



GENERAL PLAN UPDATE

for the City of VACAVILLE, CALIFORNIA

Memorandum

Date: April 14, 2011

To: General Plan Update Steering Committee Members

From: Tyra Hays, General Plan Update Project Manager

RE: Comment Letters Received Regarding the General Plan Update Environmental Impact Report (EIR) Notice of Preparation

At Steering Committee Meeting #7 – *General Plan EIR Scoping Session and Land Use Alternatives Review Part 1 (Citywide Alternatives)*, held on March 10, 2011, a scoping session was conducted for the General Plan Update and Climate Action Plan (CAP) environmental impact report (EIR). The scoping session gave the Steering Committee, regulatory agencies, and members of the public the opportunity to provide input on issues they would like evaluated in the EIR.

In addition to the EIR scoping session, a Notice of Preparation (NOP) was published in *The Reporter* and notices were mailed to State and other regulatory agencies, neighboring jurisdictions and other interested parties. As required by State law, the NOP included a 30-day public comment period for interested parties to submit input on the scope of the environmental issues to be addressed in the EIR. The public comment period ran from February 10, 2011 to March 14, 2011.

A copy of the NOP and the comment letters received has been attached for your review. The EIR prepared for the General Plan Update and Climate Action Plan will address the comments received.



February 22, 2011

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FEB 23 2011

CITY OF VACAVILLE
PLANNING DIVISION

Tyra Hays
City of Vacaville
650 Merchant Street
Vacaville, CA 95688

RE: Notice of Preparation for a Draft Environmental Impact Report for the City of Vacaville's General Plan Update, SCH # 2011022043

Dear Ms. Hays:


Thank you for the opportunity to comment on your Notice of Preparation for a Draft Environmental Impact Report (DEIR) for the city's general plan update. In preparing the general plan and accompanying DEIR, the city should examine the sections of state planning law that involve potential hazards the city may face. For your information, I have underlined specific sections of state planning law where identification and analysis of hazards are discussed (see Attachment A).

Prior to the release of the draft general plan or within the DEIR, city staff or your consultants should examine each of the requirements in state planning law and determine if there are hazard issues within the community which the general plan should address. A table in the DEIR (or general plan) which identifies these specific issues and where they are addressed in the general plan would be helpful in demonstrating the city has complied with these requirements. If the DEIR determines that state planning law requirements have not been met, it should recommend that these issues be addressed in the general plan as a mitigation measure.

We note that state planning law includes a requirement for consultations with state agencies in regard to information related to hazards. Cal EMA would be happy to share all available information at our disposal to facilitate the city's ability to comply with state planning and environmental laws.

If you have any questions about these comments, please contact Andrew Rush at (916) 845-8269 or andrew.rush@calema.ca.gov.

Sincerely,


Dennis Castrillo
Environmental Officer

cc: State Clearinghouse

Attachment A

Hazards and State Planning Law Requirements

General Plan Consistency

65300.5. In construing the provisions of this article, the Legislature intends that the general plan and elements and parts thereof comprise an integrated, internally consistent and compatible statement of policies for the adopting agency.

Seven Mandated Elements

65302. The general plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals. The plan shall include the following elements:

(a) A land use element that designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, and other categories of public and private uses of land. The location and designation of the extent of the uses of the land for public and private uses shall consider the identification of land and natural resources pursuant to paragraph (3) of subdivision (d). The land use element shall include a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan. The land use element shall identify and annually review those areas covered by the plan that are subject to flooding identified by flood plain mapping prepared by the Federal Emergency Management Agency (FEMA) or the Department of Water Resources. The land use element shall also do both of the following:

(1) Designate in a land use category that provides for timber production those parcels of real property zoned for timberland production pursuant to the California Timberland Productivity Act of 1982, Chapter 6.7 (commencing with Section 51100) of Part 1 of Division 1 of Title 5.

(2) Consider the impact of new growth on military readiness activities carried out on military bases, installations, and operating and training areas, when proposing zoning ordinances or designating land uses covered by the general plan for land, or other territory adjacent to military facilities, or underlying designated military aviation routes and airspace.

(A) In determining the impact of new growth on military readiness activities, information provided by military facilities shall be considered. Cities and counties shall address military impacts based on information from the military and other sources.

(B) The following definitions govern this paragraph:

(i) "Military readiness activities" mean all of the following:

(I) Training, support, and operations that prepare the men and women of the military for combat.

(II) Operation, maintenance, and security of any military installation.

(III) Testing of military equipment, vehicles, weapons, and sensors for proper operation or suitability for combat use.

(ii) "Military installation" means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the United States Department of Defense as defined in paragraph (1) of subsection (e) of Section 2687 of Title 10 of the United States Code.

(b) A circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities, all correlated with the land use element of the plan.

(c) A housing element as provided in Article 10.6 (commencing with Section 65580).

(d) (1) A conservation element for the conservation, development, and utilization of natural resources including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources. The conservation element shall consider the effect of development within the jurisdiction, as described in the land use element, on natural resources located on public lands, including military installations. That portion of the conservation element including waters shall be developed in coordination with any countywide water agency and with all district and city agencies, including flood management, water conservation, or groundwater agencies that have developed, served, controlled, managed, or conserved water of any type for any purpose in the county or city for which the plan is prepared. Coordination shall include the discussion and evaluation of any water supply and demand information described in Section 65352.5, if that information has been submitted by the water agency to the city or county.

