TSCHUDIN

CITY OF WINTERS

FINAL

GENERAL PLAN
ENVIRONMENTAL IMPACT REPORT

Prepared by:

Duncan & Jones

and

Associated Consultants

May 8, 1992

FINAL
ENVIRONMENTAL IMPACT REPORT
(Response to Comments)

FINAL GENERAL PLAN

STATE CLEARINGHOUSE #91073080

City of Winters, California

May 8, 1992

Prepared by

DUNCAN & JONES
Urban & Environmental Planning Consultants

in affiliation with

Wilbur Smith Associates, Inc.
Traffic and Transportation Consultants

CH_2M HILL
Engineers, Planners, Economists, and Scientists

Economic & Planning Systems
Land Economics and Public Finance Consultants

Illingworth & Rodkin
Acoustical Engineers

Donald Ballanti
Certified Consulting Meteorologist

Environmental Collaborative
Biologic and Wildlife Consultants

This **Environmental Impact Report** was prepared by **Duncan & Jones**, Berkeley, California, and its affiliate consultants. The Consultants have devoted their best efforts to preparing a comprehensive information document that identifies and evaluates the possible environmental impacts of the proposed Project, and the possible measures which could be taken to mitigate adverse impacts.

This report is intended to be a full disclosure document and is provided solely to assist in the evaluation of the proposed Project. The Consultant shall not be liable for costs or damages of any client or third party caused by the use of this document for any other purposes, for such costs or damages of any client or third parties caused by delay or termination of any project due to judicial or administrative action, whether or not such action is based on the form or content of this report or any portion thereof prepared by the Consultants.

CONTENTS

		Page
Introduction		I-1
Errata and Additions		E&R-1
Compilation of Comments Received on Draft EIR		1
Index to Responses: By Comment Author and By Number		5
Comments Received		11
Responses to Comments		159
	Executive Summary	161
I.	Introduction	165
II.	Description of the Project	179
III.	Land Use and Housing	181
IV.	Transportation and Circulation	207
V.	Infrastructure Services and Facilities	217
VI.	Emergency Facilities and Services	231
VII.	Other Facilities and Services	233
VIII.	Fiscal/Public Financing Considerations	251
IX.	Biotic Considerations	261
X.	Geology, Soils, Seismicity and Hydrology	281
XI.	Noise Considerations	283
XII.	Air Quality	285
XIII.	Other Considerations	291

XIV. Overview of Evaluation 307

XV. Alternatives to the Project 309

XVI. Participants and References 311

XVII. Appendices 313

Appendices

List of Figures

Errata & Revisions Section

4. Land Use Diagram (REVISED) E&R-52
4B. Flood Overlay Area E&R-53
5. Summary of Land Use Designations and Acreage By Planning Area: Alternative I (REVISED) E&R-54
6. Summary of Land Use Designations and Acreage For Vacant Land: Alternative I (REVISED) E&R-55
7. Summary of Dwelling Units and Commercial Gross Floor Area For Vacant Land By Planning Area (REVISED) E&R-56
18. Future Circulation Plan (REVISED) E&R-57
19. Employment Density and Trip Generation Factors (REVISED) E&R-58
20. Comparison of Land Uses and Trip Generation (REVISED) E&R-58
21. Forecast Daily Traffic 12,500 Population (REVISED) E&R-59
23. Forecast Daily Traffic 14,000 Population (REVISED) E&R-60
24. Recommended Roadway Classifications and Lane Requirements (REVISED) E&R-61
25. Required Roadway Improvements (REVISED) E&R-62
26B. Future Water Distribution System E&R-63
27. Future Wastewater Collection System (REVISED) E&R-64
30. Location Map: Storm Drainage Master Plan (REVISED) E&R-65
31. Future Expansion System: Storm Drainage Master Plan (REVISED) E&R-66

Response to Comments Section

FEIR 1. Yolo County Net Costs 256
FEIR 2. Summary of Yolo County Discretionary Revenues 257
FEIR 3. Yolo County Net Fiscal Balance 258

INTRODUCTION

This document provides responses to comments submitted by public agencies and individuals on the Draft Environmental Impact Report (DEIR) on the Draft General Plan for the City of Winters. This document, together with the Draft EIR and its Appendices, constitutes the Final Environmental Impact Report (FEIR) on the Winters General Plan. The comments related to the DEIR which were received by the City of Winters during the public review period are presented in the first portion of this document, beginning with the yellow divider sheet. It should be noted that additional letters and comments were received by the City of Winters during the hearings held on the Draft General Plan, the Draft Master Plans, and the Draft EIR related to suggested modifications in the Draft General Plan or Draft Master Plan documents which did not include specific comments related to the Draft EIR, and which are not addressed in this document. A collection of all letters and comments received during the hearing process is available through the City of Winters.

The responses in this report are presented by topic area in the same sequence as that followed in the DEIR, and are arranged under the same Chapter headings. Each response is numbered in sequence within Chapters (e.g. in Chapter IV, responses are numbered 4-1, 4-2, etc.), and each is keyed to the particular comment submitted. Each response includes reference to the commentor and comment number, and to the page or pages of the DEIR to which the comment refers.

Throughout the **RESPONSES** section, a response to each identified comment on the Draft EIR document is provided. Where the Draft General Plan evaluated in the Draft EIR has been subject to subsequent change, a supplemental response is provided in light of the proposed change. Response text of this type is presented on a shaded background within an outlines box frame.

Each written comment is identified by an abbreviated name (e.g. CALTRANS, WEIRW, etc.), and the letters are arranged in sequence by the name of the agency or individual submitting the comment, as shown in the listing titled **COMPILATION OF COMMENTS RECEIVED ON DRAFT EIR**, on pages 1 through 4. Comments requiring specific responses are numbered (e.g. -1, -2, -3) in each case (indicated by the boxed numbers in the margin of the letters of comment), and are referred to by the combined abbreviated commentor name and number coding in the response section (e.g. CALTRANS-2, WEIRW-77, etc.).

This document also serves as a means of correcting or supplementing the Draft EIR where this has appeared necessary. An **ERRATA AND REVISIONS** section is included immediately following this **INTRODUCTION** to correct errors or omissions which have been identified, and to identify modifications in the Draft EIR which should be incorporated as a result of subsequent revisions to the Draft General Plan. The major modifications to the text of the Draft General Plan are included as **Appendix A** of the Final EIR. Additional **APPENDICES** are included at the end of this document.

The Draft EIR was prepared to evaluate the environmental impacts of the Draft General Plan. Chapter I provided an introduction to the EIR process and stated the purpose of preparing the EIR for the Draft General Plan. A description of the Project area and the Draft General Plan was presented in Chapter II. In Chapter III, the land use and housing aspects of the Draft General Plan were evaluated in terms of the apparent effectiveness of its planning and policy provisions within the local and sub-regional context. The existing traffic and circulation conditions, and the transportation-related impacts of the Draft General Plan and Alternative II were addressed in Chapter IV. The capabilities of public services and facilities, including storm drainage, water supply, wastewater disposal and solid waste facilities to accommodate increased demands generated by the implementation of Alternatives I and II respectively, were discussed in Chapter V, together with an analysis of the proposed improvements to these systems defined by the related Master Plans. In Chapter VI, fire and olice protection services relating to the implementation of the Draft General Plan were examined. Governmental services such as parks and recreation, schools and public works, and public utilities, which would be affected by future development as envisioned by the Draft General Plan were discussed in Chapter VII. The fiscal impacts and public improvement financing requirements relating to Draft General Plan implementation, as well as the proposed Development Fee structure, were examined in Chapter VIII. The biological and natural habitat environment of the Winters area, particularly along Putah and Dry Creeks, and the potential impacts on these conditions that may result from implementation of the Draft General Plan were examined in Chapter IX. In Chapter X, geotechnical, seismic and soil considerations were evaluated, and Chapter XI contained an evaluation of the acoustic conditions that implementation of the Draft General Plan would produce. In Chapter XII the existing and projected air quality characteristics were discussed, and in Chapter XIII, other considerations were examined, regarding the conversion of agricultural land, potential archaeological and cultural resources, visual or aesthetic factors, and the potential light and glare impacts of development envisioned in the Draft General Plan. Chapter XIV of the Draft EIR summarized the overall effects of the Draft General Plan in terms of the categories of impacts mandated by CEQA (Sections 15126, 15128 & 15130). In Chapter XV of the Draft EIR, alternatives to adopting the Draft General Plan (or the Modified DGP Alternative) as defined in Chapter II were presented and evaluated. Chapter XVII listed the persons involved in the preparation of the Draft EIR, the persons and organizations contacted, and the reference materials utilized. The Draft EIR Appendices included the Environmental Checklist for the General Plan, together with letters of response to the Notice of Preparation, etc.). Other Appendices included methodological material from the fiscal analyses, a list of wildlife species in the Winters area, and mitigation guidelines for selected special status species.

It may be desirable to reemphasize the role of an EIR, and of the preparers of such a document. An EIR is intended to provide factual information and informed judgments on the various categories of environmental impacts that a specific project or planning program can be expected to produce. As such, it is intended to provide a basis for greater public awareness of these implications and to promote informed decision-making by public officials. The EIR does not indicate whether the project or program under review should be approved or not, or select or make recommendations on the modifications or mitigations which might "improve" the project

or program. An EIR is expected to maintain complete objectivity, and is not to be construed as either supporting or opposing the project or program which it reviews.

In the case of the EIR prepared as part of the Winters General Plan Program, it is important to understand that the environmental review of the Draft General Plan was conducted at the "first-tier" level, rather than at the "project" level. The EIR addresses environmental impacts which would be associated with the adoption and implementation of the General Plan, and it may provide the basis, or "starting point", for subsequent environmental review which may be required for those development projects proposed within the framework of the General Plan goals and policies in the future. However, the EIR does not address specific impacts related to individual development projects which may be proposed, since each proposed project will be subject to review in order to determine if more detailed environmental assessment of the site-specific impacts associated with each development is required, and to identify any appropriate additional mitigation measures the individual proposals may necessitate. For this reason, the EIR was not intended to provide some of the information at the level of detail suggested by several persons submitting comments on the Draft EIR. Subsequent environmental reviews conducted at the "project" level may provide such additional detailed information when individual projects are evaluated in the future.

(This page has been purposely left blank.)

ERRATA AND REVISIONS

The Draft EIR evaluated the environmental impacts which would be associated with the adoption and implementation of the Winters Draft General Plan. Between early November 1991 and early January 1992, the City Council and Planning Commission held six public hearings on the Draft General Plan, the Draft General Plan EIR and other documents related to the Draft General Plan. During late January and late February 1992, the City Council and Planning Commission met jointly eight times and separately once to formulate their recommendations for the Final General Plan. During these deliberations, it was decided to modify the Draft General Plan to incorporate additional policies which are intended to have the same mitigating effect as those mitigation measures identified in the DEIR. In several instances it was decided that the mitigation measures identified in the DEIR were too detailed to be appropriate as policies in a general plan. In such cases of changes to the Draft General Plan, the City believes that the measures now incorporated as policies within the Final General Plan, though less specific than those identified in the Draft EIR, would provide a similar level of environmental protection. The Draft General Plan evaluated in the Draft EIR was revised as the Final General Plan based on the direction of the Planning Commission and City Council.

Errata and revisions to the Draft EIR are listed below. Modifications identified as "REVISIONS" represent changes to the Draft EIR which have been made to reflect changes incorporated in the Final General Plan. Modifications identified as "ERRATA" represent changes to be made to correct the Draft EIR even in the absence of any revisions to the Draft General Plan. It should be noted that in those instances where reference is made in the Draft EIR to the "1991 Draft General Plan", or "the proposed Draft General Plan" it should now be considered as the "Final General Plan", and references to the "DGP" should be replaced with "FGP". The following Errata and Revisions section does not address every instance where the Draft EIR referred to the Draft General Plan and which should now refer to the Final General Plan, and the below references to the Final General Plan are principally provided as incidental changes to other, more substantive errata or revisions to the Draft EIR. References to the Modified Draft General Plan are not changed, as no changes in that Alternative were defined following issuance of the Draft EIR.

<u>DEIR Page</u>

S-1 (REVISION) Delete the Executive Summary and replace with Revised Executive Summary, beginning on page E&R-35 and continuing through page E&R-42 of the Final EIR.

2 (ERRATA) The last sentence in the fifth complete paragraph should be changed to read as follows:

"The EIR serves as a "first tier" EIR for adoption of the City's Final General Plan."

2 (ERRATA) The final paragraph beginning on page 2 should be changed to read as follows:

"In accordance with CEQA Guidelines, an EIR may be tiered for adoption and implementation of a local general plan. (CEQA Guidelines Section 15152.) This first tier EIR contains a less detailed assessment of impacts than would be provided by an EIR on a specific development project. CEQA Guidelines (Section 15146(b)) state that an EIR on the adoption or amendment of a general plan "should focus on the secondary effects that can be expected to follow from the

adoption or amendment, but the EIR need not be as detailed as an EIR on the specific construction projects that might follow." This report is intended to provide the level of analysis necessary to comply with this provision of CEQA Guidelines. Environmental review associated with discretionary approvals of individual projects, such as subdivision maps, rezonings or use permits, will each take place in "second tier" environmental review. Individual projects may refer to this first tier EIR in individual project EIRs or negative declarations."

3 (ERRATA) Delete the first complete paragraph.

3 (ERRATA) The first and second sentences of the last paragraph should be changed to read as follows:

"This EIR is to be used as the basis for adoption of the General Plan as it may be modified from the Draft General Plan, for the adoption of development fees (including school impact fees) and for approval of the Circulation, Water System, Sewer System and Storm Drainage Master Plans, and the Financing Plan. In addition to the use of this EIR by the City of Winters for its adoption of the Final General Plan and approval of the infrastructure master plans, the EIR may serve as the environmental review document for the Yolo County Local Agency Formation Commission (LAFCO) on the annexation applications by the City of Winters."

8 (ERRATA) The first paragraph should be changed to read as follows:

"This EIR evaluates the City of Winters Final General Plan, in accordance with the CEQA process for reviewing projects which may have a significant effect on the environment. The EIR is intended to function as the environmental review document for the Final General Plan. In accordance with State Law, the EIR is to be certified by the Planning Commission and the City Council prior to the first discretionary approval action, including the adoption of the Final General Plan."

8 (ERRATA) Delete the second paragraph.

8 (ERRATA) Delete **D. MITIGATION MONITORING AND REPORTING** and the three paragraphs which follow this heading.

18 (REVISION) First paragraph, second sentence, should be changed to read as follows:

"Major features of the physical development promoted by the Final General Plan include new park and school facilities, new school sites, a potential golf course area, new arterial roadways, and an upgraded downtown area with multiple-uses and a strengthened pedestrian orientation."

18 (REVISION) Insert the following paragraph after the last paragraph:

"The Land Use section designates a flood-overlay area in the northern portion of the ULL, as shown in Figure 4B (see page E&R-53 of the FEIR), in which no new development may occur until a feasibility and design study for a comprehensive solution to the 100-year flooding problem (primarily associated with Moody Slough) has been completed and a financing program established for the comprehensive solution."

19 (REVISION) Replace **Figure 4** with **Figure 4 (REVISED)**, shown on page E&R-52 of the Final EIR.

20 (REVISION) Replace **Figure 5** with **Figure 5 (REVISED)**, shown on page E&R-54 of the Final EIR.

22 (REVISION) The sentence under *Open Space (OS)* should changed to read as follows:

"Agricultural and recreational uses, riparian vegetation, wildlife habitat protection, water retention, public and quasi-public uses and similar and compatible uses consistent with open space purposes."

22 (REVISION) Delete the heading and description of *Planned Residential (PR).*

23 (REVISION) Delete the heading and description of *Community Commercial (CC).*

23 (REVISION) Delete the heading and description of *General Commercial (GC).*

23 (REVISION) Delete the heading and description of *Water-Related Commercial (WRC).*

23 (REVISION) Delete the heading and description of *Special Study Corridor (SSC).*

23 (REVISION) Add the category *Planned Commercial (PC)* as follows:

"*Planned Commercial (PC)* Residential Density: 6.1-10.0
Floor area ratio: 0.40
Neighborhood- and locally-oriented retail and service uses, offices, restaurants, service stations, and multiple family residential units, public and quasi-public uses, and similar and compatible uses."

23 (REVISION) Add the category *Planned Commercial/Business Park (PCB)* as follows:

"*Planned Commercial/Business Park (PCB)* Floor area ratio: 0.40
Restaurants, service stations, hotels and motels, retail and amusement uses oriented principally to highway and through traffic, offices, light industrial and wholesale commercial uses, public and quasi-public uses and similar and compatible uses."

24 (REVISION) Replace **Figure 6** with **Figure 6 (REVISED)**, as shown on page E&R-55 of the Final EIR.

25 (REVISION) Replace **Figure 7** with **Figure 7 (REVISED)**, as shown on page E&R-56 of the Final EIR.

28 (REVISION) Land Use Goal A should be changed to read as follows:

"To provide for orderly, well-planned, and balanced growth consistent with the limits imposed by the city's infrastructure and service capabilities and by the city's ability to assimilate new growth."

28 (ERRATA) Land Use Goal D should be changed to read as follows:

"To designate ade. · land for and promote the development of commercial uses providing goods an. services to Winters residents, employees, and visitors."

28 (REVISION) Delete the second sentence of the last complete paragraph.

28 (REVISION) Insert the following sentence after the first sentence in the last paragraph (which continues on page 29):

"The Land Use Diagram provides for an expanded CBD north of Grant Avenue, although a policy is incorporated to give priority to infill development in the existing CBD area south of Grant Avenue and west of East Street."

29 (REVISION) Insert the following paragraph before the first complete paragraph:

"The Land Use section designates a flood-overlay area in the northern portion of the ULL, as shown in **Figure 4B** (see page E&R-53 of the FEIR), in which no new development may occur until a feasibility and design study for a comprehensive solution to the 100-year flooding problem (primarily associated with Moody Slough) has been completed and a financing program established for the comprehensive solution. The City's zoning ordinance will be revised to include a flood-overlay district for areas contributing to or affected by the 100-year flooding, requiring compliance with Federal Emergency Management Agency (FEMA) standards and participation in the drainage solution program as a condition of any development entitlements."

30 (REVISION) The first sentence of the first complete paragraph should be changed to read as follows:

"The Implementation Programs defined in the Housing section of the Final General Plan include actions that the City will initiate between the time of Plan adoption and June 30, 1997, under the direction of the Housing Goals and Policies."

30 (REVISION) The first sentence under <u>Transportation and Circulation</u> should be changed to read as follows:

"The Transportation and Circulation section is directly related to the Circulation Diagram and Standards provided in the first part of the Final General Plan."

31 (REVISION) The second senten.e of the first paragraph should be changed to read as follows:

"Final General Plan policies require street designs consistent with principles of interconnected network path design."

31 (REVISION) Public Facilities and Services Goal D should be changed to read as follows:

"To maintain an adequate level of service in the City's storm drainage system to accommodate runoff from existing and future development and to prevent property damage due to flooding."

32 (REVISION) Public Facilities and Services Goal H should be changed to read as follows:

"To provide public schools which serve as a neighborhood focus and to maintain a quality learning environment for Winters residents as the City's population increases."

32 (REVISION) Following Public Facilities and Services Goal H, Public Facilities and Services Goal I should be changed to read as follows:

"To maintain a high level of library services for all Winters residents."

32 (REVISION) Public Facilities and Services Goal J should be added:

"To promote efficiency, convenience, and harmonious relationships in the siting of public facilities."

32 (REVISION) The first sentence of the first paragraph should be changed to read as follows:

"The Public Facilities and Services section lists policies intended to set objectives, procedures and criteria for the City in achieving the above goals."

32 (REVISION) The last paragraph should be changed to read as follows:

"Specific new facilities which are planned include new wells, extending water, sewer and storm drain pipes to new development areas and a new sewage treatment plant north of the city. The new treatment plant will require subsequent environmental review pursuant to CEQA."

33 (REVISION) The last paragraph (which continues on page 34) should be changed to read as follows:

"The Recreational and Cultural Resources section incorporates policies defining the City's objectives and criteria for the development of parks, recreation and cultural preservation. The policies set a city-wide goal of seven acres of developed parkland per 1,000 residents, and require new development to contribute land or appropriate fees on the basis of five acres of developed parkland per 1,000 residents. Funding for parkland acquisition will also be sought from state and federal sources. According to the section, the City will pursue the development of: neighborhood parks; a roughly 20-acre community park adjoining the new high school site with a swimming pool, gymnasium, and tennis and basketball courts; an approximately 30-acre community park with lighted baseball and soccer fields; centers targeted to teens, seniors and cultural activities near the existing Community Center; a championship golf course; a city-wide network of pedestrian, bicycle and equestrian trails linking open spaces, schools, shopping, civic and employment centers; and reconstruction of the Putah Creek railroad trestle as a bicycle/pedestrian bridge."

34 (REVISION) The first sentence in the second complete paragraph should be changed to read as follows:

"The cultural resources of the city are to be protected and enhanced through the implementation of the City's Historic Preservation Ordinance and the State Historic Building Code, and through the City's pursuit of local, state and federal funding for public and private historical restoration and preservation activities."

35 (REVISION) Natural Resources Goal D should be changed to read as follows:

"To promote the protection and enhancement of wetlands and the riparian and aquatic ecosystems of Putah Creek and Dry Creek."

35 (REVISION) Natural Resources Goal F should be added:

"Promote energy efficient development in City's development review process through effective implementation of adopted state and local standards, and guidelines."

35 (REVISION) The first sentence of the first paragraph should be changed to read as follows:

"The Natural Resources section contains policies which address each of the above goals."

35 (REVISION) The first sentence of the last paragraph should be changed to read as follows:

"A major focus of the Final General Plan's policies for protection of native vegetation and wildlife around the city and along the creeks centers on the undertaking of a feasibility study for the establishment of an Open Space Preserve north of Grant Avenue centered between I-505 and Railroad Avenue which should, to the maximum extent possible, be designed to function as part of the City's flood control and wastewater discharge system."

35 (REVISION) The third sentence of the last paragraph should be changed to read as follows:

"The cost of developing and maintaining this Preserve could be borne partly through the collection of fees from development which cannot provide on-site mitigation of impacts on wetlands or other riparian habitats, as payments in-lieu of on-site dedication and wetlands maintenance."

36 (ERRATA) Health and Safety Goal D should be changed to read as follows:

"To ensure that City emergency response procedures are adequate in the event of natural or man-made disasters."

36 (REVISION) The last paragraph (continuing on page 37) should be changed to read as follows:

"Health and Safety policies address the various categories of potential hazards, as outlined above. Policies on seismic safety require geotechnical reports and appropriate mitigation where necessary for new structures, use of state

construction standards for underground water and gas lines, and abatement of structural hazards (e.g., unreinforced masonry) in existing buildings. Potential flooding hazards are to be avoided by policies which continue City participation in the National Flood Insurance Program, require construction of drainage improvements, and special management of grading projects conducted during the rainy season to avoid siltation in drainage facilities."

38 (REVISION) The first sentence in the first complete paragraph should be changed to read as follows:

"Design guidelines will be prepared for Highway 128/Grant Avenue on the basis of its designation as a Scenic Highway by the County."

38 (REVISION) The last sentence in the first complete paragraph should be changed to read as follows:

"The Implementation Programs of the Community Design section require the City to complete preparation and adoption of design guidelines for Highway 128/Grant Avenue, a *Street Tree Plan and Standards* and *Community Design Guidelines*."

38 (REVISION) The second sentence in the paragraph in the Administration and Implementation section should be changed to read as follows:

"The policies listed in this section, and its Implementation Program, require the City to review the Final General Plan on an annual basis.

38 (REVISION) Delete the third sentence in the paragraph under the Administration and Implementation section, beginning with "The annual review...".

38 (REVISION) The first two sentences of the last paragraph (continuing on page 39) should be changed to read as follows:

"The Draft Final Circulation Master Plan, prepared by Wilbur Smith Associates, dated May 8, 1992, consists of an evaluation of circulation needs and recommendations for a future roadway system based on an advanced computer traffic model (MINUTP). The document addresses both the Final General Plan (the Project) and the Modified Draft General Plan (Alternative II)."

39 (REVISION) The listing under "The recommended roadway improvements include the following items:" should be changed to read as follows:

"
- Main Street Extensions (north and south of Grant Avenue)
- Road 32A Extension (Road 88 to Road 90)
- Road 33 Extension (Road 88 to Road 90)
- Valley Oak Drive Extension
- Putah Creek Bridge Repair
- Grant Avenue/Dry Creek Bridge Reconstruction and Widening
- Railroad Avenue Widening (north of Grant Avenue)
- Taylor Street Reconstruction
- East Street Widening
- Grant Avenue Widening
- Grant Avenue/I-505 Overcrossing Widening
- Traffic Signals at Six Intersections"

39 (REVISION) The heading *b. Water Master Plan* should be changed to *b. Water System Master Plan*, and the subsequent paragraph should be changed to read as follows:

"The Final Draft Water System Master Plan, dated May 8, 1992 and prepared by CH2M Hill, recommends modifications to the City's water supply and delivery system, which would provide increased operating and fire flow pressures to the oldest existing areas of the city, as well as a high degree of flexibility and reliability to accommodate future growth. The recommended program would reduce initial capital outlays by facilitating phased installation of new wells, and provides a system which can be modified by transmission pipes, one or more storage tanks, and booster pumps for a potential future surface water supply. The existing water system is recommended to be improved with the following:"

39 (REVISION) The listing of improvements (continued on page 40) should be changed to read as follows:

- A program of replacing 30 to 100 year old water lines;
- Backup generators at all wells.
- Examination of the operating effectiveness of the downtown area fire hydrants and valves, and upgrading as needed.
- Establishment of specific pipeline standards for strength, corrosion resistance, and overall system consistency and compatibility.
- Acquisition of surface water rights.
- Replace Well No. 1.
- Drill four new wells, and equip with variable frequency drives.
- Install new pumps and variable frequency drives on existing wells, and remove in-line check valves.
- Remove the two existing elevated water towers.
- Installing water meters on all new connections.
- Establish a new telemetry system for monitoring, controlling and record keeping of wells and tanks.
- Add two new fire hydrants in existing system.
- Installation of future water mains as defined by the Water System Master Plan diagram (see Chapter V, Infrastructure Considerations.
- Adoption of City standards for piping, valves, stops, connections, etc.
- Adoption of the 'moderate' water conservation program as described in detail in the Urban Water Management Plan section of the Water System Master Plan.

