

March 2026 | Final Environmental Impact Report  
State Clearinghouse No. 2024101291

# CITY OF RIO VISTA GENERAL PLAN UPDATE CEQA FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING THE FINAL ENVIRONMENTAL IMPACT REPORT

City of Rio Vista

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**CEQA FINDINGS OF FACT  
AND STATEMENT OF OVERRIDING CONSIDERATIONS  
REGARDING THE  
FINAL ENVIRONMENTAL IMPACT REPORT  
FOR THE  
CITY OF RIO VISTA GENERAL PLAN UPDATE  
STATE CLEARINGHOUSE NO. 2024101291**

**Exhibit A**

**I. INTRODUCTION**

The California Environmental Quality Act (CEQA) requires that written findings be made by the lead agency in connection with certification of an environmental impact report (EIR) prior to approval of the project pursuant to Sections 15091 and 15093 of the CEQA Guidelines and Section 21081 of the Public Resources Code. This document provides the findings required by CEQA. The potential environmental effects of the proposed City of Rio Vista General Plan Update have been analyzed in a Draft Environmental Impact Report (DEIR) (State Clearinghouse [SCH] 2024101291) dated August 15, 2025. A Final EIR (FEIR) has also been prepared that incorporates the DEIR and contains comments received on the DEIR, responses to the individual comments, revisions to the DEIR, including any clarifications based on the comments and the responses to the comments, and the Mitigation Monitoring and Reporting Program (MMRP) for the proposed project. This document provides the findings required by CEQA for approval of the proposed project.

**A. Statutory Requirements for Findings**

CEQA (Pub. Res. Code Sections 21000 et seq.) and the State CEQA Guidelines (Guidelines) (14 Ca. Code Regs Sections 15000 et seq.) promulgated thereunder, require the environmental impacts of a project to be examined before a project is approved. Specifically, regarding findings, CEQA Guidelines Section 15091 provides:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
  1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
  2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

## Exhibit A

3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
  - (b) The findings required by subsection (a) shall be supported by substantial evidence in the record.
  - (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
  - (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
  - (e) The public agency shall specify the location and custodian of the documents or other material which constitutes the record of the proceedings upon which its decision is based.
  - (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

The “changes or alterations” referred to in CEQA Guidelines Section 15091(a)(1), that are required in, or incorporated into, the project that mitigate or avoid the significant environmental effects of the project, may include a wide variety of measures or actions as set forth in CEQA Guidelines Section 15370, including:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- (e) Compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements.

Regarding a Statement of Overriding Considerations, Guidelines Section 15093 provides:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, the findings required pursuant to Section 15091.

## **B. Certification**

Having received, reviewed, and considered the FEIR for the Rio Vista General Plan Update, as well as other information in the record of proceedings on this matter, the City of Rio Vista City Council adopts the following Findings of Fact and Statement of Overriding Considerations (Findings), in its capacity as the legislative body for the City of Rio Vista (City), which is the CEQA Lead Agency. The Findings set forth the environmental and other bases for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the proposed project.

In addition, the City of Rio Vista City Council hereby make findings pursuant to and in accordance with Section 21081 of the California Public Resources Code and State CEQA Guidelines Sections 15090 and 15091 and hereby certifies that:

- (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effect as identified in the final EIR.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

## Exhibit A

### **C. Project Environmental Report and Discretionary Actions**

The FEIR addresses the direct, indirect, and cumulative environmental effects of construction and operation activities associated with the proposed project. The FEIR provides the environmental information necessary for the City to make a final decision on the requested discretionary actions for all phases of the proposed project. The FEIR was also intended to support discretionary reviews and decisions by other responsible agencies. Discretionary actions to be considered by the city may include, but are not limited to, the following:

- Certify that the FEIR for the proposed project has been completed in compliance with CEQA, and reflects the independent judgement and analysis of the City; find that the City Council has reviewed and considered the information contained in the FEIR prior to approving the proposed project; adopt the Mitigation Monitoring and Reporting Program, finding that the Mitigation Monitoring and Reporting Program is adequately designed to ensure compliance with the mitigation measures during proposed project implementation; and determine that the significant adverse effects of the proposed project either have been reduced to an acceptable level, or are outweighed by the specific overriding considerations of the proposed project as outlined in the CEQA Findings of Fact and Statement of Overriding Considerations, as set forth herein.
- Approve the proposed project and related discretionary actions needed.

### **II. PROCEDURAL COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

The City published a DEIR on August 15, 2025. The FEIR has been prepared in accordance with CEQA and the CEQA Guidelines, as amended. As authorized in State CEQA Guidelines Section 15084(d)(2), the City retained a consultant to assist with the preparation of the environmental documents. City staff, representing the Lead Agency, have directed, reviewed, and modified where appropriate all material prepared by the consultant. The FEIR reflects the City's independent analysis and judgement. The key milestones associated with the preparation of the DEIR are summarized below. As presented below, an extensive public involvement and agency notification effort was conducted to solicit input on the scope and content of the DEIR and to solicit comments on the results of the environmental analysis presented in the DEIR.

#### **A. Public Notification and Outreach**

In conformance with CEQA, the State CEQA Guidelines, the City conducted an extensive environmental review of the proposed project.

- A Notice of Preparation (NOP) titled, "Notice of Preparation / Notice of Public Scoping Meeting for a Draft Environmental Impact Report for the City of Rio Vista General Plan 2045 Update" was released on October 30, 2024, to initiate preparation of the EIR for the General Plan Update. A public scoping meeting was conducted on November 19, 2024, and the public comment period for the NOP closed on November 29, 2024.
- The NOP was sent to interested individuals and organizations, the State Clearinghouse in Sacramento for distribution to public agencies, posted at the City's website, and posted at the Solano County Clerk's office.

## Exhibit A

- Preparation of a DEIR, which was made available for a 45-day public review period beginning August 15, 2025, and ending September 29, 2025. However, during this review period, the City experienced temporary access issues affecting the DEIR and Notice of Availability (NOA) links on the City's website. These issues were subsequently resolved, and to ensure the public had full opportunity to review and comment on the DEIR, the City voluntarily extended the public review period by an additional 30 days. The extended public review period closed on November 5, 2025. The scope of the DEIR was determined based on the CEQA Guidelines Appendix G Checklist, and comments received in response to the NOP. The NOA for the DEIR was sent to interested individuals and organizations, sent to the State Clearinghouse in Sacramento for distribution to public agencies, posted at the City's website, and published in the *Daily Republic* newspaper on August 15, 2025. The NOA was posted at the Solano County Clerk's office on August 15, 2025.
- A Planning Commission public hearing was held on March 11, 2026, in the City Hall Council Chambers, located at 1 Main Street, Rio Vista, CA 94571.
- Preparation of a FEIR, including the responses to comments to the DEIR. The FEIR was released for a 10-day agency review period prior to certification of the FEIR.

In summary, the City conducted all required noticing and scoping for the proposed project in accordance with Section 15083 of the CEQA Guidelines, and conducted the public review for the DEIR, which exceeded the requirements of Section 15087 of the CEQA Guidelines.

### **B. Final Environmental Impact Report and Proceedings**

The City prepared a FEIR, including Responses to Comments to the DEIR. The Final EIR/Response to Comments contains comments on the DEIR, responses to those comments, and revisions to the DEIR. A total of eight comment letters were received.

None of the comment letters resulted in the need to modify the environmental analysis in the DEIR.

The FEIR found that prior to mitigation, implementation of the proposed project would result in potentially significant impacts to air quality, cultural resources and tribal cultural resources, geology, soils, and mineral resources; greenhouse gas emissions; noise; and transportation. Impacts on air quality; cultural resources and tribal cultural resources; greenhouse gas emissions; noise; and transportation would remain significant and unavoidable, and no feasible mitigation measures were available. The City prepared a Statement of Overriding Considerations (see Section V.B, *Project Benefits in Support of the Statement of Overriding Considerations*) for the following impacts that were found to be significant and unavoidable.

#### **Air Quality**

- **Impact 5.3-2:** Short-term construction activities associated with the proposed project would result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under applicable federal or State ambient air quality standards.
- **Impact 5.3-3:** Development under the proposed project would result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under applicable federal or State AAQS.

## Exhibit A

### **Cultural Resources and Tribal Cultural Resources**

- **Impact 5.5-1:** Implementation of the proposed project could cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines, Section 15064.5.

### **Greenhouse Gas Emissions**

- **Impact 5.8-1:** Implementation of the proposed project could result in emissions that would exceed project-level construction significance threshold established by the SMAQMD.
- **Impact 5.8-2:** Implementation of the proposed project could conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions.

### **Noise**

- **Impact 5.12-1:** The proposed project would result in the generation of substantial temporary and permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies.

### **Transportation**

- **Impact 5.15-2:** Implementation of the proposed project would result in home-based VMT per resident and home-based work VMT per employee that would exceed levels necessary to meet State GHG reduction goals, resulting in inconsistency with CEQA Guidelines Section 15064.3, subdivision (b).

## **C. Administrative Record**

For purposes of CEQA and these Findings, the Administrative Record for the proposed project consists of the following documents and other evidence, at a minimum:

- The NOP, NOA, and all other public notices issued by the City in conjunction with the proposed project.
- The DEIR and FEIR for the proposed project.
- All written comments submitted by agencies or members of the public during the public review comment period on the DEIR.
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the DEIR.
- All written and verbal public testimony presented during a noticed public hearing for the proposed project.
- The Mitigation Monitoring and Reporting Program.
- The reports and technical memoranda included or referenced in the FEIR.
- All documents, studies, EIRs, or other materials incorporated by reference in the DEIR and FEIR.
- The Resolutions adopted by the City in connection with the proposed project, and all documents incorporated by reference therein, including comments received after the close of the comment period and responses thereto.
- Matters of common knowledge to the City, including, but not limited to, federal, State, and local laws and regulations.

- Any documents expressly cited in these Findings.
- Any other relevant materials are required to be in the record of proceedings by Public Resources Code Section 21167.6(e).

#### **D. Custodian and Location of Records**

The documents and other materials that constitute the administrative record for the County’s actions related to the proposed project are at Rio Vista City Hall (1 Main Street, Rio Vista, California). The City of Rio Vista Public Works Program Manager is the custodian of the administrative record for the proposed project. Copies of these documents, which constitute the administrative record, are and at all relevant times have been and will be available upon request of the City of Rio Vista Planning Department. Additionally, the documents are available online at: <https://www.riovistacity.com/planning/page/general-plan-rio-vista-2045>. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e).

#### **E. Project Location**

The City of Rio Vista is an incorporated city in Solano County and is 6.6 square miles in size, making it one of the smallest cities in Solano County by land area. Rio Vista is surrounded by Solano County unincorporated land except the Sacramento River borders southeast to the city and is the closest naturally occurring water resource. Rio Vista is also in the heart of the Sacramento River Delta and the city is referred to as “The Gateway to the Delta.” Regional access to the city is provided by State Route (SR-) 12, which bisects the southwest portion of the city, SR-160, and SR-84.

#### **F. Project Objectives**

The following are the objectives of the 2045 General Plan Update:

- Revitalize Downtown and the Waterfront District.
  - Promote a downtown that is a vibrant destination with unique retail, entertainment, arts, dining, and lodging options.
  - Support and attract businesses. Provide the infrastructure needed to support growth in the downtown and waterfront area.
  - Promote, incentivize and foster the expansion of retail, commercial and housing uses in the downtown and waterfront area.
  - Preserve the historic character of downtown while supporting new development.
- Improve Mobility and Access for All Users.
  - Provide a safe, efficient, and accessible roadway system that serves the mobility needs of all users.
  - Improve the City’s circulation network to provide safe travel for pedestrians, bicyclist, vehicles, and trucks.
  - Efficiently move people and goods without compromising quality of life, safety, and smooth traffic flow for residents and businesses.

## Exhibit A

- Support a Variety of Housing Options.
  - Encourage a mix of housing types to create diverse neighborhoods that meet the needs of all Rio Vista residents.
  - Promote the building, retention, and renovation of housing to meet the needs of all incomes, ages, and abilities.
- Foster a Sustainable Community.
  - Plan for public facilities that respond to the community's growing needs and a changing environment.
  - Ensure today's needs are met without jeopardizing the community's ability to meet future needs.
  - Promote high-quality, long-lasting development that allows residents to meet daily needs, such as education of our children, shopping, employment, and recreation, in close proximity to their homes.
  - Encourage resource-efficient building techniques, materials, and other principles of green building design in new building construction and renovations.
- Offer Recreational Opportunities.
  - Ensure all residents have easy access to recreational opportunities, such as parks, play fields, river frontage, walking and biking paths and trails.
  - Expand parks and recreational programs to serve both residents and visitors. Provide a variety of sports and activities for Rio Vista residents of all ages.
- Foster Economic Growth.
  - Promote a strong local economy by fostering the growth and expansion of a diversified business community.
  - Support businesses that create a wide range of jobs for Rio Vista's resident workforce.
  - Make forward-thinking investments that position Rio Vista to respond successfully to an evolving economy.
- Promote Fiscal Strength.
  - Plan land uses at the appropriate scale and intensity, and location to provide the right balance of revenues and costs to allow the City to deliver the services expected by the community.
  - Manage fiscal resources in a responsible, efficient, and effective manner.
- Promote a Healthy Community.
  - Create a community that has options for residents to live a healthy lifestyle and provides access to health care services.

## G. Project Description

The 2045 General Plan Update (proposed project) is an update to the City of Rio Vista's adopted General Plan. The General Plan is a State-required legal document that provides guidance to decision makers regarding the allocation of resources and determining the future physical form and character of development in the city and its sphere of influence (SOI). It is the official statement of the City regarding the extent and types of development needed to achieve the community's physical, economic, social, and environmental goals.

The proposed project includes comprehensive updates to the required elements under the State Planning and Zoning Law, as well as other optional elements that the City has elected to include in its General Plan. Each element includes goals and policies that are based, in part, on creating an equitable, sustainable, and livable community, and provides updates based on State and local law, and other considerations. The City's Housing Element (2023-2031) was independently prepared and certified and not the subject of this General Plan Update.

### **III. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS**

#### **A. Format**

Section 15091 of the CEQA Guidelines requires that a Lead Agency make a finding for each significant effect for the proposed project. This section summarizes the significant environmental impacts of the proposed project, describes how these impacts are to be mitigated, and discusses various alternatives to the proposed project, which were developed to reduce the remaining significant environmental impacts. All impacts are considered potentially significant prior to mitigation unless otherwise stated in the findings.

This remainder of this chapter is divided into the following sections:

**Section B, Summary of Environmental Impacts,** presents a summary of the impacts of the proposed project.

**Section C, Findings on “No Impact” and “Less Than Significant Impacts,”** presents environmental issues, as identified in Chapter 5 of the DEIR, which would result in no impact or less-than-significant impacts.

**Section D, Findings on Significant Environmental Impacts that can be Mitigated to Less Than Significant,** presents significant impacts of the proposed project that were identified in Chapter 5 of the DEIR, the mitigation measures identified in the Mitigation Monitoring Program, and the rationales for the findings.

**Section E, Significant and Unavoidable Environmental Impacts that Cannot be Mitigated to Below the Level of Significance,** presents significant impacts of the proposed project that were identified in the DEIR, the mitigation measures identified in the Mitigation Monitoring Program, the findings for significant impacts, and the rationales for the findings.

**Section IV, Alternatives to the Proposed Project,** presents alternatives to the proposed project and evaluates them in relation to the findings set forth in Section 15091(a)(3) of the State CEQA Guidelines, which allows a public agency to approve a project that would result in one or more significant environmental effects if the project alternatives are found to be infeasible because of specific economic, social, or other considerations.

**Section V, Statement of Overriding Considerations,** presents a description of the proposed project's significant and unavoidable adverse impacts and the justification for adopting a statement of overriding considerations.

**Section VI, Findings on Responses to Comments on the DEIR and Revisions to the FEIR,** presents the City's findings on the response to comments and revisions to the FEIR, and decision on whether a recirculated DEIR is necessary or not.

## Exhibit A

### **B. Summary of Environmental Impacts**

Based on the NOP and DEIR, the following is a summary of the environmental topics considered to have no impact, a less-than-significant impact, a less-than-significant impact with incorporation of mitigation measures, or a significant and unavoidable impact.

#### **Less-Than-Significant Impact or No Impact, No Mitigation Required**

- Aesthetics (Impact 5.1-1, Impact 5.1-2, Impact 5.1-3)
- Agriculture and Forestry Resources (Impact 5.2-1, Impact 5.2-2, Impact 5.2-3, Impact 5.2-4)
- Air Quality (Impact 5.3-1, Impact 5.3-4, Impact 5.3-5)
- Biological Resources (Impact 5.4-1, Impact 5.4-2, Impact 5.4-3, Impact 5.4-4, Impact 5.4-5)
- Cultural Resources and Tribal Cultural Resources (Impact 5.5-2, Impact 5.5-3)
- Energy (Impact 5.6-1, Impact 5.6-2, Impact 5.6-3)
- Geology, Soils, and Mineral Resources (Impact 5.7-1, Impact 5.7-2, Impact 5.7-3)
- Hazards and Hazardous Materials (Impact 5.9-1, Impact 5.9-2, Impact 5.9-3, Impact 5.9-4, Impact 5.9-5)
- Hydrology and Water Quality (Impact 5.10-1, Impact 5.10-2, Impact 5.10-3, Impact 5.10-4, Impact 5.10-5)
- Land Use and Planning (Impact 5.11-1, Impact 5.11-2)
- Noise (Impact 5.12-2, Impact 5.12-3)
- Population and Housing (Impact 5.13-1, Impact 5.13-2)
- Public Services and Recreation (Impact 5.14-1, Impact 5.14-2, Impact 5.14-3, Impact 5.14-4, Impact 5.14-5)
- Transportation (Impact 5.15-1, Impact 5.15-3, Impact 5.15-4)
- Utilities and Service Systems (Impact 5.16-1, Impact 5.16-2, Impact 5.16-3, Impact 5.16-4, Impact 5.16-5, Impact 5.16-6, Impact 5.16-7)
- Wildfire (Impact 5.17-1, Impact 5.17-2, Impact 5.17-3, Impact 5.17-4)

#### **Less-Than-Significant Impact with Mitigation Incorporated**

- Cultural Resources and Tribal Cultural Resources (Impact 5.5-4)
- Geology, Soils, and Mineral Resources (Impact 5.7-4)

#### **Significant and Unavoidable Impact**

- Air Quality (Impact 5.3-2, Impact 5.3-3)
- Cultural Resources and Tribal Cultural Resources (Impact 5.5-1)
- Greenhouse Gas Emissions (Impact 5.8-1, Impact 5.8-2)
- Noise (Impact 5.12-1)
- Transportation (Impact 5.15-2)

**C. Findings on “No Impact” and “Less-Than-Significant Impacts”**

The City determined that the proposed project would have no impact or less-than-significant impacts, including direct, indirect, and cumulative impacts, for the environmental issues summarized below. The rationale for the conclusion that no significant impact would occur in each of the issue areas is based on the environmental evaluation in the listed topical EIR sections in Chapter 5 of the DEIR.

CEQA Guidelines Section 15901 states that an EIR may not be certified for a project that has one or more significant environmental effects unless one of three findings is made for each significance effect. Since the following environmental issue areas were determined to have no impact or a less-than-significant impact, no findings for these issues are required.

## Exhibit A

### 1. Aesthetics

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**Impact 5.1-1: Development in accordance with the proposed project would not substantially alter or damage scenic vistas or substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway. [Thresholds AE-1 and AE-2]**

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According to the California Department of Transportation's (Caltrans') Scenic Highway System Map, there are no State-designated highways within the City of Rio Vista. However, SR-160 is an eligible scenic highway located outside of City limits along the Sacramento River (Caltrans 2022). Scenic resources in and around Rio Vista include the Montezuma Hills, Delta Island network, the City's waterfront, the Sacramento River, Mt. Diablo, and the Delta Marina.

Those traveling into Rio Vista from the west will pass through the rolling Montezuma Hills, with vistas across the Delta to Mount Diablo. On the northern edge of the city, the Delta marshlands provide a viewing opportunity to the Delta Island network. Travelers from the east enter the city via the Rio Vista Bridge (also known as Helen Madere Bridge), with panoramic views of the City's waterfront, the Sacramento River, Mt. Diablo, and the Delta Marina. Boaters can view the city and the Delta Islands levee system.

The only scenic resource within the vicinity of SR-160 is the Sacramento River. However, the proposed project will not affect this scenic resource since future development would be focused within City limits. Therefore, project implementation will not obstruct views of any scenic resources within any officially designated or eligible scenic highways.

Development allowed by the proposed project could occur within areas that would affect scenic vistas. Primary viewing opportunities in Rio Vista are intermittent, with vantage points along Highway 12, from River Road (State Route 84), the City's Promenade ("Beach to Bridge") trail, the Delta Marina, the docks at City Hall, and properties in the South Waterfront including Sandy Beach Regional Park. Development along these areas could adversely affect scenic vistas.

To address this concern, the proposed General Plan includes policies aimed at reducing impacts to identified scenic resources from future development, including Policy OSC-6 which requires that new development within the city be designed and constructed to preserve scenic and trail corridors, as well as views of the Sacramento River as open space. Policy PR-6 aims to enhance the Sacramento River waterfront as a scenic resource that provides for public access and water-oriented recreation.

Development in scenic areas would need to comply with development standards in the area's respective zoning district, as established in Municipal Code Title 17, Zoning. Furthermore, Municipal Code Section 17.44.160 would regulate roads in scenic areas through development standards and land use regulations to protect scenic features, gateway areas, and preserve the city's small-town character along SR-12.

The proposed project would not substantially alter scenic resources, and the urban nature of the development would be similar to existing conditions. Therefore, scenic resources and scenic vistas from publicly accessible locations in the city would not be adversely impacted. All General Plan policies, ordinances, and development standards would apply to future development, and impacts would be less than significant.

**Finding.** The proposed project would have a less than significant direct, indirect, and cumulative impact on scenic vistas or scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.1-2: Development under the proposed project would alter visual appearance in the city but would not substantially degrade its existing visual character or quality. [Threshold AE-3]**

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Development under the proposed General Plan could alter the visual appearance of areas within the city. Future growth allowed by the proposed General Plan would be within the City limits and anticipated to develop over time. The proposed General Plan contemplates focusing new growth within the existing City limits—an area that is largely constrained by the Sacramento River and flood-prone lands to the north and east—to preserve agricultural land, grassland, natural habitats, watersheds, and open space. In recognition of these constraints, the proposed project prioritizes new development primarily through intensification of uses within Rio Vista’s current footprint.

Specifically, Policy LU-4 intends to embrace Rio Vista’s unique character and reflect the architectural styles and characteristics of historic Rio Vista development for new buildings within the Downtown and North Waterfront Districts, while Policy LU-5 requires the use of high-quality, environmentally sustainable materials and enhanced architectural design for new development and the re-use of buildings in the downtown area.

In addition, all development in the city must comply with applicable building and design standards to ensure that new development complements existing development. This includes adherence to the development standards in the City Municipal Code, such as Chapter 13.24, which governs grading, and Chapter 15.04, which adopts the 2022 California Buildings Standards Code. Municipal Code Title 17 further contains development standards for specific zoning districts, while Municipal Code Chapter 17.60 (Site and Architectural Review) sets forth specific findings that address aesthetic compatibility, promote orderly and harmonious development, prevent excessive or unsightly grading, and preclude the construction of visually unappealing structures. Adherence to Municipal Code Title 17 and Chapter 17.60 would ensure that the City maintains its visual community character. Moreover, the Waterfront Specific Plan provides design guidelines and a development review process that is subject to City approval of new developments near the waterfront area. These guidelines ensure that any construction within the waterfront area reflects and maintains the distinctive visual character of the community.

Compliance with development regulations is verified prior to issuance of a building permit and is therefore not reliant upon future CEQA action. Because future urban development would be located within existing City limits and subject to the City’s established design regulations and review process, the proposed project would not substantially degrade the visual character or quality of the City. Rather, infill projects and adaptive reuse, carried out in accordance with the City’s codes and design review findings, are expected to integrate into the City’s varied built environment. Therefore, the impact on visual character and quality would be less than significant.

## Exhibit A

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact on the existing visual character or quality of the site and its surroundings. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.1-3: The proposed project would not generate substantial light and glare. [Threshold AE-4]**

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The two major causes of light pollution are spill light and glare. Spill light is caused by misdirected light that illuminates outside the intended area of illumination. Glare is light that shines directly or is reflected from a surface into a viewer's eyes. Spill light and glare impacts are effects of a project's exterior lighting on adjoining uses and areas.

Sources of light in the city include building lighting (interior and exterior), security lighting, sign illumination, sports fields lighting, and parking area lighting. These sources of light and glare are mostly associated with residential, commercial, and industrial uses, as well as larger community parks. Other sources of nighttime light and glare include streetlights, vehicular traffic along surrounding roadways, and ambient lighting from surrounding communities.

Future development allowed by the proposed project could increase nighttime light and glare, including in areas that are currently undeveloped. To negate or minimize any such increase, landscaping, walls, and fences would be required construction features of future projects. Furthermore, future development must comply with the most recent CALGreen standards, including 5.106.8, *Light Pollution Reduction*, which establishes backlight, uplight, and glare ratings to minimize light pollution for nonresidential development. The local building permit process enforces the provisions of CALGreen. Through compliance with the City Municipal Code and site-planning/design standards pertaining to light and glare, any potential spillover and glare would be minimized, and the impact is considered less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact on new sources of light or glare that would adversely affect day or nighttime views in the area. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

## **2. Agriculture and Forestry Resources**

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**Impact 5.2-1: The proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to nonagricultural use. [Threshold AG-1]**

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Rio Vista has not designated any of its lands in the City Limits for agricultural uses. The Planning Area contains large tracts of land in active agricultural use generally southwest of Rio Vista between the City and the Montezuma Hills. Agricultural lands in the Sphere of Influence and adjacent to the Montezuma Hills are primarily grazing lands and unirrigated pasture.

## Exhibit A

The Planning Area does not have lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on the California Important Farmland Finder. As such, the proposed project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, and no impact would occur.

**Finding.** The proposed project would have no direct, indirect, or cumulative impact on the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to nonagricultural use. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.2-2: The proposed project would not conflict with existing zoning for agricultural use or a Williamson Act contract nor would the proposed project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), Timberland (as defined by Public Resources Code Section 4526), or Timberland zoned Timberland Production (as defined by Government Code Section 51104(g)). [Thresholds AG-2 and AG-3]**

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The proposed project would not conflict with existing zoning for agricultural use as the agricultural land use is allowed to continue within each of the zoning districts. Development may eventually occur and eliminate the agricultural use, but until that time the land can continue to be farmed. This EIR and the proposed project assume that all land within the City Limits will eventually be developed with urban uses. As such the City will not continue any Williamson Act contract land after annexation.

Outside of City limits, Rio Vista contains land with Williamson Act contracts. The status of these contracts include mixed-enrollment agriculture land and nonprime agriculture land. However, the proposed project will not affect these lands since future development would be focused within City limits and the City has no land use authority over property outside of the City Limits. Furthermore, Program OSC-6 would also ensure that the City does not annex lands with active Williamson Act contracts. As such, the proposed project would not conflict with existing zoning for agricultural use or an existing Williamson Act contract. Therefore, no impacts would occur.

There are no areas zoned as forestland in Rio Vista. The Rio Vista Zoning Code contains use and zone district regulations for agriculture but does not specify forest or timberland. Forest and timberland, as defined by the State, include both land that is used for timber harvesting and other forested land that has aesthetic, recreational, and biological amenities. The proposed project would not conflict with existing zoning for, or cause rezoning of Forestland, or Timberland zoned Timberland Production. Thus, no impact would occur.

**Finding.** The proposed project would have no direct, indirect, or cumulative impact relating to an existing Williamson contract or conflicts with existing zoning for timberland. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

## Exhibit A

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### **Impact 5.2-3: The proposed project would result in the loss of forest land or conversion of forest land to non-forest use. [Threshold AG-4]**

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Government Code Section 51104(g) defines Timber, Timberland, and Timberland Production Zone for the California Environmental Quality Act (CEQA) and "Timberland Preserve Zone" in city and county general plans. Timber refers to trees maintained for forest production purposes but does not include nursery stock. Timberland is land used for growing and harvesting timber, or for other uses, with an average annual volume of wood fiber of at least 15 cubic feet per acre. Timberland Production Zone (TPZ) is an area zoned for growing and harvesting timber or related uses and is commercially viable. There are no TPZ lands within the Planning Area. As such, the General Plan Update would not result in the conversion of forested areas to non-forested areas.

According to Public Resources Code Section 12220(g), "Forest land" is land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Native vegetation within Rio Vista includes habitat, such as riparian habitat, that meets the definition of "forest land." Riparian habitats are characterized by shrubby or wooded plant communities along the fringes of ponds and streams. Ecologically, riparian habitats are biologically very rich, supporting more species than most other habitat types due to the presence of water and a productive, nutrient-rich environment. However, within the Rio Vista City limits and immediate surroundings, riparian communities are quite limited. Riparian habitat is found north of Airport Road on State Department of Water Resources land where riparian plant communities have developed following land disturbance related to sand and aggregate mining, and along Montezuma Hills Road. The proposed project could result in the conversion of riparian habitat as a result of future development. However, Policy OSC-4 aims to protect open space areas of natural resource and scenic value, including wetlands, riparian corridors, floodplains, woodlands, and hillsides. Furthermore, Policy OSC-6 requires that new development be designed and constructed to preserve riparian areas as open space. Therefore, impacts to forestland under the proposed project would be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact on the loss of forest land or conversion of forest land to non-forest use. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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### **Impact 5.2-4: The proposed project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Important Farmland to nonagricultural use or conversion of forest land to non-forest use. [Threshold AG-5]**

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Rio Vista has not designated any of its lands within City limits for agricultural uses. Furthermore, the Planning Area does not have lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on the California Important Farmland Finder (DOC 2022a). As such, the proposed project would not result in the conversion of Important Farmland.

## Exhibit A

However, native vegetation within Rio Vista includes habitat, such as riparian habitat, that meets the definition of “forest land.” Riparian communities are quite limited within the Rio Vista city limits and immediate surroundings. The proposed project could result in the conversion of riparian habitat as a result of future development. However, Policy OSC-4 aims to protect open space areas of natural resource and scenic value, including wetlands, riparian corridors, floodplains, woodlands, and hillsides. Furthermore, Policy OSC-6 requires that new development be designed and constructed to preserve riparian areas as open space. Therefore, impacts to forestland under the proposed project would be less than significant.

Together, these policies would minimize changes to the forest land that would result in the conversion of forest land of concern under CEQA to non-forest uses, resulting in a less-than-significant impact.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact on conversions of farmland to non-agricultural uses or conversion of forest lands to non-forest uses. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

### **3. Air Quality**

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#### **Impact 5.3-1: Implementation of the proposed project would not conflict with or obstruct implementation of YSAQMD’s air quality plans. [Threshold AQ-1]**

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As part of its enforcement responsibilities, the United States Environmental Protection Agency (USEPA) requires each state with nonattainment areas to prepare and submit a State Implementation Plan (SIP) that demonstrates the means to attain the federal standards. The SIP must integrate federal, state, and local plan components and regulations to identify specific measures to reduce pollution in nonattainment areas, using a combination of performance standards and market-based programs. Similarly, under state law, the California Clean Air Act (CCAA) requires an air quality attainment plan to be prepared for areas designated as nonattainment regarding the federal and state ambient air quality standards. Air quality attainment plans outline emissions limits and control measures to achieve and maintain these standards by the earliest practical date.

As previously described, the Yolo-Solano Air Quality Management District (YSAQMD) is the agency responsible for enforcing many federal and State air quality requirements and for establishing air quality rules and regulations. The YSAQMD attains and maintains air quality conditions in Solano County. They achieve this through a comprehensive program of planning, regulation, enforcement, technical innovation, and promotion of the understanding of air quality issues. As part of this effort, the YSAQMD has developed input to the SIP. The 2017 Sacramento Regional 2008 8-Hour Ozone Attainment and Reasonable Further Progress Plan (including 2018 updates), the PM<sub>10</sub> Implementation/Maintenance Plan and Re-Designation Request (2010), and PM<sub>2.5</sub> Implementation/ Maintenance Plan and Re-designation Request for Sacramento PM<sub>2.5</sub> Nonattainment Area (2013) constitute the current SIP for Solano County and include the YSAQMD’s plans and control measures for attaining air quality standards. These air quality attainment plans are a compilation of new and previously submitted plans, programs (e.g., monitoring, modeling, permitting), district rules, state regulations, and federal controls describing how the state will attain ambient air quality standards.