(2) The conservation element may also cover all of the following:

(A) The reclamation of land and waters.

(B) Prevention and control of the pollution of streams and other waters.

(C) Regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan.

(D) Prevention, control, and correction of the erosion of soils, beaches, and shores.

(E) Protection of watersheds.

(F) The location, quantity and quality of the rock, sand and gravel resources.

(3) Upon the next revision of the housing element on or after January 1, 2009, the conservation element shall identify rivers, creeks, streams, flood corridors, riparian habitats, and land that may accommodate floodwater for purposes of groundwater recharge and stormwater management.

(e) An open-space element as provided in Article 10.5 (commencing with Section 65560).

(f) (1) A noise element which shall identify and appraise noise problems in the community. The noise element shall recognize the guidelines established by the Office of Noise Control in the State Department of Health Care Services and shall analyze and quantify, to the extent practicable, as determined by the legislative body, current and projected noise levels for all of the following sources:

(A) Highways and freeways.

(B) Primary arterials and major local streets.

(C) Passenger and freight on-line railroad operations and ground rapid transit systems.

(D) Commercial, general aviation, heliport, helistop, and military airport operations, aircraft overflights, jet engine test stands, and all other ground facilities and maintenance functions related to airport operation.

(E) Local industrial plants, including, but not limited to, railroad classification yards.

(F) Other ground stationary noise sources, including, but not limited to, military installations, identified by local agencies as contributing to the community noise environment.

(2) Noise contours shall be shown for all of these sources and stated in terms of community noise equivalent level (CNEL) or day-night average level (Ldn). The noise contours shall be prepared on the basis of noise monitoring or following generally accepted noise modeling techniques for the various sources identified in paragraphs (1) to (6), inclusive.

(3) The noise contours shall be used as a guide for establishing a pattern of land uses in the land use element that minimizes the exposure of community residents to excessive noise.

(4) The noise element shall include implementation measures and possible solutions that address existing and foreseeable noise problems, if any. The adopted noise element shall serve as a guideline for compliance with the state's noise insulation standards.

(g) (1) A safety element for the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence, liquefaction, and other seismic hazards identified pursuant to Chapter 7.8 (commencing with Section 2690) of Division 2 of the Public Resources Code, and other geologic hazards known to the legislative body; flooding; and wild land and urban fires. The safety element shall include mapping of known seismic and other geologic hazards. It shall also address evacuation routes, military installations, peakload water supply requirements, and minimum road widths and clearances around structures, as those items relate to identified fire and geologic hazards.

(2) The safety element, upon the next revision of the housing element on or after January 1, 2009, shall also do the following:

(A) Identify information regarding flood hazards, including, but not limited to, the following:

(i) Flood hazard zones. As used in this subdivision, "flood hazard zone" means an area subject to flooding that is delineated as either a special hazard area or an area of moderate or minimal hazard on an official flood insurance rate map issued by the Federal Emergency Management Agency. The identification of a flood hazard zone does not imply that areas outside the flood hazard zones or uses permitted within flood hazard zones will be free from flooding or flood damage.

(ii) National Flood Insurance Program maps published by FEMA.

(iii) Information about flood hazards that is available from the United States Army Corps of Engineers.

(iv) Designated floodway maps that are available from the Central Valley Flood Protection Board.

(v) Dam failure inundation maps prepared pursuant to Section 8589.5 that are available from the Office of Emergency Services.

(vi) Awareness Floodplain Mapping Program maps and 200-year flood plain maps that are or may be available from, or accepted by, the Department of Water Resources.

(vii) Maps of levee protection zones.

(viii) Areas subject to inundation in the event of the failure of project or nonproject levees or floodwalls.

(ix) Historical data on flooding, including locally prepared maps of areas that are subject to flooding, areas that are vulnerable to flooding after wildfires, and sites that have been repeatedly damaged by flooding.

(x) Existing and planned development in flood hazard zones, including structures, roads, utilities, and essential public facilities.

(xi) Local, state, and federal agencies with responsibility for flood protection, including special districts and local offices of emergency services.

(B) Establish a set of comprehensive goals, policies, and objectives based on the information identified pursuant to subparagraph (A), for the protection of the community from the unreasonable risks of flooding, including, but not limited to:

- (i) Avoiding or minimizing the risks of flooding to new development.
 - (ii) Evaluating whether new development should be located in flood hazard zones, and identifying construction methods or other methods to minimize damage if new development is located in flood hazard zones.
 - (iii) Maintaining the structural and operational integrity of essential public facilities during flooding.
 - (iv) Locating, when feasible, new essential public facilities outside of flood hazard zones, including hospitals and health care facilities, emergency shelters, fire stations, emergency command centers, and emergency communications facilities or identifying construction methods or other methods to minimize damage if these facilities are located in flood hazard zones.
 - (v) Establishing cooperative working relationships among public agencies with responsibility for flood protection.
- (C) Establish a set of feasible implementation measures designed to carry out the goals, policies, and objectives established pursuant to subparagraph (B).
- (3) After the initial revision of the safety element pursuant to paragraph (2), upon each revision of the housing element, the planning agency shall review and, if necessary, revise the safety element to identify new information that was not available during the previous revision of the safety element.
- (4) Cities and counties that have flood plain management ordinances that have been approved by FEMA that substantially comply with this section, or have substantially equivalent provisions to this subdivision in their general plans, may use that information in the safety element to comply with this subdivision, and shall summarize and incorporate by reference into the safety element the other general plan provisions or the flood plain ordinance, specifically showing how each requirement of this subdivision has been met.
- (5) Prior to the periodic review of its general plan and prior to preparing or revising its safety element, each city and county shall consult the California Geological Survey of the Department of Conservation, the Central Valley Flood Protection Board, if the city or county is located within the boundaries of the Sacramento and San Joaquin Drainage District, as set forth in Section 8501 of the Water Code, and the Office of Emergency Services for the purpose of including information known by and available to the department, the office, and the board required by this subdivision.
- (6) To the extent that a county's safety element is sufficiently detailed and contains appropriate policies and programs for adoption by a city, a city may adopt that portion of the county's safety element that pertains to the city's planning area in satisfaction of the requirement imposed by this subdivision.