40 (REVISION) The first two sentences of the first paragraph (following the listing of water system improvements) should be changed to read as one sentence, as follows:

"The Urban Water Management Plan evaluated three alternative programs, identified as "Moderate," "Aggressive," and "Maximum," ranging respectively from programs with the least cost and disruption of lifestyle, to the most expensive program with the greatest water savings.

41 (REVISION) The paragraph under the heading *c. Storm Drainage Master Plan* should be changed to read as follows, and the list of features should be deleted:

"The Draft Final Storm Drainage Master Plan, dated May 8, 1992 and prepared by CH2M Hill, Inc., serves to identify storm drainage improvements necessary to accommodate new development in the areas within the Winters Final General Plan Urban Limit Line which drain to Dry Creek and Putah Creek. The area which drains to Moody Slough, which is in the 100-year flood plain designated by the Federal Emergency Management Agency (FEMA), is not addressed in the Storm Drainage Master Plan, consistent with the land use policy requiring the completion of a feasibility and design study for a comprehensive solution to the drainage problems in the flood-overlay area shown in **Figure 4B**. A small area (about 30 acres) which is designated by FEMA as within the flood plain west and south of the City cemetery, as well as the area south of Grant Avenue between Morgan Street and I-505, would be drained to Putah Creek by new storm drains, and would be removed from FEMA designation. The Storm Drainage Master Plan identifies the necessary pipe sizing for replacement and new storm drains, sets standards for catch basins, and delineates three new major drainage areas each with a main drainage line.

41 (REVISION) The paragraph under the heading *d. Sewer System Master Plan* (continuing on page 42) should be changed to read as follows:

"The Draft Final Sewer System Master Plan, dated May 8, 1992, and prepared by CH2M Hill, Inc., recommends a combination of upgrades and repairs to the existing network, and new facilities and collection system extensions, which are summarized below:

41 (REVISION) The last item (page 41) should be changed to read as follows:

- Construction of new 40-acre-foot pond at the existing site, and continued monitoring of Storage Pond. No. 3 and completion of a report to identify appropriate repairs.

43 (ERRATA) The following sentence should be added after the first sentence in the second paragraph:

"The consideration of the effects of the FGP on the provision and affordability of housing is evaluated as a social and economic issue, and is not considered to be a significant environmental impact under the California Environmental Quality Act (CEQA Guidelines, 15131 (a))."

49 (ERRATA) The figure of "499" units given in the last sentence of the first complete paragraph should be changed to "521," and the table should be changed to read as follows:

Income Category	Needed Increase	Percent
Very Low Income (under 50 % of MHI):	118	22.6
Low Income (50 - 80 % of MHI	91	17.4
Moderate Income (80 - 120 % of MHI)	107	21.4
Above Moderate Income (over 120% of MHI)	192	38.6
Total	**521**	**100.0**

(Source: Ref. 38, page 7)

49 (ERRATA) The second complete paragraph ıld be changed to read as follows:

"Between January 1, 1989 and May 1, 1992. :otal of 322 new residential units have either been approved or recommended for approval in Winters. Of these, 83 units were identified as affordable to very low-income households, none of the units were identified as affordable to low-income households, and 54 units were identified as affordable to moderate income hou :holds. The remaining 185 units were identified as affordable to above moderate-income households. Therefore the future adjusted need to meet the regional "fair share" objectives of SACOG is about 200 units, of which 118 units should be affordable to very low-income households, 91 units for low-income households, and 112 units for moderate-income households. An estimated 100 building permits were issued between January 1, 1989 and June 30, 1991, all of which were determined to be affordable only to households with above moderate incomes (Written communication with Brent Moore, Community Development Director, City of Winters, May 4, 1992). The units already built, approved, or projected to be affordable to very-low income households required special housing programs and incentives, and it is expected that similar programs would be necessary to meet the adjusted need for housing affordable to low-income households (combined very low and low income groups), and that market conditions will only meet the housing needs of households with moderate or above moderate incomes."

49 (ERRATA) The last sentence in the paragraph following the table should be changed to read as follows:

"Therefore, it is assumed that none of the 185 detached single family dwelling units were affordable to low income households."

57 (REVISION) The last, italicized paragraph, which continues on page 58, should be revised to read as follows:

"The FGP incorporates a policy (I.A.4) which directs the City to prepare and adopt a program to ensure that growth occurs in an orderly fashion, directly linked to the extension and provision of public services and infrastructure. The FGP would prevent the extension of urban development beyond the SOI on the basis of its policy (I.A.2) to establish an Urban Limit Line, and the implementation program (IP-I.1) for an application to the LAFCO to expand the SOI for potential long-term growth in the Urban Study Area in the later years of the FGP planning period.

59 (REVISION) The first paragraph should be changed to reflect the revised Land Use Diagram acreage figures as follows:

"The Land Use Diagram has designated a total of about 625 vacant acres for residential uses, at densities ranging from one unit per acre to 20 units per acre. On the basis of assumed actual densities (see **Figure 7 (REVISED)** on page E&R-56), this land area is projected to result in the development of approximately 3,110 dwelling units. Varying ratios of persons per household (pph) are utilized depending upon the density, as follows: 2.8 pph for residential areas of less than five units per acre (the combined categories of Rural Residential, Low, and Medium Density Residential); 2.3 pph for areas with between five and ten units per acre (Medium High Density Residential category); and 2.0 pph for dwelling units developed at between ten and twenty units per acre (High Density

Residential). According to the density formula, 2,042 new dwelling units are projected to be developed at densities of less than five units per acre, which would accommodate a total of about 5,717 persons. In the next higher density range, 591 new units are projected to be developed, with an anticipated population of 1,359 persons. A total of 477 new dwelling units in the highest density range is expected to accommodate 954 persons, which combined with the other categories, would enable the population of Winters to increase by a total of 8,030 persons. Added to the 1990 population of 4,639, the overall projected population at buildout of the Final General Plan is 12,669, just over the population figure of 12,500 which the Final General Plan is intended to accommodate.

59 (REVISION) The last, italicized paragraph, which continues on page 60, should be revised to read as follows:

"The FGP includes a policy (I.A.4) stating that the actual rate of growth is to be linked to the provision of adequate services and infrastructure, utilizing a program that could include a growth-phasing plan, assessment districts, community facility districts or other mechanisms (IP-I.4). An additional policy is provided (I.A.7) which requires the City to ensure that its designation of land uses and approval of development projects do not hinder efforts to maintain a positive fiscal balance with regard to expenditures for infrastructure and public services. New development is to be approved only when the capacity of necessary public facilities, including schools, is sufficient, or a mechanism is in place to ensure the availability of those facilities on a timely basis (I.A.5). Because the provision for dwelling units in commercial areas is on a discretionary basis, the policies of linking growth to provision of services and infrastructure, and managing the approval of projects for a positive fiscal balance, will effectively prevent the development of these units in a manner that adversely affects the ability of the City to meet the objectives of the Final General Plan.

61 The third paragraph should be changed to reflect the revised Land Use Diagram acreage figures to read as follows:

"The Final General Plan Land Use Diagram designates approximately 105 acres of land for new residential uses which are to be developed at between one and four units per acre (LR), and which are expected to average about 3.1 units per acre. In addition, 50 acres of land are projected to develop at a density of less than one unit per acre (RR). Together, these 155 acres represent about 25 percent of the approximately 626 acres designated for new residential development, and are, in effect, the areas which will be least efficiently served by infrastructure and public services. This proportion of low density development represents a burden on the efficiency of the city's system of roadways, water, sewer and drainage improvements, and would constitute a significant impact if this type of development occurred at a faster pace than the other types of residential development.

62 (REVISION) The first paragraph should be changed to read as follows:

"Development of residential uses which are very limited in variety, particularly if they are of a character which is affordable only to moderate and above-moderate income households, could have a substantial effect on the availability of affordable housing in Winters. A failure to provide adequate land designated for housing development at higher densities that would be more affordable to low and

very low income households could prevent the City from meeting its regional housing needs objectives set by SACOG, which would be an adverse effect on housing conditions in the region. A high level of uniformity or homogeneity among housing types also adversely affects the range of housing choices for Winters' residents, and may have negative effects on the appearance and form of the city as well, if large areas of residential land uses have a monotonous form dictated by the permitted densities. However, the following consideration of the effects of the FGP on the provision and affordability of housing is evaluated as a social and economic issue, and is not considered to be a significant enviroronmental impact under the California Environmental Quality Act (CEQA Guidelines, 15131 (a))."

62 (REVISION) The second and third paragraphs should be changed to read as follows, and should be followed by the next two paragraphs provided below:

"The FGP designates land for a variety of differing residential uses and types, ranging from half-acre lots for single family units (RR) to multiple family units (HR). In total, approximately 3,107 new dwelling units are anticipated to be built in the planning area by the year 2010, the planning "horizon". Of the estimated 626 acres designated for new housing, about 24 percent of the land is designated for low and very low densities (LR and RR), which are projected to yield about 363 single family houses, or almost 12 percent of all the units. The largest category, for single family attached and detached (duplex-type, for example) units would utilize approximately 58 percent of the land area designated for housing, and is projected to yield an estimated 1,682 units, or about 54 percent of all the units.

"At the higher densities, relatively small amounts of land are projected to yield substantial proportions of the total number of dwelling units. About 12 percent of the land is designated for Medium High Density (MHR), which is expected to yield approximately 585 units, or about 19 percent of all the units, at an average density of 7.7 units per acre of attached and detached single family and multiple family homes. Finally, about 477 units, or around 15 percent of all the projected housing, is anticipated to be developed in the HR designation, at an average density of 15.4 units per acre, on a total of about 31 acres, or under five percent of all residentially-designated land area. The combined MHR and HR designated land is anticipated to yield an estimated 1,062 units, or just over one-third of all units. In addition, secondary units are permitted in the RR and LR designations, and detached single family houses are included among the uses defined for MHR and HR designations, with the intention that a variety of housing opportunities within each designation will be developed."

"The above projections of new residential development assumes that when construction actually takes place, the average densities for each category will be somewhat lower than the maximum permitted density. For example, the Medium Density (MR) designation, which permits a maximum density of 6.0 units per acre, is estimated to develop at 4.62 units per acre. The average density figures used for each residential designation served as the basis for estimating the projected future population of the city with adoption and implementation of the Final General Plan at 12,500 residents (see page 59 of the Draft EIR). The FGP, and all of the infrastructure Master Plans (including the Financing Plan and Development Fee Study), and the EIR, were prepared on the basis of this population figure, which assumes an overall average development pattern with

density moderately lower than specifically permitted. Although these documents were prepared on the basis of these assumptions, actual conditions cannot be predicted, and flexibility to account for variations in the actual population is fully anticipated in each document.

"On the basis of the maximum allowable density provisions of each residential designation, the FGP would provide Winters with a "holding capacity" which could accommodate substantially more dwelling units than are projected to occur on average within the planning area by the year 2010. This capacity is determined to be a total of 4,020 new dwelling units, and does not include units which may be built as a result of density bonus provisions, or potential units which could be built in commercial designations. Not all of this "holding capacity" is immediately available for development, and the timing of development would be related to developer/property owner motivation, annexation procedures and the successful removal of sewer and drainage constraints within the planning area. This holding capacity essentially provides the City with a high degree of flexibility for meeting its regional "fair share" housing objectives. For instance, of the estimated 623 acres designated for new housing, 76 acres, or about 12 percent of the total acreage, is designated for MHR, which at the maximum density of 10.0 units per acre, could yield 760 units over the 20-year planning horizon, in contrast to the 585 units which are otherwise projected to be developed by the year 2010 (Ref. 48, page II-20, Table II-18). A similar degree of flexibility is provided in each of the other residential designations.

62 (ERRATA) The third and fourth sentences of the last paragraph (which continues on page 63) should be changed to read as follows:

"SACOG has defined the projected need in Winters at a total of 521 new units between January 1, 1989 and July 1, 1996. An estimated 100 building permits were issued between January 1, 1989 and June 30, 1991, and another 220 units have received or have been recommended for preliminary approvals."

63 (REVISION) The second complete paragraph should be changed to read as follows:

"Of the 322 units approved for construction between January 1, 1989 and May 5, 1992, 185 units were detached single family homes, all of which were determined to be affordable to above-moderate incomes, 54 are expected to be affordable to moderate incomes, and 83 are designated as affordable to very low income households.

65 (REVISION) The first complete paragraph should be changed to read as follows:

"Assuming that the 585 units projected to be developed in areas designated as MHR are built in evenly distributed annual increments in the years between 1991 and 2010, about 146 units could be developed by 1996, of which 73 might be affordable to low income households. Of the 478 units which could be developed in areas designated as HR, about 120 could be built by 1996, with 72 units affordable to low income households and 24 units affordable to very low income households. Because of the "holding capacity" factor discussed above, however, the City could approve the development of a higher number of dwelling units by ensuring development at the maximum permissible density within the residential

nd use designations. It appears that enough land has been designated at fficiently high densities to accommodate housing which would be affordable to .ow income households, but that for households with very low incomes, an aggressive program of housing subsidies and incentives (including promotion of higher density housing through density bonuses) would be required. However, because the provisions for medium high density and high density residential designations cannot conclusively be expected to provide housing affordability for low income households, housing programs and incentives for this income category would be necessary as well."

65 (REVISION) The following should be added at the end of the third complete paragraph (first italicized paragraph):

"The policy objective of 75 percent single family housing shall not be implemented in a manner which would constrain the City's ability to meet its regional fair share allocation objectives for housing affordable to low and very-low income households (II.A.4). An Affordable Housing Commission is to be created to review all development proposals consisting of 50 more housing units for the purpose of encouraging such proposals to qualify for a density bonus under provisions of state law (II.A.8)."

66 (ERRATA) The first complete paragraph, in bold typeface, should be changed to read as follows:

"The Final General Plan Housing Element provides a number of means to ensure that a broad range of types and densities of new housing will be built, including units which would be affordable to low and very low income households, and it therefore will not have an adverse effect on the affordability of housing in Winters. Housing affordability effects for the purpose of CEQA are not considered as significant impacts on the environment (CEQA Guidelines, 15131 (a)).

66 (REVISION) The last paragraph (continuing on page 67) should be changed to read as follows:

"The Land Use Diagram of the Final General Plan indicates that new growth of the city will occur primarily in a half circle area surrounding the existing urban area from Grant Street on the west, around the city to the north to Grant Street on the east, with some added areas to the east, south of Grant Street. The Diagram incorporates an extension of Main Street that is generally centered within this arc of proposed development. This arterial would connect to the existing Main Street on the west at Grant Avenue and on the east at Morgan Street, and would establish an urban form that is similar to generally much larger cities or metropolitan areas that develop multiple "satellite" centers, between which access and linkage eventually becomes as important as access to the urban center itself, leading to a system of peripheral arterials or highways. However, such a pattern typically emerges only after a strong radial network has developed, and important land uses have emerged at the perimeter of the city. This is not presently the case in Winters, and thus the Main Street arterial would initially connect low density residential neighborhoods to other similar neighborhoods. However, it also links these neighborhoods to the Central Business District, to the new high school site, and to the major community park identified by the Diagram in the north-central area of the city. **The impact on urban form of Alternatives I and II would not be significant."**

73 (ERRATA) The second sentence in the fifth paragraph should be changed to indicate "Four round trips...." and the third sentence should be deleted.

81 (REVISION) The list of modifications at the bottom of the page should be modified to reflect the revised Circulation Master Plan as follows:

- New Main Street Loop Road north of Grant Avenue;
- Road 32A Extension from County Road 88 to County Road 90;
- Road 33 Extension from County Road 88 to County Road 90;
- Valley Oak Drive Extension to Road 32A;
- Hemenway St. Extension to Road 32A East of Railroad Ave;
- East Baker Street Extension to Grant Avenue opposite existing Road 90; and
- New connection from Road 33/Industrial Road to Grant Avenue west of the Baker St. terminus.

84 (REVISION) Replace **Figure 18** with **Figure 18 (REVISED)**, shown on page E&R-57 of the Final EIR.

85 (REVISION) The heading **Draft General Plan Impacts** should be changed to **Final General Plan Impacts**, and the paragraph under that heading revised to reflect the Draft Final Circulation Master Plan as follows:

"Development as projected in the FGP could not be accommodated by the existing street network without experiencing substantial adverse traffic impacts of levels-of-service (LOS) D, E or F at all major intersections on Grant Avenue. Assuming completion of the roadway improvements defined in the revised Circulation Master Plan, the traffic model for future conditions with development defined by the FGP indicated that all the major Grant Avenue intersections would operate at LOS C or better. As shown in **Figure 21** for the Final General Plan (12,500 population), shown on page E&R-59 of the FEIR, Grant Avenue is projected to carry as many as 25,100 vehicles daily east of East Main Street, compared with a current ADT of approximately 7,500. Immediately west and east of Railroad Street, Grant Avenue is projected to carry 16,500 and 15,600 vehicles, respectively, compared with 6,900 and 8,000 today. Traffic on the Putah Creek bridge is projected to reach 7,900 (currently 4,700 ADT). Elsewhere on Railroad Street, daily volumes are projected to reach 5,500 north of Grant Avenue and 6,500 south of Grant Avenue, compared with existing volumes of 4,200 and 5,900."

89 (REVISION) The first paragraph should be changed to read as follows:

"Of the identified new roadways, substantial volumes are projected for future conditions with the 12,500 population alternative on the Main Street North (8,500-9,700 daily vehicles between County Road 33 and Grant Avenue), County Road 33 (5,200 west of the Loop Road) and on the new Industrial Road (5,000 north of County Road 33).

86 (REVISION) Replace **Figure 19** with **Figure 19 (REVISED)**, shown on page E&R-58 of the Final EIR.

87 (REVISION) Replace **Figure 20** with **Figure 20 (REVISED)**, shown on page E&R-58 of the Final EIR.

;8 (REVISION) Replace Figure 21 with Figure 21 (REVISED), shown on page E&R-59 of the Final EIR.

91 (ERRATA/REVISION) The fourth paragraph, in italic typeface, should be changed to read as follows:

"The FGP and Draft Final Circulation Master Plan provide the basis for roadway improvements which will accommodate the Final General Plan's designated land uses. The Final General Plan directs the City to endeavor to maintain a Level of Service "C" or better on all streets and intersections in the city (III.A.1). This policy would be assumed to prevent development as defined by both Alternatives I and II from occurring in a manner which would have adverse traffic impacts. The potential impacts on traffic service levels of development proposals with 20 or more housing units or lots are required to provide traffic impact analyses at the expense of the project developer (III.A.3), and the City shall ensure through a combination of traffic impact fees and other funding mechanisms that new development provides a fair share of the costs of circulation improvements (III.A.15). The Circulation Master Plan is to be adopted and periodically updated, to reflect development patterns and densities (Implementation Program III.2).

91 (REVISION) The fifth paragraph, in bold typeface, should be changed to read as follows:

"The Circulation Master Plan incorporated into the Final General Plan program (Alternatives I and II) identifies improvements to the roadway network which, if effectively implemented, will avoid the potential impact of unacceptable congestion."

91 (REVISION) The paragraph following Congestion Management Plan Impacts should be changed to read as follows:

"Traffic conditions on both Grant Avenue and Railroad Street would not deteriorate to worse than LOS C under the Final General Plan, and under any circumstance not worse than LOS D under the Modified Draft General Plan. As stated above, an LOS C is the overall policy objective of the FGP. As a result, the City would conform to the Level-of-Service requirements of the Yolo County Congestion Management Plan. **The potential impact would be avoided."**

91 (ERRATA) The following heading and three paragraphs should be added to the bottom of the page.

"Future Parking Impacts

"As indicated in the existing setting discussion, there is currently sufficient on and off-street parking to satisfy the needs of the businesses, residences, and other uses in the downtown area. Future growth and development of the downtown as anticipated in the Final General Plan would increase the demand for the usage of the existing on and off-street parking supply."

"To prevent adverse parking impacts, the Final General Plan includes several policies which have the goal of ensuring the adequate provision of both on-street

and off-street parking, including requirements for adequate off-street parking in all new development, the potential development of public parking lots in the downtown area through a parking assessment district or other financing mechanism, and enforcement of parking time limitations (II.F.1, 2 and 4). Implementation measures are also defined for the City to review and revise its Zoning Ordinance standards for off-street parking, and investigate the purchase of vacant downtown lots for use as public parking lots (IP III.7 and 8)."

"The potential impact of inadequate public parking in the downtown and elsewhere in Winters would be avoided."

92 (REVISION) Replace **Figure 23** with **Figure 23 (REVISED)**, shown on page E&R-60 of the Final EIR.

93 (REVISION) Replace **Figure 24** with **Figure 24 (REVISED)**, shown on page E&R-61 of the Final EIR.

94 (REVISION) Replace **Figure 25** with **Figure 25 (REVISED)**, shown on page E&R-62 of the Final EIR.

99 (REVISION) The list under the heading Local Impacts (continuing on page 100) should be changed to read as follows:

- Average Annual Demand - 3,168 gpm or 5,100 acre-feet per year.
- Maximum Day Demand - 6,336 gpm.
- Maximum Day Demand Plus 1,500 gpm Fireflow - 7,836 gpm.
- Maximum Day Demand Plus 3,000 gpm Fireflow - 9,336 gpm.
- Peak-Hour Demand - 11,088 gpm.

100 (REVISION) The first sentence of the first paragraph should be changed to read as follows:

"Increases in water demand for the City of Winters in the year 2010 would entail a net increase in groundwater pumping of about 1,630 acre-feet per year to a total of 5,110 acre-feet-per-year."

100 (ERRATA) The following sentence should be added to the end of the third paragraph (beginning "An increase in population to 14,000..."):

The Water System Master Plan, dated May 8, 1992 and prepared by CH2M Hill, Inc., identifies needed modifications to the City's water supply and delivery system, which would provide for increased reliability of service in existing areas, accommodate new development, and provide needed fireflow capacity. The Master Plan is intended to provide the means of achieving the objectives of the FGP for existing and future needs, and the policies of the Public Facilities and Services section of the FGP incorporate the essential recommendations of the Water System Master Plan. The Master Plan system criteria specifies that the required fireflow of 1,500 gallons per minute (gpm) for residential, 2,000 gpm for commercial, and 3,000 gpm for industrial uses, which are the objectives for fireflow identified in the FGP. The future system is shown in **Figure 26B**, shown on page E&R-63 of the Final EIR."

100 (ERRATA) The last paragraph should be revised to read as the following three paragraphs:

"There are no significant local water system impacts expected to result from the anticipated increase in population under either Alternative I or Alternative II. The groundwater study in the Water Master Plan, indicates that there is adequate groundwater to supply the City of Winters through the year 2010, but that regional groundwater flows, and infiltration from Putah Creek may be adversely affected by the increased groundwater pumping required for new municipal and industrial demand (Ref. 16, Section Two, page 17).

"The FGP incorporates policies to ensure the provision of an adequate water supply system, including programs for replacing older water pipes, replacing, upgrading and maintaining existing wells, developing new wells as needed, testing of fire hydrant pressures, discontinuing use of the elevated water tower, and monitoring water usage (IV.B.2-6).

"There would not be a significant impact of an inadequate local water supply or distribution network, or insufficient fireflow pressure.

101 (REVISION) The following paragraph and bold typeface sentence should be added following the second paragraph:

"The Final General Plan incorporates a policy and Implementation Program which would require the City to implement a "moderate" water conservation program as defined in the Urban Water Management Plan in the Water System Master Plan. *The City is also directed to monitor water usage annually to assess the impact of the "moderate" water conservation program. The City would also be required to monitor groundwater levels at least twice a year to determine if a progressive, long-term decline in water levels is occurring. If groundwater levels decline and/or if the "moderate" program does not achieve its intended results, the City would be required to implement the "aggressive" or "maximum" water conservation program as defined in the Urban Water Management Plan (IV.B.11, IP-IV.7, 9, 11). Groundwater recharge preservation is given a high priority, and for that purpose, among others, a feasibility study for rebuilding the Winters Dam on Putah Creek is to be prepared (IV.B.7-8). Other policies addressing the water system include participation by the City in an areawide groundwater management study, requirements for the use of drought-tolerant landscaping, use of treated sewage effluent for appropriate landscaping and irrigation needs, water meters on all new hook-ups and a meter retrofit for existing connections (IV.B.10, 12-14).*

"The potential for cumulative water supply impacts would be avoided."

101 (REVISION) The paragraph under the heading **Mitigation Measures** should be deleted with the exception of the first sentence.

102 (REVISION) Replace **Figure 27** with **Figure 27 (REVISED)**, shown on page E&R-64 of the Final EIR.