## Exhibit A

The proposed 2045 General Plan Update, and associated policy provisions, support the air quality planning efforts of the YSAQMD, as they include applicable pollutant control mechanisms. For instance, the General Plan Update promotes compact, mixed-use development patterns that reduce the need for automobile travel, and thus reduce criteria air pollutants. Further, Land Use and Community Character Element Implementation Program LU-4 incentivizes development on underutilized land, which minimizes sprawl and shortens commuting distances, indirectly reducing VMT and thereby reducing criteria air pollutants. The proposed General Plan Update seeks to reduce the environmental impact (including air quality) of land use development by increasing the viability of walking, biking, and transit. The proposed General Plan Update supports the development of projects that facilitate and enhance the use of alternative modes of transportation, including pedestrian-oriented retail and activity centers and dedicated bicycle lanes and paths.

For example, proposed Land Use and Community Character Element Policy LU-1 seeks the development of compact, complete residential neighborhoods by encouraging the location of services and amenities within walking and biking distance of residences. Policy LU-3 would encourage new residential development to incorporate design features that promote walking and connectivity between blocks and adjacent neighborhoods and in a similar context, Policy LU-6 would encourage development in the North Waterfront District to be a mix of uses including residential, commercial, and public park space along the waterfront. Proposed Policy LU-9 would promote pedestrian-oriented retail and mixed-use development in Neighborhood Mixed Use, Downtown, and the Waterfront areas. The Mobility and Circulation Element focuses on enhancing active transportation infrastructure, such as bicycle lanes and pedestrian pathways, and supports alternatives to single-occupancy vehicle trips. Additionally, this Element of the proposed General Plan Update seeks to collaborate with regional entities like the Solano Transportation Authority with the intent of improving public transit access and reducing vehicular reliance, thus reducing criteria air pollutants. By improving public transit options, the proposed General Plan aims to shift commuters from private vehicles to mass transit, reducing congestion and emissions. The Open Space and Resource Conservation Element integrates air quality considerations in the conservation of natural resources. The policy provisions in this element emphasize reducing emissions through energy efficiency in new developments and preserving open spaces, which serve as carbon sinks. Additionally, this Element encourages urban greening, such as tree planting, which directly contributes to mitigating urban heat islands and improving air quality. Most importantly, Open Space and Resource Conservation Element Policy OSC-13 requires coordination with the YSAQMD, ensuring that development projects adhere to emissions reduction targets and other air quality regulations.

These proposed policy provisions demonstrate the General Plan's alignment with the YSAQMD's goals to improve air quality by reducing vehicular emissions, supporting sustainable development, and enhancing green infrastructure. The policies and programs of the proposed General Plan Update collectively create a framework for Rio Vista to grow in a manner that actively supports air quality improvements by reducing emissions from transportation, encouraging sustainable land use, and integrating green infrastructure. The proposed General Plan Update is consistent with YSAQMD's air quality planning efforts and the Project would not conflict with or obstruct implementation of YSAQMD's air quality plans.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact relating to potential conflict with or obstruction of implementation of YSAQMD's air quality plans. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.3-4: The proposed project would expose sensitive receptors to substantial pollutant concentrations. [Threshold AQ-3]**

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*Construction-Generated Air Contaminants*

Construction of the Project would result in temporary emissions of ROG, NO<sub>x</sub>, CO, PM<sub>10</sub>, PM<sub>2.5</sub>, and the TAC, DPM. As previously described, TACs are a defined set of airborne pollutants that may pose a present or potential hazard to human health. Sources of the TAC, DPM, during construction activities include off-road construction vehicle and equipment use and on-road vehicle use for material and soil hauling. For construction activity, DPM is the primary TAC of concern. Identification of potential impacts to sensitive receptors resulting from individual project-generated TACs would require project-specific information for future individual land use development projects that is not currently known. Therefore, assessment of future development projects facilitated by the proposed General Plan Update that would be subject to CEQA would undergo their own review of potential construction-related localized impacts and identify appropriate and feasible mitigation to implement to reduce potentially significant impacts. The amount to which the receptors are exposed (a function of concentration and duration of exposure) is the primary factor used to determine health risk (i.e., potential exposure to TAC emission levels that exceed applicable standards). Health-related risks associated with diesel-exhaust emissions are primarily linked to long-term exposure and the associated risk of contracting cancer. Concentrations of mobile-source diesel PM emissions are typically reduced by 70 percent at a distance of approximately 500 feet (CARB 2005). In the case of most construction projects allowed under the proposed 2045 General Plan Update, duration would be short term, lasting less than one year. Construction-generated DPM emissions contribute to negative health impacts when construction is extended over lengthy periods of time. The use of diesel-powered construction equipment during construction would be temporary and episodic and would occur over several locations isolated from one another. Furthermore, future development allowed under the proposed 2045 General Plan Update would be subject to and would comply with California regulations limiting idling to no more than five minutes, which would further reduce nearby sensitive receptors exposure to temporary and variable diesel PM emissions. Many of the individual construction projects would span small areas.

Construction projects contained in a site of less than 5 acres are generally considered to represent less than significant health risk impacts due to (1) limitations on the off-road diesel equipment able to operate and thus a reduced amount of generated diesel PM, (2) the reduced amount of dust-generating ground disturbance possible compared to larger construction sites, and (3) the reduced duration of construction activities compared to the development of larger sites. For these reasons and because diesel fumes disperse rapidly over relatively short distances, DPM generated by most construction activities, in and of itself, would not be expected to create conditions where the probability of contracting cancer is greater than 10 in one million for nearby receptors.

Implementation of appropriate YSAQMD-recommended pollutant reduction measures would reduce construction emissions for future individual development projects; however, because individual project-specific information is not available, it is not possible to determine with certainty whether implementation of the YSAQMD reduction measures would reduce health risk-related impacts to sensitive receptors or identify additional quantifiable mitigation measures that would reduce project-specific construction emissions to ensure that localized emissions generated during construction of future development projects under the General Plan Update do not expose sensitive receptors to substantial pollutant concentrations.

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However, implementation of Policy OSC-13 could reasonably be expected to reduce emissions of DPM associated by most future construction activities to a less-than-significant level based on established regulatory thresholds and the demonstrated effectiveness of mitigation measures, such as the requirement to utilize Tier 4 engines and exhaust filters, which significantly reduce DPM emissions, when necessary to reduce projected construction emissions to levels below significance thresholds. Additionally, California's mandatory five-minute idling limit further minimizes diesel emissions. Policy OSC-13 would also require large-scale construction projects (greater than 5 acres lasting longer than two years) to prepare a site-specific construction pollutant mitigation plan for the potential for construction-generated air pollutant impacts prior to City issuance of grading or building permits. These plans must demonstrate, using YSAQMD-approved methods, that pollutant concentrations at the nearest receptors remain below health risk thresholds. The City would review these plans would be to ensure consistency with YSAQMD standards and practices and contain appropriate requirements and standards to ensure pollutant health risks do not exceed YSAQMD risk thresholds. As a result, impacts would be less than significant.

### **Operational Air Contaminants**

Common sources of operational TAC emissions are stationary sources (e.g., diesel backup generators and gasoline stations), which are subject to YSAQMD permit requirements. Another common and often more significant source type is on-road motor vehicles on high-volume roads, such as SR-12. As previously described, CARB developed and approved the Air Quality and Land Use Handbook: A Community Health Perspective (2005) to address the siting of sensitive land uses in the vicinity of freeways, distribution centers, rail yards, ports, refineries, chrome plating facilities, dry cleaners, and gasoline-dispensing facilities. This guidance document was developed to assess compatibility and associated health risks when placing sensitive receptors near existing pollution sources. CARB's recommendations on the siting of new sensitive land uses identified in Table 5.3-4, on page 5.3-10 of the DEIR, were based on a compilation of recent studies that evaluated data on the adverse health effects from proximity to air pollution sources.

As a planning document, the proposed General Plan Update identifies land use designations within the City Boundary, Sphere of Influence, and Planning Area that specify the type of allowed uses associated with each designation. While the proposed General Plan Updated does not propose site-specific development, its policies establish a framework to minimize TAC exposure risks through careful land use planning. Key characteristics include the fact that Rio Vista already hosts sensitive land uses such as residential neighborhoods, schools, and healthcare facilities, and the proposed General Plan Update anticipates the addition of new sensitive land uses (primarily residential) during implementation but incorporates safeguards to minimize exposure risks.

The General Plan requires industrial uses to be located away from sensitive land uses like residences. By prohibiting heavy industrial activities near residential areas, schools, and healthcare facilities, the proposed General Plan Update minimizes potential exposure to high concentrations of TACs. For example, proposed Land Use and Community Character Element Policy LU-7 explicitly emphasizes that new developments must be compatible with surrounding uses. This ensures that sensitive receptors like schools, homes, or healthcare facilities are not situated near significant TAC sources, such as heavy manufacturing facilities or distribution centers. The proposed General Plan Update also contains policy provisions that are generally consistent with the CARB Air Quality and Land Use Handbook. For example, the General Plan Land Use Element would require the location of industrial and commercial land uses away from noise-sensitive land uses, which also includes TAC-sensitive land uses such as residences, thereby prohibiting the development of any substantial

## Exhibit A

commercial or industrial source of TAC emissions in the vicinity of residential land uses. Additionally, the Land Use Element states that to protect existing industry and commercial businesses, new sensitive land uses shall not be placed near existing noise generating uses, which often consist of sources of TAC emissions such as industrial facilities, thereby prohibiting the development of TAC-sensitive land uses in the vicinity of most sources of stationary TAC sources.

These proposed policies of the General Plan Update effectively assist to reduce human health impacts and exposure of sensitive receptors to substantial pollutant concentrations including, the requirement new developments to be compatible with existing uses, preventing land use conflicts. The proposed General Plan Update generally aligns with CARB guidelines to maintain safe distances between sensitive land uses and major TAC sources. Given these proactive measures, the General Plan Update demonstrates a strong framework for managing TAC-related health risks.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact relating to the exposure of sensitive receptors to substantial pollutant concentrations. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.3-5: The proposed project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. [Threshold AQ-4]**

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Construction activities that have the potential to emit odors from the operation of diesel equipment, generation of fugitive dust, and paving (asphalt). Odors and similar emissions from construction would be intermittent and temporary, and generally would not extend beyond the construction area. While odors could be generated during construction activities, the proposed General Plan Update would not directly result in construction of any development project. Identification of potential impacts to odor receptors resulting from construction-generated odors, such as equipment exhaust, would require project-specific information for future individual land use development projects that is not currently known. Nonetheless, odors generated from the operation of diesel equipment are short-term in nature and rapidly dissipate and be diluted by the atmosphere downwind of the odor sources. Additionally, odors would be localized and generally confined to the construction area. Therefore, construction odors generated under the General Plan Update would not adversely affect a substantial number of people to odor emissions.

According to the YSAQMD CEQA Handbook (2007), facilities/land uses that have the potential to produce odors during standard operations and may require special attention in the environmental review process include the following:

- Wastewater Treatment Plants
- Sanitary Landfills
- Composting/Green Waste Facilities
- Recycling Facilities
- Chemical Manufacturing Plants
- Painting/Coating Operations
- Agricultural Operations
- Slaughterhouse/Food Packaging Plants

## Exhibit A

Per the YSAQMD (2007), if a land use project proposes any of the above type of land uses, which have the potential to cause significant odor impacts, the odor impacts should be identified and discussed in the environmental document so mitigation measures may be identified. These guidelines further state that the most effective mitigation strategy is to provide a sufficient distance, or buffer zone, between the source and the receptor(s). The greater the distance between an odor source and receptor, the less odor impact when it reaches the receptor. The YSAQMD CEQA Handbook (2007) recommends a buffer distance of one mile between odor sources like those listed above and sensitive receptors. Consideration of YSAQMD's recommended buffer distances would be required for all future development under the proposed General Plan Update, which requires incorporation, as conditions of approval, of YSAQMD-recommended mitigation measures (see General Plan Update Policy OSC-13). Additionally, the City Municipal Code also addresses potential odor impacts by requiring that no emission of odorous gases or other odorous matter be permitted in excess of the most recent standards adopted by the YSAQMD and Solano County Department of Environmental Health. Any process which may involve the creation or emission of any odor shall be provided with a secondary safeguard system so that control will be maintained if the primary safeguard system should fail. Lastly, YSAQMD Rule 2.5, Nuisance, states that no person shall discharge from any source whatsoever such quantities of air contaminants or other material which causes injury, detriment, nuisance or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause to have a natural tendency to cause injury or damage to businesses or property. The General Plan Update addresses this restriction by requiring future development projects to comply with all applicable YSAQMD regulations and through implementation of Policy OSC-13, which requires mitigation measures and best practices to reduce emissions. These existing requirements would minimize odor emissions from adversely affecting a substantial number of people within the city, and impacts would be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact regarding odor-related emissions that would adversely affect a substantial number of people. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

## 4. Biological Resources

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**Impact 5.4-1: Implementation of the proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plan, policies, or regulations or by the CDFW or USFWS. [Threshold B-1]**

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Within the City limits and its vicinity, there are several sensitive plant species known to occur. As listed in Table 5.4-5, on page 5.4-22 of the DEIR, there are a total of 51 special-status plant species within the area. Artificial and unvegetated biological communities, barren and or urban areas in the city are unlikely to support special-status plants. However, construction activities within habitat communities could potentially result in significant impacts on special-status plants. Within the City limits and its vicinity, there are several sensitive animal species known to occur. As listed in Table 5.4-5, on page 5.4-22 of the DEIR, there are a total of 42 special-status animal species within the area. Development within or near habitat for special-status wildlife species could result in adverse impacts on these species.

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Impacts on fish from construction-related disturbances include increased sedimentation and turbidity, release of contaminants into surrounding water bodies, noise disturbance, and change in fish habitat. A change in fish habitat could result from the removal of terrestrial vegetation from streambanks, removal of riparian trees and aquatic vegetation, or rip-rapping<sup>1</sup> banks for erosion control. Increases in sedimentation and turbidity have been shown to affect fish physiology, behavior, and habitat. Stress responses are generally higher with increasing turbidity and decreasing particle size. Migrating adult salmonids have been reported to avoid high waterways with silt loads or cease migration when such loads are unavoidable.

Future construction activities may also involve the storage, use, or discharge of toxic and other harmful substances near water bodies or in areas that drain to these water bodies. Heavy construction equipment often use petroleum products, such as fuels, lubricants, hydraulic fluids, and coolants, all of which may be toxic to fish and other aquatic organisms. An accidental spill or inadvertent discharge of these materials could affect the water quality of the river or water body and thereby affect fish or fish habitat.

The proposed project is a regulatory document that sets the framework for future growth and development in the city and does not directly result in development. Before any development or redevelopment activities would occur in the city, all such activities would be required to be analyzed for conformance with the General Plan, zoning requirements, and other applicable local, state, and federal requirements. Therefore, adoption of the proposed project in itself would not lead to the direct development or redevelopment of a specific project. Future development facilitated by the proposed project could impact special-status species. However, the proposed project contains policies in the Open Space and Resource Conservation Element that would preserve and enhance areas that may provide habitat for special-status species, such as Policy OSC-4, Policy OSC-5, and Policy OSC-6.

Compliance with FESA and CESA would require agencies to consult with the USFWS or CDFW on proposed actions that may affect any endangered, threatened, or proposed (for listing) species or critical habitat that may support the species. The MBTA implements international treaties between the U.S. and other nations devised to protect migratory birds, and any of their parts, eggs, and nests, from activities such as hunting, pursuing, capturing, killing, selling, and shipping, unless expressly authorized in the regulations or by permit. All future development within the city would be required to comply with the MBTA. Section 1600 of the California Fish and Game Code would require future projects to notify CDFW of any proposed alteration of streambeds, rivers, and lakes with the intention of protecting habitats that are important to fish and wildlife. The NPPA prohibits the take of rare and endangered plants, including special-status plant species and compliance with the NPPA would ensure that endangered or rare native plants are protected.

The goals and policies in the Open Space and Resource Conservation Element of the proposed project and compliance with the policies and regulations under the FESA, MBTA, CESA, California Fish and Game Code, CWA, and NPPA would ensure impacts to special-status species associated with new development allowed under the proposed project are less than significant.

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<sup>1</sup> Rip-rap banks are composed of rock or other materials that resist erosion by dissipating the energy of flowing water or waves.

## Exhibit A

**Finding:** The proposed project would have less than significant direct, indirect, and cumulative impacts related to habitat modifications; candidate, sensitive, or special-status species. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.4-2: Implementation of the proposed project would not adversely impact sensitive natural communities, including wetlands and riparian habitat. [Threshold B-2 and B-3]**

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Sensitive natural communities are those that are ranked as critically imperiled, imperiled, or vulnerable, per the State ranking system. Sensitive natural communities in Rio Vista include California vernal pool and grassland matrix, hardstem, and California bulrush herbaceous alliance, Fremont cottonwood woodland alliance, Goodding's willow – red willow riparian woodland and forest, and valley oak woodland and forest. Additional sensitive natural communities may be present, especially within the fresh emergent wetland and valley foothill riparian communities. Riparian habitat is also a component of those communities.

While the city is urbanized, it does contain open space areas with sensitive natural communities such as wetlands and riparian habitats. These habitats may support special-status plant and animal species and are known to be highly productive and diverse ecosystems. The city contains riparian communities, such as riparian woodlands along the banks of the Sacramento River. Implementation of the proposed project would increase development in the city, which could indirectly impact sensitive natural communities with an overall increase in the City's population (resident and work).

Future development in accordance with the proposed project could impact waters and wetlands jurisdictional to the CDFW, USACE, and San Francisco RWQCB. Waters of the United States are jurisdictional to the USACE; waters of the State are jurisdictional to the San Francisco RWQCB and the CDFW; and wetlands meeting certain criteria are jurisdictional to the USACE and/or the CDFW.

Construction projects in the city would also have the potential to affect riparian habitats by spreading or introducing invasive plant species to currently uninfected areas. Invasive species spread aggressively and crowd out native species, potentially altering the species composition of natural communities. A predominance of invasive species reduces the overall habitat quality for native plants and wildlife. However, the Open Space and Resource Conservation Element of the proposed project includes policies that would mitigate potential impacts on natural communities such as riparian habitat and wetlands, such as Policy OSC-4, Policy OSC-5, Policy OSC-6, and Policy OSC-9.

If the USACE determines that waters of the United States are present, a Section 404 permit from the USACE for placement of fill within waters of the United States and a Section 401 water quality certification from the RWQCB would be required. Placement of fill materials into waters of the United States would require compensation to ensure no net loss of aquatic resources. Additionally, disturbance or alteration of streams, lakes, or non-federally protected (non-jurisdictional) wetlands would require a permit, which would include conditions to protect these sensitive natural communities. A Section 1602 streambed alteration agreement would be needed from the CDFW prior to initiation of project construction activities within the city that would divert, obstruct, or change the natural flow of a river, stream, or lake or that would use material from a streambed. Non-jurisdictional wetlands include wetland features that are not hydrologically connected to navigable waters in rivers and are not under USACE jurisdiction. These wetlands would still be considered

waters of the State and would be regulated according to waste discharge requirements that would be issued by the RWQCB.

Implementation of the proposed project goals and policies, with conditions associated with streambed alteration agreements and waste discharge requirements, would ensure that impacts on riparian corridors and other sensitive natural communities are less than significant.

**Finding:** The proposed project will have a less than significant direct, indirect, and cumulative impact on riparian habitats and other sensitive natural communities. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.4-3: Implementation of the proposed project could interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. [Threshold B-4]**

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The City of Rio Vista contains essential movement corridors for native resident and migratory fish and wildlife species, and development allowed by the proposed project could potentially have adverse impacts on migratory species and corridors.

The Sacramento River and Delta within the BSA provides an important migratory corridor for migratory birds of the Pacific Flyway and many fish species, including steelhead. The remainder of the BSA is more limited in suitability for wildlife due to urban development or past and ongoing disturbance from intensive grazing and agricultural uses. The Essential Connectivity Areas map identifies larger, relatively natural habitat blocks that support native biodiversity and areas essential for connectivity between them. The BSA does not fall within a natural habitat block or an Essential Habitat Connectivity area. However, the BSA includes small natural areas that could support ecological value and movement corridors for native resident and migratory wildlife.

Isolated trees in the grasslands support potential nesting habitat for red-tailed hawk, great horned owl, and the state-threatened Swainson's hawk. The annual grasslands in this region support a significant population of wintering raptors that include golden eagle, ferruginous hawk, red-tailed hawk, rough-legged hawk, short-eared owl, prairie falcon, and merlin. Scattered trees and shrubs along the Sacramento River's edge could support nesting habitat for a variety of birds including Swainson's hawk, red-tailed hawk, American crow, yellow-billed magpie, European starling, and red-winged blackbird.

The Sacramento River within the BSA provides important spawning grounds for the bay-delta population of longfin smelt and delta smelt, rearing habitat for juvenile green sturgeons, and migration habitat for spawning green sturgeon (CDFW 2023c). Many other habitats within the BSA have potential to support nursery sites for common and special-status species. Development along these areas could occur and could impede movement of native or migratory species.

The Open Space and Resource Conservation Element of the proposed project contains policies that address potential impacts to native resident, migratory fish, and wildlife species and corridors, such as Policy OSC-2, Policy OSC-4, Policy OSC-5, and Policy OSC-6.

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As shown in Table 5.4-5, on page 5.4-22 of the DEIR, there are 21 special status bird species within the BSA, five of which are listed and/or considered federally and or state listed (i.e., Yellow-billed cuckoo, California black rail, Swainson's hawk, Belding's savannah sparrow, and Tricolored blackbird). Additionally, non-special status migratory birds could nest within the city. Construction activities in or near habitat for special-status birds could interfere with the movement of a native resident or migratory wildlife species. However, as mentioned in California Fish and Game Code Section 3503 (active bird nests) and the MBTA Section, raptors, such as eagles, owls, and other migratory birds and their nests are protected. In addition, Section 3800 states that it is unlawful to take nongame birds, such as those occurring naturally in California that are not resident game birds, migratory game birds, or fully protected birds, except when in accordance with regulations of the California Fish and Game Commission or a mitigation plan approved by CDFW for mining operations. Therefore, these regulations would ensure the protection of migratory and native bird species.

The proposed project goals and policies, in combination with regulations under the ESA, MBTA, CESA, and California Fish and Game Code, would reduce potential impacts to migratory species to a less than significant level.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact on the movement of a native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.4-5: The proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan. [Thresholds B-5 and B-6]**

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The proposed project would not conflict with any local policies or ordinances protecting biological resources. Additionally, Policy OSC-4, seeks to protect open space areas of natural resource and scenic value, including wetlands, riparian corridors, floodplains, woodlands, and hillsides, and Policy OSC-5 encourages landowners and developers to preserve the integrity of existing terrain and natural vegetation in environmentally sensitive areas, such as drainage corridors, native riparian habitats, wetlands, and prominent hilltops. There are no habitat conservation plans, natural communities' community conservation plans, or other plans that apply to the proposed project. No impact would occur in this regard.

**Finding:** The proposed project would have no direct, indirect, and cumulative impact on any local policies or ordinances protecting biological resources nor with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

## **5. Cultural Resources and Tribal Cultural Resources**

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### **Impact 5.5-2: Implementation of the proposed project could cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines, Section 15064.5. [Threshold C-2]**

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Archaeological resources are the material evidence of human culture and activity in the past, and include artifacts, features, sites, and associated documentation. Adoption of the General Plan Update in itself would not directly affect archaeological resources. Long-term implementation of the proposed project could allow development (*e.g.*, new development, infill development, redevelopment, and revitalization/restoration), including grading of known and unknown sensitive areas. Grading and construction activities of undeveloped areas or redevelopment that requires more intensive soil excavation than in the past could potentially cause the disturbance of archaeological resources. Therefore, future development that would be accommodated by the proposed project could potentially unearth previously unrecorded resources.

Archaeological sites are protected by a wide variety of state policies and regulations enumerated under the California Public Resources Code. Cultural resources are also recognized as nonrenewable and therefore receive protection under the California Public Resources Code and CEQA. Per Public Resources Code Section 21083.2, the CEQA lead agency is required to determine whether a development project may have a significant effect on archaeological resources. If the lead agency determines that the project may have a significant effect on unique archaeological resources, the project-level CEQA document being prepared for the development project is required to address the issue of those resources.

The Proposed General Plan includes the following policies which would minimize impacts to archaeological resources: Policy OSC-14, which encourages public and private efforts for the preservation of historic and architecturally significant buildings and sites, archaeological sites, and other landmarks, and Policy OSC-15, which ensures that all projects involving ground-disturbing activities include procedures to protect archaeological resources if discovered during excavation.

The proposed project is a regulatory document that sets the framework for future growth and development in the city and does not result in development in and of itself. Before any development or development activities can occur, they must be analyzed for conformance with the General Plan, zoning requirements, and other applicable local and state requirements; comply with the requirements of CEQA; and obtain all necessary clearances and permits.

Long-term implementation of the General Plan Update could include grading of unknown sensitive areas. Grading and construction activities of undeveloped areas or redevelopment that require more intensive soil excavation than in the past could potentially cause the disturbance of archaeological resources. Therefore, future development could potentially unearth previously unknown/unrecorded archaeological resources. However, compliance with existing regulatory requirements would mitigate potential impacts to a less than significant.

**Finding:** The proposed project would have less than significant direct, indirect, and cumulative impacts on archeological resources. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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### **Impact 5.5-3: Implementation of the proposed project would not disturb human remains, including those interred outside of dedicated cemeteries. [Threshold C-3]**

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Although the General Plan Update would not affect any formal cemeteries or known burials outside of formal cemeteries, future development could disturb unknown human remains.

California Health and Safety Code, Section 7050.5; CEQA Guidelines Section 15064.5; and Public Resources Code, Section 5097.98 mandate the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery. Specifically, California Health and Safety Code, Section 7050.5 requires that if human remains are discovered on a project site, excavation or disturbance of the site shall cease until the coroner has conducted an investigation into the circumstances, manner, and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to his or her authority, and if the coroner recognizes or has reason to believe the human remains are those of a Native American, he or she shall contact the Native American Heritage Commission by telephone within 24 hours. Although soil-disturbing activities associated with development in accordance with the General Plan Update could result in the discovery of human remains, existing laws such as State Health and Safety Code Section 7050.5 and Public Resource Code Section 5097.98(b) would ensure potential impacts to human remains would be less than significant.

**Finding:** The proposed project would have less than significant direct, indirect, and cumulative impacts on human remains. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

## **6. Energy**

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### **Impact 5.6-1: Implementation of the proposed project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. [Threshold ENE-1]**

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#### **Short-Term Construction Impacts**

Construction of development projects facilitated by the General Plan Update would create temporary demands for electricity. Natural gas is not generally required to power construction equipment, and therefore is not anticipated during construction phases. Electricity use would fluctuate according to the phase of construction. Additionally, it is anticipated that most electric-powered construction equipment would be hand tools (*e.g.*, power drills, table saws, compressors) and lighting, which would result in minimal electricity usage during construction activities.

Construction of development projects facilitated by the General Plan Update would also temporarily increase demands for energy associated with transportation. Transportation energy use depends on the type and number of trips, VMT, fuel efficiency of vehicles, and travel mode. Energy use during construction would come from the transport and use of construction equipment, delivery vehicles and haul trucks, and construction employee vehicles that would use diesel fuel or gasoline. The use of energy resources by these vehicles would fluctuate

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according to the phase of construction and would be temporary. It is anticipated that most off-road construction equipment, such as those used during demolition and grading, would be gas or diesel powered. In addition, all operation of construction equipment would cease upon completion of project construction.

Furthermore, the construction contractors would minimize nonessential idling of construction equipment during construction in accordance with the California Code of Regulations Title 13, Article 4.8, Chapter 9, Section 2449. Such required practices would limit wasteful and unnecessary energy consumption in development in Rio Vista. Moreover, future development projects within the city would be similar to the construction processes of any current development projects within Rio Vista. Therefore, the proposed project would not result in wasteful, inefficient, or unnecessary consumption of fuel use during construction.

### **Long-Term Impacts During Operation**

Operation of new development projects accommodated under the proposed project would create additional demands for electricity and natural gas compared to existing conditions. Operational use of electricity and natural gas would include heating, cooling, and ventilation of buildings; water heating; operation of electrical systems; use of on-site equipment and appliances; and lighting.

#### *Non-transportation Energy*

Operation of potential future development accommodated under the proposed project would create additional demand for electricity and natural gas compared to existing conditions. Operational use of electricity and natural gas would include heating, cooling, and ventilation of buildings; water heating; operation of electrical systems; use of on-site equipment and appliances; lighting; and charging electric vehicles. Land uses accommodated under the proposed project would also result in additional demand for transportation fuels (e.g., gasoline and diesel) associated with on-road vehicles. Electricity, natural gas, and transportation fuel consumption estimates during operation of the proposed project are presented in Table 5.6-1, *Year 2045 Forecast Energy Consumption*, on page 5.6-24 of the DEIR. Table 5.6-1, *Year 2045 Forecast Energy Consumption*, expresses the energy consumption expected under buildout of the proposed project in addition to energy consumption under buildout of the existing General Plan.

As shown in Table 5.6-1, on page 5.6-24 of the DEIR, buildout under the proposed project would result in the annual consumption of 9,353,946 gallons of diesel, and 32,852,593 gallons of gasoline associated with vehicle fuel usage. Considering that the introduction of up to 2,467 new units could accommodate an estimated 6,167 new residents, totaling 7,714 units and 16,722 residents at full buildout, the proposed project is anticipated to result in approximately 559 gallons of diesel fuel, and 1,965 gallons of gasoline fuel per capita.<sup>2</sup> As previously discussed, the proposed project would be considered to have a potentially significant impact if it would result in wasteful, inefficient, or unnecessary consumption of energy resources. Considering the guidance provided in Appendix F of the CEQA Guidelines and the Appellate Court decision in *League to Save Lake Tahoe Mountain etc. v. County of Placer* (2022) (75 Cal.App.5th 63, 164-168), the proposed project would be considered to result in wasteful, inefficient, or unnecessary consumption of energy resources if it would conflict with any of the following energy conservation goals:

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<sup>2</sup> Note energy consumption modeled for the proposed project is based on outdated buildout assumptions that conservatively overestimate development under the proposed project. See Section 4.3, *Air Quality*, for more details.

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- Decrease overall per-capita energy consumption.
- Decrease reliance on fossil fuels such as coal, natural gas, or oil.
- Increase reliance on renewable energy sources.

### **Decreasing Overall Per-Capita Energy Consumption**

As shown in Table 5.6-1, on page 5.6-24 of the DEIR, the energy demand for the city would increase compared to existing conditions as the new energy consumption would account for development in the city beyond existing conditions. However, development accommodated under the proposed project would be required to comply with the current and future updates to the Building Energy Efficiency Standards and CALGreen. Compliance with CALGreen energy-efficiency standards would contribute to reducing the building-related energy demands shown in Table 5.6-1, on page 5.6-24 of the DEIR. New and replacement buildings in compliance with these standards would generally have greater energy efficiency than existing buildings. In addition, not all development envisioned by the proposed project would be constructed under the current California Building Code cycle and would be subject to future iterations of CALGreen and other related building codes. It is anticipated that each update to the Building Energy Efficiency Standards and CALGreen will result in greater building-related per-capita energy efficiency and move closer toward buildings achieving zero net energy demand.

In addition to the Building Energy Efficiency Standards and CALGreen, the proposed project includes policies to increase energy efficiency and storage such as Policy OSC-13, which would promote energy conservation programs for all utility users and encourage active and passive solar energy design in building and site development as well as Policy SE-10, which would incorporate shade structures, installation of green space, public drinking water facilities, and heat-resilient building techniques into public and private projects. Additionally, the proposed project includes policies which would encourage water-conserving mechanisms in existing and new development, such as Policy OSC-7, which would require the use of native or compatible non-native plant species that are drought-resistant and water conserving in publicly owned landscape areas as well as Policy PF-5, which would require on-site stormwater management system design and LID techniques, per the City to improve runoff water quality and decrease runoff volume. Encouraging sustainable and energy-efficient building practices and using more renewable energy strategies will further reduce energy consumption within the city and move closer toward achieving zero net energy.

As stated above, the proposed General Plan Policies would serve to improve energy efficiency and reduce energy consumption in new development facilitated by the proposed project. As a result, per service population heating fuel consumption is expected to decrease in 2045 compared to existing baseline conditions.

Additionally, fuel efficiency of vehicles during the buildout year of 2045 would on average improve compared to vehicle fuel efficiencies experienced under existing conditions, thereby resulting in a lower per-capita fuel consumption in 2045 assuming travel distances, travel modes, and trip rates remain the same. The improvement in fuel efficiency would be attributable to regulatory compliance (e.g., CAFE standards), resulting in new cars that are more fuel efficient and the attrition of older, less fuel-efficient vehicles. The CAFE standards are not directly applicable to residents or land use development projects, but to car manufacturers. Thus, city residents do not have direct control in determining the fuel efficiency of vehicles manufactured and that are made available. However, compliance with the CAFE standards by car manufacturers would ensure that vehicles produced in future years have greater fuel efficiency and would generally result in an overall benefit of reducing

fuel usage by providing the population of the city more fuel-efficient vehicle options. Considering the proposed project would result in the construction and operation of new buildings that would have on average the same or greater energy-efficient designs than current structures and vehicle fuel efficiencies would improve year over year through the buildout year of 2045, the proposed project is anticipated to result in a decrease in overall per-capita energy consumption in 2045. As such, the proposed project would be consistent with this energy conservation criterion.