Consistency with Airport Land Use Plans

65302.3. (a) The general plan, and any applicable specific plan prepared pursuant to Article 8 (commencing with Section 65450), shall be consistent with the plan adopted or amended pursuant to Section 21675 of the Public Utilities Code.

Review of Safety Element

65302.5. (a) At least 45 days prior to adoption or amendment of the safety element, each county and city shall submit to the Division of Mines and Geology of the Department of Conservation

one copy of a draft of the safety element or amendment and any technical studies used for developing the safety element. The division may review drafts submitted to it to determine whether they incorporate known seismic and other geologic hazard information, and report its findings to the planning agency within 30 days of receipt of the draft of the safety element or amendment pursuant to this subdivision. The legislative body shall consider the division's findings prior to final adoption of the safety element or amendment unless the division's findings are not available within the above prescribed time limits or unless the division has indicated to the city or county that the division will not review the safety element. If the division's findings are not available within those prescribed time limits, the legislative body may take the division's findings into consideration at the time it considers future amendments to the safety element. Each county and city shall provide the division with a copy of its adopted safety element or amendments. The division may review adopted safety elements or amendments and report its findings. All findings made by the division shall be advisory to the planning agency and legislative body.

(1) The draft element of or draft amendment to the safety element of a county or a city's general plan shall be submitted to the State Board of Forestry and Fire Protection and to every local agency that provides fire protection to territory in the city or county at least 90 days prior to either of the following:

(A) The adoption or amendment to the safety element of its general plan for each county that contains state responsibility areas.

(B) The adoption or amendment to the safety element of its general plan for each city or county that contains a very high fire hazard severity zone as defined pursuant to subdivision (b) of Section 51177.

(2) A county that contains state responsibility areas and a city or county that contains a very high fire hazard severity zone as defined pursuant to subdivision (b) of Section 51177, shall submit for review the safety element of its general plan to the State Board of Forestry and Fire Protection and to every local agency that provides fire protection to territory in the city or county in accordance with the following dates as specified, unless the local government submitted the element within five years prior to that date:

(A) Local governments within the regional jurisdiction of the San Diego Association of Governments: December 31, 2010.

(B) Local governments within the regional jurisdiction of the Southern California Association of Governments: December 31, 2011.

(C) Local governments within the regional jurisdiction of the Association of Bay Area Governments: December 31, 2012.

(D) Local governments within the regional jurisdiction of the Council of Fresno County Governments, the Kern County Council of Governments, and the Sacramento Area Council of Governments: June 30, 2013.

(E) Local governments within the regional jurisdiction of the Association of Monterey Bay Area Governments: December 31, 2014.

(F) All other local governments: December 31, 2015.

(3) The State Board of Forestry and Fire Protection shall, and a local agency may, review the draft or an existing safety element and report its written recommendations to the planning agency within 60 days of its receipt of the draft or existing safety element. The State Board of Forestry and Fire Protection and local agency shall review the draft or existing safety element and may

offer written recommendations for changes to the draft or existing safety element regarding both of the following:

(A) Uses of land and policies in state responsibility areas and very high fire hazard severity zones that will protect life, property, and natural resources from unreasonable risks associated with wildland fires.

(B) Methods and strategies for wildland fire risk reduction and prevention within state responsibility areas and very high hazard severity zones.

(b) Prior to the adoption of its draft element or draft amendment, the board of supervisors of the county or the city council of a city shall consider the recommendations made by the State Board of Forestry and Fire Protection and any local agency that provides fire protection to territory in the city or county. If the board of supervisors or city council determines not to accept all or some of the recommendations, if any, made by the State Board of Forestry and Fire Protection or local agency, the board of supervisors or city council shall communicate in writing to the State Board of Forestry and Fire Protection or to the local agency, its reasons for not accepting the recommendations.

Open Space Plans

65560. (a) "Local open-space plan" is the open-space element of a county or city general plan adopted by the board or council, either as the local open-space plan or as the interim local open-space plan adopted pursuant to Section 65563.

(b) "Open-space land" is any parcel or area of land or water that is essentially unimproved and devoted to an open-space use as defined in this section, and that is designated on a local, regional or state open-space plan as any of the following:

(1) Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.

(2) Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of groundwater basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.

(3) Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.

(4) Open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.