104 (REVISION) The last paragraph (continuing on page 105) should be changed to read as follows:

"Sewer system impacts related to the anticipated 12,500 in population relate to the need to provide an additional sewage treatment plant to accommodate the increased population. A new sewage treatment plant capable of accommodating the anticipated population would require the ability to ultimately process approximately 1.5 million gallons-per-day (mgd). The Sewer System Master Plan recommends construction of a new facility with a capacity of 1.0 mgd, and later expansion to 1.5 mgd capacity when flows approach 1.0 mgd. The first phase would also require construction of new regulating ponds with about 100 acre-feet of capacity, reuse of the 14-inch force main for landscaping and irrigation needs (e.g., cemetery and potential golf course irrigation, fodder and other non-food crops), and a pipeline to the existing storm drainage system for winter discharge to Putah Creek. A subsequent environmental review of the proposed new wastewater treatment plant will be required. Improvements to the existing sewage treatment facility will allow the City to accommodate future growth until the new treatment facility is online. Under the current provisions of the California Water Quality Control Board - Central Valley Region, the existing facility has capacity for 488 new homes, which would enable new development to occur at a relatively normal pace until 1995, when the new plant is anticipated to be completed and operating. The figure of 488 new homes allows a sufficient margin for achieving the quantified objectives of the Housing section of the FGP for 421 new housing units. It is also consistent with the FGP Housing section policy that allocations of remaining sewer capacity shall not constrain the development of housing affordable to low- and very low-income households."

104 The following paragraph should be added after the second complete paragraph:

"The FGP incorporates policies for the implementation of the Sewer System Master Plan, including the upgrading and replacement of older and undersized sewer lines and pumps, adequate sewer service in areas of new development, and the preparation of a design and feasibility study for construction of a new sewer treatment plant in the northeast part of the city (IV.C1-3), The City is also directed to Implement and enforce an industrial pretreatment program for safe and efficient operation of sewer treatment facilities.

107 (REVISION) The two paragraphs under the heading **Impacts** should be replaced with the following:

"A Storm Drain Master Plan has been developed as part of the overall Project and provides an inventory of the drainage system requirements and facilities to accommodate planned growth in the areas within the Winters Final General Plan Urban Limit Line which drain to Dry Creek and Putah Creek. The large area which drains to Moody Slough within the northern portion of the Winters Urban Limit Line is designated by the Federal Emergency Management Agency (FEMA) as in the 100-year flood plain (FEMA, 1980), and will require a comprehensive solution to flooding problems. The watershed contributing to drainage problems in the Winters area is illustrated in **Figure 30** [*on page 108 of the Draft EIR*]. The northern drainage area, identified as the flood-overlay area in **Figure 4B** on page E&R-53 of the FEIR, is not addressed in the Storm Drainage Master Plan. For ultimate development of the flood-overlay area, which would be required to accommodate the projected population anticipated by the FGP, the

Master Plan indicates future studies will be necessary. The Public Facilities and Services section of the FGP, consistent with the Land Use section, indicates that the completion of a feasibility and design study for a comprehensive solution to the drainage problems in the flood-overlay area will be necessary (Policies IV.D.4, and I.A.9)."

"A small area (about 30 acres) which is designated by FEMA as within the flood plain west and south of the City cemetery, as well as the area south of Grant Avenue between Morgan Street and I-505, would be graded so that storm water would drain to Putah Creek by new storm drains, and would be removed from FEMA designation."

108 (REVISION) Replace **Figure 30** with **Figure 30 (REVISED)**, shown on page E&R-65 of the Final EIR.

109 (REVISION) In the second sentence of the third paragraph change the figure for replacement pipe from 12,900 to 15,000.

109 (REVISION) Delete the heading Regional Impacts and the subsequent paragraph.

109 (REVISION) Delete the heading Onsite Measures, and the subsequent paragraph and short list.

109 (REVISION) Change the last paragraph to read as the following two paragraphs:

"Undeveloped areas located outside of the 100-year flood plain (shown in **Figure 32**) [*on page 111 of the Draft EIR*], will be relieved of any storm drainage impacts by providing storm drains to be routed along major roads, draining to Dry Creek and Putah Creek. The Storm Drainage Master Plan identifies the necessary pipe sizing for replacement and new storm drains, sets standards for catch basins, and delineates three new major drainage areas each with a main drainage line.

"The FGP incorporates policies which provide for the replacement and upgrading of older and undersized storm drains, the expansion of drainage facilities for new development, and the preparation of a design and feasibility study for a comprehensive solution to the 100-year flooding problems associated with Chickahominy and Moody Sloughs (IV.D.1, 2, 4), and preventing development from occurring until the study has been completed (I.A.9). Features of the drainage solution may include diversion to Putah Creek, diversion under I-505, detention ponds, a recreational lake serving as a detention facility, modified land use designations, elevated building pads, and structural flood proofing, on the basis of operational effectiveness and cost-effectiveness. Development proposals for property affected by or contributing to the flooding problem, as a condition of development entitlements, will be required to participate in the financing of the comprehensive solution according to the benefit received or contribution to the flooding problem (IV.D.4).

110 (REVISION) Replace **Figure 31** with **Figure 31 (REVISED)**, shown on page E&R-66 of the Final EIR.

112 (REVISION) Delete the heading Regional Measures, and the four subsequent paragraphs, and change the bold typeface statement to read as follows:

"The Final General Plan (including both Alternatives I and II) would avoid potential storm drainage impacts and would avoid significant regional drainage impacts as a result of new development.

113 (REVISION) Delete Figure 33.

119 (REVISION) The second sentence in the first paragraph should be changed to read as follows:

"The Final General Plan Land Use Diagram was configured in anticipation of this need, and a four-acre site is designated for public or quasi-public uses at the southwest corner of the intersection of Railroad Avenue and the planned North Main Street arterial."

121 (REVISION) The first sentence in the fourth paragraph should be changed to read as follows:

"The Final General Plan Land Use Diagram includes a site for a joint Police/Fire facility located at the southwest corner of the intersection of Railroad Avenue and the planned North Main Street arterial."

123 (ERRATA) The first paragraph should be changed to read as follows:

"Existing public and private open spaces and recreational facilities within the City of Winters include the 3.4-acre City Park at Fourth and Main Streets, the 2.5-acre Dry Creek Park (undeveloped), facilities associated with each of the schools, the Community Center and Rotary Park Complex, the Winters Scout Cabin and for future development, the former 30-acre landfill site. The total of 36.2 developed or designated parks provides the City with about 7.7 acres of public parkland per 1,000 residents. Due to the extensive use of school facilities for the recreational needs of the city's residents (estimated at about one quarter of the total non-administrative school acreage, or about 17.4 acres [*see Figure 34, DEIR page 128*]), the ratio of existing recreational facilities may also be considered as about 5.0 acres per 1,000 residents. Nearby regional recreational facilities include Lake Berryessa, Solano Lake Regional Park, and the Putah Creek Fishing Access zone along Highway 128 and Putah Creek, beginning about seven miles west of the city."

123 (REVISION) The second sentence of the second paragraph should be changed to read as follows:

"As allowed by state law (Quimby Act), the city requires the dedication of, or payment in-lieu of, up to 5 acres of parkland per 1,000 residents projected to reside within the proposed development."

123 (ERRATA) The first sentence of the third paragraph should be changed to read as follows:

"A decrease in the ratio of park acreage to city residents, or a failure to acquire and develop new parks as the city population grows would represent a significant, adverse impact."

124 (REVISION) The third bulleted paragraph should be changed to read as follows:

"Development of new special-needs centers near the existing Community Center, including a cultural center, teen center and senior center."

124 (REVISION) Delete the last two bulleted paragraphs, and replace with the following after the fourth bulleted paragraph:

- "In addition, the City would pursue the development of a championship golf course in the north part of Winters."

124 (ERRATA) The last sentence of the last paragraph should be change to read as follows:

"The total acreage proposed represents a very substantial increase from the approximately 36 acres of developed and designated parkland."

125 (REVISION) The last sentence in the first paragraph should be changed to read as follows:

"The greatest distance between a residence and an existing or proposed park would be about 1,700 feet, or about a third of a mile, from the north-westernmost corner of the northern growth area to the park south and east of the planned North Main Street arterial."

125 (REVISION) The first two sentences of the second paragraph should be changed to read as follows:

"A distance of about 1,600 feet from a residential area to a park would occur in the area where the planned North Main Street arterial connects to Grant Street on the west side of the city. This area is within a larger area of about a third of a square mile, bounded by Railroad Avenue, County Road 33, the western link of the planned North Main Street arterial, and Grant Street, and in which the only new park would be a one-and-one-half acre Mini-park between Apricot Avenue and the city cemetery."

125 (REVISION) The second sentence of the third paragraph should be changed to read as follows:

"The primary goal is to provide seven acres of developed parkland per 1,000 residents, and land, improvements, or development fees based on a ratio of five acres of developed parkland per 1,000 population are to be provided as a condition of new development. On the basis of the standard of seven acres per 1,000 residents, the anticipated population would require 87.5 acres of parkland which is considerably more than is currently available, and only moderately less than the 92 acres which are identified in the Land Use Diagram."

125 (REVISION) Change the last sentence of the last paragraph to read as the following two sentences:

"With a total population of 14,000, the standard (seven acres per 1,000 residents) for park land and recreational facilities set by the City would require 98 acres of land, a figure which is in excess of the 92 acres of parkland defined by the Land

Use Diagram of both the Project and Alternative II. However, additional neighborhood mini-parks could be required within specific development plans under Alternative II to compensate for the greater need for park land."

126 (ERRATA) The second paragraph should be changed to read as follows:

"The Quimby Act allows cities in California to require development to provide parkland dedications or payment in-lieu of dedications, for the achievement of a ratio of three or five acres of parkland per 1,000 residents, depending on the city's existing ratio. For new development under Alternative I, the total of which will add about 7,900 persons to the city, about 38.5 acres of new parkland and improvements could be required by the city. The resulting 74.7 acres of parkland, including the currently designated 36.2 acres of parks, would result in a ratio of about 6 acres per 1,000 residents, or only moderately less than the objective of the FGP. The additional 18 acres of planned parkland would likely require the use of county, state and federal funding for acquisition and/or development as directed by the FGP (Policy V.A.3). Although it may be difficult for the City to meet the ideal ratio of seven acres per 1,000 residents, new development would substantially raise the present ratio of parkland per resident, and would be beneficial.

126 (REVISION) The first sentence of the third paragraph should be changed to read as follows:

"The Final General Plan incorporates a policy requiring new residential development proposals to include the dedication of land or improvements, the payment of in-lieu fees, or a combination of these as defined by the city, to contribute to the City's goal of providing seven acres of parkland per 1,000 residents (V.A.1.)."

126 (REVISION) The last sentence of the third paragraph should be changed to read as follows:

"It should be noted, however, that this Policy is limited as a policy foundation for acquiring or developing all of the approximately 92 acres identified in the FGP, or for obtaining improvements to all available parkland, such as the 30-acre former landfil site.

129 (ERRATA) The seventh sentence in the third paragraph (beginning "The state provides...") has a typographical error ("relocatakble") which should be corrected to read "relocatable.".

131 (REVISION) The third paragraph and the second list of bulleted items should be deleted.

132 (ERRATA) The second sentence in the second paragraph has an error in the wording of the phrase "to continue to use of relocatable classrooms" which should read "to continue the use of relocatable classrooms."

133 (REVISION) The following sentence should be added to the first, italicized paragraph:

"In addition, the City shall not approve any development entitlements, including building permits for new residences, unless a mechanism to mitigate school impacts generated by the project has been approved by the City, such as the dedication of land, development fees, funding commitments by means of an assessment district or Mello-Roos Community Facilities District, project phasing, or reduction in density.

134 (REVISION) Add the following paragraph after the first complete paragraph:

"The FGP incorporates a goal and accompanying policies to promote energy efficiency in new development by implementing adopted state and local guidelines and standards, with appropriate solar exposure in the siting of new residences, provision of sunlight easements, and use of energy efficient technology in municipal facilities, wherever feasible.

136 (REVISION) The third sentence in the first paragraph (continued from page 135) should be changed to read as follows:

"For example, the Land Use Diagram identifies a total of about 28 acres designated for Planned Commercial land uses, which could accommodate about 268,000 square feet of retail, service, office and other uses."

136 (ERRATA) The figure of "400 square feet" in the fourth sentence in the last paragraph should be changed to read as "450 square feet" as follows:

"An average figure of 450 square feet per employee was applied to the projected 2,305 employees, which equals about 1.03 million square feet of space."

136 (ERRATA) The sixth sentence in the first paragraph (continued from page 135) contains the figure of "1.6 million square feet", which should be changed to read "2.5 million new square feet."

136 (ERRATA) The fourth sentence in the third paragraph begins "An average of 400 square feet..." which should be changed to read "An average of 450 square feet..."

137 (ERRATA) The third paragraph should be changed to read as follows:

"Under the Quimby Act, the City can require developers of residential projects to dedicate (in deed or provide payment in lieu of a dedication) five acres of developed parkland per 1,000 persons which are projected to be generated by the proposed development. The Final General Plan Land Use Diagram identifies a total of 92 acres of park land for development, of which an estimated 38.5 acres could be required to be dedicated as a condition of new residential development, resulting in a total of 74.7 acres of parkland. For the purpose of showing the minimum new acreage of parkland which the City would in the future have to provide maintenance and services, the fiscal analysis provided in the Draft EIR assumes the City will acquire and develop no more than three acres per 1,000 population. On the basis of 1991 California Department of Finance estimates of a Winters population of 4,778 (rounded to 4,750), the Final General Plan will add approximately 7,750 persons to the city's existing population, and would result in

the dedication of a minimum of 23.2 acres of parkland. However, a sensitivity analysis of the annual maintenance cost for 92 acres of developed parkland, as planned by the Final General Plan, was also undertaken and is discussed in the Impacts section of this Chapter.

138 (ERRATA) Change the title of Figure 35 [*in the Draft EIR*] to read "SUMMARY OF ASSUMPTIONS FOR NEW DEVELOPMENT."

144 (ERRATA) The first complete paragraph should be changed to read as follows:

The City currently has 3.5 acres of developed parks, which require maintenance. The City has an additional 33.25 acres of designated, undeveloped park acreage, including the former landfill site. The City presently spends about $10,500 per acre for park maintenance. This amount is slightly higher than some other cities spend per acre, but it is within reason given the small acreage in existing parks. This cost factor is applied to an estimate of new park acreage that would be required under the Project. This analysis assumes a minimum standard of three acres of parkland per 1,000 population, although the FGP indicates that the City will require developers of residential land uses to provide new parks and improvements on the basis of five acres per 1,000 residents. The standard of three acres per 1,000 residents is applied to the net new population and not the existing population."

145 (REVISION) The following paragraph should be added following the third paragraph:

"The FGP has been modified as the FGP, with modified land use designations and changes to the Circulation, Water, Sewer and Storm Drainage Master Plans, which reduce the projected costs of infrastructure improvements. In addition, other cost items have been deferred for future analysis, such as fire capital equipment and facilities, general capital equipment and facilities, and the City Hall remodeling. When further study is complete, however, these other cost items will be incorporated into the City budget. These changes do not change the determination that the Final General Plan would not result in a positive fiscal balance. However, the fiscal analysis provided assumes total buildout of both residential development and all associated infrastructure and public facilities, when in actuality, as previously stated, costs would have to be reduced or revenue increased to meet predicted budget shortfalls.

144 (ERRATA) The first complete paragraph should be changed to read as follows:

"Assuming a <u>minimum</u> of three acres of parkland per 1,000 population, the equivalent of an additional 23.2 acres of parkland would be required to be dedicated by developers in the Planning Area. This amount of new parkland would have an annual maintenance cost of about $245,000 assuming current levels of maintenance service at $10,573 per acre. With the maximum Quimby Act standard of five acres of dedicated park land per 1,000 new residents, however, 39.5 acres of park land would be required to be dedicated. This amount of new park land would have an annual maintenance cost of about $417,634, also assuming current levels of maintenance expenditure per acre.

152 (ERRATA) The first line of the first paragraph contains the word "overtime" which should be changed to read as "over time."

153 (RE ION) The first bo typeface paragraph, numbered **8.1C**, should be dele...

156 (ERRATA) The second ... nce (fourth line) in the third paragraph contains a typographical error in the word "raather" which should be changed to read as "rather."

162 (ERRATA) The last sentence in the first paragraph (italicized, and continued from page 161), should be changed to read as the following two sentences:

"The FGP incorporates Policy VI.C.7., which requires the City to promote the use of drought-tolerant and native plants, especially valley oaks, for landscaping roadsides, parks, schools, and private property. These policies of the Natural Resources section could reduce the severity of vegetation impacts, particularly along Putah and Dry Creeks, and limit the loss of vegetation resources to primarily agricultural crops, while enhancing the habitat value of new landscape plantings."

162 (ERRATA) Delete the bold typeface item **9.1**, and replace with the following text:

"The impacts of the Final General Plan and the Modified DGP on vegetation in agricultural areas would not be considered significant."

162 (REVISION) The second paragraph under the Heading **2. Wetlands** in italic typeface should be changed to read as follows:

"Policies contained in the Natural Resources section of the Final General Plan serve to ensure that development or public improvements do not result in a net loss of riparian or wetland habitat, including provisions for replacement on a 1:1 basis when habitat loss is unavoidable, and that such replacement shall be similar in extent and ecological value to the habitat displaced by the project (VI.C.2). A study providing baseline data on existing native plant species to be used in replacement habitat shall be prepared and funded through development fees on specific development plans for parcels encompassing or adjacent to areas containing large trees, riparian vegetation, or other significant wildlife habitat (VI.C.1). In addition, any modifications to creeks, channels or other wetland features such as bridge crossings and necessary flood control or drainage improvements shall be designed to minimize disturbance to wetland vegetation, including dense riparian and marshlands cover. Plans to modify channels and other wetland features shall be coordinated with representatives of the CDFG and U.S. Army Corps of Engineers to ensure that the concerns and possible requirements of both agencies can be easily incorporated into specific development plans during the initial phase of project design. Where wetland features are present, jurisdictional determinations and appropriate mitigation will be required subject to the provisions of Section 404 of the Clean Water Act and Sections 1601-1606 of the CDFG Code. Preliminary determinations and coordination with jurisdictional agencies shall be completed prior to approving specific development plans on parcels with wetland features (VI.D.5). Many other policies are provided to ensure protection of wetland features, including programs for habitat management in the Putah and Dry Creek habitat corridors and in the overall region, and specified setbacks along Putah and Dry Creeks (VI.C.4, VI.D.1)."

162 (REVISION) The third paragraph (in bold typeface) under the Heading "2. Wetlands" should be changed to read as follows:

"Impacts on wetland resources of Alternatives I and II would not be significant, but delineations of wetland features and specific mitigation measures to protect or replace wetlands on a site-specific basis will be necessary for subsequent development or public facility projects.

164 (REVISION) The second, italicized paragraph should be changed to read as the following two paragraphs:

"The FGP includes policies which would require field surveys by a qualified biologist for all public or private development projects proposed in areas containing or adjacent to areas containing large trees, riparian vegetation, or other significant wildlife habitat to determine the presence of special-status plant and animal taxa prior to project approval (VI.C.1). The Final General Plan directs the City to participate in local and regional efforts to protect, restore and maintain viable habitat for endangered and threatened species, with the aim of developing a region-wide Habitat Management Plan with the cooperation of surrounding jurisdictions, and state and federal agencies. Baseline data shall be provided by such a plan for special status species in the Winters area, including Swainson hawk and valley elderberry longhorn beetle, and the plan shall provide guidelines and standards for mitigation of impacts (VI.C.4). Unless there are overriding considerations as defined in the California Environmental Quality Act (CEQA), the City shall not approve any project that would cause significant, unmitigable impacts on rare, threatened, or endangered wildlife or plant species (VI.C.3).

"Policy VI.C.5 directs the City to require mitigation of potential impacts on special-status plant and animal taxa based on a policy of no-net-loss of habitat value. Mitigation measures shall incorporate, as the City deems appropriate, the guidelines and recommendations of the U.S. Fish and Wildlife Service and the California Department of Fish and Game (VI.C.5). The FGP includes policies which would require the City to support and participate in local and regional attempts to restore and maintain viable habitat for endangered or threatened plant and animal species, and to work with surrounding jurisdictions and state and federal agencies in developing a regional Habitat Management Plan. Such a Plan shall provide baseline data for the Winters area on special-status plant and animal taxa, including Swainson's hawk and the Valley elderberry longhorn beetle, and provide guidelines and standards for mitigation of impacts on special-status taxa. The City may impose a requirement that project proponents enter into a memorandum of understanding with the City to ensure that the proposed project will be subject to a City fee ordinance to be adopted consistent with the regional Habitat Management Plan (VI.C.5)."

164 (REVISION) The third paragraph (item 9.2) should be changed to read as follows:

"9.1 **The impacts of development under Alternatives I and II should be considered as having a significant, cumulative impact on special-status taxa, including Swainson hawk, if populations of such species are determined to occur in or frequent those areas within the Winters Urban Limit Line proposed for development, until an adequate Habitat Management Plan has been prepared and implemented.**

164 (REVISION) Under "C. MITIGATION MEASURES, 1. Vegetation", the following paragraph should be added:

"The policies of the Final General Plan provide measures to avoid or reduce significant impacts on biotic resources, and which may avoid cumulative impacts on Swainson hawk (or other special-status taxa that may be affected). However, the following suggestions may provide additional guidance and strategies for implementation of the policies of the FGP."

164 (REVISION) Under "C. MITIGATION MEASURES, 1. Vegetation", the number **9.1** should be replaced with a bullet (■), and the first sentence of the paragraph should be changed to read as follows:

"Consistent with Policy VI.C.6 in the Final General Plan, future landscaping along public right-of-ways, parks, schools, and private developments within the Winters area shall emphasize the use of native plant species to the extent possible.

164 (REVISION) The last paragraph, in bold typeface should be changed to read as follows:

"Final General Plan policies would generally serve to protect important vegetative resources, and no significant adverse impacts are anticipated."

165 (REVISION) Delete the number **9.2A**, and the corresponding paragraph.

165 (REVISION) The number **9.2.B** should be replaced with a bullet (■) and the first sentence of the corresponding paragraph should be changed to read as follows:

"Consistent with Policy VI.D.5, flood control or drainage improvements should be designed to protect wetland vegetation, including both emergent and woody plant cover."

165 (REVISION) The third paragraph, in bold typeface, should be changed to read as follows:

"Final General Plan polices would generally serve to protect wetland features, but delineations and identification of site-specific mitigation measures for subsequent projects, consistent with the policies of the FGP, would be required.

165 (REVISION) Delete the number **9.3A**, and the corresponding paragraph.

166 (REVISION) Delete the number **9.3B**, and the corresponding two paragraphs.

166 (REVISION) Replace the number **9.3C** with a bullet (■), and delete the first of the two corresponding paragraphs. The last sentence of the second paragraph should be changed to read as a separate paragraph with the following changes:

"Impacts on VELB can be reduced to an insignificant level or avoided with effective implementation of mitigation measures as required by policies of the Final General Plan."

166 (REVISION) Replace the number 9.3D with a bullet (■), and the first sentence of the corresponding paragraph should be changed to read as follows:

"Consistent with Policy VI.C.1 of the Final General Plan, prior to approving specific development plans on parcels with large trees, adjacent to riparian and marshland habitat, or with habitat suitable for ground-nesting sites, surveys for raptor nests should be conducted by a qualified biologist."

167 (REVISION) Delete the last paragraph (in bold typeface) and replace with the following sentence:

"**Impacts on raptors can be reduced to a less than significant level by effective implementation of the Final General Plan, specifically the adoption and implementation of a Habitat Management Plan, and the above guidelines would provide further assurance that impacts would be avoided.**"

175 (ERRATA) The first sentence of the fourth paragraph should be changed to read as follows:

"Development in the FGP area which results in an increased risk of exposure of people and property to destructive seismic events would be a possible effect of a substantially increased population in the Winters area."

186 (REVISION) The last paragraph should be changed to read as follows:

"The impact of additional traffic generated from implementation of the Project or Alternative II on existing noise levels in the City of Winters is assessed by comparing projected traffic noise levels with existing noise levels. The Final General Plan provides a quantitative standard of 3 dB for defining a significant increase in existing residential areas. In this report, any 3 dB increase is considered to be a potentially significant impact on residential uses.

189 (REVISION) The fifth and continuing sentences of the second paragraph, beginning "Noise levels along the portion of Main Street" should be changed to read as follows:

"Noise levels along the portion of the planned North Main Street arterial east of Railroad Street and between County Road 33 and Grand Avenue would also exceed an L_{dn} of 60 dB within a distance of 90 feet from the road. Existing development in the vicinity of major existing roadways (Interstate 505, Grant Avenue, and Railroad Street) is currently exposed to noise considered to be excessive according to the policies of the Final General Plan."

189 (REVISION) The third paragraph should be changed to read as follows:

"*The noise policies of the FGP provide land use compatibility standards which would serve to prevent new residential development from occurring in areas with high noise levels (VII.E.1). The GP incorporates state noise insulation and building standards for residential development, including multiple family dwellings, which prohibit L_{dn} values above 45 dB inside habitable rooms due to exterior noise sources (VII.E.2, 3). Noise studies are required for all residential development proposed in areas where exterior L_{dn} values exceed 60 dB, and may also be required when a potentially noise-intrusive source is proposed near a*

noise-sen[illegible]tive land use, or noise-se[illegible]itive uses are proposed near potentially noise-intrusive sources (VI [illegible]5, 6). [illegible]ise studies are to provide existing and projected noise levels due [illegible] the pr[illegible], identify the impacts of the project and adjacent uses on existing and future conditions for the project area, and specify mitigation measures (VII.E.8). The GP also provides guidelines for locating sensitive areas within dwelling units (e.g., living rooms and bedrooms), and of outdoor spaces (e.g., patios and yards) in areas with low noise levels, the use of berms, setbacks and soundwalls as means of isolating sensitive areas from major noise sources. For aesthetic reasons, the policies encourage the use of sound walls only as a last resort (VII.E.11). A procedure for granting variances is provided (VII.E.12), and an Implementation Program directs the City to prepare a noise ordinance to regulate existing noise sources as they effect existing and future land use development (IP VII.10). The Transportation and Circulation section also directs the City to separate residential and other noise-sensitive land uses from major roadways to the extent feasible (III.D.1)."