### **Decreasing Reliance on Fossil Fuels**

The proposed project would be considered to conflict with this criterion if it did not take steps to decrease the reliance on fossil fuels. New and replacement buildings in compliance with CALGreen standards would generally have greater energy efficiency than existing buildings. In addition, not all units envisioned by the proposed project would be constructed under the current California Building Code cycle and would be subject to future iterations of CALGreen and other related building codes. It is anticipated that each update to the Building Energy Efficiency Standards and CALGreen will result in greater building-related per-capita energy efficiency and move closer toward buildings achieving zero net energy demand.

In addition, the proposed project envisions new development throughout the city, which would be required to install rooftop solar, as applicable. New single-family residences would be required to comply with Title 24, Part 6, Subchapter 8, Section 150.1(c)14 and new multifamily residences would be required to comply with Title 24, Part 6, Subchapter 11, Section 170.2(f), of the 2022 California Building Code to include rooftop solar systems. Compliance with these codes would decrease overall reliance on fossil fuels for electricity generation as some on-site electricity consumption could be satisfied with on-site electricity generation.

Moreover, as previously discussed, fuel efficiency of vehicles during the buildout year of 2045 would on average improve compared to vehicle fuel efficiencies experienced under existing conditions. In addition to regulatory compliance that would contribute to more fuel-efficient vehicles and less per-capita demand on fuels, the General Plan Update includes policies that will contribute to minimizing overall VMT, and thus incrementally decreasing dependence on fossil fuels for transportation energy needs. Policies in the Land Use Element and Mobility and Circulation Element, such as Policy LU-1, Policy LU-3, Policy MC-2, Policy MC-10, Policy MC-14, and Policy MC-15 would encourage non-vehicular travel modes in the design and development of future projects.

Policies in the Circulation Element would aid in minimizing VMT such as Policy MC-3, which would encourage new development projects that require an amendment of the General Plan to not increase base year citywide average VMT per capita. Considering this, the proposed project would result in the construction and operation of development that would be designed to be compliant with the California Building Code, thereby reducing reliance on fossil fuels for space and water heating. In addition, the proposed project would result in population growth that would result in subsequent increases in transportation energy demand; however, with improving fuel-efficiency standards year over year through the buildout year of 2045 and compliance with the EV charging infrastructure requirements contained in the California Building Code, the proposed project would, on average, reduce reliance on fossil fuels for transportation energy demand. Therefore, the proposed project would be considered consistent with this energy conservation criterion.

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### **Increasing Reliance on Renewable Energy Sources**

As previously discussed, the 2022 CBSC currently requires a variety of development projects that do not meet specific exceptions or exemptions to include rooftop PV systems and BES infrastructure. Specifically, the 2022 CBSC requires new single-family residences, multi-family residences no greater than 3 stories, and many nonresidential land uses no greater than 3 stories to include rooftop PV systems and multi-family and nonresidential land uses that require PV systems to also have BES infrastructure. Compliance with these codes would directly increase overall reliance on renewable energy sources for electricity generation. In addition, it is anticipated that each new code cycle for the CBSC improves on the last one and requires higher performance for energy efficiency and incorporates additional requirements for on-site renewable energy and EV charging infrastructure. Future development projects accommodated by the proposed project would therefore result in a net increase from existing conditions in on-site PV electricity generation and EV charging stations and associated infrastructure, further supporting and accelerating the adoption of EVs and the use of renewable energy in future years.

Moreover, the proposed project includes various policies that are intended to support the use of renewable energy beyond compliance with the CBSC, including creating a walkable urban environment to encourage future residents and employees in the City to use active modes of transportation instead of motorized vehicles. Policies that support the use of renewable energy resources include Policy LU-1, Policy LU-3, Policy MC-10, Policy MC-14, Policy MC-15, Policy MC-16, Policy PR-9, Policy OSC-14, Policy PF-1, and Policy PF-2.

As such, the proposed project would be consistent with this energy conservation criterion. Considering the above analysis demonstrating that the proposed project would result in an overall decrease in energy consumption per capita when compared to buildout under the existing General Plan, decrease in reliance on fossil fuels, and increase in renewable energy sources, the proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy resources. Therefore, this impact would be less than significant.

### **Summary**

Compliance with federal, State, and local regulations (e.g., Building Energy Efficiency Standards, CALGreen, Renewable Portfolio Standards, and CAFE standards) will increase building energy efficiency and vehicle fuel efficiency and reduce building energy demand and transportation-related fuel usage. Additionally, the General Plan Update includes policies related to land use and transportation planning and design, energy efficiency, public and active transit, and renewable energy generation that will contribute to minimizing building and transportation-related energy demands overall and demands on nonrenewable sources of energy. Implementation of proposed policies under the General Plan Update in conjunction with and complementary to regulatory requirements, will ensure that energy demand associated with growth under the General Plan Update would not be inefficient, wasteful, or unnecessary. Therefore, energy impacts associated with implementation and operation of land uses accommodated under the General Plan Update would be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact relating to wasteful, inefficient, or unnecessary consumption of energy resources. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.6-2: Implementation of the proposed project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. [Threshold ENE-2]**

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The state's electricity grid is transitioning to renewable energy under California's RPS Program. Renewable sources of electricity include wind, small hydropower, solar, geothermal, biomass, and biogas. As stated, the RPS goals have been updated since adoption of SB 1078 in 2002. In general, California has RPS requirements of 33 percent renewable energy by 2020 (SB X1-2), 40 percent by 2024 (SB 350), 50 percent by 2026 (SB 100), 60 percent by 2030 (SB 100), 90 percent by 2035 (SB 1020), 95 percent by 2040 (SB 1020), and 100 percent by 2045 (SB 100). SB 100 also establishes RPS requirements for publicly owned utilities that consist of 44 percent renewable energy by 2024, 52 percent by 2027, and 60 percent by 2030. The statewide RPS requirements do not directly apply to individual development projects, but to utilities and energy providers such as PG&E, whose compliance with RPS requirements would contribute to the State of California objective of transitioning to renewable energy. The land uses accommodated under the proposed project would comply with the current and future iterations of the Building Energy Efficiency Standards and CALGreen.

Furthermore, the project includes Open Space and Conservation Element policies such as Policy OSC-11, requires that site preparation and construction activities incorporate effective measures to minimize dust emissions and pollutant emissions from motorized construction equipment and vehicles, and Policy OSC-13, which promotes energy conservation programs for all utility users and encourage active and passive solar energy design in building and site development. Therefore, implementation of the proposed project would not conflict with or obstruct implementation of California's RPS program, and no impact would occur.

**Finding:** The proposed project would have no direct, indirect, and cumulative impact that would obstruct a State or local plan for renewable energy or energy efficiency. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 4.6-3: The proposed project would not require or result in the relocation or construction of new or expanded energy facilities, the construction or relocation of which could cause significant environmental effects. [Threshold ENE-3]**

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The proposed project would accommodate future growth in the city that would require new or expanded energy facilities; however, the proposed project would not directly result in the construction of new or expanded energy facilities. The Integrated Resource Plan (IRP) is the principal planning document that identifies the California Independent System Operator's (CAISO's) forecasts for electricity demand, supply, and transmission needs over a 20-year planning horizon, as well as its strategies for integrating renewable energy resources and other grid services to meet those needs. These forecasts take into account the expected growth in population and development in corresponding Local Serving Entity's (LSE's) service areas, such as the population and development envisioned under the proposed project within PG&E's service area.

The IRP is developed in collaboration with LSEs, regulators, and other stakeholders, and is updated periodically to reflect changes in the energy landscape and evolving policy goals. Overall, the IRP plays a critical role in ensuring the reliability and resilience of California's electricity grid as the state continues to transition to a cleaner and more sustainable energy system. When an LSE identifies that new or expanded energy facilities are needed to accommodate the population and development growth in its service area, those proposed

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improvements are reviewed to identify consistency with local, State, and federal regulatory compliance as well as potential environmental effects that may result. For on-site systems, such as rooftop solar, the review would be conducted by the applicable lead agency as part of that individual development project. For energy infrastructure improvements that involve the construction of new or expanded existing transmission lines, generation systems, or Battery Energy Storage (BES) facilities, separate from an individual development project, the review would be conducted by the California Public Utilities Commission (CPUC) and/or the California Energy Commission (CEC) depending on the type of facility. The CEC typically acts as a CEQA lead or responsible agency for energy infrastructure improvements involving generation or BES systems, whereas the CPUC typically acts as a CEQA lead or responsible agency for improvements involving transmission lines or other distribution infrastructure.

Once the new or expanded energy facility is reviewed and approved, incorporating any necessary and appropriate mitigation, it is assigned a point of interconnection on the grid, and its output is added to the IRP as a resource that can provide electricity and other grid services, such as frequency regulation or ramping support. The facility is then dispatched by CAISO based on its bids into the day-ahead and real-time electricity markets, and its output is used to help balance supply and demand on the grid in real-time. CAISO operates a wholesale electricity market in which LSEs can participate by offering to buy or sell electricity and other grid services, such as demand response or energy storage. This market helps to ensure that the electricity system operates efficiently and reliably by providing economic incentives for electricity providers to use their resources effectively.

In addition to the IRP, which principally governs the planning efforts for new and expanded electricity and natural gas facilities, the CPUC in December 2022 adopted a new framework to comprehensively review utility natural gas infrastructure investments in order to help the State transition away from natural gas fueled technologies and avoid stranded assets in the gas system. The new framework requires utilities to seek CPUC approval of natural gas infrastructure projects of \$75 million or more or those with significant air quality impacts. The new framework is intended to capture natural gas projects likely to have the most substantial community and environmental impacts and to require demonstrate project compliance with CEQA. Therefore, while the proposed project may result in increased energy resource demand by facilitating population and development growth in the city, and subsequently in PG&E's service area, any new or expanded facilities needed as a result of meeting that increased demand would undergo its own review to mitigate potentially significant environmental effects and demonstrate compliance with regulatory requirements. As such, the proposed project would not result in new or expanded energy facilities which may cause significant environmental effects. This impact would be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact on the relocation or construction of new or expanded energy facilities. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

## 7. Geology and Soils

**Impact 5.7-1:** The proposed project could directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; ii) Strong seismic ground shaking; iii) Seismic-related ground failure, including liquefaction; or iv) Landslides, mudslides, or other similar hazards. [Threshold GEO-1i, GEO-1ii, GEO-1iii and GEO-1iv]

### Seismic Hazards

Rio Vista's location and underlying geology make it susceptible to seismic and geologic hazards, including surface (fault) rupture and seismic ground shaking.

#### *Faults and Ground Shaking*

Earthquake risk is high in Rio Vista, due to the presence of several active faults in both the San Francisco Bay Area and Delta regions. Rio Vista lies near several well-defined and active faults that can produce earthquakes of different magnitudes, all of which can affect the structural stability of buildings.

Figure 5.7-1, on page 5.7-15 of the DEIR, shows the locations of regional faults, including the Midland-Fault Zone and Rio Vista Fault. The Midland-Fault Zone is located approximately 0.3 miles northeast outside the city limits, while the Rio Vista Fault is south of the city, just south of Downtown Rio Vista. There are also no Alquist-Priolo Fault hazard zones within the City, the closest one, is located 24 miles west of the city. Other faults inside and outside of Solano County, such as the San Andreas, Concord, Green Valley, and Hayward Faults, may also be capable of generating significant earthquakes with damaging effects in the city. A major earthquake along any of these faults could result in substantial casualties and damage resulting from collapsed buildings, damaged roads and bridges, fires, flooding, and other threats to life and property. Several older buildings, as well as older infrastructure in the downtown area would be susceptible to earthquake damage. Therefore, the City is vulnerable to seismic-related earthquake fault rupture and shaking although no noticeable local damage has been experienced over the years.

The proposed project would facilitate new development in the City of Rio Vista, which could result in the exposure of new residents and employees to ground shaking associated with earthquakes. The Seismic Hazards Mapping Act requires projects for human occupancy that are within mapped fault zones to obtain a site-specific geotechnical report prior to the issuance of individual grading permits, and each new development would be required to retain a licensed geotechnical engineer to design new structures to withstand probable seismically induced ground shaking.

Furthermore, the construction of new development would be required to comply with the seismic design criteria contained in the California Building Code (CBC), which is implemented by Chapter 15.04 of the City's Municipal Code. The CBC requires that all improvements be constructed to withstand anticipated ground shaking from regional fault sources. The CBC standards require all new developments to be designed consistent with a site specific, design-level geotechnical report, which would be fully compliant with the seismic recommendations of a California-registered professional geotechnical engineer. The design of structures in accordance with the CBC is expected to minimize the effects of ground shaking to the greatest degree feasible.

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Compliance with these criteria would ensure that buildings are constructed to withstand seismic ground shaking. Proposed General Plan Policy SE-5 would require that critical and lifeline facilities are located outside of hazardous areas, including geologic hazard zones. Through the Solano County MJHMP, the City is developing an unreinforced masonry grant program to correct problems, such as bracing chimneys, on residential building and nonresidential buildings (Solano 2022). Ordinance 17.44.050 of the City's Municipal Code sets development standards for development within geological hazard areas or liquefaction hazard areas identified in the General Plan, in which the city's geotechnical staff will review and provide recommendation. Additionally, all recommendations contained in geotechnical and geohazard reports are subject to the approval of the City. The proposed General Plan Update policies, in combination with the CBC, would reduce potential ground-shaking impacts to a less than significant level.

### **Secondary Effects**

#### *Liquefaction*

Research and historical data indicate that loose, granular materials at depths of less than 50 feet with silt and clay contents of less than 30 percent saturated by a relatively shallow groundwater table are most susceptible to liquefaction. Liquefaction is expected within the city. As shown in Figure 5.7-2, on page 5.7-16 of the DEIR, several areas of the city are susceptible to liquefaction hazards. This includes portions of the northern and eastern areas of the city and areas of the city along the Sacramento River. Therefore, future development under the proposed project could introduce new development throughout the city of Rio Vista which has the potential to be subject to liquefaction hazards. However, the proposed Safety Element includes policies that address development in areas prone to liquefaction hazards and help to mitigate the risks posed by liquefaction. For example, Policy SE-5 directs the City to site critical buildings and lifeline facilities outside of seismic and geologic hazard areas. In areas that cannot be avoided, a geotechnical investigation would be required pursuant to CBC.

Regardless, all future development would be required to conform to CBC requirements and standards established to prevent significant damage due to liquefaction during seismic events. In accordance with the CBC, geotechnical investigations for new development and redevelopment would determine on-site geologic conditions and identify appropriate recommendations for earthwork, grading, slopes, foundations, pavements, and other necessary geologic and seismic design considerations. Compliance with the CBC would identify potential for liquefaction hazards on individual development sites and the construction of buildings and infrastructure that ensures structural integrity to withstand liquefaction hazards. All recommendations contained in geotechnical and geohazard reports are subject to the approval of the City. The proposed General Plan Update policies, in combination with the CBC, would reduce potential seismic-related ground failure impacts to a less than significant level.

#### *Landslides*

Marginally stable slopes (including existing landslides) may be subject to landslides caused by earthquakes. The landslide hazard depends on many factors, including existing slope stability, shaking potential, and presence of existing landslides.

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As shown in Figure 5.7-3, on page 5.7-17 of the DEIR, there are higher susceptibility areas in the Montezuma Hills and some areas of medium susceptibility along the City's border with the Sacramento River. However, there are some areas with a high landslide susceptibility class in the southwestern portion of the city, east of SR-12. In general, landslide risk in the city is low; however, mapped landslide zones in Rio Vista are mostly found on small slopes throughout the community. Due to the differences in the physical characteristics of slope materials, some superficially similar areas may differ widely in terms of landslide hazard potential. For this reason, site-specific geotechnical analyses are considered essential to the accurate assessment of landslide hazard risk at a given location. Section 17.44.050 of the City's Municipal Code sets development setbacks near fault zones for development within geological hazard areas identified in the General Plan, which would require the City's geotechnical staff to review and provide recommendation for development prior to approval. All recommendations contained in geotechnical and geohazard reports are subject to the approval of the City. The proposed General Plan Update goals and policies, in combination with the CBC, and Grading and Erosion Control Ordinances of the City's Municipal Code, would ensure that potential slope instability and landslide impacts would be less than significant.

**Finding:** The proposed project would have a less than significant impact with regard to hazards from surface rupture of a known active fault, strong seismic ground shaking, seismic-related ground failure, or landslides. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.7-2: Unstable geologic unit or soils conditions, including soil erosion and loss off topsoil, could result from development of the proposed project. [Threshold GEO-2, GEO-3, and GEO-4]**

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The proposed project would involve soil disturbance, construction, and operation of developed land uses that could each be subject to unstable soil conditions.

### Soil Erosion

Soils are particularly prone to erosion during the grading phase of development, especially during heavy rains. The use of a Storm Water Pollution Prevention Plan (SWPPP), which specifies best management practices for temporary erosion control for sites disturbing one or more acres, would reduce the potential for erosion during construction activities. Standard erosion control measures would be implemented as part of a SWPPP for proposed projects within the City to minimize the risk of erosion or sedimentation during construction. The SWPPP must include an erosion control plan that prescribes measures, such as phasing, grading, limiting areas of disturbance, designating restricted-entry zones, diverting runoff from disturbed areas, protective measures for sensitive areas, outlet protection, and provisions for revegetation or mulching. For future construction projects that disturb less than one acre of land, project applicants would still be required to implement an effective combination of erosion and sediment control BMPs. Pursuant to Rio Vista Municipal Code Chapter 13.24, *Grading, Erosion and Sediment Control*, the City requires submittal of a post construction erosion and sediment control plan for all construction sites and includes site design measures, low impact development design measures, and hydromodification management. In addition, the Rio Vista Municipal Code Chapter 13.24.010 regulates grading on property within City limits to safeguard life, limb, health, property and the public welfare, to avoid pollution of watercourses with nutrients, sediments, or other materials generated or caused by surface water runoff, in a manner pursuant to and consistent with the Federal Water Pollution Control Act.

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Mandatory compliance with existing regulations, including the preparation and submittal of a SWPPP or post construction erosion and sediment control plan, and a soil engineering evaluation; as well as requirements of the CBC, would reduce impacts to a less than significant level.

### **Expansive Soils**

Expansive soils are possible wherever clays and elastic silts may be present. Development on unstable or expansive soils could create substantial risks to life or property and result in adverse impacts. Future development under the proposed project could result in the development in unstable soil or expansive soil conditions.

The City has adopted the latest version of the CBC. The CBC requires that structures be designed to mitigate expansive soils. Methods that could be used to reduce the impact of expansive soils include drainage control devices to limit water infiltration near foundation, over-excavation and recompacting of engineered fill method, or support of the foundation with piles. Furthermore, the City's Municipal Code Section 16.20.030 states that a tentative map for major subdivisions shall be accompanied by a preliminary soil report. If the report indicates the presence of critically expansive soils or other soil hazards, the final soil report accompanying the final map shall contain a geotechnical investigation of each lot within the subdivision that provide recommendations for addressing the soil conditions during development. This procedure ensures that any soils hazards are investigated and addressed before construction.

The City's grading ordinance mandates that grading activities conform to the City's improvement standards, drainage policies, and the latest edition of public works construction specifications. These standards include best practices for handling expansive soils, such as proper compaction, soil treatment, and moisture control, which are critical for mitigating soil movement. Furthermore, the ordinance requires prior approval of grading activities which ensures that expansive soils are identified and addressed in the planning stages. The requirement for an erosion and sediment control plan ensures that measures are in place to control surface runoff, which can saturate expansive soils and exacerbate their swelling potential. By retaining sediment and managing water flow on-site, the ordinance reduces the risk of destabilizing expansive soils.

The adverse effects of expansive soils can be avoided through proper subsoil preparation, drainage, and foundation design. However, to design an adequate foundation, the conditions must be assessed through appropriate soil sampling and laboratory soils testing. Expansive soils are identified through expansion tests of samples of soil or rock. Procedures employed in expansive soils testing are found in the CBC that has been adopted by the City of Rio Vista. These methods as well as the Grading Ordinance of the City's Municipal Code and requirements of the CBC, would reduce the impact related to expansive soils to less than significant.

### **Settlement and Collapse**

The risk of settlement or collapse has the potential to exist in areas with alluvial soils. Areas of large settlement can damage, or in extreme cases, destroy structures. The presence of compressible soil in the city represents a hazard to structures and people.

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The CBC requires that structures be designed to mitigate compressible soils. Methods that could be used to reduce the impact of compressible soils include transferring the load to underlying non-compressible layers with piles and over excavation of compressible soil and recompacting with engineered fill. These methods, as well as requirements of the CBC would reduce the impact of compressible soils to less than significant.

### **Subsidence**

The city is susceptible to subsidence due to overdraft of groundwater aquifers, specifically peat subsidence. Peat subsidence is a type of land subsidence that occurs when peatlands are drained, causing the land surface to gradually lower. The city's water supply comes solely from local groundwater. The City draws its water supply from the Solano subbasin at the southeastern limit of the Sacramento Valley Groundwater Basin.

Because overdraft of groundwater can result in subsidence, groundwater storage by Solano County Water Agency (SCWA), and statutory commitments to sustainable groundwater management practices would reduce the potential for future land subsidence. Furthermore, ongoing surveying of the ground surface by SCWA and/or WMWD provides a way to verify that its efforts in preventing subsidence are effective. The SCWA currently has the Solano Groundwater Sustainability Plan in place which describes current and historical groundwater conditions along with a groundwater monitoring network to ensure the basin will meet its sustainability goals. Additionally, incorporating recommendations from a project's geotechnical report and implementing requirements of the CBC would reduce the impact of subsidence to less than significant.

**Finding.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to development on a geologic unit or soil that is unstable, or that would become unstable as a result of the project. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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### **Impact 5.7-3: Development under the proposed project would connect to existing sewer lines or comply with State and local regulations for on-site septic tanks. [Threshold GEO-5].**

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There are specific areas within the city that septic tanks may be less favorable, such as areas of subsidence, liquefaction, and potential for landslides. In general, all new development within the city must connect to the publicly owned treatment works that treat wastewater. Chapter 13.08 of the City's municipal code establishes requirements for industrial and other non-residential connection to the publicly owned treatment works, and may require additional fees, pre-treatment of wastewater and regular monitoring to ensure compliance with the conditions of wastewater discharge. In the unusual event that the City would consider a new septic system, the provisions of Chapter 6.4 Sewage Standards of the Solano County Code would apply.

As no new septic tanks are envisioned as part of the proposed project, and there is a robust sewer ordinance in the municipal code that is monitored by the City and the Regional Water Quality Control Board, and the Solano County Code would be followed for any on-site sewer approved, impacts related to sewage are considered less than significant.

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**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to connecting to existing sewer lines or complying with State and local regulations for on-site septic tanks. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.7-5: The proposed project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state or result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. [Thresholds M-1 and M-2]**

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### Mineral Resources

Future development allowed under the proposed project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. The City of Rio Vista is designated as (1) MRZ-1, which is an area where adequate information indicates that no significant mineral deposits are present and (2) MRZ-4, which is an area where available information is inadequate for assignment to any other MRZ Zone (CGS 2018). Therefore, the city does not have any identifiable significant mineral deposits.

However, the alluvial depositions of sand and gravel along the historic course of the Sacramento River represent an important mineral resource. Historically, mining of sand and aggregate has occurred on lands north of Airport Road and Decker Island south of Rio Vista in the Sacramento River. Property owned by the State Department of Water Resources has been mined since the 1980s and mining operations continue to the north of the Rio Vista City limits. Areas located close to Airport Road and south of the City's Northwest Wastewater Treatment Plant were mined in the early 2000's and since that time riparian vegetation has become established.

Although future projects would not occur within these mining areas while mining operations are in effect, development that is proximate or adjacent to the mine may expose residents to dust as a result of mining and/or transporting sand and gravel products. Dust from sand and gravel mining can include airborne particulate matter such as silica and dust. However, all future development would comply with the AQMD Rule 403, which requires dust control for earth-moving activities and would reduce potential impacts on workers and residents. For these reasons, potential mineral resource impacts would be less than significant.

### Natural Gas Resources

Natural Gas well reserve sites are found both within the City and on surrounding unincorporated lands. The City of Rio Vista is part of the Rio Vista Oil Field and is estimated to have 55 natural gas wells. Of these 55 natural gas wells, one is active, 21 are idle, and 33 are plugged. Municipal Code Chapter 13.12, Natural Gas, regulates natural gas operations and establishes requirements for a natural gas permit to drill or operate natural gas wells in the City. State law establishes the minimum setback of urban land uses from active natural gas wells and the City requires appropriate setbacks when reviewing development projects.

Furthermore, Municipal Code Chapter 17.64.010 ensures that all surface development pursuant to the underlying zoning designations takes place in an orderly manner that is compatible with continued or future economic, efficient, and safe production of natural gas. Surface development projects on property with mineral rights must meet either the use permit conditions or the planned unit development permit conditions, which would ensure that impacts related to locally important mineral recovery sites are less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to the loss of availability of a known mineral resource that would be of value to the region and the residents of the state or result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

## **8. Hazards and Hazardous Materials**

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**Impact 5.9-1: Implementation of the proposed project, including construction and operation activities, could involve the transport, use, and/or disposal of hazardous materials; however, compliance with existing local, State, and federal regulations would ensure impacts are minimized. [Thresholds H-1, H-2, and H-3]**

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### **Construction**

Potentially hazardous materials used during construction include substances such as paints, sealants, solvents, adhesives, cleaners, and diesel fuel. There is potential for these materials to spill or to create hazardous conditions. However, the materials used would not be in such quantities or stored in such a manner as to pose a significant safety hazard. In the event of a potential release and cleanup of hazardous materials in the construction process, the DEH's Environmental Cleanup Program (ECP) would provide oversight of environmental investigations and cleanup of contaminated sites. Project construction workers would be trained in safe handling, and hazardous materials use, pursuant to Cal/OSHA requirements.

To prevent hazardous conditions, existing local, state, and federal laws—such as those listed under Section 5.9.1.2, *Regulatory Background*, on page 5.9-6 of the DEIR—are to be enforced at construction sites, as well as during the transport and disposal of hazardous materials. For example, compliance with existing regulations would ensure that construction workers and the public are not exposed to any risks related to hazardous materials during construction activities. Cal/OSHA has regulations concerning the use of hazardous materials, including requirements for safety training, exposure warnings, availability of safety equipment, and preparation of emergency action/prevention plans. For example, all spills or leakage of petroleum products during construction activities are required to be immediately contained, the hazardous material identified, and the material remediated in compliance with applicable state and local regulations for the cleanup and disposal of that contaminant. All contaminated waste encountered would be required to be collected and disposed of at an appropriately licensed disposal or treatment facility. Furthermore, strict adherence to all emergency response plan requirements set forth by the Rio Vista Fire Department would be required throughout the duration of project construction. Therefore, impacts would be less than significant.

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### **Operation**

The proposed project would allow for the development of a variety of land uses, including industrial, residential, commercial, office, civic, and open space uses. Industrial uses and some commercial uses utilize greater amounts of hazardous materials than other uses, such as residential uses and schools. Operation of future residential and some commercial uses that would be accommodated would involve the use of small quantities of hazardous materials for cleaning and maintenance purposes, such as paints, household cleaners, fertilizers, and pesticides. Operation of future industrial and some types of commercial uses would involve use of larger amounts of hazardous materials, such as fuel/diesel, and commercial grade chemicals, solvents, cleaners, etc. These types of industrial and commercial uses, and therefore, the specific types of hazardous materials to be used, are not yet known.

The use, storage, transport, and disposal of hazardous materials by future residents and commercial and industrial tenants/owners would be required to comply with existing regulations of several agencies, including the California Department of Toxic Substances Control, US Environmental Protection Agency, California Division of Occupational Safety and Health, California Department of Transportation, and Rio Vista Fire Department. Regulations that would apply to the uses that involve transporting, using, or disposing of hazardous materials include RCRA, which provides the “cradle to grave” regulation of hazardous wastes; CERCLA, which regulates closed and abandoned hazardous waste sites; the Hazardous Materials Transportation Act, which governs hazardous materials transportation on U.S. roadways; International Fire Code (IFC), which creates procedures and mechanisms to ensure the safe handling and storage of hazardous materials; CCR Title 22, which regulates the generation, transportation, treatment, storage and disposal of hazardous waste; and CCR Title 27, which regulates the treatment, storage, and disposal of solid wastes. For development in California, Government Code Section 65850.2 requires that no final certificate of occupancy or its substantial equivalent be issued unless there is verification that the owner or authorized agent has met, or is meeting, the applicable requirements of the Health and Safety Code, Sections 25500 through 25520.

Compliance with applicable laws and regulations governing the use, storage, transport, and disposal of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts. Additionally, future residential and nonresidential uses under the proposed project would be constructed and operated with strict adherence to all emergency response plan requirements set forth by the Solano County Environmental Health Division and the Rio Vista Fire Department. CalEPA has designated the Solano County Environmental Health Division as the CUPA.

Additionally, policies in the Proposed General Plan would minimize risks from the use or presence of hazardous materials. For example, Policy SE-8 prohibits the location of new hazardous waste storage facilities or land uses that use hazardous materials in areas subject to flooding during 100-year and 200-year storm events. Policy SE-9 requires a well/facility maintenance plan and a detailed safety plan that includes emergency response procedures when reviewing any entitlements for residential uses on lands that contain natural gas wells or facilities. Therefore, impacts would be less than significant.

### **Demolition**

Future development projects under the proposed project may involve demolition of existing buildings and structures associated with a specific development site. Some building materials used in the mid- and late-1900s are considered hazardous to the environment and harmful to people. For example, while asbestos was generally

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not used in building materials by 1980, it was still occasionally used until the late 1980s. Lead-based paint was banned for residential use in 1978 and phased out for commercial structures in 1993.

Typical hazardous materials of concern for existing older structures in the city include asbestos, lead, mold, PCBs, and radon.

For buildings constructed before the 1950s, it is likely that some may contain ACMs and LBP, as well as other building materials containing lead (e.g., ceramic tile and insulation). Demolition of these buildings could cause encapsulated ACM (if present) to become friable (i.e., easily crumbled or pulverized); once airborne, they are considered a carcinogen. Demolition could also cause the release of lead into the air. The EPA has classified lead and inorganic lead compounds as “probable human carcinogens,” and such releases could pose significant risks to persons living and working in and around a proposed development site.

The presence of visible water damage, damp materials, visible mold, or mold odor in buildings increases the potential risks of respiratory disease of occupants. According to the California Department of Public Health, known health risks include the development of asthma, allergies, and respiratory infections, the triggering of asthma attacks, and increased wheezing, coughing, difficulty breathing, and other symptoms.

PCBs are synthetic chemicals that were manufactured for use in various industrial and commercial applications—including oil in electrical and hydraulic equipment, and plasticizers in paints, plastics, and rubber products—because of their non-flammability, chemical stability, high boiling point, and electrical insulation properties. When released into the environment, PCBs persist for many years and bioaccumulate in organisms. The EPA has classified PCBs as probable human carcinogens. In 1979, the EPA banned the use of PCBs in most new electrical equipment and began a program to phase out certain existing PCB-containing equipment.

State agencies, in conjunction with the federal EPA and OSHA, regulate removal, abatement, and transport procedures for asbestos-containing materials. Releases of asbestos from industrial, demolition, or construction activities are prohibited by these regulations; medical evaluation and monitoring are required for employees performing activities that could expose them to asbestos. The regulations include warnings and practices that must be followed to reduce the risk for asbestos emissions and exposure. Finally, federal, state, and local agencies must be notified prior to the onset of demolition or construction activities with the potential to release asbestos. Requirements for limiting asbestos emissions from building demolition and renovation activities are specified in South Coast AQMD Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities). California Government Code Sections 1529 and 1532.1 provide for exposure limits, exposure monitoring, respiratory protection and good working practice by workers exposed to lead and ACM. Therefore, impacts would be less than significant.

### *Accidental Release*

The use, storage, and transport of hazardous materials and hazardous wastes in compliance with the laws and regulations mentioned above would minimize the potential for releases of hazardous materials that could pose substantial hazards to the public or the environment and would entail prompt containment and cleanup of spills. Residential uses, some civic uses such as schools and parks, and some commercial uses utilize only small amounts of hazardous materials—such as cleansers, paints, fertilizers, and pesticides—and mostly or entirely for cleaning and maintenance purposes. Use of such small amounts of hazardous materials would not pose substantial hazards to the public or the environment through accidental releases. Businesses handling reporting

## Exhibit A

quantities of hazardous or extremely hazardous materials would maintain business plans including: procedures in the event of a hazardous materials release, procedures for immediate notification of all appropriate agencies and personnel, identification of local emergency medical assistance, contact information for company emergency coordinators, a listing and location of emergency equipment at the business, an evacuation plan, and a training program for business personnel.