DEPARTMENT OF TRANSPORTATION

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CITY OF VACAVILLE
PLANNING DIVISION

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February 23, 2011

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SCH #2011022043

Ms. Tyra Hays
City of Vacaville
Community Development Department
650 Merchant Street
Vacaville, CA 95688

Dear Ms. Hays:

City of Vacaville General Plan and Climate Action Plan Project – Notice of Preparation

Thank you for including the California Department of Transportation (Department) in the environmental review process for the City of Vacaville General Plan and Climate Action Plan project. The following comments are based on the Notice of Preparation (NOP). As the lead agency, the City of Vacaville (City) is responsible for all project mitigation, including any needed improvements to state highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures. This information should also be presented in the Mitigation Monitoring and Reporting Plan of the environmental document. Required roadway improvements should be completed prior to issuance of the Certificate of Occupancy. Since an encroachment permit is required for work in the state right of way (ROW), and the Department will not issue a permit until our concerns are adequately addressed, we strongly recommend that the City work with both the applicant and the Department to ensure that our concerns are resolved during the environmental review process, and in any case prior to submittal of a permit application. Further comments will be provided during the encroachment permit process; see the end of this letter for more information regarding encroachment permits.

Traffic Impact Fees

Please identify traffic impact fees. Development plans should require traffic impact fees based on projected traffic and/or based on associated cost estimates for public transportation facilities necessitated by development. Please refer to the Department's *2003 General Plan Guidelines* page 163, which can be accessed on-line at the following website: <http://www.opr.ca.gov/index.php?a=planning/gpg.html>

Scheduling and costs associated with planned improvements on the state ROW should be listed, in addition to identifying viable funding sources correlated to the pace of improvements for roadway improvements, if any. Please refer to the Department's *2003 General Plan Guidelines* page 106.

Traffic Impact Study

We encourage the City to coordinate preparation of the Traffic Impact Study (TIS) with our office, and we would appreciate the opportunity to review the scope of work. Please include the information detailed below in the TIS to ensure that project-related impacts to state roadway facilities are thoroughly assessed. The Department's "*Guide for the Preparation of Traffic Impact Studies*" should be reviewed prior to initiating any traffic analysis for the project; it is available at the following website:

<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>

The TIS should include:

1. Vicinity map, regional location map, and a site plan clearly showing project access in relation to nearby state roadways. Ingress and egress for all project components should be clearly identified. The state ROW should be clearly identified.
2. The maps should also include project driveways, local roads and intersections, parking, and transit facilities.
3. Project-related trip generation, distribution, and assignment. The assumptions and methodologies used to develop this information should be detailed in the study, and should be supported with appropriate documentation.
4. Average Daily Traffic, AM and PM peak hour volumes and levels of service (LOS) on all significantly affected roadways, including crossroads and controlled intersections for existing, existing plus project, cumulative and cumulative plus project scenarios. Calculation of cumulative traffic volumes should consider all traffic-generating developments, both existing and future, that would affect study area roadways and intersections. The analysis should clearly identify the project's contribution to area traffic and degradation to existing and cumulative levels of service. Lastly, the Department's LOS threshold, which is the transition between LOS C and D, and is explained in detail in the Guide for Traffic Studies, should be applied to all state facilities. Please note, the Department considers LOS by itself as an inadequate measure of effectiveness (MOE) for describing traffic operational conditions since it may actually mask a deficient condition on one or more approaches. As for intersection analysis the accepted MOEs used by the Department include flow (output), average control delay, queue (length or number of vehicles), and Volume/Capacity (V/C) ratio. For freeway and ramp operations, flow (output), speed, and travel time/delay are the accepted MOEs in addition to LOS.
5. Schematic illustration of traffic conditions including the project site and study area roadways, trip distribution percentages and volumes as well as intersection geometrics, i.e., lane configurations, for the scenarios described above.
6. The project's consistency with both the Circulation Element of the General Plan and the Solano Transit Authority's Congestion Management Plan should be evaluated.

Ms. Tyra Hays/City of Vacaville

July 9, 2008

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7. The Department encourages you to locate any needed housing, jobs and neighborhood services near major mass transit nodes, and connected to these nodes with streets configured to facilitate walking and biking, as a means of promoting mass transit use and reducing regional vehicle miles traveled and traffic impacts on the state highways.
8. Please consider developing and applying pedestrian, bicycling and transit performance or quality of service measures and modeling pedestrian, bicycle and transit trips that your project will generate so that impacts and mitigation measures can be quantified. In addition to urban design treatments, these measures could include Travel Demand Management (TDM) policies (for example, lower parking ratios, car-sharing programs, transit subsidies, etc.) to encourage usage of nearby public transit lines.
9. In addition, please analyze secondary impacts on pedestrians and bicyclists that may result from any traffic impact mitigation measures. Please describe any pedestrian and bicycle mitigation measures and safety countermeasures that would therefore be needed as a means of maintaining and improving access to transit facilities and reducing traffic impacts on state highways.

As soon as they are available, please send at least two hard copies and one CD of the environmental document, including the Technical Appendices for our review.

Should you have any questions regarding this letter, please call Luis Melendez at (510) 286-5606 or luis_melendez@dot.ca.gov.

Sincerely,



LISA CARBONI
District Branch Chief
Local Development – Intergovernmental Review

DEPARTMENT OF TRANSPORTATION

DIVISION OF AERONAUTICS – M.S.#40

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CITY OF VACAVILLE
PLANNING DIVISION

February 28, 2011

Ms. Tyra Hays
City of Vacaville
650 Merchant Street
Vacaville, CA 95688

Dear Ms. Hays:

Re: Notice of Preparation for the City of Vacaville General Plan Update & Climate Action Plan;
SCH# 2011022043

The California Department of Transportation (Caltrans), Division of Aeronautics (Division), reviewed the above-referenced document with respect to airport-related noise and safety impacts and regional aviation land use planning issues pursuant to the California Environmental Quality Act (CEQA). The Division has technical expertise in the areas of airport operations safety and airport land use compatibility. We are a funding agency for airport projects and we have permit authority for public-use and special-use airports and heliports. The following comments are offered for your consideration.