189 (REVISION) The fourth paragraph should be deleted.

189 (REVISION) The number **11.1** should be deleted, and the corresponding sentence in bold typeface changed to read as follows:

"New development, including residential uses adjacent to principal streets, would not be significantly impacted due to excessive noise levels."

191 (REVISION) The last sentence in the second paragraph should be changed to read as follows:

"New roads would include the extension of County Road 33 east of Hemenway Street and construction of the Main Street arterial around the perimeter of the city."

191 (REVISION) The following paragraph should be inserted after the second paragraph:

"The GP provides policies (discussed above on page 189) which would require new potentially noise-intrusive development projects to prepare noise studies evaluating the project's impact on existing noise-sensitive land uses, and to identify mitigation for such effects. (VII.E.8). In addition, any project which causes existing traffic-related noise levels to exceed 3 dB in existing residential areas shall be required to provide a noise study to identify and evaluate the feasibility of noise mitigation measures to address such effects (VII.E.6)."

191 (REVISION) The number **11.2** should be deleted, and the corresponding sentence in bold typeface changed to read as follows:

"New development consistent with the Final General Plan would be required to identify mitigation measures to avoid significant increases in noise levels on existing residences, including those areas near new and existing roadway segments, which would avoid significant impacts."

191 (REVISION) The first paragraph under C. MITIGATION MEASURES should be deleted.

191 (REVISION) The third sentence in the second paragraph under **C. MITIGATION MEASURES** should be changed to read as follows:

"Future development with the potential to generate significant noise impacts should be evaluated through the use of specific noise studies, and mitigation measures should be incorporated into those projects to reduce noise impacts on existing nearby residents, as directed by the Final General Plan policies."

191 (REVISION) The last sentence in the second paragraph under **C. MITIGATION MEASURES** should be deleted, and replaced with the following sentence:

"No mitigation measures are necessary."

192 (REVISION) Delete all headings, numbers and text on this page.

199 (ERRATA) The first word in the fifth paragraph contains a typographical error reading as "kConstruction-related air quality impacts" which should be changed to read as "Construction-related air quality impacts "

199 (REVISION) The sixth paragraph should be changed to read as follows:

"The Final General Plan includes a policy (VI.E.6.) which would require larger projects that create a potential for generating a significant amount of construction-related dust to include dust control measures as part of their construction mitigation plans (VI.E.6)."

199 (REVISION) The number **12.1** should be deleted, and the corresponding sentence should be changed to read as follows:

The Final General Plan provides policies which would reduce the air quality impacts of construction activity to a less than significant level."

200 (REVISION) The last sentence in the third paragraph should be deleted and replaced with the following two sentences:

"The size of the buffer zone shall be determined by the type of agricultural activities involved, and may consist of open space, recreational uses, landscaped areas, streets or other non-intensive uses (VI.B.3). In addition, the FGP directs the City to adopt a right-to-farm ordinance, which would serve as a means for protecting farmers from complaints and grievances by urban area residents, and for resolution of conflicts.."

200 (REVISION) The number **12.1** should be deleted, and the corresponding paragraph should be changed to read as follows:

"The FGP provides for buffers and other policies which would avoid significant air quality impacts related to conflicts between residential and agricultural uses."

203 (REVISION) Add the following sentences to the first paragraph:

"The Final General Plan includes a policy (VI.E.11) which would require all new industrial and commercial developments within the city which would produce 500

or more vehicle trips per day to develop air quality mitigation plans with the goal of reducing trip generation by 25 percent. Where this goal cannot be met, the air quality mitigation plan shall provide for equivalent off-site mitigation."

203 (REVISION) The number "**12.3**" should be changed to read "**12.1.**"

204 (REVISION) Under the heading **C. MITIGATION MEASURES**, delete the headings (Air Quality Effects of Construction and **12.1 Agricultural/Residential Air Quality Conflicts**), and all subsequent paragraphs, numbers **(12.2)**, diamond bullets, and text on this page.

205 (REVISION) Delete Mitigation Measure **12.3**, and change the second paragraph to read as follows:

"The implementation of Final General Plan Policy VI.E.11. would reduce the impacts of Alternatives I and II, but is not projected to reduce the cumulative regional impacts to a less than significant level."

208 (REVISION) The last sentence of the first complete paragraph should be deleted.

208 (REVISION) The last sentence of the third complete paragraph should be changed to read as follows:

"The designation of areas in the northwest of the city for Rural Residential uses, at very low densities, and to a lesser extent for Low Density Residential uses, could contribute to the rural image of the city, and provide for some attractive views of the mountains from along the planned North Main Street arterial from Railroad Avenue west and south towards Niemann Street."

209 (REVISION) The second sentence of the second paragraph should be changed to read as follows:

"The higher residential density indicated in the Land Use Diagram for Alternative II, for areas in the northwestern portion of the city would decrease the possibility of scenic vistas emerging along the planned Main Street arterial."

210 (ERRATA) The first complete sentence contains a typographical error reading "charcteristics" which should be changed to read as "characteristics."

210 (ERRATA) A period (".") should be added to the end of the last sentence in the indented paragraph under **3. Mitigation Measures.**

212 (ERRATA) The last sentence of the second paragraph should be changed to read as the following three sentences:

"The remainder of the land which is potentially useful for farming is categorized as "Farmlands of Local Importance" as summarized from the "Advisory Guidelines for the Farmland Mapping and Monitoring Program." The County Board of Supervisors established a "Blue Ribbon Committee" to assist in defining what is to be considered prime and non-prime agricultural property in the county. The eventual adopted county definition may be different from the City's definition of "prime" land."

218 Add the following text to the fourth complete, italicized paragraph:

"The Final General Plan includes policies which support the continuation of agricultural and related uses on lands within the Urban Limit Line designated for urban uses until urban development is imminent (VI.B.1). Outside the Urban Limit Line, the Final General Plan indicates that high quality agricultural soils should be protected by strong County agricultural policies and regulations, and any future expansion of the Urban Limit Line should occur in areas with lower quality agricultural soils (VI.B.4). The Final General Plan indicates that the City shall support the efforts of the County in establishing a land conservation trust and implementing programs involving transfer of development rights and purchase of development rights or conservation easements (VI.B.5)."

219 (REVISION) The first paragraph under the heading **3. Mitigation Measures**, should be changed to read as follows:

"The development of new urban land uses in the Winters area would remove a significant amount of agricultural land from production, which can not be avoided by the Final General Plan or the Modified DGP, and no additional measures are available to prevent this significant impact, other than prohibiting development, which would not be consistent with the provisions of the Final General Plan. The following measures, however, should be considered as additional means of implementing the policies of the FGP, at the time that development adjacent to the Urban Limit line occurs."

219 (REVISION) The numbers **13.1A, 13.1B** and **13.1C** and corresponding paragraphs, should be deleted.

219 (REVISION) The fifth paragraph under the heading **"Mitigation Measures,"** in bold typeface, should be repositioned to follow the two bullets (■) and corresponding paragraphs, and the sixth paragraph (beginning "In addition to the above...") should be deleted.

220 (ERRATA) The first paragraph should read as follows:

"Before European settlers arrived in the Sacramento Valley, Indian villages existed on the banks of Putah Creek. Hunter-gatherers, the original inhabitants of the Winters area subsisted on acorns, fish and small game. When Governor Juan Bautista de Alvarado granted 17,750 acres of land along Putah Creek to William Wolfskill in 1842, it was called Ranch Rio de Los Putos, a name derived from the Patwin Indian village name of "Puta-to". According to Joann L. Larkey, John Wolfskill settled on both sides of Putah Creek in 1842, and the Town of Winters was platted on 40 acres purchased from Theodore Winter, then subdivided by the Stevensons. The Vaca Valley Railroad constructed a railroad bridge across Putah Creek and established a depot at the northern terminus of the line. Local agriculture and the railroad provided the basis for commercial activity in the town, which was incorporated as the City of Winters in 1898. (Ref. 56,pages 30 and 31; Ref. 50. pages VIII-4 and VIII-8, and letter from Joann L. Larkey and others, December 2, 1991.)"

221 (REVISION) Add the following sentence at the end of the third complete paragraph:

"The Final General Plan indicates that the City shall pursue available local, state and federal funding for public and private historical restoration and preservation activities (V.D.6)."

222 (REVISION) Under the heading **3. Mitigation Measures**, delete all text following the first sentence.

223 (ERRATA) The following sentence should be added to the end of the second paragraph:

"However, such changes, which can not be predicted, would not alter the determinations of the EIR with regard to the significant impacts of the Final General Plan."

223 (REVISION) The third paragraph in the section titled **UNAVOIDABLE ADVERSE EFFECTS** should be changed to read as follows:

"**9.1** Urban development of agricultural and other areas around the city will result in unavoidable regional net loss of Swainson's hawk foraging habitat, and potentially the habitats of other special-status taxa, and the implementation of the Habitat Management Plan (HMP) identified in the Final General Plan would not avoid the loss of this habitat. The HMP would reduce and could potentially avoid the cumulative impact on Swainson's hawk and other special-status taxa, but this determination cannot be made until the HMP has been implemented and evaluated."

223 (REVISION) The fourth paragraph in the section titled **UNAVOIDABLE ADVERSE EFFECTS** should be changed to **12.1**.

223 (REVISION) The fifth paragraph in the section titled **UNAVOIDABLE ADVERSE EFFECTS** should be changed to **13.1**."

262 (ERRATA) The word in the third paragraph contains a typographical error reading "kIt" would should be changed to read as "It."

Appendix "B" (ERRATA) Add Table 14 - Summary of Potential Yolo County Impact Fee Revenue (see FEIR Appendix B) and Note 10 - Yolo County Community Facilities Impact Fee Estimate (see FEIR Appendix B).

EXECUTIVE SUMMARY

This Environmental Impact Report (EIR) identifies and evaluates the potential impacts that would result from adoption and implementation of the 1992 Final General Plan of the City of Winters, California. The Final General Plan is a comprehensive statement of the City's long-term goals for its physical development and community characteristics, and includes policies and programs for the achievement of such goals, which include protection of the environment. Programs incorporated into the Final General Plan, and which this EIR also evaluates, are Master Plans for expansion of and improvements to the City's systems for traffic circulation, water supply, storm drainage and wastewater. The EIR also considers a range of Alternatives to the Final General Plan, which could serve its overall purposes with different configurations or distributions of land uses, or through other variations on the Final General Plan.

The California Environmental Quality Act (CEQA) of 1970 as amended requires EIRs to be prepared for all projects which may have a significant impact on the environment. The following topic areas have been identified as subjects of principal concern in this EIR:

- Land Use and Housing
- Water Supply
- Storm Drainage
- Fire Protection
- Parks and Recreation
- Fiscal/Public Financing Considerations
- Geology, Soils, Seismicity and Hydrology
- Air Quality
- Conversion of Agricultural Land
- Traffic and Circulation
- Wastewater Treatment
- Solid Waste Disposal
- Police Services
- Schools
- Biotic Considerations
- Noise Considerations
- Visual Considerations
- Cultural Resources/Archaeology

For each of these impact categories, this Executive Summary outlines the environmental impact that could result from approval and implementation of the Final General Plan, as well as measures that have been identified to mitigate or eliminate those impacts. Each impact and mitigation measure is discussed in detail in the body of the Draft EIR text, and is the subject of additional discussion in the Response-to-Comments section of the Final EIR, and modification in the Errata and Revisions section of the FEIR.

SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION MEASURES

Topic	Evaluation of Potential Impacts	Mitigation Measures
LAND USE AND HOUSING (Chapter III)		
Pattern of Development	The Final General Plan (FGP) designates land area for new urban development within an Urban Limit Line (ULL) consistent with the existing Winters Sphere of Influence established by the Yolo County LAFCO. Land uses and permitted densities are established in order to accommodate an expansion of the population to 12,500 persons by the year 2010 (Policy I.A.2). A flood-overlay area is designated for the purpose of conditioning development in the northern portion of the ULL on the completion of a study for a comprehensive solution to 100-year flooding problems (Policy I.A.9). The FGP incorporates goals and policies which limit approval of development proposals to those which promote orderly, compact and efficient growth and utilization of public services and infrastructure. (Goal I.A; Policies I.A.3-6; Program I.1). **The potential impact of discontinuous development and wasteful extensions of urban infrastructure and services would be avoided.** Alternatives II, III, IV, V and VI: Identical or equivalent policies would avoid significant impact.	No mitigation measures are necessary.
Population Increase	The FGP enables a population growth rate which is consistent with Winters past growth, and incorporates policies which will limit actual growth to the provision of adequate facilities and services, including public schools. (Policies I.A.4,5). **The potential impact of a population increase out-pacing the ability of the City to provide essential facilities and services would be avoided.** Alternatives II, III, IV, V and VI: Identical or equivalent policies would avoid significant impact.	No mitigation measures are necessary.

Topic	Evaluation of Potential Impacts	Mitigation Measures
Housing Density	The Draft General Plan designates land areas for development to occur at a variety of densities, including large areas at relatively very low density, the latter of which are difficult to efficiently serve with public facilities and services (e.g., roadways, water, sewer, and emergency response). Policies in the FGP direct the City to promote a sequence of development which efficiently utilizes public facilities and services, and maintain a positive fiscal balance for the City in its decisions on development proposals. (Policies I.A.3-5,7). **The potential impact of an excessive proportion of development which makes inefficient use of facilities and services would be avoided.** Alternatives II, III, IV, and VI: Identical or equivalent policies would avoid the significant impact. Alternative V: Identical policies, but the extent of very low density development would be an excessive burden and a significant impact.	No mitigation measures are necessary.
Housing Mixture and Affordability	The Land Use Diagram and designations of the FGP provide for a variety of housing types and densities, in order to serve the goals and policies of the FGP to meet the housing needs of all economic groups. Other policies of the FGP direct the City to strive to meet its fair share of regional housing needs, to pursue a ratio of 75 percent single family homes to 25 percent multiple family dwelling units, to grant density bonuses as required by state law, and to seek out various means of funding assistance for the construction of new units affordable to lower income households. In addition, policies and programs for the rehabilitation and conservation of existing units, including those affordable to lower income households, are proposed, together with programs to develop new affordable housing. (Goal II.A; Policies II.A.1-23; Programs II.1-16). **The potential for a lack of housing affordability and a variety of housing densities would be avoided, but the provision of housing is a social and economic issue, and is not considered to be a significant environmental impact under the California Environmental Quality Act (CEQA Guidelines, 15131 (a)).** Alternatives II, III and IV: Identical or equivalent policies would avoid a substantial effect. Alternative V: Identical policies, but inadequate residential density provisions would have a substantial effect.	No mitigation measures are necessary.

Topic	Evaluation of Potential Impacts	Mitigation Measures
	Alternative VI: Identical policies, and higher residential density provisions would promote affordability and avoid a substantial effect.	
TRAFFIC AND CIRCULATION (Chapter IV)	The FGP includes a Circulation Plan Diagram and Standards which define the roadway network requirements of the designated land uses within the ULL. Roadways are classified according to their function, with defined cross-sections showing medians and paths or sidewalks. The Diagram identifies the following roadways for new construction or major improvements: Main Street North Road; Railroad Avenue, north of Grant Avenue; Grant Avenue (I-505 to Railroad with widening of I-505 overcrossing); Road 32A; Road 33; Valley Oak Drive; Railroad Street - Putah Creek Bridge; Grant Avenue - Dry Creek Bridge; Taylor Street; and East Street. Six new traffic signals along Grant Avenue are also proposed.	No mitigation measures are necessary.
	Using traffic forecasting methods and computer modeling in the context of existing and potential land uses and traveler behavior data, the evaluation demonstrates that the proposed roadway network will not result in significant congestion. All intersections are projected to operate above or well above the FGP's standard of level of service (LOS) "C" (Policy III.A.1). The Yolo County Congestion Management Plan (CMP) defines LOS "D" (a lower standard than "C") as the standard at which traffic is to be maintained, and projected conditions would not exceed LOS "D" as a result of implementation of the FGP. Potential impacts on LOS standards of residential development proposals (20 or more units) require traffic impact analyses (III.A.3), and traffic impact fees and other funding mechanisms will be instituted to ensure funding of circulation improvements (III.A.15). **The potential impact of unacceptable congestion, as defined by the policies of the FGP, and by the Yolo County CMP, would be avoided.**	
	Alternative II: Similar roadway network, moderate traffic increase but a significant impact would be avoided.	
	Alternatives III, IV: Inadequate roadway network, and substantial traffic increases would have significant impacts.	

Topic	Evaluation of Potential Impacts	Mitigation Measures
	Alternative V: Minimal traffic increase, but inadequate roadway network would have significant impacts. Alternative VI: Promotes transit and non-vehicular trips and reduces traffic somewhat; roadway network is adequate and a significant impact would be avoided.	
INFRA-STRUCTURE SERVICES AND FACILITIES		
Water Supply System	The FGP incorporates a Water System Master Plan, which identifies the needed improvements to the water supply and delivery system to accommodate the projected population increase, as well as alternative strategies for water conservation, and a groundwater study which indicates sufficient water supply to serve projected growth. Improvements to water system include the replacement of deteriorating water mains, extending water mains, constructing new wells, upgrading monitoring equipment, and requiring water meters on new development. The FGP directs the City to implement a "moderate" water conservation program, and to monitor groundwater levels to determine the potential need for an "aggressive" or "maximum" conservation program (IV.B.11). **The potential impact of an inadequate water supply and delivery system, and the regional cumulative impact on groundwater, would be avoided.** Alternatives II, V and VI: Identical or similar Master Plan would avoid significant impact. Alternative III and IV: Similar system improvements, but lack of water conservation measures would have a significant impact.	No mitigation measures are necessary. k
Sewer System	The FGP incorporates a Sewer System Master Plan which defines needed improvements to the City's sewer collection system and existing treatment plan, and the need for a new treatment plant north of the city to serve the projected population. Extensions of sewer mains, replacement of old mains and relatively short-term improvements to the existing treatment facility are proposed (Policies IV.C.1-4). **The potential impact of an inadequate sewer system would be**	No mitigation measures are necessary.

Topic	Evaluation of Potential Impacts	Mitigation Measures
	avoided, contingent upon construction of a new facility, which will require subsequent environmental review pursuant to CEQA. Alternatives II, V and VI: Identical or similar Master Plan would avoid a significant impact. Alternatives III and IV: Inadequate improvements would have a significant impact.	
Storm Drainage System	The FGP incorporates a Storm Drainage Master Plan which defines the stormwater drainage systems necessary to accommodate new land use development in those areas outside the designated flood overlay area, as well as provide for improvements to existing drainage facilities (IV.D.1,2). The flood overlay area, which encompasses the majority of the 100-year flood plain defined by the Federal Emergency Management Agency (FEMA), and other areas which affect or are affected by 100-year flooding, will be prevented from development until a study identifying comprehensive solutions to problems has been completed, and a financial program adopted for funding identified improvements by those properties in the flood overlay area (Policy I.A.9, IV.D.4). **The potential impact of an inadequate storm drainage system, or of development occurring with adverse drainage impacts, would be avoided.** Alternatives II and V: Identical Master Plan would avoid a significant impact. Alternatives III and IV: Inadequate provision for storm drainage would have a significant impact. Alternative VI: Substantially reduced drainage improvement requirements; suitable Master Plan would avoid significant impact.	No mitigation measures are necessary.
Solid Waste	The FGP would accommodate a substantial increase in population, which would result in corresponding increases in local waste disposal requirements. The existing County landfill facility can accommodate this increase, contingent upon effective progress in waste reduction as mandated by the state. The FGP directs the City to institute recycling and waste reduction programs in order to meet the state legal requirements (IV.E.1). In addition, the City will adopt a Source Reduction and Recycling Element to be submitted to Yolo County (Program IV.10).**The potential impact of excessive solid waste generation would not be significant.**	No mitigation measures are necessary.

Topic	Evaluation of Potential Impacts	Mitigation Measures
	Alternatives II, V and VI: Similar policies would avoid the significant impact. Alternatives III and IV: Inadequate policies would have a significant impact.	
EMERGENCY FACILITIES AND SERVICES (Chapter VI)	The FGP would accommodate new development which would require substantial increases in fire and police protection services and facilities. The Land Use Diagram designates a site for an additional police/fire facility at the intersection of the North Main Street arterial and Railroad Avenue, on the basis of an identified need for such a facility by the Fire District. The FGP requires that public services to serve new development, including fire and police protection services, be developed and become operational as they are needed (IV.A.1-5, IV.F.1, IV.G.1, VII.C.1,2), and that by the use of development fees, assessment districts, and other funding mechanisms, the costs of increased public services will be fairly shared by the development benefitting from those services (IV.A.4). Capital facility planning and budgeting, and the development review process, are to be used to ensure that levels of service adopted by the City are maintained (IV.A.3). **The potential for inadequate fire protection and police services would be avoided.** Alternatives II, III, IV, V and VI: Similar requirements and policies would avoid a significant impact.	No mitigation measures are necessary.
OTHER FACILITIES AND SERVICES Parks and Recreation (Chapter VII.A)	The FGP designates substantial areas for parkland to accommodate an increased population, in order to provide a ratio of seven acres per 1,000 residents (V.A.1), and to require new development proposals to include the dedication of land or improvements, the payment of in-lieu fees, or a combination thereof, on the basis of five acres per 1,000 net new residents (V.A.2). The projected population increase would result in almost 40 acres of new parkland, which combined with existing and designated parkland, would provide a ratio of about 6 acres per 1,000 city-wide residents. Additional planned parkland would require the use of county, state and federal funding for acquisition and/or development as directed by the FGP (Policy V.A.4). **The potential impact of reduced parkland or recreation facilities would be avoided.**	No mitigation measures are necessary.

Topic	Evaluation of Potential Impacts	Mitigation Measures
	Alternatives II, III, V and VI: Identical or similar provisions would avoid a significant impact. Alternative IV: Inadequate parkland site designations would have a significant impact.	
Schools (Chapter VII.B)	The FGP would require additional school facilities to serve the projected population, and the Land Use Diagram designates a number of conceptual sites for this purpose, which may not accommodate all the students projected at buildout of potential development, under the Winters Joint Unified School District standards such as school capacity and classroom size. The FGP directs the City to assist the District in locating and reserving appropriate sites for new schools, enrollment planning, promoting state school finance legislation, and obtaining funds for school facilities through development fees and other strategies (IV.II.1-4). To the extent possible, school facilities shall be completed and operating prior to occupancy of new residential developments which are responsible for the need for the new school (IV.II.5), and the City shall not approve any development entitlements unless a mechanism to mitigate school impacts generated by the project has been approved by the City, such as the dedication of land, assessment district or other financial arrangements, to ensure that individual residential developments mitigate their school-related impacts (IV.II.6). **The potentially significant impact of inadequate school facilities would be avoided.** Alternatives II, V and VI: Similar policies would avoid a significant impact. Alternatives III and IV: Generally inadequate provision of school sites could have a significant impact.	No mitigation measures are necessary.
FISCAL/ PUBLIC FINANCING CONSIDERA-TIONS (Chapter VIII)	The FGP would require a level of public expenditures for ongoing services, which is projected to exceed revenues by about $970,000 at buildout of potential development in 2010, resulting in a major negative fiscal deficit. Police and fire protection requirements account for the majority (about 55 percent) of the projected deficit, because of the very substantial increase in service levels specified by the FGP, a factor which applies equally to the provision of parks and public works maintenance. In addition, because of the limits on increases in property tax revenues imposed by Proposition 13, the revenues available for services decrease	No mitigation measures are required to meet CEQA requirements. The City should select from among a range of available measures currently in use by other communities to

Topic	Evaluation of Potential Impacts	Mitigation Measures
	over time relative to the need for services. While many cities in California can compensate for these obstacles with new commercial development, there is insufficient market demand in Winters for the amount of such development which would be adequate to compensate for the projected fiscal deficit. However, no actual deficit could be allowed, and it would be necessary for the City to lower costs, its levels of service, or if possible, increase revenues to meet the budget shortfall. The FGP directs the City to use a combination of assessment districts, utility user taxes, capital facility planning and budgeting, and other funding mechanisms, to provide adequate funding for the construction, operation and maintenance of public facilities and services, and to achieve and maintain adopted service levels (IV.A.3-5). These policies are considered to be potentially inadequate to prevent a major General Fund imbalance. A revised Master Financing Plan, which is expected to identify strategies to prevent such an imbalance, will be prepared following adoption of the FGP. **The potential effect of excessive service costs relative to service demands is potentially major, but does not have a significant impact on the environment.** Alternatives II, III, IV, V, VI: Smaller General Fund imbalance and identical policies, but effect would be major.	reduce the potential effects of a General Fund imbalance: The adoption of an annual special tax, such as a Mello-Roos District or a parcel tax, for providing essential services (i.e., fire and police), subject to voter approval. Delay raising public service standards until sufficient revenues to cover the associated expenditures are available. The City Council could adopt a General Plan with a greater or lesser net new population objective.
BIOTIC CONSIDERATIONS (Chapter IX)	Adoption and implementation of the FGP would result in the urbanization of large areas of agricultural lands that include important species of native vegetation, and other development could also affect riparian vegetation and potential wetlands. Development of the agricultural lands would also reduce foraging habitat for Swainson hawk (a state-listed threatened species). Other special status plant and animal species may be disrupted by development, but further surveys of the area would be required on a project/site-specific basis, as required by the FGP, and by state and federal agencies.	No mitigation measures are necessary, although additional guidelines for the implementation of FGP policies are identified in the text of the Draft EIR, such as

Topic	Evaluation of Potential Impacts	Mitigation Measures
	The FGP directs the City to: promote the continued use of agricultural lands to the greatest extent possible (Goal VI.B, Policies VI.B.1,2,4); require surveys of riparian or wetland areas for the presence of special status taxa, (VI.C.1,2); promote public and private planting with native species (VI.C.7); utilize detailed habitat management principles for recreational facilities along Putah and Dry Creeks; and require creek setbacks (Goal VI.D, Policies VI.D.1-3). Guidelines for erosion control measures are to be developed in cooperation with appropriate agencies and interest groups (VI.D.5,7). The FGP directs the City to work with surrounding jurisdictions and state and federal agencies to develop a regional Habitat Management Plan (HMP) to restore and maintain viable habitat for endangered or threatened plant and animal species, including Swainson hawk and Valley elderberry longhorn beetle (VELB) (VI.C.5). These measures would generally limit significant losses of vegetation to agricultural crops (discussed separately in Chapter XIII), avoid significant wetlands impacts, and could potentially avoid the cumulative loss of foraging habitat for Swainson hawk in agricultural areas. **The cumulative impact on Swainson hawk foraging habitat and possibly other special status taxa should be considered significant until the HMP is implemented and evaluated.** Alternatives II, III, IV and V: Identical policies would have significant impact. Alternative VI: Substantially reduced area of urbanization would avoid significant impact.	appropriate native species to be used in local landscap , strategies for minimizing disturbances to wetland vegetation, surveillance of Putah Creek for evidence of VELB prior to any recreational development, habitat restoration and conservation plans incorporating measures defined by the Putah Creek Council and Putah Creek Advisory Committee, and survey procedures for raptor nests on parcels with large trees, adjacent to riparian and marshland habitat, or with habitat suitable for ground-nesting sites.
GEOLOGY, SOILS, SEISMICITY AND HYDROGEOLOGY (Chapter X)	The FGP would accommodate an expanded population, which would increase the exposure of persons to the potential hazards of earthquakes in the region. The potential for destructive seismic events cannot be eliminated, but means are available for assuring the highest level of protection. The FGP directs the City to require the preparation of geotechnical reports, to ensure that, within technical and economic feasibility, new structures can withstand seismic events, soil instability or liquefaction which could potentially occur in Winters. Similar requirements are imposed on underground utilities, with particular emphasis on water and natural	No mitigation measures are necessary. Specific examples of policy implementation on an individual, project-by-project basis are provided in the text of the Draft EIR.