CalARP aims to be proactive and therefore requires businesses to prepare risk management plans, which are detailed engineering analyses of the potential accident factors present at a business and the mitigation measures that can be implemented to reduce this accident potential. The Solano County Environmental Health Division is the CUPA designated as the administering agency for CalARP. Therefore, impacts would be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact as it would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.9-2: Implementation of the proposed project could facilitate development of a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, but would not create a significant hazard to the public or the environment. [Threshold H-4]**

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As identified in Table 5.9-1, *Hazardous Sites in the City of Rio Vista*, on page 5.9-22 of the DEIR, a search of the online EnviroStor and GeoTracker databases on June 17, 2024, identified 49 hazardous materials sites within the city. Of the 49 sites, seven are designated as “active,” “open,” or “require further review,” and the remaining 42 sites are designated as “closed,” “completed – case closed,” “no action required,” or “no further action.”

Although there are 49 hazardous waste sites in the city, development on other sites in the city may result in hazardous materials impacts. However, properties contaminated by hazardous substances are regulated at the local, state, and federal level and are subject to compliance with stringent laws and regulations for investigations and remediation. For example, compliance with the CERCLA, RCRA, CCR Title 22, and related requirements would remedy all potential impacts caused by hazardous substance contamination. Additionally, there are policies in the Proposed General Plan that would ensure impacts as a result of hazardous materials would be reduced. For example, Policy SE-5 requires that hazardous material storage facilities be sited outside of hazardous areas, including flood hazard zones, sea level rise hazard areas, seismic and geologic hazard areas. Policy SE-8 prohibits the location of new hazardous waste storage facilities or land uses that use hazardous materials in areas subject to flooding during 100-year and 200-year storm events. Therefore, with compliance with existing laws and regulations, buildout of the proposed project would result in a less than significant impact.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact as the implementation of the proposed project would not create a significant hazard to the public or the environment by being located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.9-3: Development under the proposed project would not result in a safety hazard or excessive noise for people residing or working within two miles of an airport. [Threshold H-5]**

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Airport operations and their accompanying safety hazards require careful land use planning on adjacent and nearby lands to protect the residential and business communities from the potential hazards that could be created by airport operations. Pursuant to Section 21096 of the Public Resources Code, the lead agency must consider whether the project would result in a safety hazard for persons using the airport or for persons residing or working in a project area.

The County ALUC is the agency in Solano County empowered by state law to prepare the ALUCP for airports and heliports in the county. The County ALUC ensures the orderly development of airports and the adoption of land use measures to minimize 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.

The Solano County ALUC has adopted plans, the policies of which apply to all existing airports in the county, including Travis Air Force Base and the Rio Vista Municipal Airport, and to any new airport or heliport (except private-use facilities) that may be proposed in the future.

The City is within the AIA of the Rio Vista Municipal Airport and Travis AFB. The AIA for Rio Vista Airport is located entirely within Compatibility Zone D of the Travis AFB AIA. In this case, both compatibility plans apply since there is overlap of AIAs. In accordance with Compatibility Zone D of Travis Air Force Base's Land Use Compatibility Plan, future development would be subject to review for all new objects greater than 200 feet above ground level in height; review that entails a Solar Glare Hazard Analysis Tool glint and glare study for all new or expanded commercial-scale solar facilities; review involving appropriate line-of-sight standards for all proposed wind turbine facilities. Apart from these restrictions, there are no density or intensity limits.

The Rio Vista Municipal Airport is located on the northeastern boundary of the city and its AIA and Safety Zones include the northern portion of the city, as shown in Figure 5.9-1, *Rio Vista Municipal Airport and Travis Air Force Base Airport Influence Areas*, on page 5.9-29 of the DEIR, and Figure 5.9-2, *Rio Vista Airport Municipal Airport Safety Zones*, on page 5.9-30 of the DEIR. Rio Vista Airport's 2018 Airport Land Use Compatibility Plan provides development standards for projects within the AIA and safety zones, including use and height restrictions, that ensure future development is compatible with airport operations. The Solano County ALUC is responsible for reviewing development proposals to ensure their consistency with the ALUCP. The review of development proposals typically involves discretionary approvals or those that could significantly impact land use. Routine or permitted projects that automatically conform to established standards generally undergo a less extensive review process.

Pursuant to Section 21096 of the Public Resources Code, during future environmental review, the City must consider whether the project will result in a safety hazard or noise problem for persons using the airport or for persons residing or working in the project area. Development in the vicinity of airports would be subject to discretionary review as well as review by the County ALUC. In addition to the provisions of the ALUCP, the FAA and Caltrans Division of Aeronautics provide guidance for land use safety near airports. With adherence to these guidelines, high concentrations of people will not be exposed to potential airplane accidents near the airport while airplanes are departing and arriving.

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There are also guidelines in the Rio Vista ALUCP that prohibit the placement of housing, schools, and other sensitive land uses near airports in part because of the noise pollution caused by airplanes (see also Chapter 5.12, *Noise*, of this Draft EIR). In total, the Airport features six safety zones, numbered 1 through 6. Compatibility criteria (e.g. density and intensity requirements) relevant to each safety zone are described in detail in each section. These details are summarized in Table 1 in Chapter 3 of the Rio Vista ALUCP. Chapter 5 of the Rio Vista ALUCP also provides additional specific general, noise, safety, aircraft protection, and overflight policies and development standards that apply to each safety zone. These guidelines and policies ensure that future development does not cause airport-related safety hazards or is far enough from airport activities so that noise from the airport does not significantly affect residents and workers nearby.

The proposed project also includes policies within the Noise Element that would help to ensure that people would not be adversely impacted by unwanted or excessive noise levels, such as Policy SN-7 which states that projects located within the CNEL 55 dB contour of the Rio Vista Municipal Airport shall be reviewed for noise sensitivity and consistency with City and ALUCP noise standards. With adherence to applicable procedures and requirements described above, future development projects under the proposed project would not be exposed to airport-related hazards and impacts would be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact with respects to conflicts with airport land use plans. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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### **Impact 5.9-4: Development under the proposed project could affect the implementation of an emergency responder or evacuation plan. [Threshold H-6]**

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Regional access to and from Rio Vista is limited to State Route (SR-) 12 and SR-84. SR-12 bisects the city from east to west, serving as the principal connector between I-80 in Fairfield and I-5 in Stockton. SR-84, also referred to as River Road, parallels the Sacramento River from north to south and connects to SR-12.

Several major roadways and transit routes within and adjacent to the city are crossed by one or more disaster prone areas—including liquefaction areas, landslide susceptibility areas, wildland-urban interface areas, flood zones, sea level rise inundation areas, dam inundation zones, and other hazards. Any of these disasters can cause damage to transportation infrastructure, preventing or impeding access by emergency responders and evacuation by residents. In addition, future development under the proposed project would result in construction activities that could temporarily affect roadways as a result of lane closures or narrowing for roadway and/or utility improvements. This could affect emergency response times or evacuation routes. By increasing the residential and daytime population in Rio Vista, traffic congestion may increase in some areas as well. Therefore, in the event of an accident or natural disaster, evacuation plans and routes could be adversely affected by the increased traffic.

To address such impacts, the City has worked with the County of Solano to adopt and continually update the MJHMP. The MJHMP reduces injury, loss of life, property damage, and loss of services from natural disasters and provides a comprehensive analysis of the natural and human-caused hazards that threaten the county, with a focus on mitigation. This allows the City to remain eligible to receive additional federal and State funding to assist with emergency response and recovery, as permitted by the federal Disaster Mitigation Act of 2000 and

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California Government Code Sections 8685.9 and 65302.6. In addition, the County implements the EOP to address emergency response and wildfire mitigation planning.

Rio Vista has also implemented Government Code Section 65302 which requires that the safety element of a general plan address evacuation routes. During an emergency, the Rio Vista Fire Department would provide emergency services within the city. Future development under the proposed project would be required to comply with applicable fire and building codes to meet minimum standards for fire safety. In addition, the Rio Vista Safety Element includes information identifying residential developments in hazard areas that do not have at least two emergency evacuation routes, per Senate Bill 99 (2018). All evacuation routes in Rio Vista face a potential disruption from a flooding or earthquake event, which may block roadways, damage the roadway surface, or collapse bridges. In the event of widespread disruption to local evacuation routes, remaining evacuation routes may become congested, slowing down evacuation of the community or specific neighborhoods.

Mutual and automatic aid agreements are also maintained with numerous surrounding local, state, and federal agencies to allow for appropriate backup services in case of an emergency, disaster, or other similar event. Additionally, the Safety Element contains policies that support emergency preparedness and response efforts. Policy SE-2 strives to ensure that emergency preparation and response materials are available to all residents in multiple languages and in formats appropriate for people with access and functional needs. Policy SE-3 seeks to coordinate with emergency responders to maintain potential evacuation routes, including roadway improvements as needed. These policies would ensure adequate communication in the event of an emergency. Therefore, compliance with applicable regulations, and implementation of emergency and evacuation plans as well as the policies in the General Plan would reduce impacts to less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact as the implementation of the proposed project would not result in conflicts with an adopted emergency response plan or emergency evacuation plan. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.9-5: The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. [Threshold H-7]**

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Wildland fires are uncontrolled fires typically in areas of little to no development, but these fires can spread quickly to the urban/wildland interface where development meets expanses of vegetative fuels. Rio Vista is interface area where a proactive approach to preventing the start and spread of wildland fire is vital to protecting lives and property. As shown on Figure 5.17-1, *Wildland-Urban Interface Zones*, on page 5.17-14 of the DEIR, the city contains areas within a WUI. Additionally, there is some risk of landslides and flooding, after the occurrence of wildfire.

Although wildfire risks are present in the city, adherence to applicable building practices and the Proposed Safety Element policies would reduce impacts, such as Policy SE-6, which plans for adequate firefighting infrastructure, including water supply and pressure, road and building clearance for firefighting vehicles, and clear and legible street signage throughout the community, as well as Policy SE-7, which minimizes the potential for loss of life and property resulting from wildfire through community outreach and the development review process. Additionally, development under the proposed project would be subject to compliance with the most

## Exhibit A

recent California Building Code and California Fire Code. The California Fire Code (Part 9 of Title 24 of the California Code of Regulations) includes Section 4905.2, Construction Methods and Requirements within Established Limits. The California Fire Code Chapter 49 cites specific requirements for wildland-urban interface areas that include, but are not limited to, providing defensible space and hazardous vegetation and fuel management.

The proposed project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. The proposed project, in combination with state laws and regulations, as well as General Plan policies, would reduce hazards regarding fire risks to a less than significant level.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact as the project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

### **9. Hydrology and Water Quality**

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**HYD-1: Implementation of the proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. [Threshold HYD-1]**

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#### **Construction Impacts**

Construction consistent with the proposed project would involve soil disturbance, construction, and operation of land uses that could generate pollutants affecting stormwater. Clearing, grading, excavation, and construction activities have the potential to impact water quality through soil erosion and increasing the amount of silt and debris carried in runoff. Additionally, the use of construction materials, such as fuels, solvents, and paints may present a risk to surface water quality. Finally, the refueling and parking of construction vehicles and other equipment on-site during construction may result in oil, grease, or related pollutant leaks and spills that may discharge into the storm drain system.

To minimize these potential impacts, future development that involves the disturbance of one acre or more of land would require compliance with the Construction General Permit (CGP) Order WQ 2022-0057-DWQ, which includes the preparation and implementation of a SWPPP. A SWPPP requires the incorporation of BMPs to control sediment, erosion, and hazardous materials contamination of runoff during construction and prevent contaminants from reaching receiving water bodies. Examples of erosion and sediment control BMPs are silt fences, sediment basins, dust suppressants, covering stockpiles, soil stabilization for construction entrances/exits, outlet tire wash and project scheduling to reduce soil disturbance. The CGP also requires that prior to the start of construction activities, the project applicant must file PRDs with the SWRCB, which includes a Notice of Intent, risk assessment, site map, annual fee, signed certification statement, and a SWPPP. The construction contractor is required to maintain a copy of the SWPPP at the site and implement all construction BMPs identified in the SWPPP during construction activities. Prior to the issuance of a grading permit, the project applicant is required to provide proof of filing of the PRDs with the SWRCB. Submittal of the PRDs and implementation of the SWPPP throughout the construction phase of development pursuant to

## Exhibit A

the Proposed General Plan would address anticipated and expected pollutants of concern from construction activities.

Construction dewatering in areas of shallow groundwater may be required during excavation for some construction projects. In the event groundwater is encountered during construction, dewatering would be conducted locally, and according to the dewatering permit obtained from the Central Valley Water Board. For future construction projects that disturb less than one acre of land, project applicants would still be required to implement an effective combination of erosion and sediment control BMPs. As a result, water quality impacts associated with construction activities would be less than significant.

### **Operational Impacts**

Potential future development and activities under the proposed project may result in long-term impacts to the quality of stormwater and urban runoff, subsequently impacting downstream water quality. Future development can potentially create new sources for runoff contamination through changing land uses. As a consequence, future development within the city as a whole may have the potential to increase the post-construction pollutant loadings of certain constituent pollutants associated with the proposed land uses and their associated features, such as landscaping.

New development projects constructed under the proposed project that disturb 1 acre or more of land, and construction on smaller sites that are part of a larger project, would be required to comply with the National Pollution Discharge Elimination System (NPDES) General Permit for Discharges of Stormwater Associated with Construction Activities issued by the SWRCB. The Construction General Permit requires the development and implementation of a SWPPP. The SWPPP must contain a site map(s) which shows the construction site perimeter; existing and proposed buildings; lots; roadways; stormwater collection and discharge points; general topography, both before and after construction; and drainage patterns across the project area. The SWPPP must list BMPs that the discharger will use to protect stormwater runoff and the placement of those BMPs. Additionally, the SWPPP must contain a visual monitoring program; a chemical monitoring program for “non-visible” pollutants, to be implemented if there is a failure of BMPs; and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment.

BMPs to prevent or reduce potential erosion control could include mulch covering, temporary seeding, soil stabilizers, binders, fiber rolls, temporary vegetation, and permanent seeding. BMPs to control sediment that may be introduced into runoff could include silt fences, straw wattles, and sediment basins. BMPs for controlling run-on and runoff include control berms and swales that direct runoff away from sensitive areas. Source control BMPs that prevent pollutants from entering runoff could include establishment of vehicle fueling and maintenance areas and material storage areas that are either covered or are designed to control runoff.

In addition, Policy PFS-5 requires on-site stormwater management system design and LID techniques, per the City to improve runoff water quality and decrease runoff volume. Furthermore, Municipal Code Chapter 13.20, Storm Water Management, intends to protect and promote the health, safety and general welfare of the citizens of the city by controlling non-storm water discharges. The City is authorized to issue permits, restricting or limiting the nature and/or volume of any discharge to the storm water system. As a condition of project approval, the City may also require dischargers to develop and implement pollution prevention and best management practices for the reduction of pollutants in storm water released from their premises or operations.

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These requirements may be a condition of a storm water discharge permit or may be required without a permit being issued to the discharger.

As part of the statewide mandate to reduce trash within receiving waters, the City is required to adhere to the requirements of the California Trash Amendments. The requirements include the installation of trash full capture systems by 2030. A full capture system is defined as a treatment control, or series of treatment controls, including a multi-benefit project or a LID control that traps all particles that are 5 millimeters or greater and has a design treatment capacity of 1) at least the peak flow rate from a one-year, one-hour storm event, or 2) appropriately sized to carry at least the same flows as the corresponding storm drain. Systems may be catchbasin inserts or other insert systems or high flow capacity trash full capture systems that are designed to treat trash from large drainage areas.

Implementation of the Proposed General Plan policies, such as Policy PFS-5, which requires on-site stormwater management system design and LID techniques to improve runoff water quality and decrease runoff volume, in conjunction with adherence to Municipal Code Chapter 13.20, as well as regional, state and federal regulations, would ensure that potential future development under the proposed project would not violate any water quality standards or waste discharge requirements for both construction and operational phases, and impacts would be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact as the proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.10-2: Implementation of the proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. [Threshold HYD-2]**

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Implementation of the proposed project would result in a significant environmental impact if it would substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Potential future development under the Proposed General Plan could result in an increase in impervious surfaces, thus reducing groundwater recharge.

### **Groundwater Use**

A more detailed description and analysis of the City's overall water supply and demand is provided in Section 5.19, *Utilities and Service Systems*. The Solano Subbasin is designated by DWR as a medium-priority groundwater basin and is not in critical overdraft. Solano Subbasin GSA Collaborative is comprised of five GSAs for the subbasin and the GSP for the subbasin was approved by DWR in January 2024.

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Groundwater from the Solano Subbasin has been the sole source of water supply for the city since 1893. The City of Rio Vista draws its water supply from the Solano Subbasin (5-021.66) at the southeastern limit of the Sacramento Valley Groundwater Basin (5-021). Rio Vista does not import or export surface water supplies currently, and it expects to rely on groundwater through 2045.

Based on the Solano Integrated Hydrologic Model, it is unlikely that any beneficial users of surface water would be significantly and unreasonably adversely affected by groundwater management under any of the projected future conditions evaluated, including under climate change. Similarly, changes in subsurface flows under the projected scenarios are small and will not impede the ability of adjacent subbasins to achieve or maintain sustainability. Therefore, the sustainable yield is estimated to total about 190,000 acre-feet per year (AFY) for the combined sustainable yield of the primary aquifers, which is equal to the volume of groundwater extracted annually in the Subbasin under the projected model scenario with future land use and 2070 climate change conditions., it is unlikely that any beneficial users of surface water would be significantly and unreasonably adversely affected by groundwater management under any of the projected future conditions evaluated, including under climate change.

Similarly, changes in subsurface flows under the projected scenarios are small and will not impede the ability of adjacent subbasins to achieve or maintain sustainability. Therefore, the sustainable yield is estimated to total about 190,000 acre-feet per year (for the combined sustainable yield of the primary aquifers), which is equal to the volume of groundwater extracted annually in the Subbasin under the projected model scenario with future land use and 2070 climate change conditions.

With buildout of the proposed project, the City anticipates an increase in the water demand of approximately 1,333 AFY. According to Rio Vista's 2020 Urban Water Management Plan (UWMP), the City has 10 groundwater wells and currently only six actively supply water to the City's distribution system. Rio Vista does not import or export surface water supplies currently, and it expects to rely on groundwater through 2045. Furthermore, groundwater is the source of only a small portion of water for other water users and suppliers in this Solano Subbasin. Other water users in the Solano Subbasin that currently rely on groundwater for some portion of their supply have other sources to rely on, including the NBA. It is likely that the Solano County Water Agency (SCWA) member agencies will be able to meet planned demands from these sources and thereby decrease reliance on groundwater. Thus, overall groundwater use in the basin is not anticipated to see a significant increase.

If monitoring indicates an increase in groundwater withdrawal is beginning to cause groundwater level declines, conjunctive use planning will enable the area's water suppliers, including the City, to limit groundwater withdrawal to sustainable levels. Groundwater management efforts, adequate overall regional supplies, and the ability of the SCWA agencies to exchange and purchase additional surface water supplies will enable proactive management of groundwater supplies through 2045.

The City's 2020 UWMP demonstrates adequate capacity to accommodate the demand through 2045 through a resilient portfolio that includes recycled water and conservation programs. Overall long-term trends in groundwater levels are stable in the Solano Subbasin, with some declining levels evident in localized areas in the northwestern part of the subbasin. Furthermore, there is no evidence that groundwater levels are chronically declining in the Solano Subbasin, and they are not expected to do so in the future.

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Future development with buildout of the proposed project would also be required to implement the water-efficient requirements specified in the CALGreen and California Plumbing Codes and the MWELo requirements for water efficient landscaping. Future projects that meet the criteria under California Water Code Section 10912 would be required to prepare a Water Supply Assessment that demonstrates that project water demands would not exceed water supplies. In addition, residential, commercial, and industrial water usage can be expected to decrease in the future as a result of continued implementation of water conservation practices.

### **Groundwater Recharge**

Although future development pursuant to the proposed project would increase the amount of impervious surfaces and could potentially impact groundwater recharge, these projects would be required to implement BMPs and LID measures in accordance with the MS4 Permit. Examples of BMPs that minimize the impact of impervious surfaces include permeable pavement, drainage to landscaped areas and bioretention areas, and the collection of rooftop runoff in rain barrels or cisterns. These measures also increase the potential for groundwater recharge. In addition, the GSP prepared for the Solano Subbasin includes groundwater management strategies and multi-benefit recharge projects that would promote groundwater recharge.

Compliance with the City's requirements for new construction, water efficient landscaping, and the Proposed General Plan policies, such as Policy OSC-5, which encourages landowners and developers to preserve the integrity of existing terrain and natural vegetation in environmentally-sensitive areas, such as drainage corridors, native riparian habitats, and wetlands, as well as Policy OSC-6, which requires that new development be designed and constructed to preserve streams and riparian vegetation, wetlands, and drainage corridors, would protect future groundwater resources. Therefore, the proposed project would not significantly interfere with groundwater recharge and would not substantially deplete groundwater supplies, and impacts would be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related as the proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.10-3: Implementation of the proposed project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i) result in substantial erosion or siltation on- or off-site; ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) impede or redirect flood flows. [Threshold HYD-3]**

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### **Erosion and Siltation**

All potential future development pursuant to the proposed project would be required to implement construction-phase BMPs as well as post-construction site design, source control measures, and treatment controls in accordance with the requirements of the CGP, the Rio Vista Municipal Code Chapter 13.24, and MS4 Permit. Typical construction BMPs include silt fences, fiber rolls, catch basin inlet protection, water trucks, street sweeping, and stabilization of truck entrance/exits. Each new development or redevelopment project that disturbs one or more acres of land would be required to prepare and submit a SWPPP to the SWRCB that describes the measures to control erosion and sedimentation due to construction activities.

Once potential future development projects have been constructed, there are C.3 requirements in the MS4 Permit for new development or redevelopment projects that must be implemented and include site design measures, source control measures, LID, and stormwater treatment measures that address stormwater runoff and would reduce the potential for erosion and siltation. LID measures include the use of permeable pavements, directing runoff to pervious areas, and the construction of bioretention areas. Adherence to the streambed alteration agreement process under Sections 1600 to 1616 of the California Fish and Game Code would further reduce erosion and siltation impacts that may occur due to streambed alterations. Compliance with these regional and local regulatory requirements will ensure that erosion and siltation impact from new development and redevelopment projects would be less than significant.

### **Flooding On- or Off-Site**

New development and/or redevelopment and changes in land uses could result in an increase in impervious surfaces, which in turn could result in an increase in stormwater runoff, higher peak discharges to drainage channels, and the potential to cause nuisance flooding in areas without adequate drainage facilities. All potential future development under the proposed project must comply with the requirements of the MS4 Permit. Regulated projects must implement BMPs, including LID BMPs and site design BMPs, which effectively minimize imperviousness, retain or detain stormwater on-site, decrease surface water flows, and slow runoff rates. Projects that may impact downstream channels and creeks must also adhere to the hydromodification requirements of the MS4 Permit. Adherence to these regulatory requirements would minimize the amount of stormwater runoff from new development and redevelopment within the city. Therefore, potential future development under the proposed project would not result in flooding on- or off-site, and impacts would be less than significant.

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### **Stormwater Drainage System Capacity**

As stated in the impact discussions above, an increase in impervious surfaces with new development or redevelopment could result in increases in stormwater runoff, which in turn could exceed the capacity of existing or planned stormwater drainage systems.

Potential future development that disturbs 1 acre or more of land, and construction on smaller sites that are part of a larger project, would be required to comply with the MS4 Permit issued by the SWRCB. The Construction General Permit requires the development and implementation of a SWPPP. The SWPPP must contain a site map(s) which shows the construction site perimeter; existing and proposed buildings; lots; roadways; stormwater collection and discharge points; general topography, both before and after construction; and drainage patterns across the project area. The SWPPP must list BMPs that the discharger will use to protect stormwater runoff and the placement of those BMPs. Additionally, the SWPPP must contain a visual monitoring program; a chemical monitoring program for “non-visible” pollutants, to be implemented if there is a failure of BMPs; and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment.

This would minimize the amount of stormwater runoff from new development and redevelopment sites within the city. Also, as part of the permitting process, future development would be subject to Municipal Code Chapter 13.20, Storm Water Management. The City is authorized to issue permits, restricting or limiting the nature and/or volume of any discharge to the storm water system. As a condition of project approval, the City may also require dischargers to develop and implement pollution prevention and best management practices for the reduction of pollutants in storm water released from their premises or operations. These requirements may be a condition of a storm water discharge permit or may be required without a permit being issued to the discharger.

With implementation of these provisions for new development and redevelopment projects, the proposed project would not result in significant increases in runoff that would exceed the capacity of existing or planned storm drain facilities, and the impact is less than significant.

### **Redirecting Flood Flows**

The discussion above regarding on- and off-site flooding is also applicable to the analysis of impeding or redirecting flood flows. Since new development projects are required to comply with the MS4 Permit requirements and retain stormwater on-site via the use of bioretention facilities or other stormwater treatment measures, any flood flows would also be retained temporarily on-site, which would minimize the potential for flooding impacts. Impact 5.10-4 discusses the potential for impeding or redirecting flood flows with development in areas within the 100-year floodplain. Based on these discussions, impacts related to impeding or redirecting flood flows would be less than significant.

With compliance with the MS4 Permit, the City’s stormwater requirements, and proposed project goals and policies, such as Policy PFS-5, which requires on-site stormwater management system design and LID techniques, per the City to improve runoff water quality and decrease runoff volume, potential future development under the proposed project would not result in substantial erosion or siltation and would not substantially increase the rate of surface runoff which would result in flooding, impede or redirect flood flows, or exceed the capacity of the drainage system. LID practices include bioretention facilities or rain gardens, grass

swales and channels, vegetated rooftops, rain barrels, and permeable pavements. Impacts would be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to the alteration of an existing drainage pattern of a site or area. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.10-4: Implementation of the proposed project would not risk release of pollutants due to project inundation if in a flood hazard, tsunami, or seiche zones. [Threshold HYD-4]**

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**Flood Hazard Zones**

Buildout pursuant to the proposed project could involve development of some projects in FEMA 100-year flood zones. As shown on Figure 5.10-1, on page 5.10-21 of the DEIR, the 100- and 500-year floodplains in Rio Vista include areas along the shoreline of the Sacramento River as well as inland areas surrounding residential development. Public boating and fishing facilities along the shoreline lie within the 100- and 500-year floodplains. As shown on Figure 5.10-2, on page 5.10-22 of the DEIR, the northern portion of the city is in the 200-year flood zone, which also encompasses residential development and the wastewater facility.

Future development within the 100-, 200-, and 500-year flood zones would be subject to the floodplain requirements in Rio Vista Municipal Code Chapter 15.16, Flood Hazard Protection, which outlines methods and provisions for managing flood-related risks and protecting both property and natural flood mitigation systems. Furthermore, a development permit shall be obtained prior to construction or development within any area of special flood hazards. Compliance with FEMA's National Flood Insurance Program requirements and Rio Vista Municipal Code requirements would reduce potential flood hazards and ensure that pollutants are not released during flood inundation.

**Dam Inundation Zones**

As shown in Figure 5.10-3, on page 5.10-25 of the DEIR, in the event of a dam failure, land in the northeastern portion of the city, adjacent to the Rio Vista Municipal Airport, as well as the Rio Vista shoreline would likely flood. The potential for a dam failure event in Rio Vista is likely to remain a risk in future years, although the odds of such events are expected to remain very low. In addition, dam owners are required to maintain emergency action plans (EAPs) that include procedures for damage assessment and emergency warnings. An EAP identifies potential emergency conditions at a dam and specifies preplanned actions to help minimize property damage and loss of life should those conditions occur. EAPs contain procedures and information that instruct dam owners to issue early warning and notification messages to downstream emergency management authorities, such as the City's Emergency Services Department. Because the likelihood of catastrophic dam failure is very low, impacts related to the release of pollutants due to dam inundation are considered less than significant.

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### **Tsunamis and Seiches**

According to the California Tsunami Hazard Area Maps, the City of Rio Vista is not within a tsunami hazard area. Bodies of water such as bays, harbors, reservoirs, ponds, and swimming pools can experience seiche waves up to several feet in height during a strong earthquake. However, for a seiche to occur in the Sacramento River, the wave frequency of a tsunami would have to match the resonance frequency of the Bay.

The typical frequency of a tsunami is ten minutes to an hour, and the resonance frequency of San Pablo and San Francisco Bay is somewhere between one to ten hours. Therefore, tsunamis have frequencies too short to resonate within San Pablo Bay and San Francisco Bay and a seiche is unlikely. Therefore, there is no potential for the release of pollutants due to a tsunami.

The Proposed General Plan policies would serve to minimize potential adverse impacts related to erosion, flood flows, and storm drain capacity, which in turn would address the potential for flooding, dam inundation, and seiches. Additionally, Chapter 15.16 of the Rio Vista Municipal Code outlines methods and provisions for managing flood-related risks and protecting both property and natural flood mitigation systems.

### **Sea-Level Rise**

Similar to flood hazard zones, implementation of the proposed project could involve development of some projects in areas that will be inundated by sea level rise and associated coastal flooding. Along the Sacramento River shoreline, sea levels are projected to rise approximately 24 inches by 2050 and 84 inches by 2100. However, it is possible that sea levels could rise faster than these projections. As shown on Figure 5.10-4, on page 5.3-27 of the DEIR, sea levels may increase enough by 2100 to permanently flood low-lying areas in the southern part of Rio Vista along the shoreline, including the Delta Marina and Rio Vista Pier, residential areas, and downtown Rio Vista.

Sea level rise is also expected to raise groundwater levels, inundating areas with contaminated soils. A review of the leaking underground storage tank (LUST) list produced by the RWQCB and the DTSC EnviroStor database indicates 15 LUST cleanup sites with closed cases. Given that some contaminated sites in the city are located near the shoreline, rising groundwater associated with sea level rise may cause the release of pollutants. Future risk from exposure to contaminated soil remains a concern due to past groundwater and soil contamination in the city and surrounding area. Sea level rise and associated groundwater rise are an effect of the environment on the project.

The California Supreme Court has determined that the evaluation of the significance of project impacts under CEQA should focus on the potential impacts of the proposed project on the environment, including whether the proposed project may exacerbate any existing environmental hazards. Sea level rise is an existing environmental hazard in Solano County. The discussion in this section explains the potential of the proposed project to exacerbate impacts from sea level rise. However, the effects of sea level rise on the proposed project are not subject to CEQA review following the *California Building Industry Association vs. Bay Area Air Quality Management District* (CBIA vs. BAAQMD) case. Therefore, this EIR does not make a finding regarding level of impact from sea level rise.

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In conjunction with the implementation of the City's Municipal Code requirements, and activation of the County's emergency response system in the case of a dam failure, the potential impact that there would be a release of pollutants from flooding, sea level rise, dam inundation, or seiches would be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to flood hazard, tsunami, or seiche zones. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.10-5: The proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. [Threshold HYD-5]**

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Adherence to the State CGP, the Rio Vista Municipal Code, and the NPDES Construction Permit would ensure that surface and groundwater quality are not adversely impacted during construction and operation of new development pursuant to the proposed project. As a result, site development would not obstruct or conflict with the implementation of the Central Valley RWQCB's Basin Plan.

The City's water supply comes solely from local groundwater. Groundwater from the Solano Subbasin has been the sole source of water supply for the city since 1893. The Solano Subbasin is designated by DWR as a medium-priority groundwater basin and is not in critical overdraft. Rio Vista does not import or export surface water supplies currently, and it expects to rely on groundwater through 2045. Solano Subbasin GSA Collaborative is comprised of five GSAs for the subbasin and the GSP for the subbasin was approved by DWR in January 2024.

With buildout of the proposed project, the City anticipates an increase in the groundwater pumping rate of approximately 1,333 AFY. When added to the existing groundwater pumping rate of 2,025 AFY, the future groundwater demand is less than the sustainable yield in the GSP of 190,000 AFY for the Central Valley RWQCB's Basin Plan. A pumping rate increase of up to 1,333 AFY is not anticipated to exceed the groundwater subbasin's sustainable yield. Other water users in the Solano Subbasin that currently rely on groundwater for some portion of their supply have other sources to rely on, including the NBA. It is likely that the Solano County Water Agency (SCWA) member agencies will be able to meet planned demands from these sources and thereby decrease reliance on groundwater. Thus, overall groundwater use in the basin is not anticipated to see a significant increase. Overall long-term trends in groundwater levels are stable in the Solano Subbasin, with some declining levels evident in localized areas in the northwestern part of the subbasin. Furthermore, there is no evidence that groundwater levels are chronically declining in the Solano Subbasin, and they are not expected to do so in the future (Rio Vista 2022).

If monitoring indicates an increase in groundwater withdrawal is beginning to cause groundwater level declines, conjunctive use planning will enable the area's water suppliers, including the City, to limit groundwater withdrawal to sustainable levels. Groundwater management efforts, adequate overall regional supplies, and the ability of the SCWA agencies to exchange and purchase additional surface water supplies will enable proactive management of groundwater supplies through 2045. In addition, the GSP prepared for the Solano Subbasin includes groundwater management strategies and multi-benefit recharge projects that would promote groundwater recharge. Therefore, the proposed project would not obstruct or conflict with a groundwater management plan.