The proposal is for an update to the City of Vacaville General Plan and preparation of a separate Climate Action Plan. After it is completed and approved, the General Plan will guide Vacaville's development for the next twenty years.

In accordance with California Public Utilities Code (PUC) Section 21676 *et seq.*, prior to the amendment of a general plan or specific plan, or the adoption or approval of a zoning ordinance or building regulation within the planning boundary established by the airport land use commission (ALUC), the local agency shall first refer the proposed action to the ALUC.

If the ALUC determines that the proposed action is inconsistent with the airport land use compatibility plan, the referring agency shall be notified. The local agency may, after a public hearing, propose to overrule the ALUC by a two-thirds vote of its governing body after it makes specific findings. At least 45 days prior to the decision to overrule the ALUC, the local agency's governing body shall provide to the ALUC and Caltrans a copy of the proposed decision and findings. Caltrans reviews and comments on the specific findings a local government intends to use when proposing to overrule an ALUC. Caltrans specifically looks at the proposed findings to gauge their relationship to the overrule. Also, pursuant to the PUC 21670 *et seq.*, findings should show evidence that the local agency is minimizing "...the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses."

General plans and elements must clearly demonstrate intent to adhere to ALUC policies to ensure compliance with compatibility criteria. Direct conflicts between mapped land use designations in

a general plan and the ALUC criteria must be eliminated. A general plan needs to include (at the very least) policies committing the county to adopt compatibility criteria essential to ensuring that such conflicts will be avoided. The criteria do not necessarily need to be spelled out in the general plan. There are a number of ways for a city or county to address the airport consistency issue, including:

- Incorporating airport compatibility policies into the update.
- Adopting an airport-combining zoning ordinance.
- Adopting an "Airport Element" into the general plan.
- Adopting the airport compatibility plan as a "stand alone" document or as a specific plan.

The general plan must acknowledge that until ALUC compatibility criteria are incorporated into the general plan, proposals within the airport influence area must be submitted to the ALUC for review. These provisions must be included in the general plan at a minimum for it to be considered consistent with the airport land use compatibility plan.

The proposal should also be coordinated with Nut Tree Airport and Travis Air Force Base staff to ensure its compatibility with future as well as existing airport operations. Nut Tree Airport is part of the National Plan of Integrated Airport Systems (NPIAS) and receives federal funding. As part of Federal Aviation Administration (FAA) grant assurances, it is required that use of land adjacent to or in the immediate vicinity of the airport be restricted to activities and purposes compatible with normal airport operations.

CEQA, Public Resources Code 21096, requires the California Airport Land Use Planning Handbook (Handbook) be utilized as a resource in the preparation of environmental documents for projects within airport land use compatibility plan boundaries or if such a plan has not been adopted, within two nautical miles of an airport. The Handbook provides a "General Plan Consistency Checklist" in Table 5A and a "Possible Airport Combining Zone Components" in Table 5B. The Handbook is a resource that should be applied to all public use airports and is available on-line at:

<http://www.dot.ca.gov/hq/planning/aeronaut/documents/ALUPHComplete-7-02rev.pdf>.

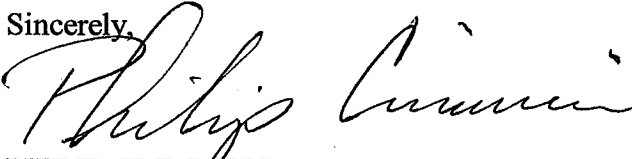
California Public Utilities Code (PUC) Section 21659 prohibits structural hazards near airports. The planned height of buildings, antennas, and other objects should be checked with respect to Federal Aviation Regulation (FAR) Part 77 criteria if development is close to the airport, particularly if situated within the runway approach corridors. General plans must include policies restricting the heights of structures to protect airport airspace. To ensure compliance with FAR Part 77 "Objects Affecting Navigable Airspace" submission of a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) may be required. Form 7460-1 is available on-line at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp> and should be submitted electronically.

California Education Code Section 17215 requires a school site investigation by the Division prior to acquisition of land for a proposed school site located within two miles of an airport runway. The Division submits recommendations to the State Department of Education for use

Ms. Hays
February 28, 2011
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Thank you for the opportunity to review and comment on this proposal. If you have any questions, please call me at (916) 654-6223, or by email at philip_crimmins@dot.ca.gov.

Sincerely,

A handwritten signature in cursive script that reads "Philip Crimmins". The signature is written in black ink and is positioned above the printed name.

PHILIP CRIMMINS
Aviation Environmental Specialist

c: State Clearinghouse, Solano County ALUC, Nut Tree Airport



Solano Transportation Authority

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Member Agencies:
Benicia • Dixon • Fairfield • Rio Vista • Suisun City • Vacaville • Vallejo • Solano County

One Harbor Center, Suite 130, Suisun City, CA 94585-2473 • Telephone (707) 424-6075 / Facsimile (707) 424-6074
Email: staplan@sta-snci.com • Website: solanolinks.com

March 17, 2011

Fred Buderi
City Planner
City of Vacaville
650 Merchant Street
Vacaville, CA 95688

**RE: City of Vacaville's Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR)
Vacaville General Plan and development of a Climate Action Plan (CAP)**

Dear Mr. Buderi:

The Solano Transportation Authority (STA), in accordance with its role and responsibility as the Congestion Management Agency (CMA) for Solano County, has reviewed the City of Vacaville's Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR), for the update of the Vacaville General Plan and development of a Climate Action Plan (CAP). We provide our comments regarding the impacts of the General Plan update on the Solano Congestion Management Program (CMP), and the overall impacts of both the CAP and General Plan update on the regional transportation system.