Topic	Evaluation of Potential Impacts	Mitigation Measures
	gas mains (VII.A.2). In addition, the City will institute a program requiring abatement of structural hazards in unreinforced masonry buildings, while offering loans and/or grants for abatement of selected buildings (Policy VII.A.3). These policies could ensure that both new development and unsafe existing buildings will meet as high a standard of structural safety as is reasonable or possible. The FGP also directs the City to adopt a Closure Plan for the old Winters landfill, in order to allow alternative uses of the site and to protect against potential degradation of local ground water quality. Subsequent environmental review pursuant to CEQA will be required for the Closure Plan, as well as further investigation. **The potential impact of inadequate seismic safety measures is reduced to a less than significant level.** Alternatives II, III, IV, V and VI: Identical or similar policies, including land fill closure procedure, would avoid a significant impact.	With regard to the landfill closure process, compliance with the RWQCB may require additional investigations to ensure protection of groundwater quality, which should be conducted to determine the extent of hazardous materials or other risks to the environment from alternative uses, as well as a major seismic event.
NOISE CONSIDERATIONS (Chapter XI)	The FGP will result in substantial increases in traffic noise along selected routes. The FGP directs the City to enact a range of measures and standards for residential development, and guidelines for the design and location of sensitive areas within dwelling units, and of sensitive land uses within individual development projects (VII.E.2-12). Exterior noise is to be minimized through designs which locate outdoor activity spaces in the least affected areas such as in rear yards, patios and decks, or by berms, soundwalls and setbacks (VII.E.11.a,d). The policies require noise studies to identify existing and projected noise levels due to the project, the impacts of the project and adjacent uses on existing and future conditions for the project area, and mitigation measures to meet the objectives of the FGP (VII.E.8). New projects which cause existing traffic-related noise levels to exceed 3 dB in existing residential areas shall be required to provide a noise study to identify and evaluate the feasibility of noise mitigation measures to address such effects (VII.E.6). The City will also adopt a quantitative noise ordinance to regulate existing community noise problems (Implementation Program VII.10). These policies would ensure the provision of adequate mitigation of noise impacts from	No mitigation measures are necessary.

Topic	Evaluation of Potential Impacts	Mitigation Measures
	specific projects, as well as from high-traffic roadways. **The potentially significant impact of adverse noise conditions would be avoided.** Alternatives II, V and VI: Similar traffic increases, but identical policies would avoid a significant impact. Alternatives III and IV: Similar or greater traffic increases, but inadequate policies would have a significant impact.	
AIR QUALITY (Chapter XII) Construction Dust	The FGP would result in extensive construction activity, which could have related air quality impacts considered to be potentially significant. However, the FGP incorporates a policy requiring dust control measures in the construction mitigation plans for larger projects (VI.E.6), which would minimize the potential for adverse impacts, which are in any case generally temporary in nature and limited in extent at any given time.**The potential for construction-related air quality impacts is significant.** Alternative II: Similar amount of construction activity but identical policy would avoid a significant impact. Alternatives III and IV: Similar amount of construction activity but inadequate policies would have a significant impact. Alternative V: Identical policies and smaller population would reduce potential impact to a less than significant level. Alternative VI: Smaller area of construction, identical policies, but concentrated population would increase proximity of people to construction; impact would be potentially significant.	No mitigation measures are necessary.
Urban/Rural Conflicts (Chapter XII)	The FGP would result in new residential neighborhoods adjacent to surrounding agricultural lands, which could result in complaints to farmers by new residents regarding waste burning, dust, odors, pesticide application and other similar activities, although their effects are generally temporary in nature. The FGP directs the City to adopt a right-to-farm ordinance to provide a means for grievances to be resolved, and also to incorporate buffers into residential projects along the western and northern boundaries of the Urban Limit Line, which are the primary borders	No mitigation measures are necessary.

Topic	Evaluation of Potential Impacts	Mitigation Measures
	with potential for conflicts (VI.B.3,4). Buffer widths, depending on the type of agricultural activity involved, and other guidelines will be prepared by the City for review of subdivision proposals, (Policy VI.B.3, Implementation Program VI.11). **The potential impact of air quality conflicts due to adjacent urban/agricultural land uses would not be significant.** Alternative II: Increased probability of conflict due to higher density residential areas along urban/rural boundary, but similar policies would avoid significant impact. Alternatives III, IV: Same as Alternative II, but inadequate policies would have significant impacts. Alternative V: Semi-rural density would minimize potential for conflict, and would avoid a significant impact. Alternative VI: Greatly reduced extension of urban uses, and large designated buffers would avoid significant impact.	
Carbon Monoxide Concentrations (Chapter XII)	An analysis of projected traffic conditions indicates that, assuming roadway improvements as defined in the Circulation Master Plan, curbside levels of carbon monoxide at selected intersections would be well below ambient state and federal standards. The FGP also directs the City to ensure construction of needed transportation improvements as population increases (I.A, III. A), and the promotion of non-auto travel (I.B, III.G). **The potential for local impacts of carbon monoxide concentrations would be avoided.** Alternatives II, III, IV, V and VI: Similar traffic and policies; impact would not be significant.	No mitigation measures are necessary.
Regional Emissions (Chapter XII)	The FGP would accommodate development that would contribute to the daily increase in regional emissions from auto travel, with special concern for reactive hydrocarbons, and for oxides of nitrogen (the two precursors of ozone), which are to be reduced by five percent per year to meet the objectives of the Yolo/Solano Air Pollution Control District. Development and related traffic attributable to the FGP would contribute significantly to the regional increase in emissions.	Measures have been incorporated into the FGP which provide a relatively very high degree of potential reduction in regional pollution emissions, and additional miti-

Topic	Evaluation of Potential Impacts	Mitigation Measures
	The FGP directs the City to avoid or mitigate potentially significant air quality impacts of new development (VI.E.2), and to promote expansion of employment opportunities within Winters to reduce long-distance commuting (VI.E.7); and actively promoting ridesharing (VI.E.8). Other air quality concerns of the FGP emphasize the need to balance jobs and housing (Goals I.A, I.E) and the promotion of non-automobile modes of transportation (I.A, III.G). All new residential developments within the city producing more than 500 trips per day are required to develop an air quality mitigation plan with an objective of reducing trip generation by 25 percent through site planning, mixed land uses, and transit measures (carpooling, van pooling, shuttle bus service, transit incentives, etc.). Where this goal cannot be met by these methods, the plan shall provide for equivalent off-site mitigation through funding of improvements deemed acceptable by the City which benefit air quality such as new park and ride lots, pedestrian and bicycle paths, and support of transit.**The impact on regional air quality could be reduced, but the impact would be significant and adverse.** Alternative II, III and IV: Larger traffic increases and identical or similar policies would have a significant impact. Alternative V: Smaller traffic increase could avoid significant impact. Alternative VI: Transit and non-vehicular trips would be promoted, and significant impact could be avoided.	gation measures would not be expected to be feasible or effective in avoiding the significant regional impact.
VISUAL CONSIDERATIONS (Chapter XIII.A)	The FGP would change the appearance of the community in substantial ways, and would result in the loss of many views and vistas now within the city and a. as edges, while creating new open spaces and parks with substantially different visual characteristics and views. The overall visual character of the city will be substantially altered through the transformation of its surroundings from a rural environment to a mixture of primarily uniform, suburban housing, public facilities and business areas. The FGP incorporates multiple policies which would promote the small town image and agricultural character, the historic qualities of the central business district, as well as other scenic qualities, and the designation of Highway 128/Grant Avenue as a Scenic Highway corridor (Goal VIII.A, Policies VIII.A.1-7). **The potential impacts on Winters' scenic and visual resources would not be significant.**	No mitigation measures are necessary. However, some measures are identified for consideration and use in development of design guidelines for the scenic highway corridor, such as special landscape buffering, design features, or a special monument.

Topic	Evaluation of Potential Impacts	Mitigation Measures
	Alternatives II, III and V: Similar changes; impact would not be significant. Alternative IV: More extensive potential business/industrial development; impact would be significant. Alternative VI: Introduction of mid-rise buildings and overall high density would have significant impacts.	
LIGHT AND GLARE CONSIDERATIONS (Chapter XIII.B)	The FGP directs the City to reduce the potential for significant impacts in commercial or industrial lighting causing a glare disturbance in residential areas, or on night sky clarity in the Winters area (VIII.D.7). **The contribution to regional loss of night sky clarity would not be significant.** Alternatives II, III, IV: Larger population would marginally increase lighting; impact would not be significant. Alternative V: Smaller population would minimize glare; impact would not be significant. Alternative VI: Concentrated development would result in greater conflicts between commercial and residential land uses; impact would be significant.	No mitigation measures are necessary.
CONVERSION OF AGRICULTURAL LAND (Chapter XIII.C)	The FGP designates a substantial area for urban development which is or has been in active agricultural use. The conversion of agricultural land to urban uses, is a significant and unavoidable impact of urban expansion of the city. The FGP incorporates policies to promote the continued productivity of agricultural land, and to prevent its premature conversion to urban uses (Goal VI.B), such as directing the City to support agricultural uses until development or annexation is imminent (VI.B.1 and 2), to limit future expansion of the ULL to lower quality agricultural soils, and to support strong County-based agricultural land conservation policies (VI.B.4). Other forms of support for agricultural activities include support of legislation at the local and state levels for tax and other incentives (VI.B.3), a mixture of farmers' markets, on-site sales and special events (VI.B.4), a commitment to adopt a right-to-farm ordinance (VI.B.6), and support for County efforts to establish a land conservation trust and implement programs for development rights purchases, transfers or easements (VI.B.5). **The impact on agricultural productivity is significant and represents an unavoidable, adverse, cumulative impact.**	Measures have been incorporated into the FGP which provide a high degree of support for agricultural land conservation, and additional mitigation measures would not be expected to be feasible or effective in avoiding the loss of agricultural land, other than a prohibition against future development, which would not be consistent with the

Topic	Evaluation of Potential Impacts	Mitigation Measures
	Alternatives II, III, IV and V: Equal area converted to urban use; impact would be significant. Alternative VI: The area to be converted to urban uses would be substantially reduced, but impact of smaller area would still represent a significant impact.	FGP's objectives ' development.
Urban/Rural Boundary	The FGP designates residential land uses in a configuration which reduces the potential for constraints on agriculture due to incompatible land uses. The FGP requires buffers and a right-to-farm ordinance and similar policies (VI.B.3,6).**The potential for urban/rural conflicts would be reduced to a less than significant level.** Alternatives II, III and IV: Higher density residential areas along urban edge, would have significant impacts. Alternative V: Semi-rural, low density residential areas would avoid significant impact. Alternative VI: Wide buffer area would avoid significant impact.	No mitigation measures are necessary. Additional specifications for adopted measures are defined in the text of the Draft EIR for buffers and other means of minimizing potential conflicts.
CULTURAL RESOURCES/ ARCHAEOLOGY (Chapter III.D)	The FGP will prevent development from occurring which would have a significant adverse impact on the city's cultural resources, including potential Native American archaeological sites and important architectural buildings and structures (V.D.1,4-8). The City is directed to continue the implementation of the adopted Historic Preservation Ordinance (V.D.2), and to pursue all available local, state and federal funding for public and private efforts on behalf of historic preservation and restoration (V.D.6). The City will undertake an archaeological sensitivity survey for the entire ULL, to classify areas between "low," "moderate," and "high" sensitivity for potential archaeological resources. "High" sensitivity areas will require site surveys in conjunction with development proposals, and Appendix K of the CEQA Guidelines will guide the implementation of this policy (V.F.2). **The potential for an impact on cultural resources would be less than significant.** Alternatives II, III, IV, V and VI: Identical or similar policies would avoid a significant impact.	No mitigation measures are required.

REVISED FIGURES

Figure 4 (REVISED)
LAND USE DIAGRAM
General Plan EIR
City of Winters, California

(Replaces Figure 4 on DEIR page 19)

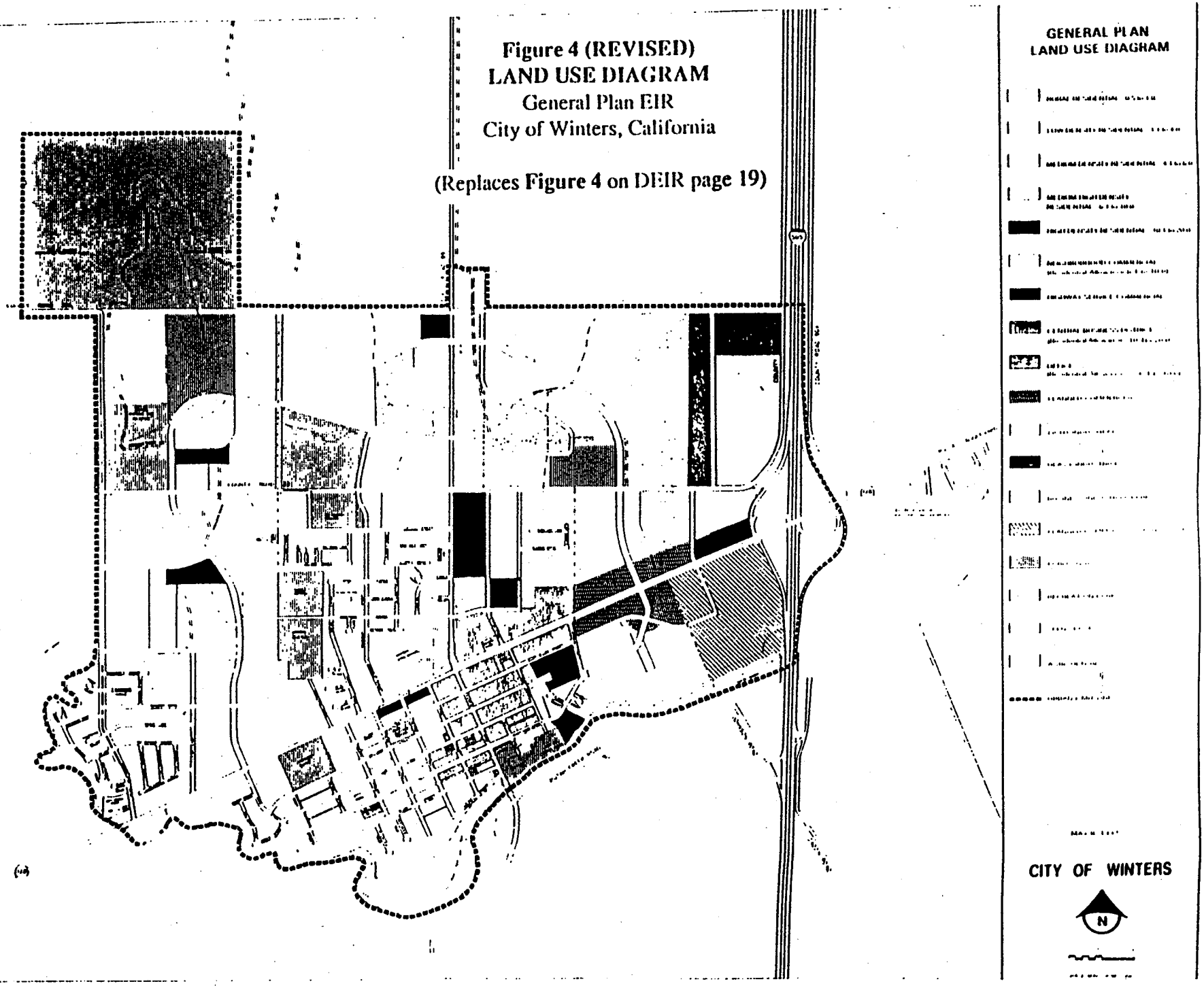


Figure 6 (REVISED)

SUMMARY OF LAND USE DESIGNATIONS AND ACREAGE FOR VACANT LAND: ALTERNATIVE I

General Plan EIR
City of Winters, California

(Replaces Figure 6 on DEIR page 24)

Land Use	Planning Area I	II	III	IV	V	VI	TOTALS
A. Residential							
Rural Residential (RR)	50.0	0.0	0.0	0.0	0.0	0.0	50.0
Low Density (LR)	45.0	37.8	21.7	0.0	0.0	0.0	104.5
Medium Density (MR)	63.0	191.9	0.0	54.2	55.0	0.0	364.1
Medium High Density (MHR)	0.0	7.0	0.0	0.0	0.0	69.0	76.0
High Density (HR)	8.0	4.5	0.0	3.9	14.6	0.0	31.0
Residential Subtotal	**166.0**	**241.2**	**21.7**	**58.1**	**69.6**	**69.0**	**625.6**
B. Commercial							
Neighborhood Commercial (NC)	3.0	1.7	0.0	0.0	0.0	5.0	9.7
Hwy. Service Commercial (HSC)	0.0	0.0	0.0	0.0	5.1	0.0	5.1
Planned Commercial (PC)	0.0	0.0	0.0	12.9	15.6	0.0	28.5
Central Business District (CBD)	0.0	0.0	0.3	11.0	22.0	0.0	33.3
Office (O)	0.0	0.0	0.0	0.0	5.1	0.0	5.1
PC/Business Park (PCB)	0.0	0.0	0.0	51.2	0.0	0.0	51.2
Light Industrial (LI)	0.0	0.0	0.0	0.0	10.9	44.8	55.7
Heavy Industrial (HI)	0.0	0.0	0.0	0.0	0.0	32.0	32.0
C. Public Uses							
Recreation & Parks (RP)	30.0	13.6	0.0	2.4	5.0	32.0	83.0
Public/Quasi-Public(PQP)	88.0	1.0	0.0	0.0	0.0	10.0	99.0
Open Space (OS)	33.0	0.0	21.0	5.4	21.1	99.1	179.6
Agriculture (AG)	0.0	0.0	4.5	0.0	0.0	0.0	4.5
TOTALS	320.0	257.5	47.5	141.0	154.4	291.9	1,212.3

Figure 7 (REVISED)

SUMMARY OF DWELLING UNITS AND COMMERCIAL GROSS FLOOR AREA FOR VACANT LAND BY PLANNING AREA

General Plan EIR

City of Winters, California

(Replaces Figure 7 on DEIR page 25)

A. Residential Dwelling Units[1]

Land Use	Planning Area I	II	III	IV	V	VI	TOTALS
Rural Residential (RR)	40	0	0	0	0	0	40
Low Density (LR)	139	117	67	0	0	0	253
Medium Density (MR)	291	887	0	250	254	0	1,682
Medium High Density (MHR)	0	54	0	0	0	531	585
High Density (HR)	123	69	0	60	225	0	477
Residential Total	**593**	**1,127**	**67**	**310**	**479**	**531**	**3,107**

B. Commercial Gross Square Footage[2]

Land Use	Planning Area I	II	III	IV	V	VI	TOTALS
Neighborhood Commercial (NC)	27.8	16.1	0.0	0.0	0.0	46.3	90.2
Hwy. Service Commercial(HSC)	0.0	0.0	0.0	0.0	47.0	0.0	47.0
Planned Commercial (PC)	0.0	0.0	0.0	119.4	144.7	0.0	264.1
Central Business District (CBD)	0.0	0.0	14.8	477.0	287.1	0.0	778.9
Office (O)	0.0	0.0	0.0	0.0	28.0	0.0	28.0
PC/Business Park (PCB)	0.0	0.0	0.0	568.8	0.0	0.0	568.8
Light Industrial (LI)	0.0	0.0	0.0	0.0	101.0	414.3	515.3
Heavy Industrial (HI)	0.0	0.0	0.0	0.0	0.0	296.1	296.1
Commercial GSF Total	**27.8**	**16.1**	**14.8**	**1,164.4**	**607.8**	**756.7**	**2,587.6**

[1]Based on assumed densities: RR-0.80 dwelling units per acre (DU/ac); LR-3.08 DU/ac; MR-4.62 DU/ac; MHR-7.7 DU/ac; HR-15.4 DU/ac. Source: City of Winters Public Works Department.

[2]Gross Square Feet (GSF) in thousands, based on variable floor area ratios as defined in the proposed General Plan.

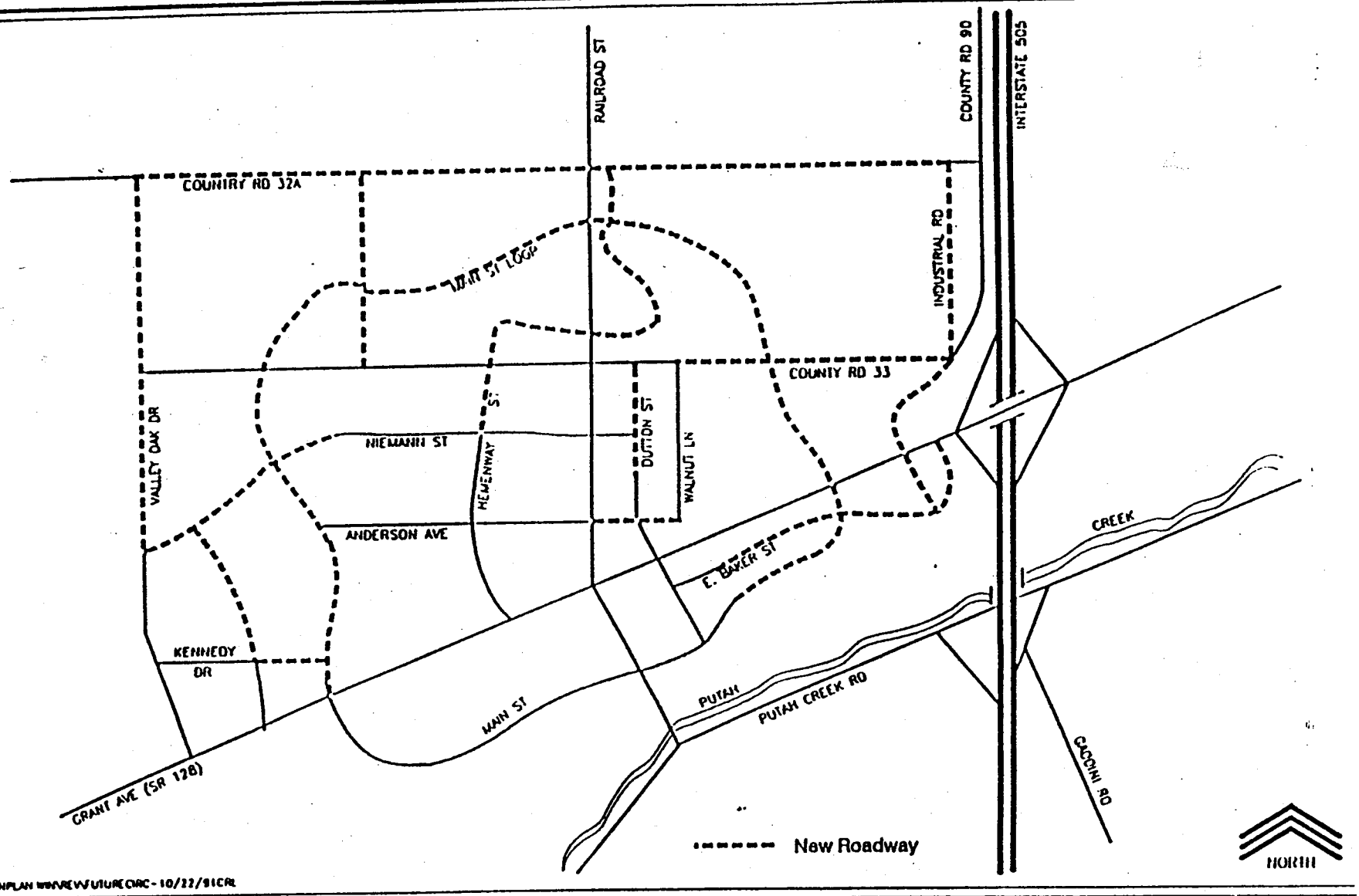


Figure 18 (REVISED)
FUTURE CIRCULATION PLAN
General Plan EIR
City of Winters, California

(Replaces Figure 18 on DEIR page 84)

Figure 19 (REVISED)
EMPLOYMENT DENSITY AND TRIP GENERATION FACTORS
General Plan EIR
City of Winters, California

(Replaces Figure 19 on DEIR page 86)

Land Use Type	Employees per Acre	Daily Trips per Employee	Peak Hour Trips per Employee
CC (Central Commercial)	44	15.7	0.76
NC (Neighborhood Commercial)	44	15.7	0.76
LC (Local Commercial)	44	15.7	0.76
HSC (Highway Service Commercial)	14	15.7	0.76
HIC (Highway High-Intensity Commercial)	14	15.7	0.76
LI (Light Industrial)	18	4.2	0.35
PI (Planned Industrial)	18	4.2	0.35
HI (Heavy Industrial)	18	4.2	0.35
AI (Agricultural Industrial)	6	4.2	0.35

Wilbur Smith Associates; April 1992.