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With adherence to the Proposed General Plan policies such as Policy OSC-5, which encourages landowners and developers to preserve the integrity of existing terrain and natural vegetation in environmentally-sensitive areas, such as drainage corridors, native riparian habitats, and wetlands, as well as Policy OSC-6, which requires that new development be designed and constructed to preserve streams and riparian vegetation, wetlands, and drainage corridors, and continued compliance with State and City regulatory requirements, the proposed project would not obstruct or conflict with a water quality control plan or groundwater management plan, and impacts would be less than significant.

**Finding.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to conflicts with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

### **10. Land Use and Planning**

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#### **Impact 5.11-1: Project implementation would not divide an established community. [Threshold LU-1]**

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Division of an established community commonly occurs because of development and construction of physical features that constitute a barrier to easy and frequent travel between two or more constituent parts of a community. For example, a large freeway structure with few crossings could effectively split a community. Likewise, geographic features could similarly affect the community, such as the development of a large residential project on the opposite side of a river from the existing community. Other barriers in the city may include incomplete trails, cul-de-sacs, or noise walls in an existing neighborhood that all require use of an automobile to get around.

The project does not propose project-specific development. The design direction for the proposed General Plan is to improve access and mobility for existing and future residents by providing vehicular connections and non-motorized transportation options. The land use pattern proposed project would increase development density in established community cores. There is access throughout the city via major roadways such as Highway 12 and pedestrian pathways. Overall, the land uses in the proposed project are largely consistent with existing development patterns.

No aspect of the proposed project would divide existing communities in the city. In addition, the proposed project includes provisions that directly address land use connectivity, compatibility, and encroachment of new development on existing neighborhoods and land uses. Specifically, the proposed project includes policies aimed at improving connectivity and ensuring compatibility between land uses, such as Policy LU-3, which would encourage new residential development to incorporate design features that promote walking and connectivity between blocks and adjacent neighborhoods. Therefore, the proposed project would result in no impact regarding the division of an established community or land use compatibility issues.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact as the implementation of the proposed project would not divide an established community. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.11-2: Project implementation would not conflict with applicable plans adopted for the purpose of avoiding or mitigating an environmental effect. [Threshold LU-2]**

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While the proposed General Plan is the primary planning document for the City of Rio Vista and the proposed update is in part intended to ensure consistency between the General Plan and updated State laws, implementation of the proposed project has the potential to conflict with land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. For the purposes of this EIR a land use plan is a policy or regulation that addresses how land is used.

**Plan Bay Area 2050**

Plan Bay Area 2050 is a 30-year plan that charts a course for a Bay Area that is affordable, connected, diverse, healthy, and vibrant for all residents through 2050 and beyond. While Plan Bay Area 2050 does not override local land use control, it provides guidance to local jurisdictions, including City of Rio Vista, on how future development can be consistent with the State’s GHG and VMT reduction goals. This includes constructing more infill development in downtowns and centers in close proximity to jobs and services. The Land Use Element of the proposed General Plan sets the foundation for future growth, change, and preservation in the city. In addition to the policies identified in Impact Discussion 5.11-1, proposed General Plan policies would serve to support the concepts in Plan Bay Area, such as Policy CM-1, Policy CM-4, Policy CM-7, Policy CM-11, Policy CM-14, and Policy CM-15.

The proposed General Plan goals and policies listed above would support the goals of Plan Bay Area. Accordingly, the proposed project would not conflict with or be inconsistent with Plan Bay Area 2050, resulting in a less-than-significant impact.

**Delta Plan**

The Delta Plan is a comprehensive long-term management plan for the Sacramento-San Joaquin River Delta. It advances two coequal goals:

- Provide a more reliable water supply for California, and
- Protect, restore, and enhance the Delta ecosystem

These goals must be met in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place. The Delta Plan contains priority recommendations, which are nonregulatory but call out actions essential to achieving the coequal goals.

The proposed project includes goals and policies that support these goals of the Delta Plan. Policy OSC-4 conserves open-space resources—wetlands, riparian corridors, floodplains, woodlands, and scenic hillsides, while Policy OSC-9 requires “no-net-loss” mitigation for any wetland impacts, whether regulated or not. The update keeps all open-space lands intact and promotes long-term habitat stewardship and low-impact recreation (e.g., nature trails), measures expressly encouraged by the Delta Plan.

Roughly northeast of Airport Road, portions of Rio Vista fall within the Delta’s Primary Zone. These lands include dry pasture, active sand-and-gravel quarries, levee-repair rock stockpiles, and riparian/wetland habitat that has developed over the past 40 years. These lands would remain undeveloped or only developed for uses

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directly related to agriculture. Any future change to these land use designations must comply with Delta Plan regulations.

In addition, Delta Plan Policy DP P1 (“Locate New Urban Development Wisely”) limits new residential, commercial, and industrial uses to areas that were already designated for such development inside a city or its SOI. The proposed update does not expand Rio Vista’s SOI and introduces no new urban uses outside the existing SOI or outside areas already planned for such uses. Therefore, the proposed project is consistent with the Delta Plan, resulting in a less-than-significant impact.

### **Travis Air Force Base Land Use Compatibility Plan**

The Travis AFB LUCP includes policies design aim to ensure future land uses in areas surrounding the AFB will remain compatible with the realistically foreseeable, ultimate potential aircraft activity at the base. Travis Air Force Base is in Fairfield, approximately 17 miles northwest of Rio Vista’s City limits. Pursuant to the California Public Utilities Code Section 21676, development of land and changes in land use around the Travis AFB must be consistent with the LUCP. In addition, the proposed project contains policies which would serve to minimize impacts from development in close proximity to airports, such as Policy NE-7, which requires that projects located within the CNEL 55 dB contour of the Rio Vista Municipal Airport be reviewed for noise sensitivity and consistency with City and ALUCP noise standards.

Accordingly, the City will coordinate with agencies and jurisdictions regarding development in close proximity to the airports and ensure that future development is consistent with the LUCP. Future development within airport influence areas would also be subject to review by the ALUC for a determination of consistency with the LUCP. The Airport Land Use Commission (ALUC), as authorized under the State Aeronautics Act (Public Utilities Code Section 21670 et seq.), is responsible for reviewing discretionary approvals, including development projects and zoning actions, to determine consistency with the ALUCP. Future development within airport influence areas would be subject to this review to ensure land use compatibility with airport operations. Therefore, the proposed project would not conflict with or be inconsistent with the LUCP, resulting in a less-than-significant impact.

### **Rio Vista Airport Land Use Compatibility Plan**

ALUCP policies are designed to ensure that future land uses in the surrounding area will remain compatible with the foreseeable aircraft at the Airport. The ALUCP applies to all lands on which the uses could be negatively affected by noise or safety impacts associated with present or future aircraft operations at Rio Vista Airport. Pursuant to the California Public Utilities Code Section 21676, development of land and changes in land use around the airport must be consistent with the ALUCP.

In addition, the following proposed General Plan policies would serve to minimize impacts from development in close proximity to airports such as Policy NE-7 which establishes that projects located within the CNEL 55 dB contour of the Rio Vista Municipal Airport, as depicted in the Airport Land Use Compatibility Plan (ALUCP), shall be reviewed for noise sensitivity and consistency with City and ALUCP noise standards.

Accordingly, the City will coordinate with agencies and jurisdictions regarding development in close proximity to the airports and ensure that future development is consistent with the ALUCP. Future development within airport influence areas would also be subject to review by the ALUC for a determination of consistency with

## Exhibit A

the ALUCP. The ALUC, as authorized under the State Aeronautics Act (Public Utilities Code Section 21670 et seq.), is responsible for reviewing discretionary approvals, including development projects and zoning actions, to determine consistency with the ALUCP. Future development within airport influence areas would be subject to this review to ensure land use compatibility with airport operations. Therefore, the proposed project would not conflict with or be inconsistent with the ALUCP, resulting in a less-than-significant impact.

### Summary

In summary, the General Plan is the primary planning document for the City of Rio Vista. The proposed project is intended in part to ensure consistency between the current General Plan and updated State laws. As described above, the proposed project would support applicable land use plans adopted for the purpose of avoiding or mitigating an environmental impact. The proposed project is the overriding planning document for the county, and it would replace the current General Plan. Therefore, the impact would be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to conflicts with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any impacts.

## 11. Noise

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### **Impact 5.12-2: The proposed project would not result in the generation of excessive groundborne vibration or groundborne noise levels. [Threshold N-2]**

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Construction vibration is a potential occurrence within Rio Vista and would continue to be so regardless of whether the proposed project is adopted. Construction-related vibration near individual construction sites associated with development and activities under the proposed project would not be substantially different from what they would be under the existing General Plan. Construction activities will occur in a variety of locations throughout Rio Vista and will most likely require the use of off-road equipment known to generate some degree of vibration. Construction activities that generate excessive vibration, such as blasting, would not be expected to occur from future development due to the topography of Rio Vista, which is relatively flat and devoid of rock outcroppings. Receptors sensitive to vibration include structures (especially older masonry structures), people (especially residents, the elderly, and the sick), and equipment (e.g., magnetic resonance imaging equipment, high resolution lithographic, optical and electron microscopes). Regarding the potential effects of groundborne vibration to people, except for long-term occupational exposure, vibration levels rarely affect human health.

The majority of construction equipment is not situated at any one location during construction activities, but rather spread throughout a construction site and at various distances from sensitive receptors. Since specific future projects under the proposed project are unknown at this time, it is conservatively assumed that the construction areas associated with these future projects could be located within 50 feet of sensitive structures. The primary vibration-generating activities would occur during grading, placement of underground utilities, and construction of foundations. Table 5.12-10, *Representative Vibration Source Levels for Construction Equipment*, on page 5.12-41 of the DEIR, shows the typical vibration levels produced by construction equipment at 50 feet.

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Proposed Policy NE-8 would introduce more stringent regulations surrounding the timing of construction to provide greater protection for City residents. Instead of only exempting construction from City noise standards when it occurs between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and 8:00 a.m. and 7:00 p.m. on Saturdays and Sundays, proposed Policy NE-8 would restrict all construction activity to the hours between 7:00 a.m. and 5:00 p.m. (unless an exemption is granted in the City's review of the project's entitlement or permit). Compared to the current standard, this policy reduces the allowable construction window by two hours and entirely prohibits evening and nighttime construction. Adherence to proposed Policy NE-8 would ensure that vibration reduction is being provided to minimize temporary construction-related vibration impacts. Construction vibration under the proposed project would be less than significant.

Additionally, in terms of the generation of groundborne vibration from sources other than construction, City Municipal Code Sections 17.28.040 and 17.29.040 prohibit any commercial or industrial use constituting or resulting in public or private nuisance because of vibration. Vibration from operations under the proposed project would not be any greater than what they are under the existing General Plan.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to the generation of excessive groundborne vibration or groundborne noise levels. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.12-3: The proposed project would not expose people residing or working in the project area to excessive noise levels within the vicinity of a private airstrip or an airport land use plan. [Threshold N-3]**

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A significant source of noise in Rio Vista is the aircraft operations at the Rio Vista Municipal Airport, located in the north-central part of the city. High noise levels can occur both on airport property and in nearby neighborhoods when aircraft take off and land. The Solano County Airport Land Use Commission promotes land use compatibility around the Rio Vista Municipal Airport to minimize public exposure to excessive noise and safety hazards. The Solano County Airport Land Use Commission's ALUCP includes airport noise contour graphics, which help prevent the development of incompatible land uses near the airport.

Figure 5.12-4 shows the projected noise contours for 2035, reflecting an estimated 26,305 annual aircraft operations. Notably, the 65 dBA CNEL contour remains entirely within the airport boundary, and only a small portion of the 60 dBA CNEL contour extends beyond the airport, specifically near Palisades Drive and Airport Road. The 55 dBA CNEL contour extends further but follows a similar pattern. These contours guide future development decisions, ensuring that sensitive land uses are protected from excessive noise levels associated with airport operations.

The proposed project's Noise Element establishes policy guidance to minimize noise impacts within the community and sets noise control measures for the operational phases of land use projects. By identifying noise-sensitive areas and establishing compatibility guidelines (outlined in Table 10-1 of the Noise Element), this approach helps shape the distribution, location, and intensity of future land uses, ensuring that noise-related issues can be effectively mitigated through careful planning and project design. A key policy, Policy NE-7, focuses on protecting new development within the 55 dBA CNEL contour of the Rio Vista Municipal Airport,

as depicted in Figure 5.12-4, on page 5.12-25 of the DEIR. Projects within this contour will be reviewed for noise sensitivity and consistency with both City and ALUCP noise standards.

A fundamental strategy to minimize noise impacts is to avoid placing noise-sensitive land uses—such as schools, hospitals, residential areas, and recreational facilities—in areas where noise levels exceed acceptable thresholds. These land uses must comply with the Maximum Allowable Exterior and Interior Noise Level standards in Table 10-1 of the 2045 General Plan Noise Element. Policy NE-1 and Policy NE-7 require new developments within the 55 dBA CNEL contour of the airport to conduct an acoustical analysis to assess compliance with the noise standards in Table 10-1. This analysis, typically involving baseline noise measurements with sound level meters, will determine whether the existing noise environment is compatible with the proposed development. The analysis will also guide the implementation of necessary noise mitigation measures, including advanced building construction methods and other design solutions to ensure adequate noise attenuation for sensitive land uses.

The goals and policies in the Noise Element of the proposed project and compliance with the Maximum Allowable Exterior and Interior Noise Level standards in Table 10-1 of the 2045 General Plan Noise Element would ensure impacts of airport-related noise on future residents and workers in the city would be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to excessive airport-related noise. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

## **12. Population and Housing**

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### **Impact 5.13-1: The proposed project would not induce substantial unplanned population growth in the city. [Threshold P-1]**

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It is important to note the differences between project buildout and ABAG projections. ABAG projections are utilized in this analysis for general comparison purposes. Buildout of the city is not linked to a development timeline and is based on expected growth rates through the year 2040. In addition, the proposed project provides policy level guidance and does not contain specific project proposals. On the other hand, ABAG projections are based on annual increments in order to develop regional growth projections for land use and transportation planning over a 20-year horizon to 2040. A comparison of the proposed project buildout to ABAG's population, housing, and employment projections assists in providing context for comparison.

Table 5.13-7, *Comparison of 2040 ABAG and Proposed General Plan Buildout Projections*, on page 5.13-12 of the DEIR, shows the buildout projections in accordance with the proposed buildout in comparison to the ABAG 2040 projections.

### **Population and Employment**

Under existing conditions, the City has approximately 10,553 residents and 2,437 jobs. By the year 2045, it is projected that there would be approximately 16,722 residents and 3,842 jobs, assuming all residents and employees are new to the City, which is an increase of 59 percent and 58 percent, respectively, compared to existing conditions.

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The ABAG population and employment projections for Rio Vista in 2040 are 14,630 residents and 2,520 jobs, respectively. The population and employment projections under the proposed project would be approximately 14 percent and 52 percent greater than the ABAG 2040 projections, respectively. The RHNA associated with the statewide housing crisis has created an expectation that population projections for the region, and for the city, will need to change. Because of this, the ABAG RTP/SCS projections are out of sync with RHNA allocations, and do not reflect substantial growth projections forecasted for Rio Vista. The current projections shown in Table 5.13-4, on page 5.13-7 of the DEIR, and Table 5.13-6, on page 5.13-9 of the DEIR, do not reflect the RHNA and the approximately 6,169 new residents and 1,405 new jobs at buildout. While it is possible that some of the proposed residents and employees would be existing in the city, it is unlikely that all of them would be existing residents and employees from the city. While the proposed population and jobs would exceed ABAG estimates, the increase would not be a substantial unplanned growth in population; the City can accommodate the potential growth as described in this DEIR, and therefore, impacts would be less than significant.

### Housing

There are currently 5,247 housing units in the city and at full buildout there would be 7,714 units, which is an increase of 47 percent from existing conditions. The estimated forecast for housing units under the proposed project would exceed the 2040 ABAG projections by approximately 29 percent.

It should be noted that the State of California has a shortage of housing. In 2019, Governor Newsom signed several bills aimed at addressing the need for more housing, including the Housing Crisis Act of 2019 (Senate Bill 330). While the RTP/SCS may not forecast substantial growth, the RTP/SCS was prepared prior to HCD's RHNA allocation to ABAG of 441,176 units, which led ABAG to ultimately assign to the City of Rio Vista a RHNA allocation for the 2021–2029 planning period of 327 units. This RHNA allocation is slightly larger than the City's previous RHNA allocation (299 units) and larger than the relatively flat growth forecast in the RTP/SCS, indicating that ABAG's RTP/SCS is out of sync with RHNA allocations and that both HCD and ABAG forecast substantial growth for Rio Vista that is not yet reflected in the RTP/SCS.

The City adopted its Housing Element and obtained state certification in 2023, including several policies that support a variety of housing types and densities to accommodate the requirements of the RHNA. For example, Policy 6.1A supports sufficient supply of multifamily and single-family zoned land to meet the housing needs identified in the RHNA. Policy 6.3.C promotes the development of special needs housing, such as housing for seniors; housing persons with physical, developmental, or mental disabilities; farmworkers, single parent households, and housing for extremely low-income persons. Additionally, General Plan policies call for the development of affordable housing, such as Policy 6.1C, Policy 6.2.C, and Policy 6.3.A.

The increase would not result in a substantial unplanned growth in housing since ABAG's RTP/SCS is out of sync with the RHNA allocations. Additionally, with a statewide shortage in housing, the RHNA requirements, and City's RHNA allocation, there is a need for an increase in housing. Therefore, impacts would be less than significant.

### **Jobs-Housing Ratio**

According to Table 5.13-7, on page 5.13-12 of the DEIR, the 2040 ABAG jobs-housing ratio would be 0.42 and under the proposed project the jobs-housing ratio would be 0.49, which are both less than the City's existing ratio of 0.56. While implementation of the proposed project would not bring the City closer to the target ratio of 1.3 to 1.7 jobs per housing unit, the proposed project would be consistent with the 2040 ABAG jobs-housing ratio estimate.

In general, the land uses identified in the proposed project provide opportunities for residents in the City of Rio Vista to both live and work in the city rather than commuting to other areas. Additionally, General Plan policies are aimed at supporting a resilient local economy, such as Policy ED-1, Policy ED-2, Policy ED-3, Policy ED-4, Policy ED-6, and Policy ED-8. Therefore, while the buildout of the proposed project would directly and indirectly induce population growth, the jobs-housing ratio in the city would be improved after buildout allowed under the proposed project. Therefore, impacts would be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to substantial unplanned population growth. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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### **Impact 5.13-2: The proposed project would not result in the displacement of people and/or housing. [Threshold P-2]**

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The purpose of the proposed project is to provide orderly growth in the City of Rio Vista through the distribution, location, balance, and extent of land uses. The proposed project would include a variety of housing types and provide additional residential opportunities within the city. Compliance with the City's Housing Element would facilitate the development of the various housing types by providing a supply of land that is adequate to accommodate the RHNA and maintain an inventory of housing opportunity sites. As part of the Housing Element, the City of Rio Vista prepared a land inventory of adequate sites to show how the City could meet the requirements for the RHNA. Additionally, Government Code Section 66300(d)(2) requires that any project that would demolish residential units must create at least as many units as will be demolished.

As described in Chapter 5.11, *Land Use and Planning*, the land use pattern, intensities, and densities under the proposed project would remain generally unchanged, and future development would occur in areas that are already planned for development. Moreover, General Plan policies ensure sufficient housing supply, assist with homeownership, increase affordable housing, and establish a rehabilitation program, such as Policy 6.1A, Policy 6.1C, Policy 6.1D, Policy 6.2.A, Policy 6.2.B, Policy 6.3.B, Policy 6.2.C, and Policy 6.3.A. Therefore, the proposed project would not displace any people and would provide more housing opportunities than currently exist, and there would be no impact.

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**Finding:** The proposed project would have no direct, indirect, and cumulative impact as the project implementation would not result in displacing a substantial number of people and/or housing, necessitating the construction of replacement housing elsewhere. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

### **13. Public Services and Recreation**

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**Impact 5.14-1: The proposed project could introduce new structures and residents into the RVFD service boundaries, thereby increasing the requirement for fire protection facilities and personnel. [Threshold FP-1]**

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Buildout under the proposed project is projected to bring 2,467 new housing units, 6,169 new residents, 88 acres of new commercial space, and 54 acres of industrial space to the City of Rio Vista. The increase in population as a result of the proposed project would be expected to generate the typical range of service calls, including fire, emergency medical service, and other incidents. New fire personnel, vehicles, and equipment would be required to provide adequate response times to serve future development. Therefore, the RVFD's respective costs to maintain equipment and facilities and to train and equip personnel would also increase. However, the additional personnel and materials costs would likely be gradual as the increase in population would occur incrementally over time.

Proposed General Plan policies such as Policy PFS-11 would maintain emergency response and fire prevention services at levels that minimize the risk of injury and loss of property in the community. Additionally, Policy PFS-12 would require the construction of facilities and maintain equipment to provide effective and responsive police and fire protection services throughout the community, as well as Policy PFS-13 which would establish and maintain mutual aid agreements that provide supplemental aid from partnering law enforcement and fire agencies. In addition, Policy SE-6 would require the planning for adequate firefighting infrastructure, including water supply and pressure, road and building clearance for firefighting vehicles, and clear and legible street signage throughout the community. In addition, Policy SE-7 would minimize the potential for loss of life and property resulting from wildfire through community outreach and the development review process.

As development is planned and approved in the city, it would be possible to assess the need for additional fire and emergency medical service personnel and equipment and address these needs to ensure that adequate fire service response time standards are maintained. Project-specific details about the future fire facilities are unknown at the preparation of this EIR. Prior to the development of these facilities, an environmental analysis would be conducted to ensure impacts of development are reduced. As future growth in the city occurs, payment of development impact fees, as well as the City's General Fund, would be available to fund the construction of fire facilities, land acquisition, staffing, and equipment. If the construction or expansion of facilities to accommodate additional personnel or equipment should become necessary, it would be subject to CEQA review, General Plan provisions, Municipal Code regulations, and payment of impact fees.

The adoption of the Proposed General Plan would not in itself create a need for new or altered facilities. All development in the city that results from the implementation of the proposed project would be reviewed by the RVFD for compliance with applicable provisions of the California fire and residential codes and the RVFD's standards. This would ensure that all future development would benefit from the most current fire

prevention and safety standards, which would be expected to help keep service demands within the projected year-over-year increases. The City would continue to monitor service needs and construct facilities as needed over time. The impact on fire protection and emergency medical response services would be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to the need for new or physically altered fire protection and emergency medical facilities, the construction of which could cause significant environmental impacts to maintain acceptable service ratios, response times, or other performance objectives. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.14-2: The proposed project could introduce new structures and residents into the RVPD boundaries, thereby potentially increasing the requirement for police protection facilities and personnel. [Threshold PP-1]**

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While no specific development proposals are directly associated with the proposed project, theoretical development would result in an increase in population and thus an increase in demand for police protection services from the RVPD. As discussed under Impact 5.14-1, development under the proposed project could result in an increase of approximately 6,169 new residents in the city. As development occurs, there would be an increase in calls for service which may require additional police personnel. Future development is expected to generate the typical range of service calls. Additional police personnel, vehicles, and equipment would likely be required to provide adequate response times to serve future growth. Therefore, the City's costs to maintain equipment and facilities and to train and equip personnel would also increase. However, the additional personnel and materials costs would likely be gradual as the increase in population would occur incrementally over time.

Proposed policies such as Policy PFS-10 would ensure that police services are efficient and responsive to meeting the public safety priorities of the community. Additionally, Policy PFS-13 would establish and maintain mutual aid agreements that provide supplemental aid from partnering law enforcement and fire agencies. In addition, Policy SE-5 would site critical and lifeline facilities, including police and fire stations, hazardous material storage facilities, bridges, and large public assembly halls, outside of hazardous, including flood hazard zones, sea level rise hazard areas, seismic and geologic hazard areas, and adjacent to hazardous materials facilities.

As such, it would be possible to assess the need for additional police personnel and equipment and address these needs to ensure that the law enforcement response time standards in the city are maintained. The existing Police Station, a modular building purchased by the City, has exceeded its anticipated lifespan. Recognizing the need for a replacement, the City anticipates constructing a new station during the term of the 2045 General Plan. However, as a matter of information, if and when the construction or expansion of facilities to accommodate additional personnel or equipment could become necessary, CEQA review, proposed General Plan provisions, Municipal Code regulations, and payment of impact fees would all be required. Therefore, the impact on police protection services would be less than significant.

## Exhibit A

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to the need for new or physically altered police facilities, the construction of which could cause significant environmental impacts to maintain acceptable service ratios, response times, or other performance objectives. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.14-3: Development under the proposed project could generate new students who would impact the school enrollment capacities of area schools and result in the need for new and/or expanded school facilities, the construction of which could result in environmental impacts. [Threshold SS-1]**

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A significant impact would result if, in order for the school districts to adequately serve the city's needs, increased school enrollment would require the construction of new facilities or the expansion of existing schools, the construction or operation of which would cause significant environmental impacts. New development under the proposed project would cause an increase in the student population over the next 20 years. The projected increase in students across the city would likely be gradual for the duration of the proposed project as more housing units are incrementally added.

As new development occurs, new or expanded school facilities may be needed to support the associated population growth. Project-specific details about future school facilities, if needed, are unknown at this time. Prior to the development of these facilities, an environmental analysis would be conducted to ensure impacts of development are reduced. The adoption of the Proposed General Plan would not in itself create a need for new or altered facilities.

To ensure that school capacities are not exceeded from new development, the proposed Public Facilities and Services Element includes Policy PFS-15 which states that the City of Rio Vista shall support the efforts of the River Delta Unified School District to obtain adequate funding for new school facilities. Additionally, existing funding mechanisms would lessen potential impacts related to an increase in the student population. As detailed in Section 3.36.020 of the City's Municipal Code, all public facilities in the city are funded through the payment of development fees pursuant to California Government Code Section 66000. These fees are required to be paid by future development prior to issuance of building permits and would be used to offset the impact of the number of new students generated by the anticipated population increase under the proposed project. Ultimately, the provision of schools is the responsibility of the school district. SB 50 provides that the statutory fees found in the Government and Education Codes are the exclusive means of considering and mitigating school impacts. Imposition of the statutory fees constitutes full and complete mitigation (Government Code Section 65995[b]). Such mitigation measures include fees, charges, or requirements levied against construction, pursuant to Section 17620 of the Education Code.

General Plan Policies that aim to reduce the impacts related to school facilities such as Policy PFS-16: The City shall encourage joint-use of facilities and coordinated park and recreation programs with the River Delta Unified School District. In addition, Policy PFS-17 requires that the City provide support for the River Delta Unified School District's efforts to identify appropriate locations for future schools. Additionally, Policy ED-1 encourages and supports the efforts of the River Delta Unified School District to increase investment in both vocational and academic school programs and facilities.

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The River Delta Unified School District requires developers of commercial and residential developments to pay developer fees. Pursuant to Section 65996 of the Government Code, payment of school fees is deemed to provide full and complete school facilities mitigation. If additional and/or expanded facilities are needed, subsequent environmental review for each development project would be required. Furthermore, a school district and a development project have the option of entering into various alternative mitigation agreements to ensure the timely construction of school facilities to house students from new residential development. The primary financing mechanism authorized in these mitigation agreements is the formation of a community facilities district, pursuant to the Mello-Roos Community District Act of 1982. In lieu of an alternative mitigation agreement, State-mandated school facilities fees, which help maintain adequate school facilities and levels of service, may also reduce potential impacts, as described above.

The existing regulatory setting, including funding mechanisms, would ensure that potential impacts to school facilities and services with development under the proposed project would be less than significant. Furthermore, the proposed project includes goals and policies to maintain adequate levels of service for schools. Therefore, the impacts would be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to the need for new or physically altered school facilities, the construction of which could cause significant environmental impacts to maintain acceptable service ratios or other performance objectives. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.14-4: Development under the proposed project could generate new residents in the city and result in the need for new and/or expanded library facilities, the construction of which could result in environmental impacts. [Threshold LS-1]**

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Projected development under the proposed project would result in the potential for increased demand for library services within the City to the extent that expansion and construction of new facilities could be required. As described above, the buildout projection for the proposed project includes approximately 6,169 new residents in the city. To meet the future demand for library services, the Public Facilities and Services Element would include Policy 12.2.C which states that the City shall work with the Solano County library system to provide branch libraries in order to service population increments of  $\pm 10,000$ . Additionally, Policy 12.2.E states that the City shall continue to cooperate with the River Delta Unified School District and Solano County in the provision of high-quality library services.

Future development would also generate new tax revenues and funding sources for the Solano County Library System consisting of property taxes, State assistance, and revenue from fines, fees, and other miscellaneous revenue. Furthermore, development or expansion of libraries would be subject to the City's policies that protect environmental resources including environmental review and impact mitigation per CEQA. Impacts associated with the development of new libraries are therefore determined to be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios or other performance objectives.

## Exhibit A

Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.14-5: The proposed project could generate additional residents that would increase the use of existing park and recreational facilities but would not require the immediate provision of new and/or expanded recreational facilities. [Thresholds R-1 and R-2]**

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Each jurisdiction determines the appropriate park standard based on the guidance provided by Section 666477 of the California Government Code, commonly referred to as the Quimby Act. The City's park standard is five acres per 1,000 residents (three acres neighborhood park and 2 acres community park).

As discussed in Section 5.14.5.1, *Environmental Setting*, a total of 24 acres of parks and recreation land are available to residents of the City. The City also owns the 18.5-acre Liberty Community Park site and is currently seeking funding to construct this park. Planned or approved projects include designated park lands to meet their park demands. Additionally, the Trilogy and Liberty active adult/gated communities provide significant private recreational facilities that serve the neighborhood park needs of those residents. With an existing population of 10,553 residents, the parkland requirement at five acres per 1,000 residents would be approximately 53 acres, which can be met through existing and planned park sites plus additional opportunity sites on City owned lands. With a buildout population of 18,592 residents, the City would need 93 acres of parkland. It is estimated that buildout of the proposed project would result in 68 acres of land designated for parks and recreation, the City would have a surplus of 17 acres of parkland.

General Plan policies such as Policy PR-1 require the City to have sufficient park acreage to meet the active and passive recreation demands of the community. The City's minimum standards for active and passive parkland per 1,000 residents, for neighborhood parks it would be 3 acres per 1,000 residents, and for community parks and facilities it would be 2 acres per 1,000 residents. Additionally, Policy PR-2 would require the City to apply the criteria and guidelines for the design of parks, recreation and trail facilities as established in the Parks Master Plan. In addition, Policy PR-3 require the City to determine within the review of land use entitlements, the timing for construction of project improvements, including parklands, trails, and open space areas, as well as developer obligations for dedication of land/payment of in lieu fees, improvements to be constructed and required park improvement fees shall be determined during project entitlement reviews. In addition, Policy PR-4 requires that development projects provide for the maintenance of future parks and recreation facilities within the project's boundaries. In addition, Policy PR-10 requires that all new development provide direct or alternative linkages to existing and planned open space systems where feasible. Designated trails or corridors in new development shall be constructed by the developer and offered for dedication to the City. In addition, Policy PR-12 states that the City shall either construct or, in the case of development projects, require project developers to construct pedestrian and bicycle trails. These General Plan policies would help mitigate any impacts related to recreation facilities to less than significant.

Moreover, new development would be required to pay development impact fees and/or dedicate parkland or pay an in-lieu fee. The availability of new facilities would prevent the accelerated physical deterioration of existing facilities. The estimated timing or location of new facilities or the exact nature of these facilities are not known, so project-specific environmental impacts that would occur from their construction and operation cannot be determined at this time. However, depending on the type, size, and location of new parks, the construction of new parks would be subject to environmental review and the mitigating policies and mitigation

measures described in this EIR to ensure the impacts from the construction would be less than significant. The construction of project-specific parks would require permitting and review in accordance with City standards, which would ensure that any environmental impacts are disclosed and mitigated to the extent possible. This EIR is a programmatic document and does not evaluate the environmental impacts of future project-specific development. Therefore, the impact is considered less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to the use of existing neighborhood and regional parks, or other recreational facilities. The proposed project would not require the construction or expansion of recreational facilities that could cause an adverse physical effect on the environment. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

#### **14. Transportation**

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**Impact 5.15-1: Implementation of the proposed project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. [Threshold T-1]**

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Implementation of the proposed project would not result in modifications to the transit, bicycle, or pedestrian network that would disrupt existing facilities/services or interfere with implementation of planned facilities/services contained in adopted programs, plans, policies, or ordinances.

As discussed in Section 5.15.1.1, *Regulatory Background*, several programs, plans, and policies guide the planning of circulation systems in the city. In general, the overarching goals of these policy documents are to ensure a safe, efficient, and accessible multi-modal transportation network for all users that also reduces VMT to improve air quality and reduce GHG emissions, which is consistent with the goals, policies, and implementation measures in the proposed project.