Impact on the Solano CMP

The Solano CMP is a foundational document for assessing the current status of the transportation system in Solano County, and identifying steps to maintain its operation at the best possible level. The Solano CMP relies in part upon the projections of future land uses provided by the cities and the county.

The DEIR should include in its analysis a description of land use changes that are proposed in the new General Plan. The City of Vacaville should provide to the STA a list of changes to the Napa Solano Travel Demand Model by land use type and traffic analysis zone. In addition, the City of Vacaville should use the Napa-Solano Travel Demand Model with the updated General Plan land use information to provide a report on impacts to roadways and intersections identified in the Solano CMP. The report should identify those roadways and intersections that will perform below the Solano CMP level of service based upon land use changes proposed in the General Plan.

Transportation Impacts

The STA requests that the Vacaville General Plan DEIR include the following in its analysis:

Transportation/Traffic

- **Regional Impact.** The City of Vacaville should use the Napa-Solano Travel Demand Model to analyze project impacts on the Routes of Regional Significance that will be impacted by the project contemplated in the Specific Plan. This analysis should focus on Leisure Town Road in its role as the northern portion of the Jepson Parkway, and on Peabody Road. The analysis should also look at the impacts of proposed changes in the land uses allowed in the Vacaville General Plan on the Interstate Freeway and California State Highway systems. This analysis should use the congestion levels anticipated in the Napa-Solano Travel Demand Model. In those cases where the freeway and highway system is too congested to be able to accommodate locally-generated traffic, the DEIR should identify transit and local street alternatives adequate to fully accommodate the locally-generated traffic.

RE: City of Vacaville's Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR)
Vacaville General Plan and development of a Climate Action Plan (CAP)

- High Occupancy Vehicle (HOV)/Express Lanes. The DEIR should assume that a HOV or Express Lane network will be in place on I-80, from the Red Top Road to the I-80/I-505 interchange, by the year 2018.
- Transit. The DEIR should analyze the project's impact on local and intercity transit services, and on the demand for ridesharing facilities such as Park and Ride Lots. The analysis should identify all Transit Facilities of Regional Significance (TFORS), identify whether the TFORS will require expanded capacity, and/or identify new locations for TFORS. The DEIR should also include an analysis of clean vehicle technology for the local and intercity bus fleets. Finally, the DEIR should analyze opportunities for provision of infrastructure to support clean vehicles (both public and private) at TFORS and other facilities.
- Bicycle/Pedestrian Transportation. The DEIR should identify the consistency of the bicycle and pedestrian path system proposed in the Vacaville General Plan with the systems identified in STA's Countywide Bicycle Master Plan and Countywide Pedestrian Maser Plan. The DEIR should also address health and safety impacts from a trail system and features that result in increased walking and bicycle usage.
STA has adopted a Safe Routes to Schools (SR2S) Plan that contains SR2S projects in the City of Vacaville. STA is also preparing a Safe Routes to Transit (SR2T) Plan. The Vacaville General Plan DEIR should identify those aspects of the adopted Plans that are incorporated into the draft Vacaville General Plan, and include an analysis of how those Plan elements impact health and safety.

Land Use

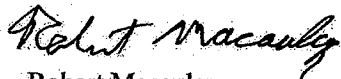
- The General Plan DEIR should identify where Vacaville's projected land development differs from the projections made by the Association of Bay Area Governments (ABAG). The DEIR should also address the potential impacts of development at both the Vacaville General Plan and ABAG rates.
- In preparing for the next Sustainable Communities Strategy (SCS) and Regional Transportation Plan (RTP), ABAG and the Metropolitan Transportation Commission (MTC) are considering transportation-related financial incentives for preservation of agricultural lands and open space. Those financial incentives are not yet identified. The Vacaville General Plan DEIR should identify areas that may be converted from agricultural or open space use to urban uses, and identify the impact of such conversion to funding for transportation facility development and maintenance.
- One of the alternatives analyzed in the Vacaville General Plan DEIR should use focused growth, with an emphasis on Transit Oriented Development (TOD) projects that use TOD design concepts from ABAG and MTC. Analysis of this alternative should focus on the comparative impacts to air quality, conversion of agricultural and open space lands, traffic congestion, provision of transit (including bus, rail and rideshare), and the cost of maintaining the roadway and transit systems.
- The DEIR should analyze the costs of developing and maintaining the transportation system needed to adequately accommodate existing and anticipated additional traffic related to the Vacaville General Plan. This analysis should include a discussion of available funding mechanisms, including the potential Regional Traffic Impact Fee being considered by STA.

STA Ltr. FBuderi dated March 17, 2011

RE: City of Vacaville's Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR)
Vacaville General Plan and development of a Climate Action Plan (CAP)

Thank you for the opportunity to comment on the EIR Notice of Preparation for the Vacaville General Plan and Climate Action Plan. Please provide us with a copy of the Notice of Availability and/or Public Hearing Notice for the project's EIR. The STA looks forward to working with you to discuss and consider these comments. If you have any questions, please contact me at (707) 424-6006 to discuss STA's comments in more detail.