Figure 20 (REVISED)
COMPARISON OF LAND USES AND TRIP GENERATION
General Plan EIR
City of Winters, California

(Replaces Figure 20 on DEIR page 87)

	DU*	%*	Jobs	%*	TP*	%*
Existing Conditions	1,630	–	940	–	25,800	–
Future 12,500 Population	4,740	191%	6,660	608%	83,700	224%
Future 14,000 Population	5,450	234%	6,420	583%	93,100	261%

DU = Dwelling Units; % = Percent Increase; TP = Trips Produced.

Wilbur Smith Associates; April 1992.

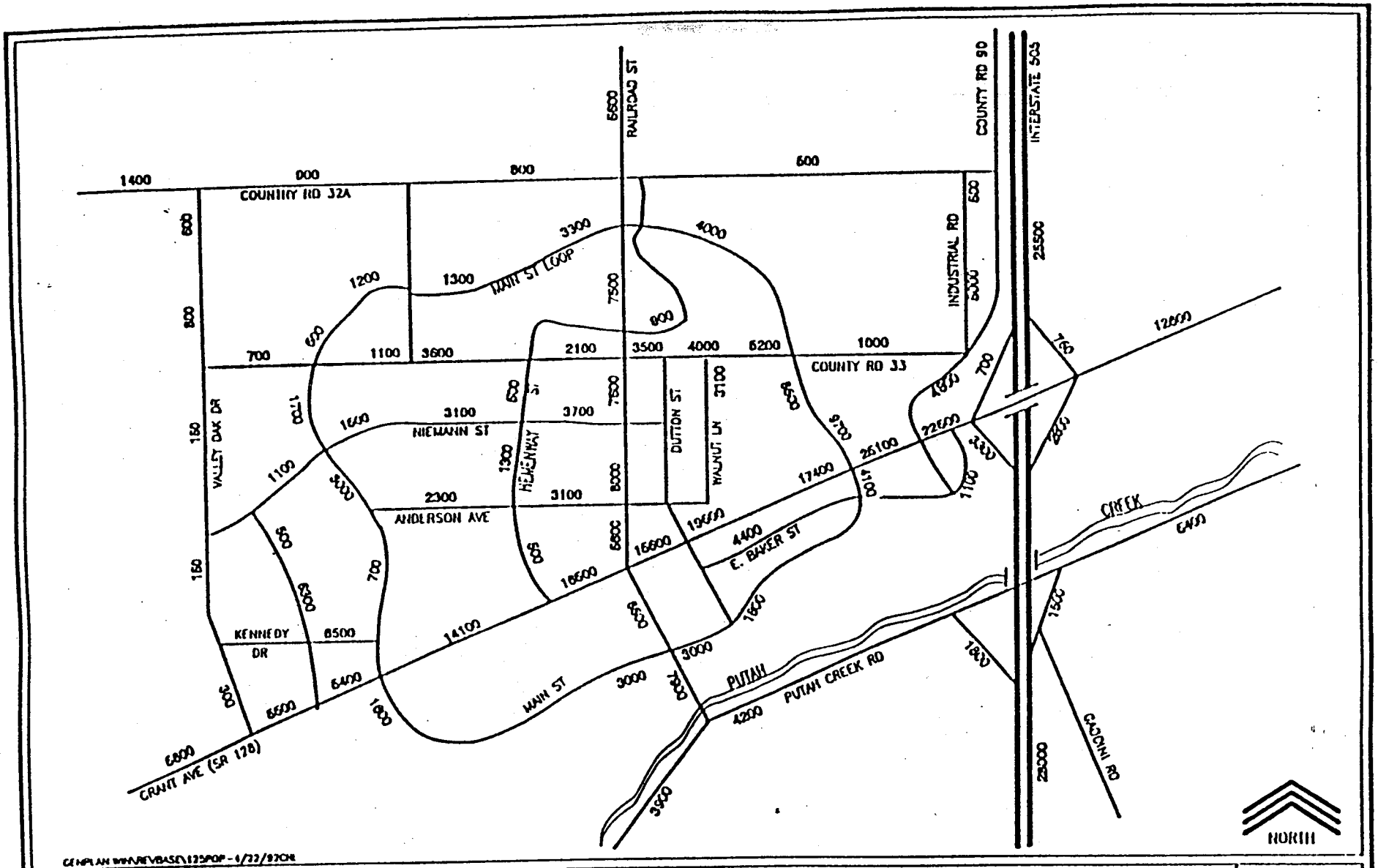


Figure 21 (REVISED)
FORECAST DAILY TRAFFIC 12,500 POPULATION
General Plan EIR
City of Winters, California

(Replaces **Figure 21** on DEIR page 88)

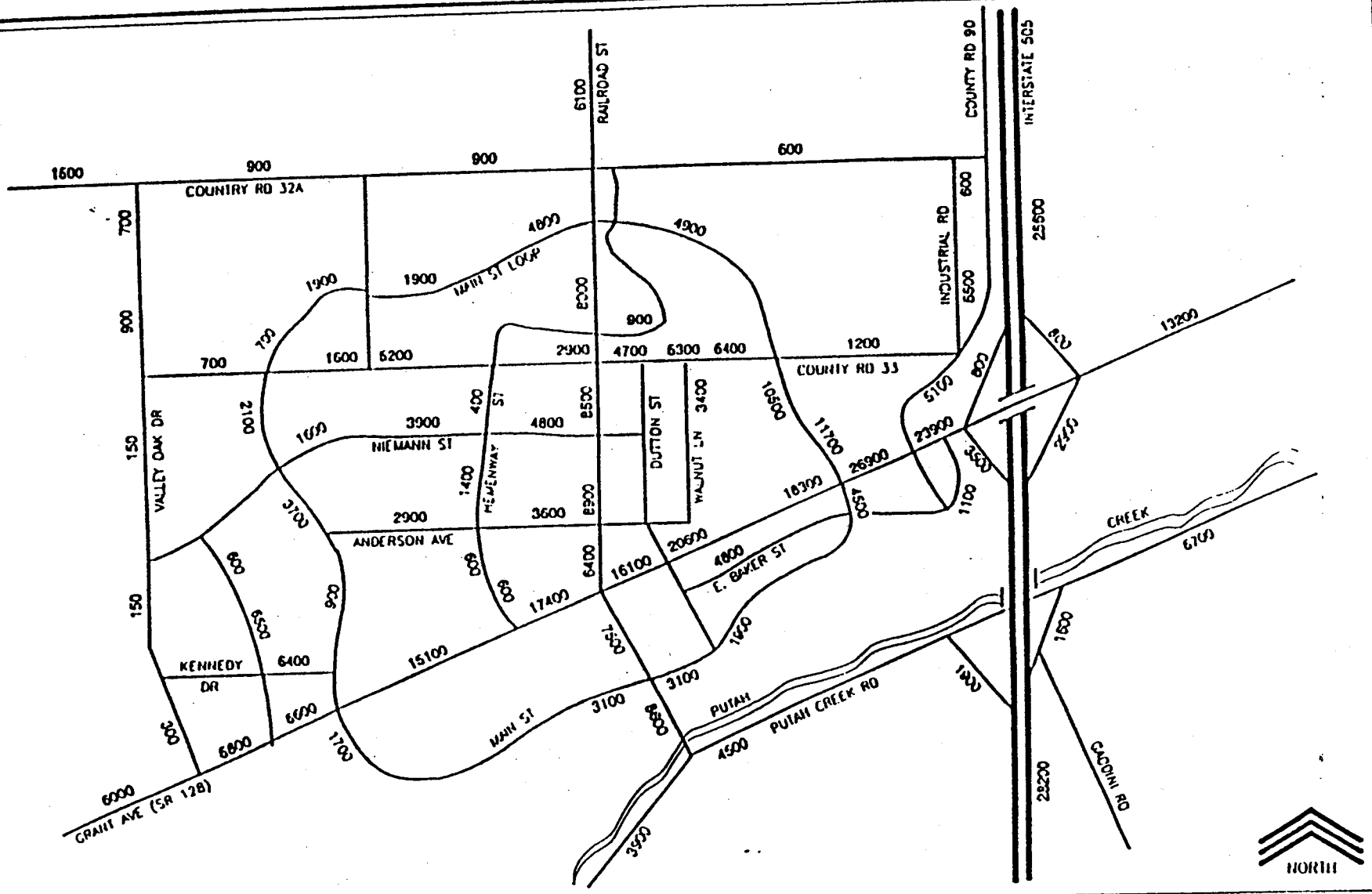


Figure 23 (REVISED)
FORECAST DAILY TRAFFIC 14,000 POPULATION
General Plan EIR
City of Winters, California

(Replaces Figure 23 on DEIR page 92)

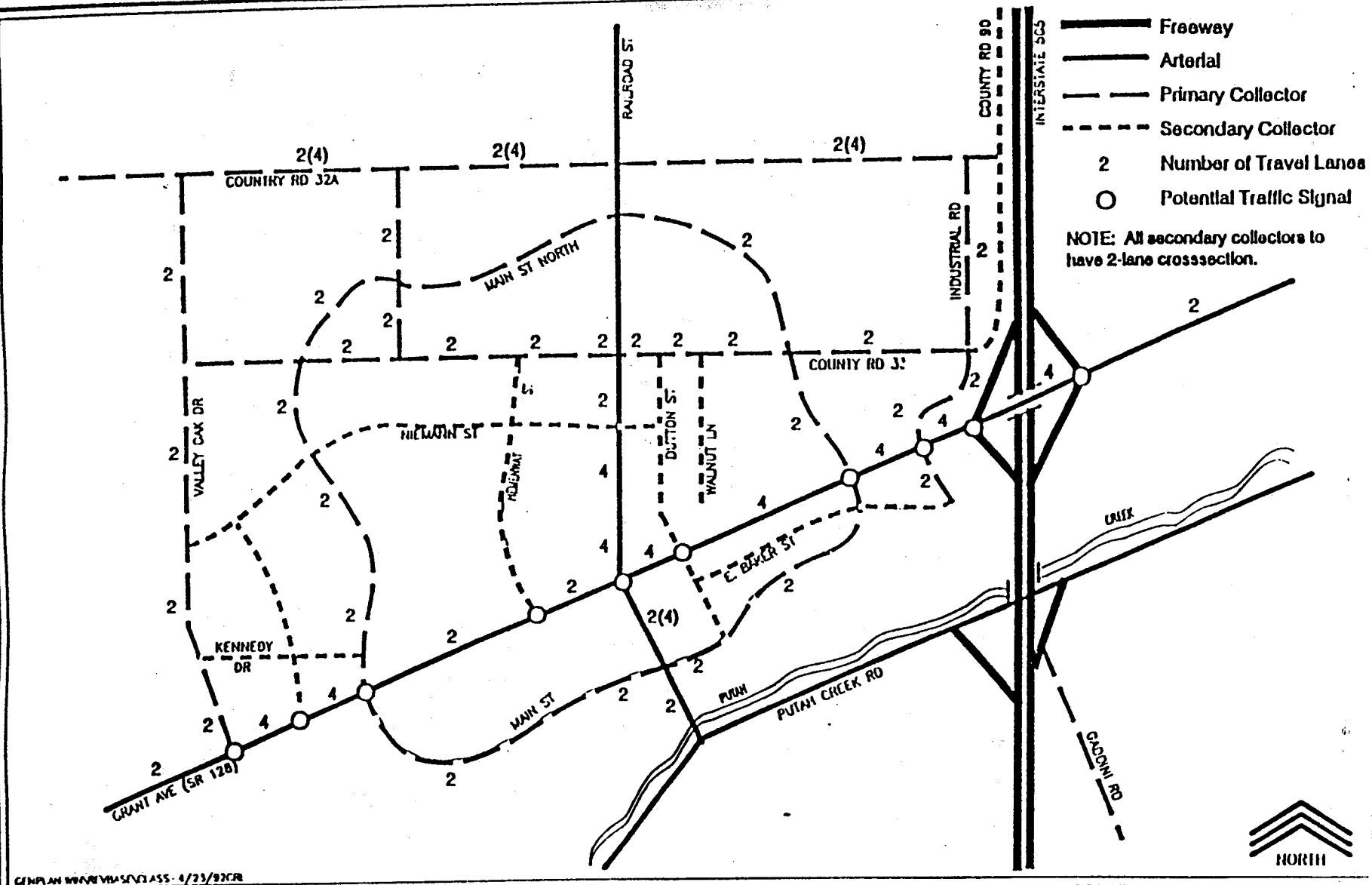


Figure 24 (REVISED)
RECOMMENDED ROADWAY CLASSIFICATIONS AND LANE REQUIREMENTS
General Plan EIR
City of Winters, California

(Replaces Figure 24 on DEIR page 93)

Figure 25 (REVISED)

REQUIRED ROADWAY IMPROVEMENTS

General Plan EIR

City of Winters, California

(Replaces Figure 25 on DEIR page 94)

Improvements	Order of Magnitude Costs	Allocation/Source of Cost Reponsibility		
		Existing Problem	New Private Frontage	Other Shared Frontage
Main Street North	$6,075,000	0.0%	85.0%	15.0%
Road 32A (Road 88 to Road 90)	$3,850,000	0.0%	70.0%	30.0%
Road 33 Extension (Road 88 to Road (90)	$3,675,000	0.0%	85.0%	15.0%
Valley Oak Drive Extension	$2,145,000	0.0%	100.0%	0.0%
Rebuild Putah Creek Bridge	$1,000,000	100.0%	0.0%	0.0%
Rebuild/Widen Grand Avenue Dry Creek Bridge	$1,700,000	32.5%	0.0%	62.5%
Widen Railroad Avenue North of Grant Avenue	$1,010,000	---	0.0%	100.0%
Rebuild Taylor Street	$ 260,000	100.0%	0.0%	0.0%
Widen East Street	$ 230,000	---	---	100.0%
Widen Grant Avenue	$2,600,000	0.0%	0.0%	100.0%
Widen Grant Avenue/I-505 Overcrossing	$3,000,000	0.0%	0.0%	100.0%
New Traffic Signals (6 at $125,000 each)	$ 750,000	0.0%	0.0%	100.0%

Wilbur Smith Associates; April 1992.

T-14/249

Figure 26B
FUTURE WATER DISTRIBUTION SYSTEM
General Plan EIR
City of Winters, California

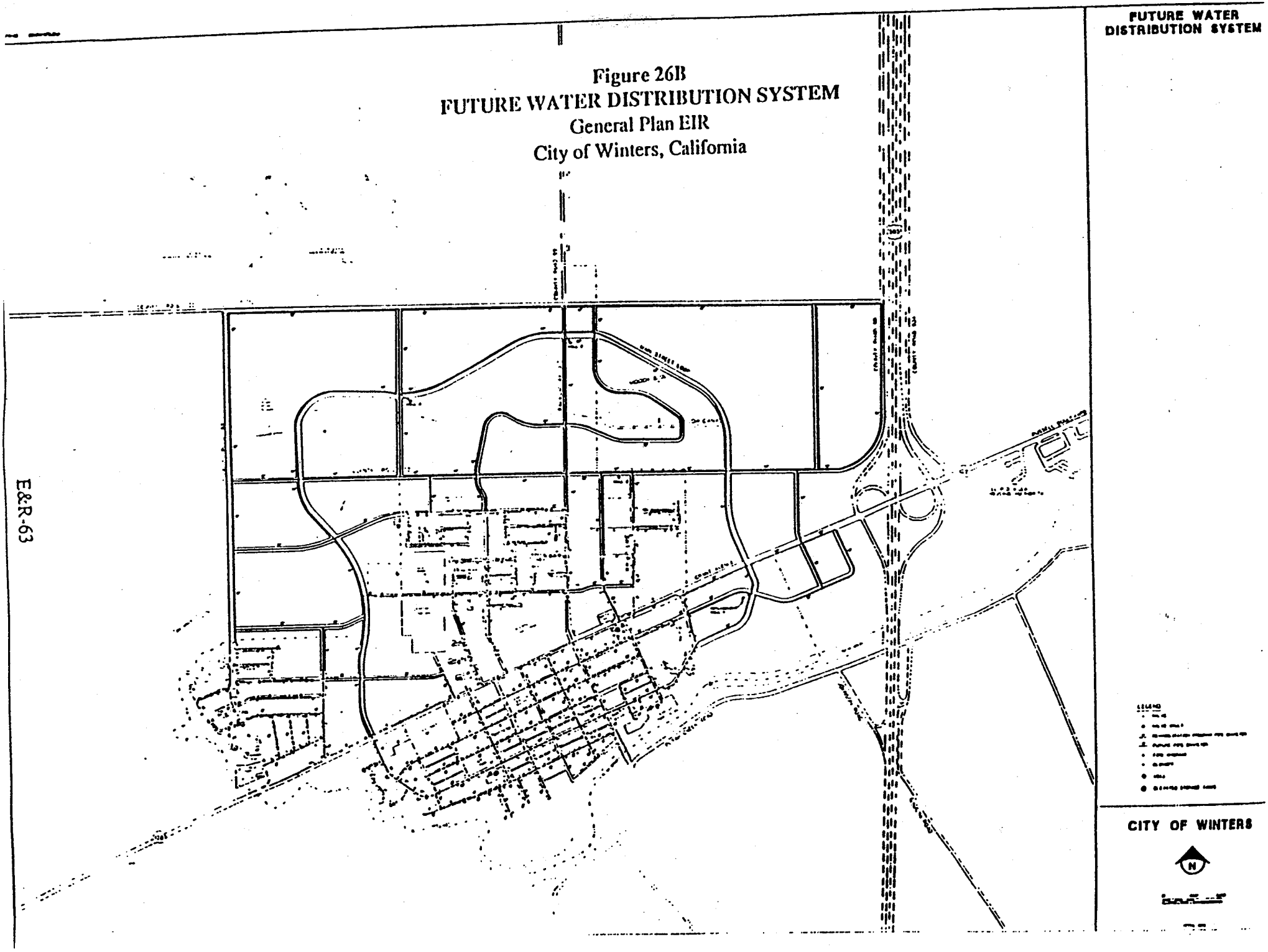


Figure 27 (REVISED)
FUTURE WASTEWATER COLLECTION SYSTEM
General Plan EIR
City of Winters, California

(Replaces Figure 27 on DEIR page 102)

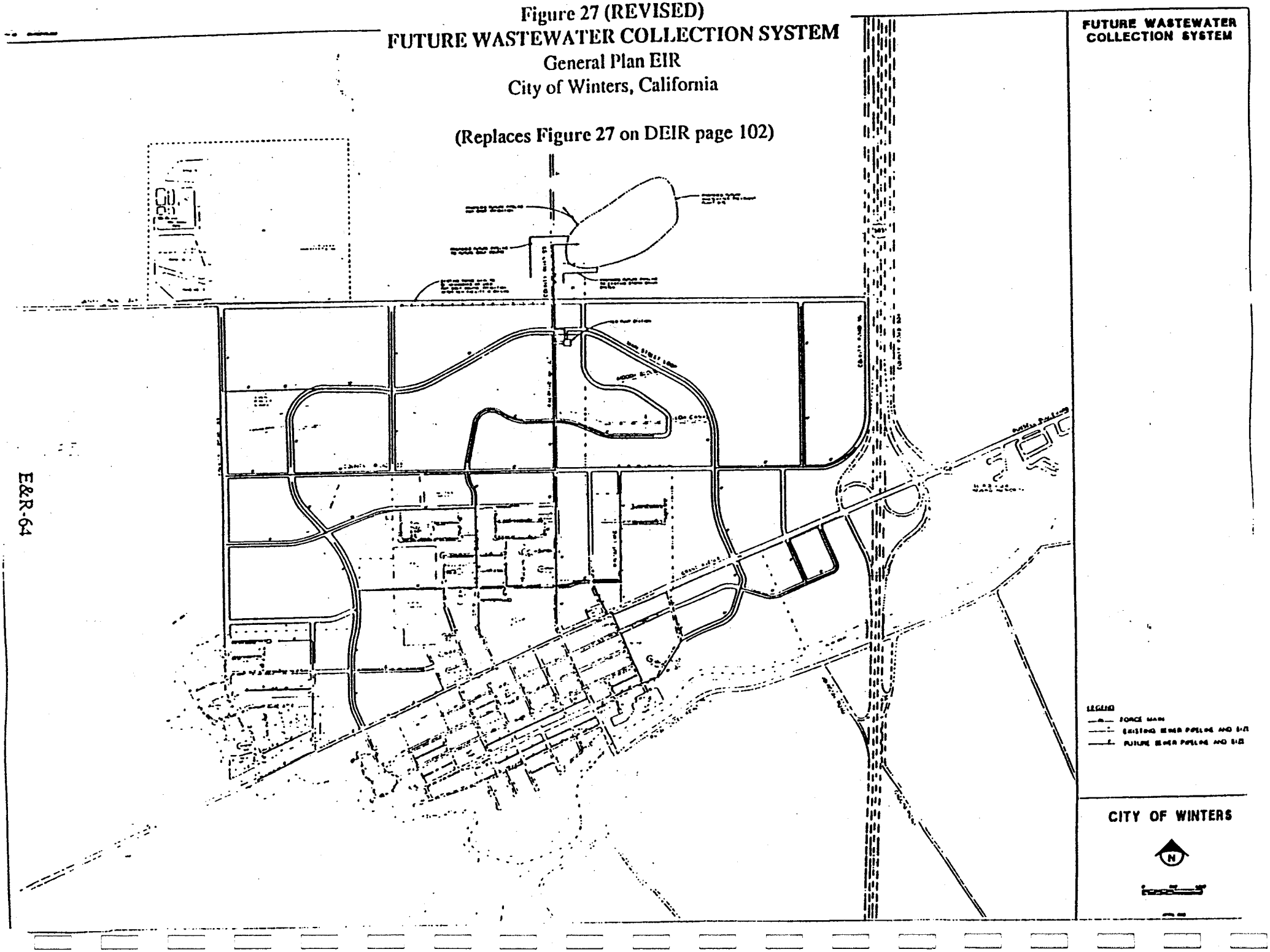


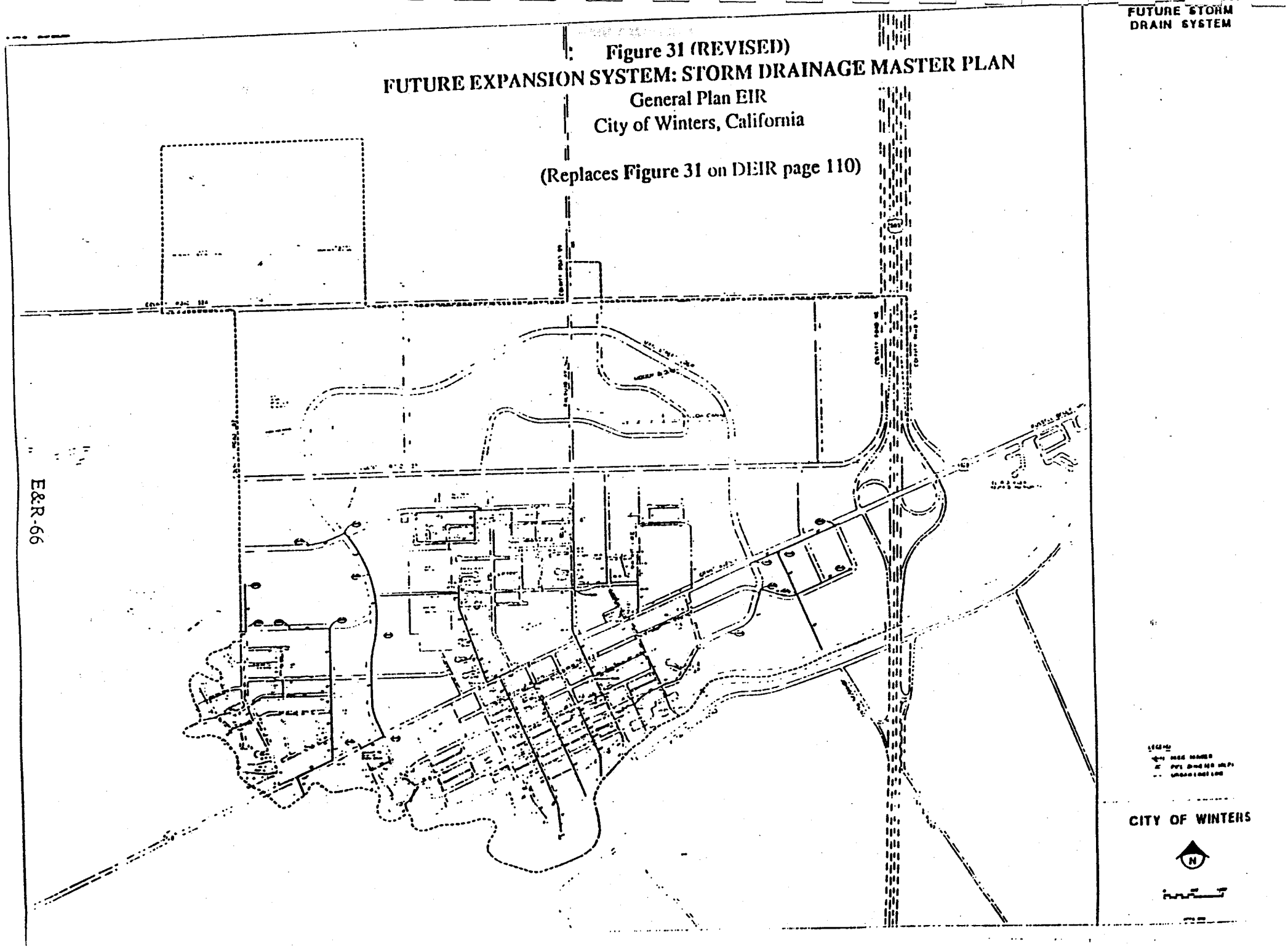
Figure 31 (REVISED)