Several policies, such as Policy MC-2, Policy MC-10, and Policy MC-11 would help facilitate the development of improved facilities for walking, bicycling, and transit use. Likewise, implementation of the proposed project would enable the City to improve bicycle and pedestrian programs and infrastructure consistent with the Solano Countywide Active Transportation Plan. The proposed project also contains additional policies that support accessibility and the provision of amenities to bicyclists, pedestrians, and transit users, such as Policy LU-1, Policy LU-3, Policy MC-4, Policy MC-6, Policy MC-7, Policy MC-10, Policy MC-11, Policy MC-12, Policy MC-14, and Policy MC-15. With implementation of these policies, the proposed project would not conflict with a program, plan, ordinance, or policy addressing the circulation system. Therefore, impacts would be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact as it would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

## Exhibit A

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### **Impact 5.15-3: Implementation of the proposed project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). [Threshold T-3]**

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While adoption of the proposed project would not directly result in any physical development projects or construction activities, implementation of the policy framework in the proposed project could result in transportation improvement projects. While these types of improvements could be installed and implemented under the proposed project, they would be intended to facilitate movement throughout the City of Rio Vista and accommodate existing local development, and would therefore be unlikely to introduce conflicts, hazards, or incompatible uses.

All subsequent development under the proposed project, including residential, commercial, and industrial development, in addition to transportation improvement projects, would be subject to and designed in accordance with City standards and specifications that address potential design hazards, including sight distance, driveway placement, and signage and striping. Additionally, any new transportation facilities or improvements to such facilities associated with subsequent projects would be constructed based on industry design standards and best practices consistent with the City Ordinance Code, building design and inspection requirements, and any applicable community-based transportation plans. The City's evaluation of projects' access and circulation will incorporate analysis with respect to City standards for vehicular level of service and queueing, as well as for service to pedestrians, bicyclists, and transit users.

Furthermore, the proposed Circulation and Mobility Element provides additional guidance to help design a sustainable and comprehensive transportation system that is safe and accessible for all users and modes of travel and the proposed Land Use Element is designed to ensure land uses are compatible.

General Plan policies included in the proposed project would encourage land use compatibility, help reduce roadway hazards or improve safety, such as **Policy LU-6, Policy LU-8, and Policy LU-9**.

Any transportation network modifications associated with the proposed project will comply with applicable design standards and the proposed project's policies and programs related to land use, circulation, and safety. The combination of these standards, policies, and actions is to reduce the potential for future collisions and to decrease the potential harm to people when traveling. Therefore, this impact is considered less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to an increase hazard due to a geometric design feature or incompatible uses. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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### **Impact 5.15-4: Development associated with the proposed project could result in inadequate emergency access. [Threshold T-4]**

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Emergency access to individual land use parcels is typically assessed at the project level and the proposed project contains policies and programs (listed below) to address the needs of emergency responders and requires consultation with the fire and sheriff departments during development review. The Safety Element addresses public safety issues including emergency preparedness and response, food and inundation hazards, seismic and

## Exhibit A

geologic hazards, fire hazards, hazardous waste and materials, and additional climate-related hazards. In addition to the Safety Element, the City is a participating member in the Solano County Multi-jurisdiction Hazard Mitigation Plan (MJHMP) which focuses on shorter-term actions, more specific mitigation, and enables jurisdictions to better protect lives, property, and natural systems. The proposed project would not interfere or create inconsistencies with this plan, but the plan's population and employment growth could require updates or modifications to this plan over time.

The proposed project includes several policies and actions that would help to ensure that roadways accommodate emergency access. More specifically, the Circulation and Mobility Element includes Policy MC-1, which requires that during the development review period for new projects, city streets and intersections be evaluated to ensure a level of service (LOS) D is maintained, except for on Main Street and Front Street between Main Street and SR-12 and in the Downtown area, neighborhood areas, and other pedestrian or transit oriented areas, where LOS E is acceptable.

As it relates to emergency vehicle access, emergency vehicles can use vehicle preemption technology (where possible) and sirens to reduce their response times, and they would continue to do so regardless of any roadway capacity modification. Locations that would experience a reduction in vehicular roadway capacity would undergo individual operations analyses to assess the potential impacts to emergency vehicle access, and mitigation measures would be developed as needed to reduce potentially significant impacts. Additionally, the Safety Element includes policies to ensure adequate emergency access is provided, such as Policy SE-3 and Policy SE-6.

Furthermore, emergency vehicles can use vehicle preemption technology (where possible) and sirens to reduce their response times, and they would continue to do so regardless of any roadway capacity modification. Locations that would experience a reduction in vehicular roadway capacity would undergo individual operations analyses to assess the potential impacts to emergency vehicle access, and mitigation measures would be developed as needed to reduce potentially significant impacts. The proposed project policies would not result in a change or deterioration of emergency access and response times given the population and employment growth projected in Rio Vista. Therefore, this impact is considered less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to inadequate emergency access. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

### **15. Utilities and Service Systems**

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**Impact 5.16-1: The proposed project would not require or result in the relocation or construction of new or expanded wastewater treatment facilities, the construction or relocation of which could cause significant environmental effects. [Threshold U-1]**

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Buildout of the proposed project would result in an increase in wastewater generation with the addition of 2,467 dwelling units and an increase of 142 acres of non-residential land use. However, as discussed below, future demands from the increased population and land use changes from implementation of the proposed project would not exceed the permitted capacity of the Beach WWTP and Northwest WWTP that serve the City. Wastewater generated by the proposed project would be collected by the City's sewer system and conveyed to the Beach WWTP or Northwest WWTP.

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An estimate of the amount of additional wastewater generated by the proposed project was determined, as shown in Table 5.16-1, *Wastewater Demand Increase: Proposed Project*, on page 5.16-8 of the DEIR. For both residential and nonresidential development, a weighted average wastewater generation factor was determined based on the fraction of each land use to the total buildout. These wastewater generation numbers are conservative because they do not account for the water conservation measures that new construction would be required to implement to comply with the CALGreen Building Code.

The increase in wastewater demand with buildout of the proposed project is estimated to be approximately 0.98 MGD. According to the Sewer Master Plan, the average daily flow for the Beach WWTP is approximately 0.51 MGD. An additional 0.21 MGD of flow from the northwestern part of the city is directed to the Northwest WWTP. When the 0.98 MGD of wastewater demand from project buildout is combined with the existing average daily flow of 0.72 MGD for the City, the total amount of wastewater generated by the City in 2045 is estimated to be 1.7 MGD.

The Beach WWTP has a permitted ADWF capacity of 0.65 MGD and the Northwest WWTP has a permitted ADWF capacity of 1.0 MGD. However, the City has plans to decommission the Beach Wastewater Treat Plant facility and complete all improvements necessary for the Northwest WWTP to serve the entire city through at least 2045. The City states there is adequate capacity at the Northwest WWTP to treat current and future flows for the entire city. Therefore, for the purposes of this analysis, the EIR evaluates the flow capacity for the Northwest WWTP and considers the combined existing average daily flows for the Beach WWTP and Northwest WWTP.

The Northwest WWTP has a permitted ADWF capacity of 1.0 MGD but once the improvements to the facility are made the overall design of the facility will accommodate up to 2.0 MGD. Therefore, the residual capacity for the Northwest WWTP in 2045 would be 1.28 MGD, which is greater than the additional 0.98 MGD of wastewater that would be generated from buildout of the proposed project.<sup>3</sup> As the Northwest WWTP has adequate capacity for future growth, the City would be able to accommodate future wastewater flows from Rio Vista.

The City imposes sewer connection fees on new development to recover a proportionate share of costs for expanding wastewater collection services and upgrades to the WWTPs. Implementation of the proposed project would not require the construction or expansion of the Beach WWTP and Northwest WWTP, or sewer collection system beyond what is already planned or under construction. Adherence to the City's Municipal Code requirements in Chapter 13.08, as well as the Proposed General Plan policies, such as Policy PFS-4, which intends to decommission the Beach WWTP facility and complete all improvements necessary for the Northwest WWTP to serve the entire City through at least 2045, would ensure that the WWTP has adequate capacity to meet wastewater generation demand over time, and therefore impacts associated with the sewer collection and treatment systems would be less than significant.

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<sup>3</sup> Permitted Capacity minus Average Daily Wastewater Flow = Residual Capacity; 2.0 MGD – 0.72 MGD = 1.28 MGD for Northwest WWTP.

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**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to new or expanded wastewater treatment facilities. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.16-2: The wastewater treatment provider would have adequate capacity to serve the proposed project's projected demand in addition to the provider's existing commitments. [Threshold U-2]**

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As described in Impact 5.16-1, once the Beach WWTP is decommissioned, the Northwest WWTP would serve the entire city through at least 2045. The Northwest WWTP will have a permitted ADWF capacity of 2.0 MGD. The residual capacity for the Northwest WWTP at project buildout would be 1.28 MGD. The increase in wastewater demand from 2020 to 2045 is estimated to be 0.98 MGD, as shown in Table 5.16-1, on page 5.16-8 of the DEIR, which would result in an estimated total amount of wastewater discharged from the City of 1.7 MGD in 2045.

New development from implementation of the proposed project would be required to comply with the latest CALGreen and California Plumbing codes and implement active and passive water conservation measures. This would reduce wastewater discharge rates below what was calculated in Table 5.16-1, on page 5.16-8 of the DEIR. Furthermore, potential future development pursuant to the proposed project would undergo City review. Proposed General Plan Policy PFS-4 would ensure that the WWTP has adequate capacity to meet wastewater generation demand over time.

With continued compliance with applicable regulations, wastewater generated by the proposed project would not exceed the capacity of the Northwest WWTP once the necessary improvements are completed. Therefore, implementation of the proposed project would not result in a determination by the City that there is insufficient capacity to serve the City's future wastewater demands in addition to the demands of existing and future development within the wastewater providers service areas. Therefore, the impacts would be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.16-3: Water supply and delivery systems are adequate to meet project requirements. [Threshold U-3]**

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Buildout of the proposed project would result in an increase in water demand with the addition of 3,022 dwelling units and a reduction of 112 acres of non-residential land use. The projected increase in water demand for the proposed project is provided in Table 5.16-2, *Water Demand Increase: Proposed Project*, on page 5.16-21 of the DEIR. For both residential and non-residential development, a weighted average water duty factor was determined based on the fraction of each land use in comparison to the total buildout.

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The increase in water demand with buildout of the proposed project is estimated to be approximately 1.45 MGD or 1,625 AFY. According to the UWMP, the City provided 2,025 AFY in 2020 for their entire service area. Therefore, the estimated total water demand from the City in 2045 with the proposed project buildout is estimated to be 3,650 AFY (existing demand of 2,025 AFY plus additional demand of 1,625 AFY).

Additionally, new construction would be required to comply with the water efficient requirements of CALGreen, California Plumbing Code, and the City's MWELo. New construction for both residential and commercial land uses typically achieve a reduction in water usage rates of 20 percent through compliance with these regulations. Additionally, no credit for the increased use of recycled water for open space and landscaping irrigation was considered in the water demand calculations provided in Table 5.16-2, on page 5.16-21 of the DEIR; the use of recycled water would further reduce water demands.

As documented in the UWMP, the City can meet all customers' demands during normal year, single dry year, and multiple dry year conditions with excess water available. In addition, the City will continue to partner with Solano County Water Agency to provide efficient and cost-effective water conservation and rebate programs for residents.

Furthermore, future development pursuant to the proposed project would be required to comply with the Proposed General Plan policies. For example, Policy OSC-7 would assist in water conservation and protection of water supply through the requirement of native or compatible non-native plant species that are drought-resistant and water conserving in publicly owned landscape areas. Also, new development would be required to implement the water efficient requirements specified in the CALGreen and California Plumbing Codes and the MWELo requirements for water efficient landscaping. Future projects under the proposed project that meet the criteria under California Water Code Section 10912 would be required to prepare a WSA that demonstrates that project water demands would not exceed water supplies. In addition, residential, commercial, and industrial water usage can be expected to decrease in the future as a result of the implementation of the 2018 Water Conservation Legislation that sets new standards for indoor and outdoor residential water use, commercial water use for landscape irrigation with dedicated meters, and water loss standards. Therefore, impacts to water supplies would be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to water supply and delivery systems. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.16-4: The proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. [Thresholds U-4]**

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Implementation of the proposed project would have a significant impact if it would result in the construction of new water treatment facilities or the expansion of existing facilities that would have a significant effect on the environment. Buildout of the proposed project would result in an increase in water demand throughout the city due to increases in population and employment.

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As described in Impact 5.16-3, the City has sufficient water supplies available under normal, single-dry, and multi-dry year conditions. In the event that the City projects their future demand could exceed supplies, the City would implement their WSCP which provides water conservation procedures as a result of a drought or supply interruption. Therefore, the Proposed General Plan would not significantly impact water supplies.

Future development from implementation of the proposed project could result in new and expanded water infrastructure. However, because the City's 2045 water supply is projected to meet the water demand with implementation of the proposed project, impacts would be less than significant. In addition, each future development under the proposed project would be required to demonstrate the availability of water to serve the development in the form of will-serve letters from the City or for larger projects, preparation of a WSA as required by Section 10910 of the California Water Code. Therefore, implementation of the proposed project would not result in the need to construct additional water supply or distribution systems, nor would it need to relocate existing water treatment facilities.

In summary, new construction or expansion of the water distribution system due to implementation of the proposed project would not significantly impact water treatment facilities or the City's distribution system. The City has a Capital Improvement Program (CIP) that replaces and upgrades the existing water system infrastructure to accommodate future development which is funded through a monthly fee that consumers pay. Additionally, General Plan policies would ensure that the City's existing water system infrastructure is upgraded and expanded to accommodate future growth, such as Policy PF-6, Policy PF-7, Policy PF-8, and Policy PF-9. Compliance with the City's requirements for new construction, water-efficient landscaping, and implementation of the Proposed General Plan policies would result in less-than-significant impacts with respect to the need for new and/or expanded water facilities.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.16-5: Existing and/or proposed storm drainage systems are adequate to serve the drainage requirements of the proposed project. [Threshold U-5]**

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New development and/or redevelopment as part of the proposed project would result in an increase in impervious surfaces, which in turn could result in an increase in stormwater runoff, higher peak discharges to drainage channels, and the potential to cause nuisance flooding in areas without adequate drainage facilities. The Regional MS4 permit defines priority development projects as projects that create 10,000 square feet or more of impervious surfaces or replace 5,000 square feet or more of impervious surface; these projects would be required to implement site design, source control, and stormwater treatment and runoff measures using specific numeric sizing criteria based on the volume and flow rate of stormwater that is generated by the project. Also, the City's Planning Department would apply conditions of approval to each project to ensure that the requirements of the MS4 permit have been met. Compliance with the MS4 permit would minimize increases in the amount of stormwater runoff from future development in the city.

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The MS4 permit requires that all projects that generate runoff from an 85th percentile, 24-hour storm event must treat stormwater onsite. Priority development projects must adhere to the hydromodification requirements of the MS4 permit and demonstrate that post-construction runoff flow rates and durations do not exceed pre-development conditions by more than 10 percent. This would minimize the amount of stormwater runoff from new development and redevelopment sites within the city. Also, as part of the permitting process, future development would be required to pay fees to the City, which is designed to mitigate impacts of stormwater discharged to flood control channels and storm drains. Planned improvements to the City's storm drainage system are implemented through the CIP. Additionally, General Plan policies would ensure that the City's existing stormwater infrastructure is adequate to serve the drainage requirements as a result of future growth, such as Policy PFS-5, Policy PF-6, Policy PF-7, Policy PF-8, and Policy PF-9.

Compliance with the MS4 permit and the Proposed General Plan policies, implementation of BMPs and on-site stormwater control measures would ensure that the implementation of the proposed project would not result in significant increases in runoff and would not contribute to the construction of new storm drain facilities or expansion of existing facilities that would cause significant environmental impacts. In addition, the City would continue to repair, rehabilitate, and upgrade the storm drain system through implementation of the CIP. Therefore, impacts with respect to stormwater infrastructure would be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to existing and/or proposed storm drainage systems. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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### **Impact 5.16-6: Existing and/or proposed facilities would be able to accommodate project-generated solid waste. [Threshold U-6]**

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Under the Proposed General Plan, the population is anticipated to increase by 8,039 residents and approximately 776 jobs are projected to be generated. As shown in Table 5.16-3, *Solid Waste Increase: Proposed Project*, on page 5.16-38 of the DEIR, this projected growth would result in an increase in solid waste of approximately 27 tons/day or 9,855 tons/year. These numbers are conservative because, with continued recycling and waste reduction programs implemented by the City and Mount Diablo Resource Recovery, the waste generation rates would be reduced over time.

The increase of 27 tons per day with buildout of the proposed project, as shown in Table 5.16-3, on page 5.16-3 of the DEIR, would be about 4.0 percent of the current residual capacity of 673 tons/day at Potrero Hills Landfill. This estimate conservatively assumes that all the generated waste is landfilled. In addition, approximately 24 percent of the solid waste from the City of Rio Vista is transported to other landfills in Solano County and northern California, and a portion of the waste generated in the city is diverted from landfill disposal through recycling and composting. Although CalRecycle does not provide the recycling rate for Rio Vista, California as a whole diverted 42 percent of total waste in 2020. As such, the proposed project would not generate solid waste in excess of the capacity of the landfills that serve the city.

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With continued compliance with the applicable regulations, leading to increased recycling and waste diversion, anticipated rates of solid waste disposal from the proposed project would be less than significant with respect to permitted landfill capacity. In addition, the City is below the CalRecycle target disposal rates of 9.7 ppd for residents and 39.7 ppd for employees and meets the regulatory requirements of AB 939. Therefore, implementation of the proposed project would not generate solid waste in excess of State and local standards, or in excess of the capacity of the landfills, or otherwise impair the attainment of solid waste reduction goals, and the impact is less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to the existing and/or proposed facilities for project-generated solid waste. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.16-7: The proposed project would comply with federal, State, and local statutes and regulations related to solid waste. [Threshold U-7]**

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As discussed under Impact 5.16-6, Mount Diablo Resource Recovery and the City of Rio Vista comply with all State requirements to reduce the volume of solid waste through recycling and organic waste diversion. The City's per capita disposal rates of 4.4 ppd per resident and 23.8 ppd per employee are below the CalRecycle targets of 9.7 pounds per day (ppd) for residents and 39.7 ppd for employees. In addition, all potential future development pursuant to the proposed project would comply with Division 4.4, Material Conservation and Resource Efficiency, of the CALGreen Building Code, which requires that at least 65 percent of nonhazardous construction and demolition waste from nonresidential construction operations be recycled and/or salvaged for reuse.

Potential future development would also comply with AB 341, which mandates recycling for commercial and multifamily residential land uses as well as schools and school districts. All jurisdictions in California are required to provide organic waste collection services to all residents and businesses, beginning in 2022 and in accordance with SB 1383. The City and Mount Diablo Resource Recovery currently comply with all applicable federal, State, and local solid waste regulations, and solid waste, recycling, and green waste collection services are available to all residents and commercial businesses in Rio Vista. Therefore, the proposed project would comply with all current and future regulatory requirements, and impacts would be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to compliance with federal, state, and local statutes and regulations related to solid waste. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

## Exhibit A

### **16. Wildfire**

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#### **Impact 5.17-1: Development under the proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan. [Threshold W-1]**

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The City of Rio Vista does not have an adopted emergency response plan or emergency evacuation plan. However, the Solano County Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) provides strategies and mitigation measures to address local fire hazards. The proposed project include updates to existing goals, policies, and actions, which would not increase future development potential in wildfire-prone areas. Buildout under the proposed project would not result in substantial changes to the circulation patterns or emergency access routes in the city.

In the case of an emergency, primary emergency access and evacuation routes include SR-12, which intersects the city from northwest to southeast along the western portion of the city; SR-84, which intersects the city from southwest to northeast along the southeastern portion of the city; and other local roadways that connect to these primary evacuation routes.

During an emergency, standard emergency response procedures of the Rio Vista Fire Department and Police Department are conducted in tandem. The City is a signatory to the California Mutual Aid Fire Protection System which is an agreement to aid with major emergency incidents anywhere in the state. The City maintains mutual aid agreements with several agencies which helps ensure adequate response times in the outlying areas. When major incidents occur, the Rio Vista Fire Department must deploy all its resources and depend on mutual aid agreements with neighboring jurisdictions. This includes all other fire departments in Solano County. The City also has a contract with the State Office of Emergency Services and an automatic aid agreement with the city of Isleton in Sacramento County.

Future development would be required to comply with applicable fire and building codes. To ensure emergency services in the city are not impaired by future development, all development projects in the city is reviewed by Rio Vista Fire Department, prior to approval. The Rio Vista Fire Department requires site design to consider fire access. Several of these requirements include vegetation management requirements, construction standards, and subdivision and building access, among others. New development is required to comply with these regulations to provide sufficient clear emergency vehicle access. Additionally, the proposed General Plan contains policies that would ensure effective emergency response, such as Policy PFS-12, Policy PFS-13, Policy SE-2, Policy SE-3, Policy SE-6, and Policy SE-9.

Although the City of Rio Vista does not have an adopted emergency response plan or emergency evacuation plan, construction of new development or redevelopment could cause a temporary impairment of a roadway serving as an evacuation route due to road closure. However, all future development, regardless of whether new development or redevelopment, is required to comply with adopted local, regional, and State plans and regulations addressing emergency access, response, and evacuation. Therefore, impacts would be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to impairing an adopted emergency response plan or emergency evacuation plan. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.17-2: Development under the proposed project could exacerbate wildfire risks due to slope, prevailing winds, and other factors, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. [Threshold W-2]**

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The City of Rio Vista is vulnerable to and at risk of wildfires. As shown in Figure 5.17-1, on page 5.17-14 of the DEIR, moderate and high FHSZs are located on vacant land west of Liberty Island Road and north of Highway 12, in the northwestern portion of the city. This area consists primarily of flat terrain with grassland vegetation. Additionally, wildfire remains a serious hazard in the WUI, including undeveloped areas and on large lot home sites with extensive areas of unirrigated vegetation since these areas of the city consist of natural vegetation which are extremely flammable during late summer and fall. In Rio Vista, grassland habitat provides highly flammable fuel that is conducive to wildfires. Moreover, the climate of Rio Vista keeps the grass dry and more readily combustible during fire season, and seasonal dry conditions exacerbate fire hazards.

The Montezuma Hills lie to the west and south; these landforms create the hilly topography westward from downtown Rio Vista and State Route 12 (SR-12). The rolling terrain levels out gradually toward SR-12. Elevations shift more abruptly over a one-mile stretch north of SR-12 and east of Church Road but is even more pronounced on the south side of SR-12. The hilly terrain is very pronounced south of the existing neighborhoods and the high school. The Montezuma Hills are the most significant topographic feature of Rio Vista. A majority of the city is within a low to medium landslide susceptibility class. However, there are some areas with a high landslide susceptibility class in the southwestern portion of the city, east of SR-12.

Construction of potential future development in these areas may require grading and site preparation activities that could change the slope of a single parcel or site. However, all potential future development within Rio Vista would be required to comply with the CBC; City municipal code; and all state, regional, and local requirements pertaining to geotechnical hazards and constraints, including soil conditions. Implementation of the proposed project would not increase the risk of landslides after a wildfire compared to existing conditions.

Future development under the proposed project could exacerbate wildfire risks by adding more residents to wildfire prone areas such as the WUI, thereby exposing people in the city to elevated levels of particulates from wildfire smoke. Wildfire smoke consists of a mix of gases and fine particulate matter from burning vegetation and materials. The pollutant of most concern from wildfire smoke is fine particulate matter (PM<sub>2.5</sub>), which is damaging to human health due to its ability to deeply penetrate lung tissue and affect the heart and circulatory system. Implementation of the proposed project would not change or affect wind patterns in the city; however, wildfires and wildfire smoke hazards could be spread by prevailing or Diablo Winds.

Section 5.17.1.1, *Regulatory Framework*, describes plans, policies, regulations, and procedures that help to reduce wildfire risks. The 2018 Strategic Fire Plan for California, 2021 California Wildfire and Forest Resilience Action Plan, Fire Risk Reduction Community designation, and Solano County MJHMP are intended to reduce wildfire hazards and respond to these hazards on a statewide and regional scale. In addition, the Yolo-Solano Air Quality

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Management District provides air quality alerts, advisories, and provides resources for an interactive online map to view current air quality conditions in the region. Furthermore, all development projects in the City would be required to comply with the 2022 California Building Code and 2022 California Fire Code (or most recent versions) and compliance with the vegetation management requirements in California Fire Code Section 4906 and California Government Code Section 51182, respectively.

Other factors, such as vegetation, have the potential to exacerbate wildfire risks. All potential future development within wildfire-prone areas in Rio Vista would be required to comply with Public Resources Code Section 4291, and the California Fire Code. These regulations have specific requirements for new development to create defensible space and extensive fuel reduction within 100 feet of a structure, an ember-resistant zone within 5 feet of a structure, and the overall maintenance of properties to reduce the risk of uncontrolled fires or the spread of fires to other properties. Adherence to these building practices, fire safety regulations, and vegetation fuel management requirements would reduce the potential for exacerbating wildfire risks.

Implementation of the Proposed General Plan policies and applicable plans, as well as compliance with the California Fire Code and California Building Code would ensure that wildfire risks due to slopes, prevailing winds, and other factors are not exacerbated. As such, impacts would be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to exposing project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.17-3: Development under the proposed project could require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities), but it would not exacerbate fire risk or result in temporary or ongoing impacts to the environment. [Threshold W-3]**

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Development under the proposed project would result in additional infrastructure, such as roadways, transmission lines, and other utilities, to serve new residential development. Some of this new infrastructure would likely be constructed in the WUI. Fuel breaks and emergency water sources would also be required to comply with State and local development regulations. These types of improvements would involve temporary construction and result in changes to the existing built environment. The installation and operation of new above-ground power transmission lines would create a higher risk of exacerbating wildfire risks compared to other infrastructure. However, the CPUC requires maintenance of vegetation around power lines, strict wire-to-wire clearances, annual inspections of above-ground power lines, and the preparation of fire prevention plans for above-ground power lines in high fire-threat districts. These measures would reduce the wildfire risks associated with the installation and maintenance of power lines.

Any development or redevelopment in wildfire-prone areas of the city would also be required to comply with building and design standards in the California Building Code and California Fire Code, which include provisions for fire-resistant building materials, the clearance of debris, and fire safety requirements during demolition and construction activities. Public Resources Code Section 4291 also requires vegetation around buildings or structures to maintain defensible space within 100 feet of a structure and an ember-resistant zone

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within 5 feet of a structure. These measures, along with Policy SE-6, which plans for adequate firefighting infrastructure, including water supply and pressure, and road and building clearance for firefighting vehicles would minimize wildfire risks associated with the installation and maintenance of infrastructure.

Such infrastructure and maintenance activities would also be required to comply with the adopted State regulations, City Municipal Code standards, and the proposed General Plan policies and actions to mitigate the impact of infrastructure on the environment. Therefore, impacts would be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to the installation and maintenance of associated infrastructure in areas which could exacerbate fire risk or result in temporary or ongoing impacts to the environment. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

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**Impact 5.17-4: The project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. [Threshold W-4]**

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Catastrophic wildfires can create favorable conditions for other hazards, such as flooding and landslides during the rainy season. Wildfires on steep slopes can burn the vegetation that stabilizes the slope and create hydrophobic conditions that prevent the ground from absorbing water. This can lead to landslides, debris flows, and flooding. A project would result in a significant impact if—due to slopes, drainage patterns, or post-fire slope instability—it would expose people or structures to significant risks from landslides, debris flows, or flooding.

As discussed in Chapter 5.10, *Hydrology and Water Quality*, the City of Rio Vista contains lands within the 100-, 200-, and 500-year floodplains. Most land in the City limits lies outside the 100-year flood zone and is partially protected by levees along the north side of the city. The 100- and 500-year floodplains in Rio Vista include areas along the shoreline of the Sacramento River as well as inland areas surrounding residential development. Public boating and fishing facilities along the shoreline lie within the 100- and 500-year floodplains. The northern portion of the city is in the 200-year flood zone, which also encompasses residential development and the wastewater facility. The 100-, 200-, and 500-year floodplains encompass the Rio Vista Golf Club.

As discussed in Chapter 5.7, *Geology, Soils, and Seismicity*, a majority of the city is within a low to medium landslide susceptibility class. However, there are some areas with a high landslide susceptibility class in the southwestern portion of the city, east of SR-12. Potential future development under the proposed project could contribute to post-fire slope instability or drainage changes upstream. However, all new development in the county is required to comply with State and local regulations, such as the CBC and City Municipal Code, which have provisions to reduce downslope or downstream landslides and flooding. For example, Section 1803 of the 2019 California Building Code requires a geotechnical investigation that must assess existing landslide susceptibility on a project site. Rio Vista Municipal Code, Chapter 13.24, Grading, Erosion and Sediment Control also requires a grading permit to control erosion and slope stability.

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Moreover, new development under the proposed project would be subject to several State and local regulations that would ensure future development would not substantially alter the existing drainage pattern of a site, resulting in increased runoff or erosion. For example, future development would be required to request coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit, Order No. Water Quality Order No. 2009-0000-DWQ (as amended by Order No. 2010-0014-DWQ and Order No. 2012-0006-DWQ), if the proposed project would result in one or more acres of land disturbance. To conform to the requirements of the MS4 General Permit, a SWPPP would need to be prepared. The SWPPP would specify best management practices (BMPs) to prevent construction pollutants, including eroded soils (such as topsoil), from moving off-site.

All potential future development within wildfire-prone areas would be required to comply with Public Resources Code Section 4291, and the California Fire Code. These regulations would ensure fire-resilient structures and properties, and therefore would reduce the potential for post-wildfire flooding or landslides downstream or downslope.

New development complying with State and local regulations would not expose people or structures to downslope landslides or downstream flooding due to post-fire hazards. All future development, regardless of the location, is required to comply with adopted local, regional, and State plans and regulations addressing wildfire prevention, which would minimize risks of post-fire hazards. As such, compliance with these policies and regulatory requirements would ensure impacts from post-fire instability would be less than significant.

**Finding:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to the exposure of people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

### **D. Findings on Significant Environmental Impacts that Can Be Mitigated to Less Than Significant**

The following summary describes impacts of the proposed project that, without mitigation, would result in significant adverse impacts. After implementation of the mitigation measures provided in the DEIR, these impacts, from Chapter 5, would be considered less than significant.

#### **1. Cultural Resources and Tribal Cultural Resources**

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**Impact 5.5-4: Implementation of the proposed project could cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources or a local register of historical resources, as defined in Public Resources Code Section 5020.1(k), or determined to be significant pursuant to the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. [Threshold TCR-1]**

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Conducting consultation early in the CEQA process allows tribal governments, public lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process.

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Tribal cultural resources may be found throughout the city, but information about them is much more difficult to obtain than for most archaeological resources. Currently, there is no database of such resources, and most cannot be identified by surveying the land. Identification of tribal cultural resources requires coordination with Native American tribes, and their precise location is often difficult to determine because they may only be documented through the oral history of the tribe.

Development allowed by the General Plan Update could result in direct or indirect impacts to tribal cultural resources. Construction activities, such as grading and excavation, may result in the accidental destruction or disturbance of tribal cultural resources and/or sites. All development projects that are subject to CEQA review in the city would be required to consult with Native American tribes either pursuant to AB 52 and/or SB 18. Pursuant to California Government Code Section 6524 (r), records of Native American graves, cemeteries, sacred places, features, and objects are required to be confidential. Additionally, the proposed project includes Policy OSC-15, which ensures that all projects involving ground-disturbing activities include procedures to protect archaeological resources if discovered during excavation. Mitigation measures TCR-1 through TCR-4 require that before any development or redevelopment activities can occur, the site must be analyzed for conformance with the applicable local, State, and federal requirements, and must comply with the requirements of CEQA.

The City will work with the tribe to address any artifacts unearthed during construction in accordance with the mitigation measures. By working with the tribe and following the mitigation measures, impacts to tribal cultural resources will be less than significant.

### **Mitigation Measures:**

TCR-1     **Treatment of Native American Remains.** In the event that Native American human remains are found during development of a project and a tribe(s) is determined to be MLD pursuant to Public Resources Code Section 5097.98 Inadvertent Discovery of Native American Human Remains, the following provisions shall apply:

- The Medical Examiner shall immediately be notified; ground-disturbing activities in that location shall cease; and the applicable shall be allowed, pursuant to California Public Resources Code Section 5097.98(a), to:
  1. Inspect the site of the discovery, and
  2. Make determinations as to how the human remains and grave goods should be treated and disposed of with appropriate dignity.
- The applicable tribe(s) shall complete its inspection and make its MLD recommendation within 48 hours of getting access to the site. The tribe(s) shall have the final determination as to the disposition and treatment of human remains and grave goods. Said determination may include avoidance of the human remains, reburial on-site, or reburial on tribal or other lands that will not be disturbed in the future.
- The applicable tribe(s) may wish to rebury said human remains and grave goods or ceremonial and cultural items on or near the site of their discovery, in an area which will not be subject to future disturbances over a prolonged period of time. Reburial of human

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remains shall be accomplished in compliance with the California Public Resources Code Sections 5097.98(a) and (b).