Sincerely,



Robert Macaulay
Director of Planning

Cc: STA Board Members
Steve Hardy, Mayor of Vacaville
Daryl Halls, STA Executive Director
STA Chronological File

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



March 14, 2011

Tyra Hays
City of Vacaville
650 Merchant Street
Vacaville, CA 95688

Re: Notice of Preparation, Draft Environmental Impact Report (DEIR)
Vacaville General Plan and Climate Action Plan
SCH# 201102243

Dear Ms. Hays:

As the state agency responsible for rail safety within California, the California Public Utilities Commission (CPUC or Commission) recommends that development projects proposed near rail corridors be planned with the safety of these corridors in mind. New developments and improvements to existing facilities may increase vehicular traffic volumes, not only on streets and at intersections, but also at at-grade highway-rail crossings. In addition, projects may increase pedestrian traffic at crossings, and elsewhere along rail corridor rights-of-way. Working with CPUC staff early in project planning will help project proponents, agency staff, and other reviewers to identify potential project impacts and appropriate mitigation measures, and thereby improve the safety of motorists, pedestrians, railroad personnel, and railroad passengers.

The CPUC recommends the Transportation/Circulation section of the DEIR specifically evaluate traffic safety issues to the at-grade railroad crossings located in proximity to the proposed project site. Any increase in traffic by this project needs to be evaluated for potential impacts.

In general, the major types of impacts to consider are collisions between trains and vehicles, and between trains and pedestrians. Measures to reduce adverse impacts to rail safety need to be considered in the DEIR. General categories of such measures include:

- Installation of grade separations at crossings, i.e., physically separating roads and railroad track by constructing overpasses or underpasses
- Improvements to warning devices at existing highway-rail crossings
- Installation of additional warning devices
- Improvements to traffic signaling at intersections adjacent to crossings, e.g., traffic preemption
- Installation of median separation to prevent vehicles from driving around railroad crossing gates

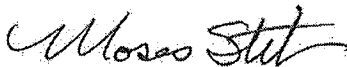
Tyra Hays
City of Vacaville
SCH # 2011022043
March 14, 2011
Page 2 of 2

- Prohibition of parking within 100 feet of crossings to improve the visibility of warning devices and approaching trains
- Installation of pedestrian-specific warning devices, channelization and sidewalks
- Construction of pull out lanes for buses and vehicles transporting hazardous materials
- Installation of vandal-resistant fencing or walls to limit the access of pedestrians onto the railroad right-of-way
- Elimination of driveways near crossings
- Increased enforcement of traffic laws at crossings
- Rail safety awareness programs to educate the public about the hazards of highway-rail grade crossings

Commission approval is required to modify an existing highway-rail crossing or to construct a new crossing.

Thank you for your consideration of these comments. If you have any questions, please contact me at (415) 713-0092 or email at ms2@cpuc.ca.gov.

Sincerely,



Moses Stites
Rail Corridor Safety Specialist
Consumer Protection and Safety Division
Rail Transit and Crossings Branch
180 Promenade Circle, Suite 115
Sacramento, CA 95834-2939

Tyra Hays

From: Justin Hopkins [jhopkins@SIDWater.org]
Sent: Wednesday, March 16, 2011 9:16 AM
To: Tyra Hays
Subject: Vacaville General Plan Update - Comments

March 15, 2011

Tyra Hays
Senior Planner
City of Vacaville
Community Development Dept.
650 Merchant St.
Vacaville, Ca 95688

Subject: *Notice of Preparation for the Vacaville General Plan Update - Comments*

Dear Tyra:

The Solano Irrigation District (District) is in receipt of the Notice of Preparation for the City of Vacaville General Plan Update. The projected growth areas are located as shown in Figure 2 of the Notice of Preparation. The subject properties are located with the District boundary and, therefore are subject to the assessments and charges of the District. Agricultural irrigation water is currently provided to most of the parcels within the growth areas. The following are the District's comments:

1. The area of the proposed project is within the scope of the 1995 SID-Vacaville Master Water Agreement. Per Section 8.A.2, development shall be limited to 1000' east of Leisure Town Road with a minimum 500' agricultural buffer zone. There has been discussion of extending the development area to the power line easements to the east, but a decision is still pending.
2. Any areas outside of the 1995 SID-Vacaville Master Water Agreement area shall require modifications to the agreement to address water issues to that development.
3. Upon the change of land use from agricultural to residential and/or commercial, the subject properties shall detach from the District and the developer shall pay the detachment fees as calculated by the District. If the District will provide non-potable service to non-residential lands, those areas served can remain in the District. Construction of facilities to provide non-potable service will be at the developer's expense, but the facilities would be deeded to the District for ownership, operation and maintenance upon completion.
4. Development in the proposed areas will have a significant impact on existing District facilities. The individual facilities will need to be addressed on an as-needed basis for undergrounding or relocation.

Thanks you for the opportunity to review and comment on this project. If you have any questions, please contact me at (707) 455-4007 or email jhopkins@sidwater.org

Respectfully,

Justin Hopkins, E.I.T.