FUTURE EXPANSION SYSTEM: STORM DRAINAGE MASTER PLAN

General Plan EIR

City of Winters, California

(Replaces Figure 31 on DEIR page 110)



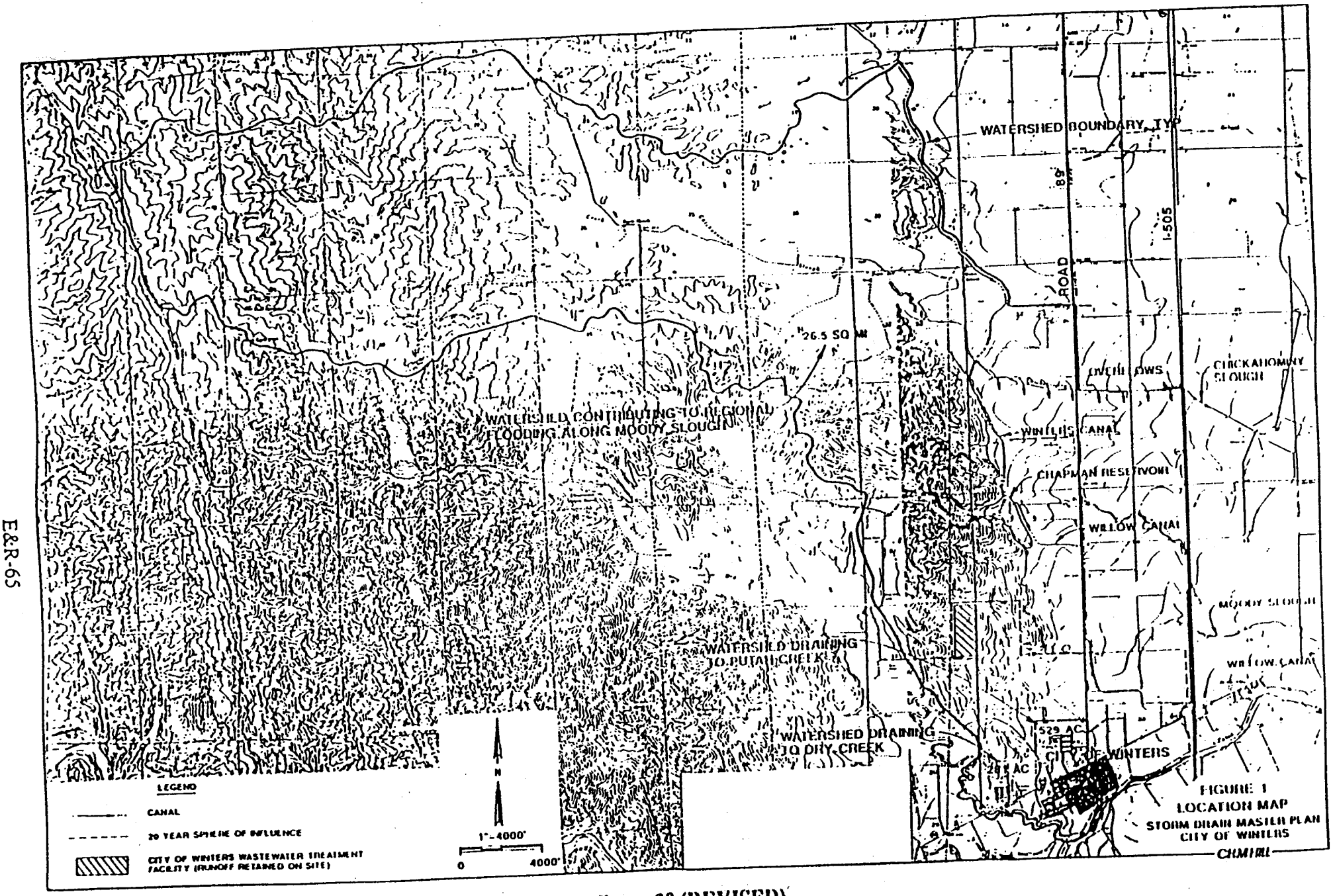


Figure 30 (REVISED)
LOCATION MAP: STORM DRAINAGE MASTER PLAN
General Plan EIR
City of Winters, California

COMPILATION OF COMMENTS RECEIVED ON DRAFT EIR

The comments submitted on the Draft Environmental Impact Report (DEIR) are presented in this section. They have been listed in alphabetical order according to the name of the public agency, individual or group submitting the comments. The comments are indexed below, together with the abbreviated codings they have been assigned (e.g. LAFCO, WEIRW, etc.), and the page numbers where they can be found in this section of this document.

Within each letter of comment received, and within the minutes of each City Council/Planning Commission meeting, each specific comment related to the DEIR has been numbered (e.g. -1, -2, -3, etc.). In cases where an individual reviewer wrote more than one letter of comment, the letters are coded ((A), (B), etc.), and the comments are numbered starting with the earliest dated letter. These references (e.g. LAFCO-3, WEIRW-1, etc.), are used as a key to link the comments to responses found in subsequent chapters which correspond to the structure of the DEIR document in terms of the sequence of chapters and topics addressed.

A second index is provided on pages 5-10 indicating, for each numbered comment, the corresponding numbered response and the page(s) on which it can be found in this document. The index also shows the page(s) in the DEIR to which the comment and response make reference.

WRITTEN COMMENTS		Page
California State Agencies		
CALTRANS	California Department of Transportation, (Robert M. O'Loughlin, Chief, Planning Branch 3) December 23, 1991.	13
CDOC	California Department of Conservation, Division of Oil and Gas (Stephen E. Oliva, Environmental Program Coordinator), November 20, 1991.	14
Local Public Agencies		
LAFCO	Local Agency Formation Commission (Charlotte Nevills, Assistant Executive Officer), December 6, 1991.	15

LIBRARY	Yolo County Library (Marian L. Stephens, County Librarian), December 4, 1991.	16
POLICE	Steven Godden (Police Chief), December 9, 1991.	17
WJU[illegible] (A)	Winters Joint Unified School District (Michael Roberts, Ph.D., District Superintendent), December 6, 1991.	18-22
WJ[illegible]SD (B)	Winters Joint Unified School District (Michael B. Roberts, Ph.D., Superintendent), December 9, 1991.	22-25
YCTA	Yolo County Transit Authority (Martie Dote, Senior Transportation Planner), December 17, 1991.	26
YOLO (A)	County of Yolo, Community Development Agency, Planning Division (Elizabeth Castro Kemper, Assistant Community Development Director), December 9, 1991.	27
YOLO (B)	County of Yolo, Community Development Agency, Planning Division (Stephen L. Jenkins, Director), December 9, 1991.	28-29
YSAPCD	Yolo/Solano Air Pollution Control District (David B. Smith, Air Pollution Control Specialist II), November 13, 1991.	29

Private Organizations and Individuals

JOHNSON	Clay C. Johnson, December 2, 1991.	30
LANDO (A)	Robert E. Lando (for the Winters Group), November 12, 1991.	31
LANDO (B)	Robert E. Lando (for the Winters Group), November 26, 1991.	32-41

LANDO (C)	Robert E. Lando (for the Winters Group), December 5, 1991.	42-44
LANDO (D)	Robert E. Lando (for the Winters Group) January 6, 1992.	45-48
LARKEY	Joann L. Larkey (and others), December 2, 1991.	48-49
LSNC	David E. Jones (Legal Services of Northern California, Inc., Yolo County Law Office), December 3, 1991.	50-52
LUND	Gerry Lund.	53-54
MARIANI	Linda Mariani (Winters Parks and Community Services Commission), December 3, 1991.	55-56
C. McN	Craig McNamara, December 3, 1991.	57-58
J. McN	Julie McNamara, November 22, 1991.	58-61
SEEGER	Mary Helen Seeger, December 9, 1991.	62
SNYDER	Joyce Snyder (Winters Parks and Community Services Commission), December 3, 1991.	62-63
WDCOC	Winters District Chamber of Commerce (Tom Peerbolt, President), December 8, 1991.	64
WEIRW	Winters EIR Workgroup (Peter J. Hunter and Michael McCoy, Co-Chairs) December 9, 1991.	65-101

VERBAL COMMENTS

PH (A)	City Council/Planning Commission Meeting, November 12, 1991.	102-108
PH (B)	City Council/Planning Commission Meeting, November 16, 1991.	109-124
PH (C)	City Council/Planning Commission Meeting, November 19, 1991.	125-138
PH (D)	City Council/Planning Commission Meeting, December 3, 1991.	139-157

INDEX TO RESPONSES: BY COMMENT AUTHOR AND BY NUMBER

NOTE: References to page numbers in Columns 2 and 5 are to materials presented in this Response-to-Comments document.

Comment Author and Number		FEIR Page(s)	Reference to DEIR Page(s)	Response Number	FEIR Page(s)
CALTRANS					
	-1	13	81-94	4-11	215
	-2	13	81-94	4-12	216
	-3	13	81-94	4-13	216
CDOC					
	-1	14	169-178	10-1	282
LAFCO					
	-1	15	68-69	3-30	205
	-2	15	217-219	13-13	298
	-3	15	57-58	3-4	183
	-4	15	135-153	8-6	259
LIBRARY					
	-1	16	130-131	7-20	250
POLICE					
	-1	17	APX B	APX-1	313
	-2	17	APX B	APX-2	313
WJUSD (A)					
	-1	19	133	7-17	248
WJUSD (B)					
	-1	24	130-133	7-14	247
YCTA					
	-1	26	73	4-1	207
	-2	26	81-94	4-2	207
	-3	26	81-94	4-3	208
YOLO (A)					
	-1	27	68-69	3-29	204
	-2	27	135-153	8-5	254-259

Comment Author an	·ber	FEIR Page(s)	Reference to DEIR Page	Response Number	FEIR Page(s)
YOLO (B)					
	-1	28	212	13-12	297-298
	-2	28	135-153	8-7	259
	-3	29	161-167	9-30	276
YSAPCD					
	-1	29	197-203	12-1	285
JOHNSON					
	-1	30	81-94	4-10	215
LANDO (A)					
	-1	31	130-133	7-16	248
LANDO (B)					
	-1	33	129	7-12	245
	-2	36	107-113	5-19	230
LANDO (C)					
	-1	42	248	15-2	310
LANDO (D)					
	-1	46	105	5-11	223
LARKEY					
	-1	48	220-222	13-18	302
	-2	49	220-222	13-16	300
LSNC					
	-1	50	62-66	3-9	188-189
	-2	51	62-66	3-10	190
LUND					
	-1	53	67-68	3-27	203
	-2	53	135-153	8-2	252
MARIANI					
	-1	55	8-9	1-8	174
	-2	55	123-127	7-6	241
	-3	55	123-127	7-7	242

Comment Author and Number		FEIR Page(s)	Reference to DEIR Page(s)	Response Number	FEIR Page(s)
C. McN					
	-1	57	4-5	1-3	169-170
	-2	57-58	62-66	3-11	191-192
	-3	58	225-226	14-3	307-308
J. McN					
	-1	58	2-3	1-4	171
	-2	59-60	123-127	7-1	234-237
	-3	60	57-58	3-5	184
	-4	60	123-127	7-2	237
SEEGER					
	-1	61	50	3-1	181
	-2	61	50	3-2	182
SNYDER					
	-1	62	123-127	7-4	240
	-2	62	248	15-1	309
WDCOC					
	-1	64	136	8-4	254
WEIRW					
	-1	66	56-69	3-3	182-183
	-2	66	81-94	4-5	209
	-3	66	201	12-2	285
	-4	67	66-67	3-12	192
	-5	67	67-68	3-19	197
	-6	67	207-210	13-1	291-292
	-7	67	207-210	13-2	292
	-8	68	66-67	3-13	191
	-9	68	81-94	4-7	212-213
	-10	68	207-210	13-3	293
	-11	69	67-68	3-20	197
	-12	69	207-210	13-4	293
	-13	69	207-210	13-5	293
	-14	69	207-210	13-6	294
	-15	69	210-211	13-11	295-296
	-16	70	207-211	13-7	294
	-17	70	67-68	3-21	198
	-18	70	207-210	13-8	294
	-19	70	207-210	13-9	295
	-20	71	67-68	3-22	198

Comment Author and Number	FEIR Page(s)	Reference to DEIR Page(s)	Response Number	FEIR Page(s)
WEIRW				
-21	71	207-210	13-10	295
-22	72	67-68	3-23	198
-23	72	81-94	4-9	214
-24	72	81-94	4-8	213
-25	73	66-67	3-14	194
-26	73	66-67	3-15	194
-27	73	66-67	3-16	195
-28	74	66-67	3-17	195-196
-29	74	66-67	3-18	196
-30	76	220-222	13-19	302
-31	76	220-222	13-21	303
-32	77	220	13-15	299
-33	77	222	13-22	303
-34	77	222	13-24	306
-35	80	107-113	5-16	229
-36	80	107-113	5-17	229
-37	80	107-113	5-18	229
-38	81	103-105	5-5	220
-39	81	103-105	5-6	220-221
-40	81	103-105	5-7	221
-41	81	103-105	5-8	221
-42	82	103-105	5-9	222
-43	82	103-105	5-10	222
-44	83	161-167	9-34	279
-45	83	216-219	13-14	299
-46	83	156	9-1	261
-47	83	156	9-2	261
-48	83	156	9-3	262
-49	83	165	9-18	271
-50	84	163-164	9-16	270
-51	84	163-164	9-17	270-271
-52	84	159	9-7	2264-265
-53	84	160	9-8	265
-54	84	165	9-19	271-272
-55	84	166	9-25	273
-56	84	166-167	9-31	276
-57	85	161-167	9-27	274
-58	85	161	9-9	265-266
-59	85	161-162	9-11	266-267
-60	85	165	9-22	273
-61	85	164-167	9-28	275
-62	86	223	14-1	307

Comment Author and Number	FEIR Page(s)	Reference to DEIR Page(s)	Response Number	FEIR Page(s)
WEIRW				
-63	86	156	9-4	263
-64	86	156	9-5	263
-65	86	156	9-6	263
-66	86	162	9-15	269
-67	86	165	9-23	273
-68	86	165-167	9-29	275
-69	86	164-167	9-20	272
-70	86	166	9-26	274
-71	86	166-167	9-32	276-277
-72	86	164-167	9-21	272
-73	86	165	9-24	273
-74	86	167	9-35	279
-75	86	161	9-10	266
-76	87	161-162	9-12	267
-77	87	161-162	9-13	267
-78	87	223	14-2	307
-79	88	99-100	5-1	217
-80	88	100	5-3	218
-81	89	81-94	4-4	209
-82	89	205	12-5	289
-83	89	205	12-6	290
-84	89	204-205	12-3	286-287
-85	90	205	12-7	290
PH (A)				
-1 (ROBERTS)	103	130-133	7-13	245-246
-2 (MCCOY)	104	67-68	3-24	199
-3 (HUNTER)	104-105	S-1	ES-1	162-163
-4 (BEATON)	105	130-133	7-15	248
-5 (WILCE)	105	107-113	5-13	226-227
-6 (COMAN)	106	2-3	1-5	171
-7 (HUNTER)	107	2-3	1-6	172
PH (B)				
-1 (HUNTER)	111	99-101	5-2	218
-2 (MCCOY)	117	107-113	5-14	227-228
-3 (MCCOY)	117	107-113	5-15	228
-4 (DUNCAN)	122	2-3	1-1	165-166
-5 (PFANNER)	122	9	1-9	175-176
-6 (PFANNER)	123	8-9	1-10	176-177
-7 (BREWER)	123	2-3	1-2	167-168
-8 (FRIDAE)	124	4-5	1-7	173

Comment Author and Number	FEIR Page(s)	Reference to DEIR Page(s)	Response Number	FEIR Page(s)
PH (B)				
-9 (HUNTER)	124	192	11-1	283
PH (C)				
-1 (HUNTER)	133-134	103-105	5-4	219-220
-2 (KILKENNY)	134	136	8-3	252-253
-3 (McNAMARA)	134-135	123-127	7-3	239
-4 (LUND)	135-136	67-68	3-26	202
-5 (HUNTER)	136	67-68	3-28	204
PH (D)				
-1 (LARKEY)	141-142	220-222	13-17	301
-2 (SNOW)	142-143	123-127	7-9	243
-3 (SNOW)	143	123-127	7-10	243
-4 (SNOW)	143	124	7-11	244
-5 (SNYDER)	143	123-127	7-4	240
-6 (COMAN)	144	123-127	7-8	243
-7 (MARIANI)	145	123-127	7-5	240
-8 (STEPHENS)	145	130-133	7-18	249
-9 (STEPHENS)	146	130-133	7-19	250
-10 (LUND)	146-147	67-68	3-27	203
-11 (LUND)	147	135-153	8-1	251
-12 (WILCE)	147-148	107-113	5-12	225
-13 (HUNTER)	148-149	81-94	4-6	211
-14 (BARBOUR)	149-150	161-167	9-33	278
-15 (SEEGER)	150	204-205	12-4	288-289
-16 (C.McN)	151	2-3	1-3	169-170
-17 (REYNOLDS)	151-152	220-222	13-20	303
-18 (WHITWORTH)	152	161-162	9-14	269
-19 (MCCOY)	152-153	67-68	3-25	200
-20 (JONES)	155	62-66	3-6	185-186
-21 (JONES)	155	62-66	3-7	186
-22 (JONES)	155	62-66	3-8	187
-23 (GRISSET)	156	220-222	13-23	305-306

COMMENTS RECEIVED

(This page has been purposely left blank.)

RECEIVED

DEPARTMENT OF TRANSPORTATION
[illegible]
[illegible]
[illegible]
[illegible]
Telephone: (916) 327-3557

December 23, 1991

CYOLO50
03-YOL-128/505
City of Winters
General Plan
DEIR

CALTRANS

Mr. Brent Moore
City of Winters
Community Development Department
318 First Street
Winters, CA 95694-1923

Dear Mr. Moore:

Thank you for the opportunity to review and comment on the above referenced document.

COMMENTS:

To carry the projected traffic volumes on Route 128 west of Railroad Street, this section of roadway would need to be widened to at least provide left-turn lanes. Widening of the road in this area may not be feasible due to the impacts on adjacent properties. The assumption made in assessing the future Level of Service should be discussed in the Final Environmental Impact Report (FEIR). [1]

In addition to analyzing the future signalized intersections shown in Figure 18, the intersections of Morgan, Dutton, and Homeway Street, and Valley Oak Drive, with Highway 128 should be addressed. Caltrans would like to review the back-up analysis sheets and assumed intersection geometrics for all Highway 128 intersections. We support the eliminations of the Walnut Lane connection to Grant Street. The realignment of County Road 90, as indicated in Figure 18, should provide at least 800' of spacing from the southbound [illegible] intersection. [2]

If four through lanes are not planned for Highway 128 from Railroad Street west to the Main Street intersection, it does not appear necessary to provide four through lanes west of this segment. The need for this westerly four lane portion should be explained in the FEIR. [3]

CALTRANS

The General Plan should address Winter's policy for reducing vehicle trips. The General Plan should be coordinated with the SACOG Regional Transportation Plan (RTP) and the Yolo County Congestion Management Plan (CMP).

Bicycle/Walking: The City should require facilities such as showers and lockers at employment sites to make trip reduction tactics effective. The planning documents should reflect what the bicycle network would look like including right of way preservation beyond the current Yolo County Bikeway Plan.

Park and Ride Facilities: The City should work with Yolo County Transit and Caltrans to develop future locations for Park and Ride lots.

Telecommuting Infrastructure: Because of the relative distance between Winters and major employment centers in Sacramento and the Bay Area, the General Plan and related documents need to consider utility of telecommuting as a trip-reduction strategy. The inclusion of telecommuting in new community designs is common for the region (e.g. Southport, Isleton, Sutter Bay, Laguna West, etc.)

Ridesharing Services: The City of Winters should also commit itself to the provision of its own ridesharing services in coordination not only with Caltrans but with rideshare offices from special traffic generators (e.g. UC Davis, CSUS Sacramento, Yuba Community College in Woodland) and with employee transportation coordinators from major employers.

The City of Winters should identify specific projects, timing, a fair share funding mechanism and a mitigation monitoring program.

If you have any questions regarding these comments, please contact Sharon Scherzinger at 916-324-6642.

Sincerely,

Robert M. O'Loughlin

ROBERT M. O'LOUGHLIN
Chief, Planning Branch C

cc: Michael McCoy

State of California

THE RESOURCES AGENCY OF CALIFORNIA

Memorandum

To: Douglas P. Wheeler
Secretary for Resources

Mr. Brent Moore
City of Winters
318 First Street
Winters, CA 95694

Date: November 20, 1991

Subject: Draft Environmental Impact Report, General Plan Revision City of Winters. SCH #91073080

CDOC

From: Department of Conservation—Office of the Director

The Department of Conservation's Division of Oil and Gas has reviewed the Draft EIR for the proposed project and submits the following comments for your consideration.

Presently, there are four abandoned wells within the project boundaries. Also, the proposed project is located partially within the administrative boundaries of the Pleasant Creek Gas Field. 1

If any structure is to be located over or in the proximity of a previously abandoned well, there is the possibility that the well may need to be plugged and abandoned to current Division specifications. Section 3208.1 of the Public Resources Code authorizes the State Oil and Gas Supervisor to order the reabandonment of any previously abandoned well when construction of any structure over or in the proximity of the well could result in a hazard. The cost of reabandonment operations is the responsibility of the owner of the property upon which the structure will be located.

Under Section 3208.1 of the Public Resources Code, the reabandonment responsibilities of the owner/developer of a property upon which a structure will be located need extend no further than the property boundaries. However, if a well requiring reabandonment is on an adjacent property and near the common property line, the Division recommends that the structure be set back sufficiently to allow future access to the well.

Furthermore, if any abandoned or unrecorded wells are uncovered or damaged during excavation or grading, remedial plugging operations may be required. If such damage occurs, the Division's district office must be contacted to obtain information on the requirements for and approval to perform remedial operations.

Although the possibility for future problems from gas wells that have been plugged and abandoned or reabandoned to the Division's current specifications are remote, we, nevertheless, suggest that a diligent effort be made to avoid building over any abandoned well. If construction over an abandoned well is unavoidable, we suggest that an adequate gas venting system be placed over the well.

CDOC

Prior to commencing operations, the project applicant should consult with the Division of Oil and Gas district office in Woodland for information on the wells located in the project area.

The Division is mandated by Section 3106 of the Public Resources Code (PRC) to supervise the drilling, operation, maintenance, and abandonment of wells for the purpose of preventing: (1) damage to life, health, property, and natural resources; (2) damage to underground and surface waters suitable for irrigation or domestic use; (3) loss of oil, gas, or reservoir energy and, (4) damage to oil and gas deposits by infiltrating water and other causes. Furthermore, the PRC vests in the State Oil and Gas Supervisor the authority to regulate the manner of drilling, operation, maintenance, and abandonment of oil and gas wells so as to conserve, protect, and prevent waste of these resources, while at the same time encouraging operators to apply viable programs for the purpose of increasing the ultimate recovery of oil and gas.

The scope and content of information that is germane to the Division's responsibility are contained in Section 3000 et seq. of the Public Resources Code, and administrative regulations under Title 14, Chapter 4 of the California Code of Regulations.

If you have any questions, please feel free to contact Bob Reid at the Division district office in Woodland. The address is 221 West Court Street, Suite 1, Woodland, CA 95695; phone (916) 662-4683.