- TCR-2     **Non-Disclosure of Location of Reburials.** In the event that Native American human remains are discovered, the site of any reburial of Native American human remains shall not be disclosed and will not be governed by public disclosure requirements of the California Public Records Act, California Government Code Section 6250 et seq., unless otherwise required by law. The Medical Examiner shall withhold public disclosure of information related to such reburial pursuant to the specific exemption set forth in California Government Code Section 6254(r). The applicable tribe(s) will require that the location for reburial is recorded with the California Historic Resources Inventory System (CHRIS) on a form that is acceptable to the CHRIS center.
- TCR-3     **Treatment of Cultural Resources.** In the event that cultural items are found on-site, all such items, including ceremonial items and archaeological items, should be turned over to the applicable tribe(s) for appropriate treatment, unless otherwise ordered by a court or agency of competent jurisdiction. The project proponent should waive any and all claims to ownership of tribal ceremonial and cultural items, including archaeological items, which may be found on a project site in favor of the applicable tribe(s). If any intermediary, for example, an archaeologist retained by the project proponent, is necessary, said entity or individual shall not possess those items for longer than is reasonably necessary, as determined solely by the applicable tribe(s).
- TCR-4     **Inadvertent Discoveries.** In the event that additional significant site(s) not identified as significant in a project environmental review process, but are later determined to be significant, are located within a project impact area, such sites will be subjected to further archaeological and cultural significance evaluation by the project proponent, lead agency, and the applicable tribe(s) to determine if additional mitigation measures are necessary to treat sites in a culturally appropriate manner consistent with CEQA requirements for mitigation of impacts to cultural resources. If there are human remains present that have been identified as Native American, all work will cease for a period of up to 30 days in accordance with federal law.

**Finding:** Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified in the DEIR. These changes are identified in the form of the mitigation measures above. The City of Rio Vista hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

### **Rationale for Finding:**

Mitigation Measure TCR-1 establishes procedures for the respectful and culturally appropriate treatment of Native American human remains and grave goods in the event of an inadvertent discovery, consistent with Public Resources Code Section 5097.98. Mitigation Measure TCR-2 protects the confidentiality of reburial locations by exempting such information from public disclosure under the California Public Records Act, thereby reducing the risk of vandalism or disturbance. Mitigation Measure TCR-3 ensures that cultural items, including ceremonial and archaeological materials, are transferred to the appropriate tribe(s) for culturally appropriate treatment and disposition. Mitigation Measure TCR-4 provides a protocol for evaluation and mitigation in the event that previously unidentified but significant tribal cultural sites are discovered during ground-disturbing activities. Implementation of Mitigation Measures TCR-1 through TCR-4 would reduce potential vibration impacts to less than significant.

## 2. Geology and Soils

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### **Impact 5.7-3: Development under the proposed project could directly or indirectly destroy a unique paleontological resource or unique geologic feature. [Threshold GEO-6]**

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Paleontological resources are recognized as nonrenewable and therefore receive protection under the California Public Resources Code and CEQA. Adoption of the proposed project would not directly affect paleontological resources. Long-term implementation of the Proposed General Plan land use plan could allow development (*e.g.*, new development, infill development, redevelopment, and revitalization/restoration), including grading, of known and unknown sensitive areas. Grading and construction activities of undeveloped areas or redevelopment that requires more intensive soil excavation than in the past could potentially disturb paleontological resources. Therefore, future development that would be accommodated by the proposed project could potentially unearth previously unrecorded resources. Review and protection of paleontological resources are also afforded by CEQA for individual development projects that would be accommodated by the Proposed General Plan, subject to discretionary actions that are implemented in accordance with the land use plan of the proposed project.

Under the California Public Resources Code, paleontological resources are recognized as non-renewable resources and receive protection. Long-term implementation of the Proposed General Plan could allow development, including grading, in portions of the city with sensitivity to paleontological resources. Grading and construction activities of undeveloped areas or redevelopment that requires more intensive soil excavation than in the past could potentially cause the disturbance of paleontological resources. Therefore, future development could potentially unearth previously unknown/unrecorded paleontological resources. Implementation of Mitigation Measure GEO-1, which requires an evaluation from a Certified Paleontologist, would reduce impacts to paleontological resources. Therefore, impacts would be less than significant with mitigation incorporated.

#### **Mitigation Measures:**

**GEO-1** Prior to issuance of a grading permit for previously undisturbed areas, the project applicant shall retain a Certified Paleontologist to assess the potential for presence of paleontological resources and the potential for project construction to affect such resources if present. If it is determined, to the satisfaction of the City, that there is low potential for discovery or disturbance of paleontological resources, no further action shall be required.

If potential for discovery is deemed moderate to high, the project applicant shall retain a Certified Paleontologist to monitor all initial ground-disturbing activities in native soils or sediments. If the paleontologist, upon observing initial earthwork, determines there is low potential for discovery, no further action shall be required, and the paleontologist shall submit a memo to the City confirming findings of low potential.

Should any paleontological resources (*i.e.*, fossils) be uncovered during project construction activities, all work within a 100-foot radius of the discovery site shall be halted or diverted to other areas on the site and the City shall be immediately notified. A Certified Paleontologist shall evaluate the finds and recommend appropriate next steps to ensure that the resource is not substantially

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adversely impacted, including but not limited to avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures.

Further ground disturbance shall not resume within a 100-foot radius of the discovery site until an agreement has been reached between the project applicant, a Certified Paleontologist, and the City as to the appropriate preservation or mitigation measures to ensure that the resource is not substantially adversely impacted.

Salvage and collection of significant fossils shall be done in accordance with the Society of Vertebrate Paleontology guidelines. Any paleontological resources salvaged shall be provided for curation at a local curation facility, or any other local museum or repository willing and able to accept and house the resource to preserve for future scientific study.

**Finding:** Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified in the DEIR. These changes are identified in the form of the mitigation measure above. The City of Rio Vista hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

### **Rationale for Finding:**

Mitigation Measure GEO-1 requires that, prior to grading in previously undisturbed areas, the project applicant retain a Certified Paleontologist to assess the potential for discovery of paleontological resources. If the assessment or subsequent monitoring determines that the potential for discovery is low, no further action is required. However, if there is a moderate to high potential, a paleontologist must monitor ground-disturbing activities to ensure that any significant resources encountered are properly identified and preserved. In the event of a discovery, work must halt within a 100-foot radius, and the paleontologist must recommend measures to ensure the resource is not substantially adversely impacted. Salvaged materials must be curated in accordance with professional standards to preserve them for future scientific study. Mitigation Measure GEO-1 would ensure that best practices regarding the discovery and treatment of paleontological resources are followed and therefore impacts to paleontological are mitigated to less than significant.

## **E. Significant and Unavoidable Impacts that Cannot Be Mitigated to Below the Level of Significance**

The following describes the unavoidable adverse impacts of the proposed project where either mitigation measures were found to be infeasible, or the mitigation measures are under the control of another lead agency. The following impact would remain significant and unavoidable:

### **1. Air Quality**

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**Impact 5.3-2: Short-term construction activities associated with the proposed project would result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under applicable federal or State ambient air quality standards. [Threshold AQ-2]**

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The General Plan Update would accommodate future development for residential, commercial, recreational, and industrial uses. The future development and other physical changes that could result from the implementation of the General Plan Update would generate construction-related emissions of criteria air

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pollutants and O<sub>3</sub> precursors, including ROG, NOX, PM<sub>10</sub>, and PM<sub>2.5</sub> from site preparation (e.g., excavation, clearing), off-road equipment, material delivery, worker commute trips, and other activities (e.g., building construction, asphalt paving, application of architectural coatings). Typical construction activities that could occur with land use development include use of all-terrain forklifts, cranes, pick-up and fuel trucks, compressors, loaders, backhoes, excavators, dozers, scrapers, pavement compactors, welders, concrete pumps, concrete trucks, and off-road haul trucks as well as other diesel-powered equipment as necessary. Fugitive dust emissions of PM<sub>10</sub> and PM<sub>2.5</sub> would be associated primarily with site preparation and grading and would vary as a function of the soil silt content, soil moisture, wind speed, acreage of disturbance, and mobile sources. Emissions of O<sub>3</sub> precursors would occur from the exhaust of construction equipment and on-road vehicles. Paving and the application of architectural coatings would also result in off-gas emissions of ROG. PM<sub>10</sub> and PM<sub>2.5</sub> would also be emitted from off-road equipment and vehicle exhaust.

Construction activities associated with the proposed General Plan Update would occur over the buildout horizon of the plan, causing short-term emissions of criteria air pollutants. For the proposed General Plan Update, which is a broad policy plan, it is not possible to determine whether the scale and phasing of individual projects would exceed the YSAQMD's thresholds of criteria pollutants of concern, as identified in Table 5.3-6, on page 5.3-25 of the DEIR, due to project-level variability and uncertainties related to future individual projects in terms of detailed site plans, construction schedules, equipment requirements, etc., which are not currently determined or even proposed. Nonetheless, depending on how development proceeds, construction generated emissions associated with the proposed General Plan Update could potentially exceed YSAQMD thresholds of significance. Overall, air quality emissions related to construction must be addressed on a project-by-project basis, and information regarding specific development projects, soil types, and the locations of receptors would be needed to quantify the level of impact associated with construction activity.

As typically required for new discretionary development projects, the City requires that development applications be reviewed against YSAQMD quantification methodologies and significant protocols and incorporate, as conditions of approval or mitigation measures, YSAQMD-recommended pollutant-reduction measures if necessary to reduce project pollutants to levels below significance thresholds. Specifically, proposed General Plan Update Policy OSC-13 would require application of the analysis methods and significance thresholds recommended by the YSAQMD to determine a future project's air quality impacts. The YSAQMD has promulgated methodology protocols for the preparation of air quality analyses. For instance, the YSAQMD has adopted thresholds of significance depicting the approximate level of construction-generated emissions that would result in a potentially significant impact (i.e., violation of an ambient air quality standard) for each pollutant of concern. The significance criteria established by the YSAQMD may be relied upon to make a determination of impact significance level. In addition, the YSAQMD recommends appropriate emissions modeling input parameters for the Solano County region in addition to other recommended procedures for evaluating potential air quality impacts during the environmental review process consistent with CEQA requirements.

Projects estimated to exceed YSAQMD significance thresholds are required to implement mitigation measures to reduce air pollutant emissions as much as feasible. Such measures would be required to be implemented and could include, but is not limited to, the requirement that all construction equipment employ the use of the most efficient diesel engines available, which are able to reduce NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions by 60–90 percent (e.g., EPA-classified Tier 3 and/or Tier 4 engines<sup>1</sup>), and/or that construction equipment be equipped with diesel particulate filters.

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Furthermore, all development projects in Rio Vista are subject to YSAQMD rules and regulations adopted to reduce air pollutant emissions. As just described, proposed General Plan Update Policy OSC-13 would require application of the analysis methods and significance thresholds recommended by the YSAQMD to determine a future project's air quality impacts. YSAQMD Rule 2.3, *Visible Emissions*, states that no person shall discharge into the atmosphere from any single source of emissions whatsoever any air contaminant for a period or periods aggregating more than three (3) in any one (1) hour which is: a.) As dark or darker in shade as that designated as No. 1 on the Ringelmann Chart, as published by the United States Bureau of Mines, or b.) Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described above. Rule 2.5, *Nuisance*, states that no person shall discharge from any source whatsoever such quantities of air contaminants or other material which causes injury, detriment, nuisance or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause to have a natural tendency to cause injury or damage to businesses or property. Rule 2.14, *Architectural Coating*, requires a limit on the quantity of volatile organic compounds in architectural coating supplied, sold, offered for sale, applied, solicited for application, or manufactured for use within the county. Rule 2.19, *Fugitive Dust*, requires the reduction of the amount of particulate matter entrained in the ambient air, or discharge into the ambient air, as a result of anthropogenic (manmade) fugitive dust sources by requiring actions to prevent, reduce, or mitigate fugitive dust emissions.

While the YSAQMD has promulgated methodology protocols for the preparation of air quality analyses, and future development projects allowed under the proposed General Plan Update that are projected to exceed YSAQMD significance thresholds are required to implement mitigation measures in order to reduce air pollutant emissions as much as feasible, YSAQMD significance thresholds may still be exceeded as a result of construction activities allowed under the proposed General Plan Update. Since it cannot be guaranteed that construction of future projects allowed under the proposed General Plan Update would generate air pollutant emissions below YSAQMD significance thresholds due to the programmatic and conceptual nature of the proposed General Plan Update and uncertainties related to future individual projects, this is considered a significant impact. As such, due to nonattainment status for O<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>, construction activities associated with implementation of the General Plan Update may result in adverse air quality impacts to surrounding land uses and may contribute to the existing air quality condition in the City. The General Plan Update has been prepared to include policies and actions to address and mitigate impacts at the plan level. Policies included in the General Plan Update would reduce emissions from construction.

For instance, implementation of Policy OSC-13 could reduce emissions of ROG, NO<sub>x</sub>, and PM<sub>10</sub> associated by most future construction activities to a less-than-significant level through compliance with YSAQMD's recommended thresholds and application of applicable mitigation measures. Proposed General Plan Update Policy OSC-13 would additionally reduce future construction emissions under the proposed General Plan by requiring construction contractors to utilize Tier 4 engines and exhaust filters, which significantly reduce NO<sub>x</sub>, ROG, PM<sub>10</sub> and PM<sub>2.5</sub> emissions, when necessary to reduce projected construction emissions to levels below significance thresholds.

However, at this programmatic stage, the City cannot guarantee that implementing these measures would be sufficient to fully mitigate construction emissions for all projects in all scenarios. There are no additional plan-level measures available that would address this impact. For the vast majority of development projects implemented under the General Plan Update, compliance with existing state and federal regulations, as well as compliance with proposed General Plan Update policies and actions would minimize potential adverse air

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emissions; however, due to the level of uncertainty regarding the specific project types and the lack of detailed development plans at this programmatic level of analysis, it cannot be concluded that all impacts would be minimized in a manner consistent with YSAQMD's guidance. Individual projects under the General Plan Update may involve unusual use types, locations, or design features that cannot be anticipated at this city-wide planning stage. Additional measures to minimize unique, project-specific impacts may be able to be identified at the time of environmental review for these individual projects; however, the measures cannot be identified at this time, nor can the City guarantee that such measures will, in fact, be available and feasible for all project scenarios. Therefore, implementation of the proposed General Plan could result in potentially significant construction-related regional air impacts.

**Finding:** The City finds that there are no feasible mitigation measures to avoid significant impacts associated with short-term construction activities of the proposed project, which would result in a cumulatively considerable net increase of criteria air pollutants for which the region is in non-attainment under applicable federal or State ambient air quality standards. Due to the programmatic nature of this EIR, the City cannot guarantee that implementing these measures would be sufficient to fully mitigate construction emissions for all projects in all scenarios in a manner consistent with YSAQMD's guidance. Furthermore, measures cannot be identified at this time, nor can the City guarantee that such measures will, in fact, be available and feasible for all project scenarios. Therefore, the potential for construction activities under the General Plan to result in a cumulatively considerable net increase of a criteria pollutant for which the project area is in non-attainment is possible, and therefore considered potentially significant and unavoidable.

As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

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**Impact 5.3-3: Development under the proposed project would result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under applicable federal or State AAQS. [Thresholds AQ-2]**

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The proposed General Plan Update would accommodate new development that would operate through the planning horizon year. New residential, commercial, industrial, and recreational development facilitated by the proposed General Plan Update would result in long-term area-, energy-, and mobile-source emissions. Area source emissions are the combination of many small emission sources that include use of outdoor landscape maintenance equipment, use of consumer products such as cleaning products, use of fireplaces and hearths, and periodic reapplication of architectural coatings. Criteria pollutants generated from energy sources are principally from the onsite use of natural gas and other heating fuels; electricity consumption is not included in energy source emissions as those potential emissions would be generated as the result of the operation of an electricity generation facility which may or may not be within the same air basin and under the same attainment status as the end-use. Mobile source emissions result from the vehicle activity associated with the operation of a given land use development project.

It should be noted that the proposed General Plan Update would not itself authorize specific development to occur within the city. Future development projects would be subject to the City's standard CEQA review process and would be required to assess project-specific emissions in relation to the YSAQMD significance

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thresholds. Although specific project-level information for potential future development is not available at this time and the estimation of emissions resulting from future development would be speculative, anticipated average daily emissions were quantified and presented in Table 5.3-7, on page 5.3-37 of the DEIR, in order to provide an estimate of the potential overall area, energy, and mobile source emissions resulting from the proposed General Plan Update based on the calculation methodology provided in Section 5.3.4.1, Methodology, on page 5.3-27 of the DEIR.

As shown by Table 5.3-7, on page 5.3-37 of the DEIR, most criteria air pollutant emissions projected to be generated at buildout of the proposed 2045 General Plan Update would be higher than projected emissions at existing General Plan 2001 buildout. Buildout of the proposed 2045 General Plan Update would allow for an additional 2,467 residential units, and an additional 88 acres of commercial space compared with the existing General Plan 2001 buildout and the more typical fleet mix associated with these land uses would result in increases of the other pollutants.

The General Plan Update does propose several policy provisions that would assist in reducing the generation of criteria air pollutants from mobile sources, the highest emitter of criteria air pollutants. For instance, proposed Land Use and Community Character Element Policy LU-1 seeks the development of compact, complete residential neighborhoods by encouraging the location of services and amenities within walking and biking distance of residences. Policy LU-3 would encourage new residential development to incorporate design features that promote walking and connectivity between blocks and adjacent neighborhoods and in a similar context, Policy LU-6 would encourage development in the North Waterfront District to be a mix of uses including residential, commercial, and public park space along the waterfront. Proposed Policy LU-9 would promote pedestrian-oriented retail and mixed-use development in Neighborhood Mixed Use, Downtown, and the Waterfront areas. The promotion of mixed-use development contributes to less dependency on automobiles, a source of criteria air pollutants. Mobility and Circulation Element Policies MC-2, MC-4, and MC-14 proposes to promote the development of bikeways, sidewalks, pedestrian pathways, and multi-use paths that connect residential neighborhoods with other neighborhoods, schools, employment centers, commercial centers and public open space, and that separate bicyclists, skateboarders, and pedestrians from vehicular traffic whenever possible. Proposed Policy MC-15 seeks to ensure that bicycle and pedestrian facilities follow logical routes providing connections between transportation nodes and land uses, including bicycle and pedestrian connections to transit stops, buses that can accommodate bicycles, and park-and-ride lots, so that the pedestrian facilities serve the transportation needs of residents, and are not constructed as “sidewalks to nowhere.” Further, Policy MC-16 seeks to ensure that the City’s circulation network will accommodate all anticipated and potential modes of transportation, including small personal electric vehicles ranging in size up to golf carts. Additionally, Parks & Recreation Policy PR-9 proposes to create an integrated trail, bikeway, and open space network within the City that links parks and recreation areas, schools, downtown, the waterfront, and residential neighborhoods.

Development projects accommodated by the proposed General Plan would be analyzed on a case-by-case basis when detailed information regarding operational activities is known and, where applicable, projects will be required to implement mitigation to reduce operational emissions. Future projects would be subject to the proposed General Plan Update policies identified above, as well as YSAQMD and State rules and regulations, including, but not limited to those identified in Section 5.3.1.4, Regulatory Background, on page 5.3-11 of the DEIR.

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Nonetheless, due to the uncertainties discussed above, the reductions that may be achieved through implementation of General Plan Update policies cannot be assumed to be sufficient to reduce operational emissions to meet the YSAQMD's thresholds for all projects and in instances where concurrent projects may combine to exceed thresholds. Therefore, emissions associated with the Project could exceed the YSAQMD significance thresholds. The Project has been designed to include policies and actions to address and mitigate impacts. Policies included in the General Plan Update would reduce emissions of criteria air pollutants in Rio Vista but cannot be assumed to be sufficient to reduce operational emissions to meet the YSAQMD thresholds. There are no additional plan-level measures available that would reduce impacts from long-term operational-related emissions. All feasible operational emissions reduction measures have been incorporated into the General Plan Update through the inclusion of the policies discussed above. There could be additional project-specific mitigation measures applied to specific future development allowed under the General Plan Update to reduce long-term operational-generated emissions of air pollutants to levels below the YSAQMD's thresholds of significance. However, the nature, feasibility, and effectiveness of such project-specific mitigation cannot be determined at this time. As such, the City cannot assume that mitigation would be available and implemented such that all future operational-related emissions of air pollutants would be reduced to less-than-significant levels. Furthermore, as shown by Table 5.3-7, on page 5.3-37 of the DEIR, all criteria air pollutant emissions at buildout of the proposed 2045 General Plan Update, with the exception of NO<sub>x</sub>, would be higher than projected emissions at existing General Plan 2001 buildout. As such, implementation of the proposed General Plan could result in potentially significant long-term regional air quality impacts.

**Finding:** The City finds that there are no feasible mitigation measures to avoid significant impacts associated with development under the proposed project, which would result in a cumulatively considerable net increase of criteria air pollutants for which the project region is in non-attainment under applicable federal or State AAQS. Due to the programmatic nature of this EIR, the reductions that may be achieved through implementation of General Plan Update policies cannot be assumed to be sufficient to reduce operational emissions to meet the YSAQMD's thresholds for all projects and in instances where concurrent projects may combine to exceed thresholds. The Project has been designed to include policies and actions to address and mitigate impacts. Policies included in the General Plan Update would reduce emissions of criteria air pollutants in Rio Vista but cannot be assumed to be sufficient to reduce operational emissions to meet the YSAQMD thresholds. There are no additional plan-level measures available that would reduce impacts from long-term operational-related emissions. Furthermore, the City cannot assume that mitigation would be available and implemented such that all future operational-related emissions of air pollutants would be reduced to less-than-significant levels. Therefore, the potential for development under the General Plan to result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under applicable federal or State AAQS for which the project area is in non-attainment is possible, and therefore considered potentially significant and unavoidable.

As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

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### **2. Cultural Resources and Tribal Cultural Resources**

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**Impact 5.5-1: Implementation of the proposed project could cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines, Section 15064.5. [Threshold C-1]**

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Future development under the proposed project could adversely impact current and/or future historic resources within the city through changes to accommodate adaptive reuse, removal, or reconstruction. Known or future historic sites or resources listed in the national, California, or local registers maintained by the City would be protected through local ordinances, the proposed General Plan policies, and state and federal regulations restricting alteration, relocation, and demolition of historical resources.

Implementation of the Proposed General Plan policies, such as Policy LU-12, which protects, preserves and enhances significant historic buildings to preserve and enhance the identity and character of the community, and Policy OSC-14, which encourages public and private efforts for the preservation of historic and architecturally significant buildings and sites, archaeological sites, and other landmarks, as well as compliance with state and federal regulations would ensure that development would not result in adverse impacts to identified historic and cultural resources. While regulations provide a process for recognizing and protecting cultural and historic resources, they must be actively implemented alongside local policies to ensure preservation.

At the time a development project is proposed adjacent to or near a known or potential historic structure or resource, the project-level CEQA document of the development project would need to identify any impacts, direct or indirect, that the project could have on the identified historic structure or resource. The CEQA Guidelines require a project that will have potentially adverse impacts on historical resources to conform to the Secretary of Interior's Standards for the Treatment of Historic Properties to mitigate any such impacts to a level of insignificance.

It is also important to note that the proposed project is a regulatory document that sets the framework for future growth and development in the city and does not directly result in development. Before any development or redevelopment activities can occur in the city, all such activities are required to be analyzed for conformance with the General Plan, zoning requirements, and other applicable local, state, and federal requirements; comply with the requirements of CEQA; and obtain all necessary clearances and permits. Therefore, adoption of the proposed project in itself would not lead to demolition or material alteration of any historic resource.

However, identified historic structures and sites that are potentially eligible for future historic resources listing may be vulnerable to development activities accompanying infill, redevelopment, or revitalization that would be accommodated by the proposed project. For instance, the placement of new buildings adjacent to a historic resource may result in indirect impacts to access, visibility, and visual context, while renovations or modifications to historic resources may deteriorate or destroy the characteristics that make those resources important or unique. In addition, other buildings or structures that could meet the NHRP criteria upon reaching 50 years of age might be impacted by development or redevelopment activities that would be accommodated by the proposed project. Regardless of the implementation of the Proposed General Plan policies and state regulations, some historic properties may be significantly affected by implementation of the proposed project; the loss and/or permanent alteration of historic resources would result in potentially significant impacts.

**Mitigation Measures:**

**CUL-1 Site-Specific Cultural Resources Study and Evaluation of Resources.** For projects that are on land that has not previously been developed, or will involve construction on areas where no previous ground disturbance or excavation has occurred, or for structures that are 50 years of age or older, a site-specific cultural resources study shall be completed and submitted to the City for review and approval prior to project approval. This site-specific cultural resources study shall include, but not be limited to a records search with the California Historical Resource Information System, review of historical documents, a Sacred Lands File search with the NAHC, and a field survey/site effort. The findings of the study shall be submitted as a report that follows the California Office of Historic Preservation’s recommended content and format. The report will provide the historic context, methods, results, and recommendations for appropriate findings.

**Finding:** Changes or alterations have been required in, or incorporated into, the project that reduces the significant environmental effect as identified in the DEIR. These changes are identified in the form of the mitigation measures above; however, no further mitigation measures are available that would reduce historic resource impacts to a less than significant level because specific project-level information is inherently unavailable at this time. Regardless of the implementation of the Proposed General Plan policies and state regulations, some historic properties may be significantly affected by implementation of the proposed project. Impacts would remain significant and unavoidable.

As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

**3. Greenhouse Gas Emissions**

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**Impact 5.8-1: Implementation of the proposed project could result in emissions that would exceed project-level construction significance threshold established by the SMAQMD. [Threshold GHG-1]**

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The General Plan Update would accommodate future development for residential, commercial, recreational, and industrial uses. The future development and other physical changes that could result from the implementation of the General Plan Update would generate construction related GHG emissions from worker commute trips, haul trucks carrying supplies and materials to and from the construction site, and off-road construction equipment (e.g., dozers, loaders, excavators).

Construction activities associated with the proposed General Plan Update would occur over the buildout horizon of the plan, causing short-term GHG emissions. For the proposed General Plan Update, which is a broad policy plan, it is not possible to determine whether the scale and phasing of individual construction projects would exceed recommended GHG construction thresholds due to project-level variability and uncertainties related to future individual projects in terms of detailed site plans, construction schedules,

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equipment requirements, etc., which are not currently determined or even proposed.<sup>4</sup> Nonetheless, depending on how development proceeds, construction-generated GHG emissions associated with the proposed General Plan Update could potentially exceed the recommended threshold of significance for construction activities. Overall, GHG emissions related to construction must be addressed on a project-by-project basis, and information regarding specific development projects, soil types, and the locations of receptors would be needed to quantify the level of impact associated with construction activity.

Proposed General Plan Update Policy OSC-13 would require application of the analysis methods and significance thresholds recommended by the YSAQMD to determine a future project's GHG-related impacts. The YSAQMD has not adopted thresholds of significance for GHG emissions. In absence of thresholds of significance, this analysis employs the use of the methods and protocols for preparing a plan-level analysis of the BAAQMD. The BAAQMD is the air quality officer for the San Francisco Bay Area Air Basin, which directly borders the City of Rio Vista. The BAAQMD does not promulgate a plan level or project-level construction GHG threshold. Thus, this analysis cites the project-level construction significance threshold established by the SMAQMD, the air quality officer for the metropolitan Sacramento region. The SMAQMD has adopted a numeric threshold of 1,100 metric tons of CO<sub>2</sub>e annually from construction activities. The significance criteria established by the SMAQMD for future construction projects instigated by the proposed General Plan Update may be relied upon to make a determination of impact significance level.

Development projects accommodated by the proposed project would be analyzed on a case-by-case basis when detailed information regarding operational activities is known; however, construction activities allowed under the proposed General Plan Update may still exceed the significance threshold. Since it cannot be guaranteed that construction of future projects allowed under the proposed General Plan Update would generate GHG emissions below the significance threshold due to the programmatic and conceptual nature of the proposed General Plan Update and uncertainties related to future individual projects, this is considered a potentially significant impact.

**Finding:** The City finds that there are no feasible mitigation measures that would avoid or substantially lessen the significant impact related to GHG emissions. The proposed project could result in construction-related GHG emissions that exceed the project-level significance threshold established by the SMAQMD. Due to the programmatic nature of this EIR, it cannot be guaranteed that construction of future projects allowed under the proposed General Plan Update would generate GHG emissions below the significance threshold. Proposed policies under the proposed project would help to reduce emission, however, impacts would remain significant and unavoidable.

As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

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<sup>4</sup> As previously stated, the YSAQMD has no established GHG emissions thresholds. In absence of thresholds of significance, this analysis employs the use of the methods and protocols for preparing a plan-level analysis of the BAAQMD. The BAAQMD does not promulgate a plan-level or project-level construction GHG threshold. Thus, this analysis also cites the project-level construction significance threshold established by the SMAQMD. The SMAQMD has adopted a numeric threshold of 1,100 metric tons of CO<sub>2</sub>e annually from construction activities.

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**Impact 5.8-2: Implementation of the proposed project could conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions. [Threshold GHG-2]**

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Development under the proposed General Plan Update would contribute to global climate change through direct and indirect emissions of GHG from land uses within the city. A General Plan does not directly result in development without additional approvals. However, the General Plan Update would guide and facilitate development throughout the city. Before any development can occur in the city, it must be analyzed for consistency with the General Plan, zoning requirements, and other applicable local and State requirements; comply with the requirements of CEQA; and obtain all necessary clearances and permits. Future development projects would be subject to the City's standard CEQA review process and would be required to assess project-specific emissions in relation to the YSAQMD significance thresholds. Although specific project-level information for potential future development is not available at this time and the estimation of emissions resulting from future development would be speculative, anticipated maximum annual GHG emissions were quantified and presented in Table 5.8-4, on page 5.8-30 of the DEIR, in order to provide an estimate of the potential overall GHG emissions resulting from the proposed General Plan Update.

As shown by Table 5.8-4, on page 5.8-30 of the DEIR, the GHG emissions from buildout of the proposed General Plan Update would be greater than the GHG emissions from buildout of the existing General Plan 2001 buildout by approximately 93,450 metric tons of CO<sub>2</sub>e annually. This net increase of GHG emissions associated with the proposed General Plan Update compared with the existing General Plan 2001 is largely due to mobile-source and energy-source emissions. Since a net increase of GHG emissions would occur as a result of the proposed General Plan Update, the plan-level GHG threshold previously identified would be surpassed.

The General Plan Update does propose several policy provisions that would assist to reduce the generation of GHG emissions from mobile sources. For instance, proposed Land Use and Community Character Element Policy LU-1 seeks the development of compact, complete residential neighborhoods by encouraging the location of services and amenities within walking and biking distance of residences. Policy LU-3 would encourage new residential development to incorporate design features that promote walking and connectivity between blocks and adjacent neighborhoods and in a similar context, Policy LU-6 would encourage development in the North Waterfront District to be a mix of uses including residential, commercial, and public park space along the waterfront. Proposed Policy LU-9 would promote pedestrian-oriented retail and mixed-use development in Neighborhood Mixed Use, Downtown, and the Waterfront areas. The promotion of mixed-use development contributes to less dependency on automobiles, a source of GHG emissions. Mobility and Circulation Policies MC-2, MC-4, and MC-14 proposes to promote the development of bikeways, sidewalks, pedestrian pathways, and multi-use paths that connect residential neighborhoods with other neighborhoods, schools, employment centers, commercial centers and public open space, and that separate bicyclists, skateboarders, and pedestrians from vehicular traffic whenever possible. Proposed Policy MC-15 seeks to ensure that bicycle and pedestrian facilities follow logical routes providing connections between transportation nodes and land uses, including bicycle and pedestrian connections to transit stops, buses that can accommodate bicycles, and park-and-ride lots, so that the pedestrian facilities serve the transportation needs of residents, and are not constructed as "sidewalks to nowhere." Further, Policy MC-16 seeks to ensure that the City's circulation network will accommodate all anticipated and potential modes of transportation, including small personal electric vehicles ranging in size up to golf carts. Additionally, Parks & Recreation Policy PR-9

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proposes to create an integrated trail, bikeway, and open space network within the City that links parks and recreation areas, schools, downtown, the waterfront, and residential neighborhoods. Lastly, proposed Open Space and Resource Conservation Policy OSC-14 seeks to promote energy conservation programs for all utility users and encourage active and passive solar energy design in building and site development; and promote more tree planting and landscaping in the City to reduce the heat island effect and address climate change.

