperatively with the Solano Transportation Authority to ensure that roadway improvements included in the Specific Plan adequately address regional traffic needs.
- 2      *This comment discusses reference in Section 3.0 of the Draft EIR to the construction of Canon Road and notes that the County has initiated work on the existing alignment of Canon Road and North Gate Road. The commenter recommends that the City work cooperatively with Solano County and the Solano Transportation Authority to redefine the federal project to provide useful public improvements consistent with the Specific Plan, including the Vanden Road – Canon Road intersection.*
- This comment is noted and included here for decision maker consideration. Although this does not pertain to the adequacy of the Draft EIR for addressing adverse physical environmental impacts attributable to the Specific Plan, the comment is important and the City's intent is to cooperate with the County and STA regarding public improvements in the Specific Plan Area.
- 3      *This comment identifies an on-street bike path along Peabody Road connecting the Specific Plan Area to Vacaville. The commenter suggests that an off-street or multi-use sidewalk or path connecting the two cities along Peabody Road would be preferred due to traffic speeds and volumes.*



This comment is noted and included here for decision maker consideration. Please refer to Final EIR page 3-5. Exhibit 3-8 has been revised to show off-street pathways along Peabody Road and Cement Hill Road.

Please also refer to the discussion in the Draft EIR under Impact 4.14-6. As noted, the Specific Plan will not increase transportation hazards. The roadway network defined in the Specific Plan provides acceptable intersection spacing. Specific Plan streets, intersections, and off-street paths and trails will be designed and constructed in accordance with City of Fairfield design standards for roadways, paths, and trails. The City's design standards are, in part, developed specifically to avoid introducing hazards and incompatible use.

4 *This comment addresses the speed limit on Vanden Road.*

This change has been made. Please see Final EIR page 3-27.

5 *This comment addresses the Jepson Parkway Project.*

The City will continue to work with the STA and other partners in the Jepson Parkway project to ensure that the improvements to the Parkway corridor through the Specific Plan area are consistent with the Jepson Parkway design. The funding agreement for Jepson Parkway obligates the County to fund 50% of work from the former railroad crossing of Vanden Road, just east of the train station, eastward towards Vacaville. The City agrees to take over the County's obligation from the overcrossing to the northeastern edge of the proposed Great Park, eliminating the County's obligation on more than 1.5 miles of Vanden Road. In addition, the City will be taking full responsibility to improve unincorporated portions of Peabody Road between the City limits and Vanden Road. Together, this substantially reduces County obligations to improve unincorporated roads in the vicinity of the Specific Plan Area, beyond the obligations of the City identified in funding agreements for Jepson Parkway. The City will not, however, be responsible for additional portions of Vanden Road that will be permanently outside of the City limits.

6 *This comment addresses concurrency of transportation improvements and development.*

This comment is noted and included here for decision maker consideration. The timing of improvements is discussed in Mitigation Measure 4.14-8 in the Draft EIR. As discussed on page 4.14-125 of the Partially Recirculated Draft EIR, the City is required to adopt a Road Improvement Phasing Plan concurrently with adoption of the Specific Plan. The Road Improvement Phasing Plan is required to correlate the timing of required construction of road improvements with the level of new development within the Specific Plan such that the Level of Service policies of the City are maintained throughout buildout of the Specific Plan.

7 *This comment pertains to traffic impact fees.*

Draft EIR Mitigation Measure 4.14-2 states that "Projects developed under the Specific Plan shall pay applicable regional transportation impact fees, if and when such fees are developed by the STA, and applicable property assessments for transportation improvements."

8 *This addresses the Meridian Road / Fry Road intersection.*

This comment is noted and included here for decision maker consideration. The intersection of Meridian/Fry was not included in the analysis based on the criteria used to select study intersections, which included the expected project trip distribution, the relative importance of the roadways within the regional roadway network (i.e., volumes served, connections to other major roadways, etc.), and the likelihood of impacts based on the project volumes expected to use the intersection. These criteria have been added to the Partially Recirculated Draft EIR for informational purposes. Please see Final EIR pages 3-26 and 3-27.

The following provides more information on why Meridian/Fry was not expected to see substantial Specific Plan traffic nor experience significant impacts: the distribution of Specific Plan trips to this intersection would be substantially lower than those assigned to the intersection of Meridian/Hay, because (1) Meridian/Hay is located about 1.5 miles from the Specific Plan site, and provides a direct connection to I-80 via Lewis Road; and (2) Meridian/Fry is located about 3.0 miles from the Specific Plan site, and not on a direct route to I-80 from the Specific Plan site. Further, the intersection of Meridian/Hay is not significantly impacted by the Project. Therefore, it is reasonable to conclude that the intersection of Fry/Meridian, which is approximately 1.5 miles further to the north and would serve less Specific Plan traffic, would also not be significantly impacted.

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**From:** Richard Wirth  
**Sent:** Wednesday, February 09, 2011 9:26 AM  
**To:** Feinstein, David M  
**Cc:** Jim Daniels  
**Subject:** Train Station Specific Plan Area DEIR

Hello Dave:

Attached is SID comments on the DEIR for the Train Station Specific Plan Area. It looks like this development will have significant impacts on SID and the USBR facilities. Please send me any future correspondence on the proposed development. Thank you for the opportunity to provide comments.

-Richard

1

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