Assistant Civil Engineer

Solano Irrigation District
810 Vaca Valley Parkway, Suite 201

Vacaville, Ca 95688

Office: 707.455.4007

Fax: 707.452.8557

jhopkins@sidwater.org

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NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
Fax (916) 657-5390



February 15, 2011

RECEIVED

FEB 22 2011

Tyra Hays
City of Vacaville
650 Merchant Street
Vacaville, CA 95688

CITY OF VACAVILLE
PLANNING DIVISION

RE: SCH# 2011022043 – Vacaville General Plan and Climate Action Plan, Solano County

Dear Ms. Hays:

Government Code §65352.3 requires that prior to the adoption or any amendment of a city or county's general plan, the city or county shall conduct consultations with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of protecting, and/or mitigating impacts to traditional cultural places. Attached is a consultation list of tribes with traditional lands or cultural places located within the requested general plan boundaries.

As a part of consultation, the NAHC recommends that local governments conduct record searches through the NAHC and California Historic Resources Information System (CHRIS) to determine if any cultural places are located within the area(s) affected by the proposed action. In order to conduct a record search of the NAHC Sacred Lands File, the USGS Quadrangle name, township, range, and section of the plan area is required. Local governments should be aware, however, that records maintained by the NAHC and CHRIS are not exhaustive, and a negative response to these searches does not preclude the existence of a cultural place. A tribe may be the only source of information regarding the existence of a cultural place.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance we are able to assure that our consultation list contains current information.

If you have any questions, please email me at rw_nahc@pacbell.net.

Sincerely,

A handwritten signature in black ink that reads "Rob Wood".

Rob Wood
Associate Government Program Analyst

Native American Tribal Consultation List

County of Solano
February 15, 2011

Yocha Dehe Wintun Nation
Marshall McKay, Chairperson
P.O. Box 18
Brooks, CA 95606
(530) 796-3400
Wintun (Patwin)

Cortina Band of Indians
Chairperson
PO Box 1630
Williams, CA 95987
(530) 473-3274 - Voice
(530) 473-3190 - Voice
Wintun / Patwin

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Government Code Section 65352.3.

Tyra Hays, Senior Planner
City of Vacaville Community Development Department
650 Merchant St.
Vacaville, CA 95688
via email to Thays@Cityofvacaville.com

A. Peter Blicher
214 Somerville Drive
Vacaville, CA 95687-6807
707-469-9655
BLICHER@COMCAST.NET

February 27, 2011

Dear Ms Hays:

This is a formal comment regarding the scoping for the Environmental Impact Report for the City of Vacaville General Plan Update and Climate Action Plan, as per your Notice of Preparation of February 11, 2011.

Although the items I mention here are subsumed in the general categories of study mentioned in the above Notice, I wish to point out specific aspects that might not ordinarily be included in the general categories. (These items are identical to those I have submitted for the Vanden Meadows EIR scoping.)

There are two main areas for my comments,

- Issues occasioned by the adjacency of an active railroad right of way,
- Issues related to traffic.

1. Railroad issues

- a. **Noise.** Long freight trains often traverse the tracks. Because of the length of such trains in comparison to the distance to nearby homes, these noise sources cannot be correctly treated as point sources of noise. While a point source of noise attenuates approximately by an inverse square law, a line source, such as a long train, may be better modelled with an inverse linear law, resulting in greater noise intensity at comparable distances.

The EIR should take into account the noise characteristics of long freight trains, which can be of length on the order of a mile.

- b. **Characteristics of Railroad Traffic.** It is difficult to predict what the train traffic will be in the future. In view of policies encouraging mass transit, rising costs of fuel, increased traffic congestion on freeways, imposition of tolls on freeways, and policies restricting greenhouse gas emissions, it is possible that there will be a considerable increase in both passenger and freight traffic on the adjacent railroad. The EIR should consider worst-case scenarios.

Currently, this section of railroad is not electrified, and is therefore a significant emitter of diesel exhaust. Worst case scenarios should be investigated for the long term effects of housing proximity to diesel pollution.

This section of railroad carries Amtrak service. It is possible that some time in the future, the right of way will be upgraded to carry higher-speed service, such as the Acela service which Amtrak provides on the east coast. Note that this is not the kind of high-speed rail envisioned for the SF-LA route, but rather an enhanced right of way allowing moderately faster travel. The consequence of the higher speed is higher noise and greater emissions per load mile. The EIR should consider the effects of an upgrade to service similar to the Acela service.

It is possible that the railroad will be electrified in the future. Electrification brings other potential environmental effects on nearby inhabitants. These include RF interference from arcing, ozone generation, and strong electromagnetic fields simply from current along the conductors. These potential effects should also be considered by the EIR.

2. Traffic.

- a. In the past, EIRs prepared for Vacaville have used trip generation assumptions with a trips per dwelling unit parameter significantly lower than that used by nearby communities or the generally accepted standard for the US from the Institute of Transportation Engineers handbook, resulting in significantly lower estimates of traffic impact. The traffic component of the EIR should make estimates using the industry standard values of parameters in parallel to any parameters that Vacaville deems to be appropriate for its specific situation. In addition, if trip generation parameters are used which purport to take into account transit-oriented housing, any estimates based on such parameters should also be made using parameters that do *not* assume an effect from transit-oriented housing. The kind of discipline suggested here will serve to inform readers of the EIR of the potential consequences should the assumptions behind adjusted parameters prove to be inaccurate.

Thank you for your consideration of these scoping suggestions for the City of Vacaville General Plan Update and Climate Action Plan EIR.



A. Peter Blicher