Development projects accommodated by the proposed General Plan Update would be analyzed on a case-by-case basis when detailed information regarding operational activities is known. Future projects would be subject to the proposed General Plan Update policies identified above, as well as YSAQMD and State rules and regulations. Nonetheless, as shown in Table 5.8-4, on page 5.8-30 of the DEIR, a net increase of GHG emissions from buildout of the existing General Plan 2001 would occur as a result of the proposed General Plan Update. Thus, the identified plan-level GHG threshold would be surpassed. There are no additional plan-level measures available that would reduce impacts from long-term operational-related emissions. All feasible operational emissions reduction measures have been incorporated into the General Plan Update through the inclusion of the policies discussed above. There could be additional project-specific mitigation measures applied to specific future development allowed under the General Plan Update to reduce long-term operational generated GHG emissions to levels below the applicable thresholds of significance. For instance, as previously described AB 1279, the California Climate Crisis Act, requires California to achieve carbon neutrality as soon as possible, but no later than 2045, and to achieve and maintain net negative GHG emissions thereafter. The 2022 Scoping Plan Update outlines the mechanisms for how this will be achieved. As stated in the 2022 Update, “the plan outlines how carbon neutrality can be achieved by taking bold steps to reduce GHGs to meet the anthropogenic emissions target and by expanding actions to capture and store carbon through the State’s natural and working lands and using a variety of mechanical approaches.” Specifically, the 2022 Update identifies a path to keep California on track to meet its SB 32 GHG reduction target of at least 40 percent below 1990 emissions by 2030, identifies a technologically feasible, cost-effective path to achieve carbon neutrality by 2045 and a reduction in anthropogenic emissions by 85 percent below 1990 levels, relies on the most up-to-date science, including the need to deploy all viable tools to address the existential threat that climate change presents, including carbon capture and sequestration, as well as direct air capture, and identifies key implementation actions to ensure success. However, the nature, feasibility, and effectiveness of such strategies implemented within Rio Vista cannot be determined at this time. As such, the City cannot assume that mitigation would be available and implemented such that all future operational-related emissions of air pollutants would be reduced to less-than-significant levels. As such, this impact is potentially significant.

**Finding:** The City finds that there are no feasible mitigation measures that would avoid or substantially lessen the significant impact related to the potential conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions. Since a net increase of GHG emissions would occur as a result of the proposed General Plan Update, the plan-level GHG threshold previously identified would be surpassed. Proposed policies under the proposed project would help to reduce emission; however, impacts would remain significant and unavoidable.

As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

#### 4. Noise

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**Impact 5.12-1: The proposed project would result in the generation of substantial temporary and permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies. [Threshold N-1]**

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##### **Noise/Land Use Compatibility**

The proposed project's Noise Element provides policy guidance to minimize noise impacts within the community and establishes noise control measures for the operational phases of land use projects. By identifying noise-sensitive areas and setting compatibility guidelines (as detailed in Table 10-1 of the proposed Noise Element), noise considerations will help shape the distribution, location, and intensity of future land uses. This approach ensures that effective land use planning and project design can mitigate most noise-related issues.

A fundamental planning strategy to minimize noise impacts on new developments is avoiding the placement of noise-sensitive land uses—such as schools, hospitals, residential areas, and recreational facilities—in locations where noise levels are expected to exceed acceptable thresholds. These areas are subject to the Maximum Allowable Exterior and Interior Noise Level standards, as established in Table 10-1 of the 2045 General Plan Noise Element. If noise-sensitive uses are proposed in such locations, appropriate noise mitigation measures (e.g., site and architectural design, sound walls) must be implemented in accordance with Policies NE-1, NE-3, NE-4, NE-5, NE-6, and NE-7. The noise standards provided in Table 10-1 serve as a basis for evaluating land use compatibility with surrounding noise levels.

The primary noise sources in Rio Vista are vehicle traffic on Highway 12 and major arterial streets. The noise levels associated with these sources, compared to the standards in Table 10-1, will guide the assessment of future projects. Should noise levels at a proposed project site fall within the acceptable ranges, the project will be considered compatible with the noise environment. If noise levels exceed the standards, noise attenuation measures will be required.

All projects subject to discretionary review under the 2045 General Plan Update will be assessed for noise/land use compatibility. The Noise Element provides specific policy provisions to ensure that excessive noise exposure is mitigated, such as Policy NE-1, Policy NE-3, Policy NE-4, Policy NE-5, Policy NE-6, and Policy NE-7. Under Policy NE-1, new development projects will require an acoustical analysis to assess compliance with the noise standards in Table 10-1. This analysis will typically involve baseline noise measurements using a sound level meter yet may also use General Plan noise contours, Future (General Plan Buildout) Roadway Noise Levels. The analysis will determine whether the noise environment is compatible with the proposed development and will guide the implementation of necessary noise attenuation measures, such as site design, building orientation, building construction methods and the use of noise barriers. The need for such measures will be determined on a project-by-project basis. Policies NE-3 and NE-5 further ensure that noise mitigation measures are integrated into the design of both noise-generating and noise-sensitive land uses.

In summary, the proposed project's approach to noise/land use compatibility will result in a less than significant impact on noise-sensitive land uses.

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### Temporary Construction Noise

Under the proposed project, the primary source of temporary noise within the City would be demolition and construction activities associated with development projects and activities. Construction activities would involve both off-road construction equipment (e.g., excavators, dozers, cranes, etc.) and transport of workers and equipment to and from construction sites. Table 5.12-7, *Reference Construction Equipment Noise Levels (50 Feet from Source)*, on page 5.12-32 of the DEIR, shows typical noise levels produced by the types of off-road equipment that would likely be used during future construction within Rio Vista. It is noted that future development under the proposed project could potentially require installation of pile foundations that may utilize impact pile drivers or similar equipment that may be expected to generate high noise levels.

Construction noise is currently an intermittent source of temporary noise within Rio Vista and will continue to be so regardless of whether the proposed project is adopted. Noise levels near individual construction sites associated with development and activities under the proposed project would not be substantially different from what they would be under the existing General Plan. Since specific future projects within the City are unknown at this time, it is conservatively assumed that the construction areas associated with these future projects could be located within 50 feet of sensitive land uses. As depicted in Table 5.12-7, on page 5.12-32 of the DEIR, noise levels generated by individual pieces of construction equipment typically range from approximately 74 dBA to 101.3 dBA  $L_{max}$  at 50 feet and 67.7 dBA to 94.3 dBA  $L_{eq}$  at 50 feet.

Significant noise impacts may occur from operation of heavy earth-moving equipment and truck-haul operations that would occur with construction of individual development projects, which have not yet been developed, particularly if construction techniques, such as impact pile driving or vibratory pile driving, are proposed. The time of day that construction activity is conducted would also determine the significance of each project, particularly during the more sensitive evening/nighttime hours. However, construction would be localized and would occur intermittently for varying periods of time. Average hourly noise levels associated with construction projects can vary, depending on the activities performed. Short-term increases in vehicle traffic, including worker commute trips and haul truck trips, may also result in temporary increases in ambient noise levels at nearby receptors. During each stage of construction, a different mix of equipment would operate, and noise levels would vary based on the amount of equipment on-site and the location of the activity. Construction noise levels drop off at a rate of about 6 dBA per doubling of distance between the noise source and the receptor. Intervening structures or terrain would result in lower noise levels at distant receivers.

The City of Rio Vista Municipal Code Section 17.52.060 exempts private construction projects located one-quarter of a mile or less from an inhabited dwelling from City noise standards provided that construction occurs between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and 8:00 a.m. and 7:00 p.m. on Saturdays and Sundays. This standard effectively allows construction to occur throughout the day and early evening, with only activities outside of these hours subject to City noise standards. However, as illustrated in Table 5.12-7, on page 5.12-32 of the DEIR, typical construction noise levels range from 67.7 dBA to 94.3 dBA  $L_{eq}$  at 50 feet, which generally exceed the City's allowable noise thresholds during the non-exempted hours, which are generally 60 – 65 dBA  $L_{eq}$  during the non-exempted construction hours depending on the receiving land use, making compliance during the non-exempted hours impractical for most construction activities.

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Proposed Policy NE-8 would introduce more stringent regulations to provide greater noise protection for City residents. Instead of only exempting construction noise from City noise standards when it occurs between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and 8:00 a.m. and 7:00 p.m. on Saturdays and Sundays, proposed Policy NE-8 would restrict all construction activity to the hours between 7:00 a.m. and 5:00 p.m. (unless an exemption is granted in the City's review of the project's entitlement or permit). Compared to the current standard, this policy reduces the allowable construction window by two hours and entirely prohibits evening and nighttime construction. Additionally, proposed Policy NE-8 would require all internal combustion engines used in conjunction with construction activities to be muffled according to the equipment manufacturer's requirements.

Construction noise within Rio Vista would continue to be an intermittent source of temporary noise regardless of whether the proposed project is adopted, and noise levels near individual construction sites associated with development and activities under the proposed project would not be substantially different from what they would be under the existing General Plan. Because specific project-level information is not available at this time, it is not possible nor appropriate to quantify the construction noise impacts at specific sensitive receptors. In most cases, construction of individual development projects associated with implementation of the proposed project would temporarily increase the ambient noise environment in the vicinity of each individual project, potentially affecting existing and future nearby sensitive uses. Proposed Policy NE-8 would introduce more stringent regulations to provide greater noise protection for City residents by reducing the allowable construction window by two hours and entirely prohibiting evening and nighttime construction. However, because construction activities associated with any individual development may occur near noise-sensitive receptors and because, depending on the project type, equipment list, time of day, phasing, and overall construction durations, noise disturbances may occur for prolonged periods of time or during the more sensitive evening/nighttime hours, construction noise impacts associated with implementation of the proposed project are considered potentially significant.

### **Stationary Source Noise**

The development of residential, automotive, industrial, or other uses and activities under the proposed project could generate substantial stationary noise. Such sources could generate noise from heating, ventilation, and air conditioning (HVAC) mechanical equipment, back-up diesel generators in some cases, parking lot activity, backup beepers from internal truck and equipment maneuvering, and other sources. Table 5.12-8, *Reference Stationary Source Noise Levels (At the Source)*, on page 5.12-35 of the DEIR, identifies noise levels generally associated with common stationary noise sources.

Stationary source noise is currently a notable source of noise within Rio Vista and would continue to be so regardless of whether the proposed project is adopted. Noise levels near individual sources under the proposed project would not be substantially different from what they would be under the existing General Plan. The Noise Element of the proposed 2045 General Plan addresses stationary noise through policies such as Policy NE-1, Policy NE-2, Policy NE-3, Policy NE-5, and Policy NE-6. Proposed General Plan Policies NE-1 and NE-2 would require the integration of noise considerations into land use planning decisions to minimize new noise impacts, including noise impacts from stationary sources, to or from new development. These policy provisions would require an acoustical analysis for most new projects and consideration of noise-reducing measures. Policy NE-6 would prohibit noise-sensitive uses like residential neighborhoods from encroaching into areas planned for noise-generating uses such as industrial facilities.

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With implementation of the proposed General Plan policies identified above, future development and activities under the proposed project would result in a less than significant impact related to stationary noise sources.

### Traffic Noise

Future development and activities under the proposed project are expected to affect the community noise environment mainly by generating additional traffic. Transportation-source noise levels were calculated using the FHWA Highway Noise Prediction Model (FHWA-RD-77-108) with traffic counts provided by Fehr & Peers Transportation Consultants. The model calculates the average noise level at specific locations based on traffic volumes, average speeds, roadway geometry, and site environmental conditions. The average vehicle noise rates (energy rates) used in the FHWA model have been modified to reflect average vehicle noise rates identified for California by Caltrans. The Caltrans data shows that California automobile noise is 0.8 to 1.0 dBA higher than national levels and that medium and heavy truck noise is 0.3 to 3.0 dBA lower than national levels. Future traffic noise contours are mapped in Figure 5.12-5, *Future Traffic Noise Contours*, on page 5.12-37 of the DEIR. Table 5.12-9, *Future (General Plan Buildout) Roadway Noise Levels*, on page 5.12-38 of the DEIR, shows the calculated off-site roadway noise levels under existing traffic levels compared to future buildout under the proposed project.

A 5-dBA change is required before any noticeable change in community response is expected. Based on this fact, a significant increase in traffic noise is considered to be an increase in the existing ambient noise environment of at least 5 dBA  $L_{dn}$ . As reflected in Table 5.12-9, this analysis included a large sample of local roadways segments but did not include all roadways within Rio Vista. The analyzed segments were selected to illustrate potential changes in roadway noise throughout Rio Vista. Therefore, additional roadways segments in Rio Vista may experience increased traffic noise.

As shown in Table 5.12-9, on page 5.12-38 of the DEIR, the only roadway that would experience an increase of more than 5.0 dBA  $L_{dn}$  over existing conditions is Liberty Island Road. As previously described, a 5-dBA change is required before any noticeable change in community response is expected. Based on this fact, a significant increase in traffic noise is considered to be an increase in the existing ambient noise environment of at least 5 dBA  $L_{dn}$ .

Proposed General Plan Policies NE-1 and NE-2 would require the integration of noise considerations into land use planning decisions to minimize new noise impacts, including noise impacts from traffic sources, to or from new development. These policy provisions would require an acoustical analysis for most new projects and consideration of noise-reducing measures. Nonetheless, Liberty Island Road would experience an increase of more than 5.0 dBA  $L_{dn}$  over existing conditions with implementation of the proposed project, and traffic noise would be a significant impact.

Lead agencies have limited remedies at their disposal to effectively reduce traffic-related noise. Addressing traffic noise at the receiver rather than the source usually takes the form of noise barriers (i.e., sound walls). While constructing noise barriers along streets would reduce noise, the placement of sound walls between existing residences/businesses and local roadways would not be desirable as it would conflict with the community's aesthetic, design and character and is therefore deemed infeasible. Furthermore, such barriers would likely require property owner approval, which cannot be ensured. While measures such as encouraging ridesharing, carpooling, and alternative modes of transportation could reduce vehicle volumes, such measures can neither be mandated of residents nor have been shown to reduce vehicle trips to the extent needed to

reduce vehicle noise levels below established thresholds. Therefore, no feasible mitigation measures exist to reduce the identified significant impact.

**Finding:** The City finds that there are no feasible mitigation measures that would avoid or substantially lessen the significant impact related to ambient noise levels. Construction noise within Rio Vista would continue to be an intermittent source of temporary noise regardless of whether the proposed project is adopted, and noise levels near individual construction sites associated with development and activities under the proposed project would not be substantially different from what they would be under the existing General Plan. Because specific project-level information is not available at this time, it is not possible nor appropriate to quantify the construction noise impacts at specific sensitive receptors. While measures such as encouraging ridesharing, carpooling, and alternative modes of transportation could reduce vehicle volumes, such measures can neither be mandated of residents nor have been shown to reduce vehicle trips to the extent needed to reduce vehicle noise levels below established thresholds. Therefore, impacts would remain significant and unavoidable.

As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

## **5. Transportation**

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### **Impact 5.15-2: Implementation of the proposed project would conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). [Threshold T-2]**

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With the proposed project, the City is anticipated to grow by 3,022 dwelling units and 776 jobs. The largest planned developments include Brann Ranch which is located on the western edge of the city west of the existing Trilogy and Liberty Ranch subdivisions; Riverwalk which is located in the center of the City east of Church Road and north of SR-12; and development on a City-owned parcel located in the center of the City, southeast of the Church Road/Airport Road intersection. Together, these three development projects account for over 80 percent of the residential growth in the city. Approximately 90 percent of the job growth is anticipated in the eastern side of the city, east of Church Road on both the north and south sides of SR-12.

Based on the proposed land use map, the proposed project would result in similar or slightly higher home-based work VMT per employee when compared to existing (baseline) conditions. This can be concluded because proposed commercial and industrial development is located near existing commercial and industrial development and is anticipated to attract tenants that are similar to existing. Therefore, these developments would likely attract similar employees that the existing developments attract. The proposed project does not include a robust plan to create a large quantity of high paying jobs that could attract a significant number of individuals commuting from a long distance and most jobs would likely support or attract residents within Rio Vista or nearby unincorporated areas of Solano County, Sacramento County, or San Joaquin County. Additionally, the percent increase in dwelling units exceeds the percent increase in jobs and there will be more residents than jobs in the future, indicating there would be enough residents to fulfill the increase in jobs (e.g. if more jobs than dwelling units were proposed, employers would have to attract residents from farther away to fill those jobs because the City itself would not have enough residents).

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While the home-based work VMT per employee is anticipated to be similar or slightly higher than existing (baseline) conditions, the home-based VMT per resident would likely increase. This is primarily due to the following:

- 1) Most existing residential developments in Rio Vista are age restricted. The median age in Rio Vista is 64, which is an older population compared to the state of California where the median age is 37. Age restricted housing tends to result in lower trip generation per dwelling unit (and ultimately daily VMT) when compared to traditional single-family housing. The majority of future development would not be age restricted and as such, it can be inferred that they would generate more trips per dwelling unit and ultimately more VMT than the existing community.
- 2) As previously mentioned, the proposed project Land Use Plan would not result in enough jobs to support the future residential development. Therefore, some residents would be required to find jobs elsewhere. The closest large employment opportunities are Fairfield/Suisun City, the East Bay, or Lodi which would all result in a daily VMT greater than or equal to the existing average home-based VMT per resident of 31.5.

While the proposed land use pattern is likely to produce similar or slightly higher home-based VMT per resident and home-based work VMT per employee, the proposed project includes policies designed to reduce vehicle travel and VMT, such as Policy LU-1, Policy LU-3, Policy LU-6, Policy LU-7, Policy LU-8, Policy LU-9, Policy LU-11, Policy MC-2, Policy MC-3, Policy MC-4, Policy MC-6, Policy MC-8, Policy MC-10, Policy MC-11, Policy MC-12, Policy MC-14, Policy MC-15, and Policy MC-16. While the policies listed above are supportive of actions that could dampen VMT growth, they do not contain sufficient changes to the built environment, the cost of using vehicles, or the convenience of using vehicles such that VMT per capita rates would be reduced below existing levels.

When making a final impact determination, other available evidence related to VMT trends should be considered. This impact analysis identifies the following two relevant studies.

- *2022 Progress Report, California's Sustainable Communities and Climate Protection Act*, California Air Resources Board (referred to as the Progress Report in the remainder of this document).
- *California Air Resources Board Improved Program Measurement Would Help California Work More Strategically to Meet Its Climate Change Goals*, Auditor of the State of California, February 2021 (referred to as the Audit Report in the remainder of this document).

The Progress Report measures the effect of SB 375 revealing that light-duty VMT and GHG per capita increased in California between 2010 and 2019 and are trending upward. Key metrics in the Progress Report include:

- 1) Per capita GHG emissions and per capita VMT continue to increase, though more slowly than in the 2018 Progress Report.
- 2) More Californians are choosing to drive over other options.
- 3) Home construction is not meeting regional housing needs in numbers, types, and location.

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The Audit Report includes a similar finding that VMT and its associate GHG emissions were trending upward through 2018. Per the audit, the state is not on track to achieve 2030 GHG reduction goals, and emissions from transportation have not been declining.

The evidence from these two reports suggests that greater action on the part of the state may be needed to achieve the state's GHG (and VMT) reduction goals. Without further action by the state to discourage vehicle travel (i.e., increase the cost of driving) while reducing the barriers and constraints that prevent more efficient use of vehicles and greater use of transit, walking, and bicycling, VMT trends are unlikely to reverse. Therefore, VMT impacts would be potentially significant.

**Mitigation Measures:** Potential VMT reduction strategies contained in the Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity (California Air Pollution Control Officers Association, 2021), referred to as the CAPCOA Handbook, were reviewed for potential application to the updated general plan. While the CAPCOA Handbook includes 28 transportation-related strategies that can reduce VMT, not all would be effective in Rio Vista due to the existing and planned land use pattern, transit options, and overall suburban context. Nevertheless, the 20 strategies identified in Table 5.15-4, on page 5.15-30 of the DEIR, are applicable and could be incorporated by future developments.

When appropriate to the type and scale of the future project, the City can require developers to incorporate VMT reduction measures listed above, or others that may be developed in the future as technology changes, to lessen VMT impacts of future projects. Implementation of one or more of the above measures would lessen VMT growth from new projects but likely not to a level sufficient to reduce this impact to less than significant.

**Finding:** Changes or alterations have been required in, or incorporated into, the project that reduces the significant environmental effect as identified in the Draft EIR. These changes are identified in the form of the mitigation measures above; however, no further mitigation measures are available that would reduce transportation impacts to a less than significant level. The implementation of the proposed project would likely contribute to land use development that generates home-based VMT per resident and home-based work VMT per employee above levels necessary to meet State GHG reduction goals. To lessen VMT impacts, the City will require new land use development projects to reduce VMT through incorporation of feasible VMT reduction strategies. Although larger changes in the proposed project land use element could potentially reduce VMT further, those changes would also affect the achievement of other goals the City seeks to achieve with the General Plan. VMT reduction also depends on factors such as demographic change, household preferences for housing types and locations, the cost of fuel, and the competitiveness of regional transit relative to driving, which are not factors the City can directly control. Therefore, this impact is considered significant and unavoidable.

## IV. ALTERNATIVES TO THE PROPOSED PROJECT

An EIR must briefly describe the rationale for selection and rejection of alternatives. The lead agency may make an initial determination as to which alternatives are feasible, and therefore, merit in-depth consideration, and which ones are infeasible.

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### **A. Alternatives Considered and Rejected During the Scoping/Project Planning Process**

The following is a discussion of the alternatives considered during the scoping and planning process and the reasons why they were not selected for detailed analysis in the DEIR.

#### **1. Alternative Development Areas**

CEQA requires that the discussion of alternatives focus on alternatives to the project or its location that can avoid or substantially lessening any significant effects of the project. The key question and first step in the analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (CEQA Guidelines Section 15126[5][B][1]). The City's potential to grow outward is limited by physical constraints, such as the Sacramento River and historic natural gas facilities and by competitive land ownership as part of the East Solano County New Community proposal. Given the nature of the Proposed General Plan, it is not possible to consider an off-site alternative because the City boundaries have been established through incorporation, and the City does not have authority to carry out functions pursuant to its Proposed General Plan outside of its boundaries. For this reason, an offsite alternative was considered infeasible pursuant to State CEQA Guidelines Section 15126.6(c) and was rejected as a feasible project alternative.

#### **2. Reduced Density Alternative**

A reduced density alternative would result in fewer residences and less non-residential development, which would theoretically reduce traffic and thereby reduce community impacts such as air quality, greenhouse gas (GHG) emissions, traffic, noise, and demand for utilities and public services. However, such an alternative would not achieve or would only partially achieve General Plan objectives of providing for growth of the city. This alternative would not provide needed housing as projected by the state Department of Housing and Community Development, increase jobs in the city, or foster growth in the focus and identified opportunity areas rather than in sensitive areas or through annexation. By significantly restricting growth, the environmental impact of the projected growth would increase development pressure elsewhere in the region. As a reduced development density conflicts with regional plans, would relocate impacts outside of the city, and would not meet the project objectives, this option was not evaluated in this EIR.

### **B. ALTERNATIVES SELECTED FOR FURTHER ANALYSIS**

The following alternatives were determined to represent a reasonable range of alternatives which have the potential to feasibly attain most of the basic objectives of the proposed project but may avoid or substantially lessen any of the significant effects of the proposed project.

#### **1. No Project/Existing General Plan**

This is the only EIR alternative that is specifically required by the CEQA Guidelines (Section 15126.6[e]). The No Project alternative does not represent a no-development or no change scenario as the City has an existing General Plan. Further, the land use diagram in the existing General Plan is unchanged with the proposed project. This alternative will focus on the potential result of not updating the General Plan to include changes

to state law that have occurred since the adoption of the current plan in 2001 and not reducing the proposed Planning Area.

**Finding:** This alternative is rejected because it would not meet any of the project’s objectives. Furthermore, this alternative would not reduce any impacts when compared to the proposed project and instead would result in greater impacts to air quality, greenhouse gas emissions, and land use and planning due to the lack of adoption of new and updated policies that would better mitigate impacts.

## **2. Increased Density**

As a General Plan Update, the City can consider changes to the land use pattern. A greater density and intensity would reduce the need for annexation in the future, which would reduce the potential to convert undeveloped land to urban uses and potentially protect biological resources. This alternative could also reduce VMT with corresponding reductions in air quality and GHG emission impacts.

**Finding:** This Alternative would reduce impacts to air quality, cultural resources and tribal cultural resources, GHG emissions, noise, and transportation when compared to the proposed project but they would remain significant and unavoidable, as expected with the proposed project. The Increased Density Alternative would generally meet the project objectives, but to a lesser extent. While this Alternative is considered the Environmentally Superior Alternative, it is rejected since it would not reduce significant and unavoidable impacts to less than significant nor would it meet project objectives to the extent of the proposed project.

## **V. STATEMENT OF OVERRIDING CONSIDERATIONS**

CEQA requires decision makers to balance the benefits of the proposed project against its unavoidable environmental risks when determining whether to approve the proposed project. If, in the opinion of the City Council, the benefits of the proposed project outweigh the unavoidable adverse effects, those effects may be considered “acceptable” (CEQA Guidelines Section 15093[a]). CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are infeasible to mitigate. Such reasons must be based on substantial evidence in the Final EIR or elsewhere in the administrative record (CEQA Guidelines Section 15093 [b]). The agency’s statement is referred to as a Statement of Overriding Considerations.

The following provides a description of the proposed project’s significant and unavoidable adverse impacts and the justification for adopting a statement of overriding considerations.

### **A. Significant and Unavoidable Impacts**

Although most potential project environmental impacts have been substantially avoided or mitigated, there remain seven project impacts for which complete mitigation is not feasible. The DEIR identified the following significant unavoidable adverse impacts of the proposed project, which would continue to be applicable upon implementation of the proposed project:

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### 1. **Air Quality**

- Impact 5.3-2: Short-term construction activities associated with the proposed project would result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under applicable federal or State ambient air quality standards
- Impact 5.3-3: Development under the proposed project would result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under applicable federal or State AAQS.

### 2. **Cultural Resources and Tribal Cultural Resources**

- Impact 5.5-1: Implementation of the proposed project could cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines, Section 15064.5.

### 3. **Greenhouse Gases**

- Impact 5.8-1: Implementation of the proposed project could result in emissions that would exceed project-level construction significance threshold established by the SMAQMD.
- Impact 5.8-2: Implementation of the proposed project could conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions.

### 4. **Noise**

- Impact 5.12-1: The proposed project would result in the generation of substantial temporary and permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies.

### 5. **Transportation**

- Impact 5.15-2: Implementation of the proposed project would conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).

## **B. Project Benefits in Support of the Statement of Overriding Considerations**

The following section describes the benefits of the proposed project that outweigh the project's unavoidable adverse effects and provides specific reasons for considering the project acceptable even though the Final EIR has indicated that there will be seven significant project impacts. Accordingly, this Statement of Overriding Considerations regarding potentially significant adverse environmental impacts resulting from the proposed project, as set forth below, has been prepared. Pursuant to CEQA Guidelines Section 15093(c), the Statement of Overriding Considerations will be included in the record of the project approval and will also be noted in the Notice of Determination. Each of the benefits identified below provides a separate and independent basis for overriding the significant environmental effects of the proposed project.

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Having reduced the potential effects of the proposed project through all feasible mitigation measures as described previously herein, and balancing the benefits of the proposed project against its potential unavoidable adverse impacts on air quality, cultural resources and tribal cultural resources, greenhouse gas emissions, noise, and transportation if the mitigation measures cannot be implemented, the City finds that the following legal requirements and benefits of the proposed project individually and collectively outweigh the potentially significant unavoidable adverse impacts for the following reasons:

### **1. Implements the Objectives Established for the Proposed Project**

The objectives of the proposed project include revitalizing Downtown and the Waterfront District (discussed in this subparagraph), improving mobility and access for all users (discussed in subparagraphs (3) and (4)), supporting a variety of housing options (discussed in subparagraph (2)), fostering a sustainable community (discussed in subparagraphs (3) and (4)), offering recreational opportunities (discussed in subparagraph (3)), fostering economic growth (discussed in subparagraph (2)), promoting fiscal strength (discussed in subparagraph (2)), and promoting a healthy community (discussed in subparagraph (3)). Regarding revitalizing Downtown and the Waterfront District, Policy ED-10 support exploring projects that can increase tourism to Rio Vista. Policy ED-11 supports private efforts to create art in public places. Policy PR-7 requires development projects in the North and South Waterfront District to incorporate public access along the riverfront and access to the river from the nearest public street to the maximum extent feasible. The proposed project is designed to achieve all of these objectives and the associated benefits, and as analyzed by this and the below subparagraphs, outweighs any unavoidable adverse effects.

### **2. Provides Residential Uses and Employment Opportunities**

The General Plan projects the addition of approximately 2,467 new housing units and 1,405 new employees in the City of Rio Vista by 2045, representing a 47 percent and 58 percent increase, respectively. At full buildout, the proposed project is expected to introduce 88 acres of new commercial development and 54 acres of new industrial development. Based on a projected employment distribution of 75 percent commercial and 25 percent industrial, and job densities consistent with local and regional trends (12 employees per acre for commercial uses and 6.5 employees per acre for industrial uses), the following employment growth is anticipated by 2045: approximately 1,054 new commercial jobs and 351 new industrial jobs. These projections are supported by policies in the Land Use Element, including Policy 4.1A, which calls for growth that supports a strong, diversified economic base and maintains a reasonable balance between employment and housing across all income levels. Additionally, Policy 4.1D directs the City to accommodate projected population and employment growth in areas where the appropriate level of public infrastructure and services are planned or will be provided concurrently with development.

### **3. Incorporates Sustainability Features**

The proposed project would incorporate sustainable project design features that target sustainable site development, implement energy-efficient building designs, and reduce traffic trips. Policy OSC-13 promotes energy conservation programs and encourages the use of active and passive solar energy design in buildings and site development. Policy SE-10 supports the integration of shade structures, green space, public drinking water facilities, and heat-resilient building techniques into public and private projects. Policy OSC-14 further enhances sustainability by promoting tree planting and landscaping to reduce the heat island effect and address

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climate change. To help reduce vehicle trips, Policy LU-1 promotes compact, complete neighborhoods with nearby services and amenities, while Policy LU-3 encourages walkable development with strong connectivity between blocks and adjacent neighborhoods. Policies MC-14, MC-15, and MC-16 support a complete pedestrian and bicycle network, mid-block pedestrian crossings, and infrastructure for small personal electric vehicles. Policy PR-9 complements these efforts by establishing an integrated trail, bikeway, and open space network that connects key destinations across the city. Together, these General Plan policies advance the project's objectives to support sustainable development, improve energy efficiency, and reduce reliance on vehicle travel.

### **4. Consistent with the Regional Goals in the RTP/SCS**

The General Plan Update includes revisions to the Mobility and Circulation Element to incorporate information on vehicle-miles traveled (VMT) metrics and update the description of planned and programmed improvements to be consistent with Plan Bay Area 2050 which is the Bay Area's Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS), an integrated transportation and land use plan to implement provisions of California's Global Warming Solutions Act (Assembly Bill 32). Additionally, policies in the General Plan promote land use and transportation strategies that support the goals of Plan Bay Area 2050 and the Sustainable Communities Strategy. For example, Policy LU-1 advances compact, complete neighborhoods that reduce the need for long car trips, while Policy LU-9 encourages pedestrian-oriented, mixed-use development in growth areas, consistent with regional smart growth principles. Policy MC-2 facilitates the development of a connected active transportation network, and Policy MC-11 promotes greater transit use through community education—both strategies identified in Plan Bay Area 2050 as critical for reducing VMT. Policy MC-3 directly addresses VMT by requiring General Plan amendments to avoid increasing citywide per capita VMT. Collectively, these policies demonstrate the City's commitment to integrating transportation and land use planning in alignment with the Global Warming Solutions Act (AB 32) and the region's long-term climate and mobility goals.

### **C. Conclusion**

The City has balanced the proposed project's benefits against the significant and unavoidable impacts and finds that the proposed project's benefits, which aim to meet the goals and policies of the General Plan Update, outweigh the proposed project's significant and unavoidable impacts. These impacts, therefore, are considered acceptable in the light of the proposed project's benefits. The City finds that each of the benefits described above is an overriding consideration, independent of the other benefits, that warrants approval of the proposed project notwithstanding the proposed project's significant and unavoidable impacts.

## **VI. FINDINGS ON RESPONSES TO COMMENTS ON THE DEIR AND REVISIONS TO THE FEIR**

The FEIR contains responses to comments, revisions, clarifications, and corrections to the DEIR. The focus of the response to comments is on the disposition of significant environmental issues as raised in the comments, as specified by State CEQA Guidelines Section 15088(b). The City provided written responses to each comment made by a public agency, as set forth in Section 2 of the FEIR, pursuant to CEQA Guidelines Section 15088(b).

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City staff has reviewed this material and determined that none of this material constitutes the type of significant added information that requires recirculation of the DEIR for further public comment under CEQA Guidelines Section 15088.5. None of this new material indicates that the proposed project will result in a significant new environmental impact not previously disclosed in the DEIR. Additionally, none of this material indicates that there would be a substantial increase in the severity of a previously identified environmental impact that will not be mitigated, or that there would be any of the other circumstances requiring recirculation described in Section 15088.5 of the CEQA Guidelines.

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