Stephen E. Oliva
Environmental Program Coordinator

cc: Bob Reid, Division of Oil and Gas, Woodland
Mike Stettner, Division of Oil and Gas, Sacramento

RECEIVED ... 0 1991

YOLO COUNTY
LOCAL AGENCY FORMATION COMMISSION
292 WEST BEAMER STREET
WOODLAND, CALIFORNIA 95695
(916) 666-8048

December 6, 1991

LAFCO

Perry Beck, City Manager
City of Winters
318 First Street
Winters, CA 95694

SUBJECT: Draft Environmental Impact Report for the Winters General Plan Revision

Dear Mr Beck:

The Winters General Plan Environmental Impact Report appears to be a thorough and complete document. LAFCO had the opportunity to respond to the Notice of Preparation of the Draft Environmental Impact Report. As you are aware Local Agency Formation Commission's are charged with the responsibility of preserving agricultural land, orderly development and the provision of urban services. The issues that LAFCO requested to be covered in the Environmental Impact Report seem to be adequately addressed.

The E I R correctly identifies that the loss of open space/agricultural land is significant and represents an unavoidable, adverse, cumulative impact that cannot be mitigated. The approach that the General Plan E.I.R. takes concerning future development on agricultural land is admirable. LAFCO would like to see urban uses directed to less prime agricultural land. The transfer of development rights and purchase of conservation easements identified in the E.I.R. are mitigation measures that will not eliminate the loss of prime agricultural land next to the city boundary. They will, however, will attempt to preserve other viable agricultural land from future growth pressure impacts by proposed development. 1

Another consideration when development is proposed is the effect the development will have on adjacent agricultural lands. The Draft E.I.R addresses this conflict by identifying buffer zones to be required for new residential development adjacent to active agricultural uses. There are established standards for buffer areas for activities such as aerial spraying, ground level over-spray and noxious odors associated with agricultural uses. It would be in everyones best interest if these parameters were identified and published prior to the completion of this document. 2

In the response to the Notice of preparation I mentioned that the proposed General Plan boundaries differed from the Sphere of Influence boundaries only at the 3

LAFCO

interchange of I-505. The Sphere boundary excluded the territory east of I-505 in the interchange. The Winters Sphere of Influence states that the establishment of Interstate 505 as the eastern city limit represents an appropriate physical boundary for the future city limit. Since the inclusion of the roadway and interchange would not represent parcels that can be developed, LAFCO would not be concerned with amending the sphere of influence to include this territory. However, I would like to mention that once the area is identified in the General Plan it becomes a green light to developers. If the east side of I-505 is in the general plan boundary the pressure to develop east of the highway may be greater than if the boundary was on the west side of the highway, or down the centerline.

With growth comes considerations for the provision of urban services. The Draft E I R. identifies a projected excess of expenditure over revenue for public expenditures for ongoing service at buildout. The Draft E.I.R. addresses methods to overcome the shortfall. It also acknowledges that if there is a delay in the ability to raise the public service standards the City Council should adopt a general plan with a smaller not new population. Before annexation of any of the land within the proposed General Plan area could take place LAFCO would be required to evaluate whether the City has the means to provide the necessary service to the annexing territory. 4

If you have any questions concerning this response, please call me.

Sincerely,

Charlotte Nevills

Charlotte Nevills
Assistant Executive Officer

WINTERS CHARDISK

YOLO COUNTY LIBRARY
373 N. COLLEGE STREET
WOODLAND, CA 95695

Mary L. Stephens
County Librarian

(916) 666 8005
FAX (916) 666-8006

December 4, 1991

Mayor J. Robert Chapman and
Members of the City Council
City of Winters
318 First Street
Winters CA 95694

LIBRARY

Dear Mayor Chapman and Members of the City Council.

Thank you for the opportunity to review the draft General Plan Policy Document, Background Report and Environmental Impact Report. I am concerned that library services for Winters are not addressed in either the Policy Document or the Environmental Impact Report. Thus, I have outlined below my recommendations to ensure adequate library services for Winters, assuming a 2010 population of 12,500.

RECOMMENDATIONS

Policy Document Include in Section IV. Public Facilities and Services

Goal To maintain a high level of library services for all Winters' residents.

Policies

The City shall assist the County in locating and reserving an appropriate site and constructing a branch library. Based on the County standard of .5 square foot per capita, a 6,250 square foot branch would serve a community of 12,500. A 25,000 square foot site is recommended to provide for the building, adequate parking, some landscaping and room for expansion. The preferred site would be on a major road used by most citizens, near a shopping center which is open nights and Saturdays when the library will be open, convenient to parking and mass transportation; safe and easy for pedestrians and children on bicycles to find, and convenient for the elderly and handicapped.

The City shall assist the County in seeking sufficient operating funds to support an adequate library collection, staff and hours of public service, including more evenings, Saturdays and possibly Sunday afternoons.

For FY 90/91 estimated revenue for the Winters Branch Library service area (Yolo County portion of the Winters Joint Unified School District boundaries) is $63,964, estimated operating expenditures are $106,329, the amount deemed necessary to support the high demand the Winters community makes of its branch library. A significant increase in Winters area property taxes will be needed to sustain the current level of services.

Environmental Impact Report Include in Section VII. Other Facilities and Services

The increase in population planned by 2010 will have a significant impact on library services in Winters, specifically facility size, the book and material collection, staffing and related support costs. If these costs are not mitigated, existing residents will be penalized by a reduction in the current level of library services.

1

BACKGROUND

LIBRARY

Current Program:

The Winters Branch Library occupies 3,700 SF in the County owned John Rogers Building located at 201 First Street in Winters. The library is open 5 days per week for a total of 27 hours, including Monday and Thursday evenings and Tuesday mornings. It has a collection of approximately 41,362 volumes and is staffed by Library Assistant III's and Library Pages for a total full time equivalent of 1.12. In FY 90/91, the library circulated 35,258 items.

Proposed 2010 Program

- **Facility**: A centrally located 6,250 SF branch based on the County standard of .5 SF per capita. Using a construction cost estimate of $140 per square feet, the building is estimated to cost $875,000 at today's cost. Such an addition would require 25,000 SF of land, using a land cost estimate of $10 per square foot, the land would cost $250,000 at today's cost.

- **Materials** Minimum standard is 3 volumes per capita for small branches, thus the size of the current collection is adequate. However, the collection needs weeding, updating and enrichment including adding more magazines and audio tapes.

- **Staff**: Minimum standard is 1 full time equivalent staff member for each 2,500 people in the service area, thus to serve a population of 12,500, staff should be increased to 5.

- **Hours** Should be open 40 - 45 hours per week including Saturdays. Prior to Proposition 13, the Winters Branch was open 40 hours per week. But [illegible] and permit restoration at this time.

I look forward to working with you to improve library services in Winters. Please call me if you have questions or concerns.

Sincerely,

Mary L. Stephens

Mary L. Stephens
County Librarian

cc: City of Winters Planning Commission
Perry Beck, Winters City Manager
Brent Moore, Winters Planning Director
Supervisor Cowles Mast
Donna Landeros, County Administrative Officer
Stephen L. Jenkins, Director, County Community Development Agency
Rebecca Fridae, Winters Representative, Yolo County Library Advisory Board
Yolo County Library Advisory Board
Vera Herrala, President, Friends of the Winters Branch Library
Eis Kanenaga, West Yolo Regional Librarian
Winters Branch Library Staff

12-9-91

TO: BRENT HOORE
PLANNING DIRECTOR

POLICE

FROM: STEVEN GODDEN SG
POLICE CHIEF

SUBJECT: REVISED APPENDIX B, CHAP. VIII OF DRAFT E.I.R., FISCAL/PUBLIC FINANCING CONSIDERATIONS.

Upon review of the above named revision, I noticed that on page B-13, under note 5, Police Services Costs Estimates, Alternative I--Draft General Plan, the number indicated for the 1990-91 sworn police officers is eight (8). The correct number of sworn officers, including the Police Chief, was nine (9). [1]

Also, under footnote (1), the existing ratio of officers per 1000 would therefore not be correct. Attached is a copy of page B-13 for your reference. [2]

17

2(5)

POLICE

Note 5
Police Services Costs Estimates
Alternative I--Draft General Plan

Description	Assumptions	Projected Expenditures at 2010
Existing Population	4,778	
1990-91 Sworn Police Officers	9	
Preferred Standard Ratio of Officers per 1,000 Population (1)	1.8	
1990-91 Expenditures	$545,347	
Staff Cost: per Sworn Officer	$68,168	
Annual Maintenance cost per vehicle	$7,500	
Ratio of vehicles per officer	0.5	
New Sworn Officers Needed For New Development		13.9
New Staff Cost		$947,513
New Vehicle Maintenance Costs		$52,124
Total New Police Costs		$999,637

(1) Existing ratio sworn officers per 1,000 daytime population is 1.7. The preferred standard would allow the department to meet their desired response time for calls for service. = 1.88 = 1.9

Note 6
Fire Services Costs Estimates
Alternative I--Draft General Plan

Item	Assumptions	Projected Expenditures at 2010
Existing City Funded Fire Services Costs	$186,117	
Existing County Funded Fire Services Cos	69,000	
Total Fire Services Costs	255,117	
Existing Fire Services Sworn Staff	3.00	
Existing Cost per Sworn Staff	$85,039	
New Staffing Requirements and Costs(1)	Avg. Salaries (2)	
.5 Fire Chief	$68,250	$34,125
1 training officer	$36,250	$36,250
1 fire prevention officer	$36,250	$36,250
4 fire captains	$54,000	$216,000
4 apparatus engineer	$43,500	$174,000
4 firefighters	$40,500	$162,000
Total Sworn Staff - 14	NA	$658,625
Overhead	20%	$131,725
New Staffing Costs		$790,350

(1) The cost of providing fire services is assumed to be completely funded by the General Fund although the City may contract for these services with the Winters Fire District. The City is currently studying the possibility of providing fire services directly. Regardless of who pays for the services, the cost would be the same.
(2) Includes cost of insurance and benefits and annual equipment costs.

21(

WINTERS JOINT UNIFIED SCHOOL DISTRICT
47 MAIN ST., WINTERS, CA 95694-1799
916/795-4588 916/662-6340 FAX 916/795-4554
MICHAEL ROBERTS, Ph.D. DISTRICT SUPERINTENDENT

BOARD OF TRUSTEES
PATRICIA DELOPRENCE
BLIZABETH BINHAT
RUSSELL LESTER
THOMAS ROMINGER
RICHARD ROMNEY
JEANNE TINDEL
NORMAN TODD

WJUSD (A)

TO: WINTERS CITY COUNCIL AND PLANNING COMMISSION

FROM: MICHAEL ROBERTS, WINTERS JOINT UNIFIED SCHOOL DISTRICT

DATE: DECEMBER 6, 1991

RE: ZONING CLASSIFICATIONS FOR DISTRICT PROPERTY

The School District requests that the zoning classification for John Clayton Kinder School be changed to High Density Residential and that the one for the Transportation Yard be changed to Central Commercial. If it is possible to carry two zoning designations, it would be beneficial to have both Public Quasi-Public and the new designations.

The reason for this request is that John Clayton is an undersized school site and at some future date it might be advantageous for the district to asset manage that property and turn the revenue into more appropriately sized site acquisition. Without a HDR zoning, such an idea would not be feasible.

Similarily, the Transportation Yard may not be the most appropriate use of the land it resides on at some future date. By zoning it CC there could be an opportunity to also asset manage that property at some future date.

The district would be most appreciative of anything you can do to change those zoning designations.

Thank you.

Brent.
Draft Comments
& other info
from School District.

WJUSD (A)

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT

Comments on Draft General Plan

1. Why was the idea of a separate School Element eliminated from the General Plan?

2. Land Use. The district appreciates 1.F.1. and 1.F.2. (page II-4)

3. Housing. The district recommends changing II.D.1. to read:

"The city shall ensure the availability of adequate school facilities to meet the needs of projected households in Winters."

The district recommends changing II.D.4. to read:

"The city shall shall strive to ensure that necessary public facilities including schools and services are available prior to occupancy of residential projects." (page II-9)

4. The district recommends adding an additional Policy to Goal III.A. to read:

III.A.15. "Schools shall be located away from major arterials and next to pedestrian and bicycle routes." (page II-18)

5. The district appreciates III.G.3.

6. The district recommends changing Goal IV.H. to read:

"Provide new public schools which serve as a neighborhood focus, and maintain a quality learning environment for Winter's children as the city's population increases." (page II-26)

The district also recommends that IV.H.1. be changed to read:

"The City shall assist the Winters Joint Unified School District in locating and reserving appropriate sites for new schools. To this end, the City supports the District facility planning activities which strives to provide appropriate school facilities that meet state standards and reflect community priorities."

The district recommends changing IV.H.4. to read:

"The City shall ensure that the Winters Joint Unified School District has adequate financing for new school facilities. To this end, the City shall assist the School District in the collection of school facility development fees from new residential and non-residenetial development. The city shall also identify, establish and implement measures that are necessary to adequately finance school facilities in the city with the assistance of the

School District.

The district recommends changing IV.H.5. to read:

"The City shall require that new school facilities are constructed and operating prior to the occupation of the residences which the schools are intended to serve, or that appropriate interim facilities are in place."

The district recommeds changing IV.H.6. to read:

"The City shall ensure that the related impacts of new residential development are mitigated."

or

"No development project should be approved unless and until a mechanism to mitigate school impacts has been formulated an agreed to by the District, the City, and the developer; and that approval of the project is conditioned on the developer's compliance with the mitigation formula." (pages II-26 & II-27).

7. Why weren't the schools mentioned in the Implementation Programs section of Public Facilities and Services? (pages II-28 & II-29)

8. The District agrees with and appreciates V.A.5. (page II-31) and V.C.2 (page II-33)

9. The General Plan Background Report as it relates to schools on pages VI-3 to VI-6 contain several errors and protrays a facilities priority list that is under review.

10. Finally, the district challenges the EIR finding on page 133 that "No mitigation measures are necessary" when the Draft General Plan does not presently contain policies that would allow the city to provide mitigation measures for the impact of growth on the School District. 1

11. The district also requests that the city zone the John Clayton Kinder site as High Density Residential and the Transportation Yard zoned Central Commercial.

MEMO TO: Perry Beck

FROM: Mike Roberts

DATE: November 20, 1991

RE: Responses to developer questions

Analysis of the pros and cons of various mitigation measures:

1. Adding Portable Facilities to Existing Sites:

This option has been one of the two mitigation measures available to the district in the past and has been used extensively. The state standard for relocateables on a site in 30%. The chart below identifies the present use and capacity at each school site.

Site	#relos	%relos	capacity for additional relos
J.C. Kinder	0	0	2-3
Waggoner 1-5	16	50	0
Middle School 6-8	7	38	0
High School	3	15	4
Wolfskill	0	0	2

Relocateables can be an expensive option. For example, the next relo placed at the high school will cost $150,000. The state is mandating upgrading the student bathrooms to current handicapped standards ($40,000), the electrical service needs to be upgraded to accomodate another classroom ($70,000); the classroom itself ($30,000); and miscellaneious hookups, furniture and fees ($10,000).

Additionally, we have lease/purchased stripped down relos and sited them in the most inexpensive manner possible. They are considered temporary relos. The more desireable option would be to purchase relos that are more permanent. Ones that include casework, water, are placed on concrete pads, and are architecturally more appealing. When relos are designed in that manner they approach the cost of permanent construction. An example of such a building is the multi-use room at Waggoner.

Our use of stripped down temporary relos was a necessity due to the insufficient resources available to the district to provide more adequate facilities.

2. Adding Permanent Facilities to Existing Sites:

This is a viable option at several of the sites. It would not be particularily adviseable at Kinder due to the smallness of the site itself

and the limited use it might have as a school in the more distant future.

In that Waggoner has 50% of its classrooms being relocateable, it would be extremely desireable to reduce that number to the state standard and replace them with permanent facilities. The best option at Waggoner would be to remove a number of relos in order to reduce the size of the student body to the level for which the school was designed.

The middle school exceeds the 30% ratio of relos to permanent classrooms by one relo. The site also lacks a multi-use room that could accomodate both eating facilities, assemblies and athletics. Any further construction on this site to add student capacity ought to be permanent type construction.

The high school presently has only 15% relos. When the 30% level is reached, permanent facilities should be the construction of choice. This site also lacks a cafeteria multi-use facility.

The Wolfskill site is also of limited acreage and would not lent itself to any further permanent development.

The district office has outgrown its rented facility and the building has been determined to be unsafe. The district is presently in the process of lease purchasing a trailer facility for this purpose. A permanent facility would be a better alternative also. Additionally, the transportation and maintainence yard facilities are inadequate.

3. Securing Land for New School Sites:

This is of major concern to the district. Presently, the district does not have the resources to purchase the sites needed. The present mitigation measures are inadequate to make those types of purchases. It is hoped that the city will provide the methodology possible to acquire those sites when new growth is approved. Land dedication could be one method of developer mitigation.

4. Constructing Portable Facilities on New Sites:

This option is possible. However, unless the school is going to be temporary while a permanent facility is constructed on the same site, it can be almost as expensive an option as permanent constrution. A stated earlier, relos designed to be long term schools approach the cost of permanent construction. The cost of the site and the infrastructure needed would be the same for a relo or permanent school. It would not be in the best interests of the district and the students to depend o temporary relos as the answer to new schools. Permanent type relos that are architecturally enhanced could be an option. Presently the district does not have the funds or resources to obtain new sites.

5. Constructing Permanent Facilities on New Sites:

This is definitely the option of choice. The problem with this option is that the district does not now have the resources or methodology to optain

such resources to optain the sites, let alone build such schools.

6. Affect of Year Round School Schedules:

A year round school calendar in itself would not have an affect on the capacity of schools. A "multi-track" year round calendar could increase the capacity of a school by about 20%. We are presently studying Year Round Education (YRE) very seriously as a possibility. What we have found out to date is that the high school level is too small to even consider multi-track YRE. It takes about 2200 students to implement such a schedule at a high school. Winters High is now at 425 and the projected enrollment with a population of 12,550 in Winters does not bring it near the number of student required.

The Middle School is also too small to successfully implement multi-track YRE. Although it does not take as many students as the high school to implement such a schedule, it would take at least twice as many students as we presently have at the middle school to provide an adequate academic program.

The only viable grade levels for multi-track YRE in Winters [illegible] grades K-5. There are a few inhibiting factors for implementation [illegible] 1, however. 1) Finding a calendar that doesn't split families wh[illegible] en both in K-5 and in 6-12 grades. Developing a calendar that would [illegible] common time off for those would be of paramount importance.
2) Winters only has one school at each level. If a YRE calendar were adopted, it would change a basic aspect of the culture of the whole community. Services such as child care, recreation, and preshool would be dramatically affected. Additionally, those individuals and families who are diametrically opposed to YRE would have no alternative within the district. Imposing a YRE calendar with no ability to offer a choice for families could be the cause for its failure.
3) While a multi-track YRE calendar creates a greater student capacity level and saves money in the construction of schools, it cost more to operate. Additional personnel are needed to staff the schools for 12 months rather than 9 months; particularily administrators, clerical, bus drivers, and support personnel. Additional storage areas are needed. It is estimated that the start up costs for Winters would be approximately $250,000 the first year which is 3.5% of the total district budget. These funds would have to come from the general fund budget of the district which is strained now because of California's economy. After the first year the ongoing additional operating costs would be in the $175,000 [illegible]. It would be a critical question as to whether the district coul[illegible] ford to implement YRE. Those operating cost increases would be diminished as the multi-track school fills to capacity. The break even point is about 18%.

The all encompassing affect a multi-track YRE calendar would have on Winters makes the adoption of such a calendar a major policy decision for the community.

7. Affect of Voucher System on Future School Facility Needs:

This concept in one form or another has been around for many years. Back in the early 1950's it went on the ballot as a tax credit for private schools and failed. Presently, a draft ballot item has been drafted and submitted to the state to begin the petition process to see if it qualifies for the ballot. That proposal is subject to change, but as now drafted it would further deplete the funds for education in an already underfunded California system and would cripple education in California. Similar proposals have been defeated. This one will also go down in defeat because it is the work of elitists who have the resources to be mobil and to choose. The vast majority of the electorate don't possess those resources. Furthermoare, the education community is a large and politically powerful one and would mobilize in force over this issue.

Additionally, it would be foolhardy to commit to a reduced need for facilities based on a "what if" such as this.

8. State Provided Financing for Building Schools in Whole or in Part:

The State Building Program was a noble compromise between the legislature and the Building Industry Association (BIA). When the $1.50 (now $1.58 due to COLA increases) program was instituted it was believed that those fees would augment the state program and take care of all the facility needs of school districts within the state. The fact is that the State Program ran out of money in July of 1990. There presently exists a backlog of $6 billion worth of projects. That coupled with the fact the legislature is resisting placing $2 billion worth of bonds on the ballot next year because 3 voter polls indicated they will be soundly defeated. Even if they were passed there are already projects in line to receive the funds and Winters would not have a chance because even though we have grown dramatically. There are so many districts in the state that make our growth seem negligible. The rate of passage of school facility bonds have been declining each time they're on the ballot. I'm sure the BIA is lobbying the legislature strongly to prevent placing that $2 billion on the ballot because if it fails the cap comes off the $1.58 developer fees and school disticts will be able to impose fees that would cover the cost of school construction.

Another indication that the State Building Program is in dire jeopardy is a recent document produced by the State Finance Office that states the program will cease to exist in 1992.

Any school district that structures school facility financing based upon receiving partial or full funding from the State Building Program is derelict in its obligation to its constituents. It would seem prudent for a district to continue to pursue the state program, and if it is ever resurrected, to abate the other fee or bond agreements that were put in its place.

9. Developer Fees as Provided by Law:

As stated earlier the developer fees of $1.58 has been grossly insufficient to provide for the facilities necessitated by growth. It has been adequate to add temporary relos to sites and to remodel some buildings to gain space.

Winters adopted that program immediately upon it becoming available and will continue to utilize it until something replaces it or augments it.

10. Other State Financing Programs:

There are no other state financing programs other than the State Building Program described above. The district would be more than happy to hear from any developer who knows of other state financing programs.

11. Fee and/or Other Enhancements as Agreed to by Developers and School District:

Of course the district would be open to this type of arrangement. It's been the best part of four years that the district has had conversations with developers concerning such arrangements. The last time the district was in serious negotiations on this was in June of 1990. Since that time the major group of developers has been extremely quiet in regards to the school district. Discussions have begun with a couple developers who are within the current city limits but hasn't gotten past the philosophical discussion stage. The district has been very open about the cost of new construction and provided the developers and city with documents and reports at every step of the way.

12. Allocating Cost to Commercial/Industrial:

This also is a possibility. We presently collect 26¢ per square foot on commercial and retirement facilities. It would take action by the city to allow the district to collect a higher fee. Most communities in the state are reluctant to do so on account of wanting to encourage commercial development. The district is open to pursuing any funding source that would be available.

13. Less Land Costs if Appropriately Sized Parks are Located Next to Schools thereby Lowering the Size of the School Site:

The school district is on public record as supporting this concept and the Draft General Plan incorporates the idea.

14. Less Land Cost if the Land is Dedicated:

Again the district is open to this concept and has said so in meetings with developers.

15. Other Ideas that Surface in Discussions of how to Provide School Facilities:

The school district is supportive of any idea that provides appropriate school facilities that is legal, ethical, practical and possible.

WJUSD (A)

16. Adding Land to Existing Sites:

Obviously the developer who asked this question is not familiar with the Winters school sites. Unless that developer has access to divine intervention, such an idea is not possible except at the high school agriculture site. The idea of moving the high school to land that is contiguous to the ag site is one that is well documented. There is undeveloped land in the northwest corner of the middle school but access would be limited to the extent of practically requiring a separate campus. The Wolfskill site 3 miles out of town in Solano County could be expanded, but Winters growth is going in the opposite direction, so that wouldn't be of much use. All other school sites in the district are landlocked.

Perry, hopefully this answers the questions the developers have posed. Many have been previously answered in direct discussion with them, but I repeated the answers here for those who were not a part of those discussions.

WINTERS JOINT UNIFIED SCHOOL DISTRICT
47 MAIN ST., WINTERS, CA 95694 1799
916/795 4588 916/662 5340 FAX 916/795-4554
MICHAEL ROBERTS, Ph.D. DISTRICT SUPERINTENDENT

WJUSD (B)

December 9, 1991

Mr. Perry Beck
City Manager
City of Winters
318 First Street
Winters, CA 95694

Dear Perry:

Attached is our input on the public hearing process on the draft general plan and the EIR.

The Board of Trustees has reviewed the suggested language for the general plan policy and it is acceptable.

Sincerely,

MICHAEL B. ROBERTS, Ph.D.
Superintendent

MR:fb

Attachment

WE LEARN TOGETHER / APRENDEMOS JUNTOS

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
770 L STREET SUITE 1200
SACRAMENTO CALIFORNIA 95814-2303
TELEPHONE (916) 444-8820
TELECOPIER (916) 444-8018

December 9, 1991

City Council
City of Winters
318 First Street
Winters, CA 95694

WJUSD (B)

Re: 1991 Draft General Plan; Element Relating to School Facilities

Honorable Members of the City Council:

This office represents the Winters Joint Unified School District (the "School District") in regard to your consideration of the above-referenced 1991 Draft General Plan.

The approval of the Draft General Plan and the subsequent approval of development projects in accordance with the Draft General Plan, will be detrimental to the operations of the School District and will impact in a negative fashion the ability of the School District to provide classroom space to students residing within the boundaries of the School District.

The purpose of this letter is three-fold: (1) to indicate in what matter the Draft General Plan is internally inconsistent and how development approved under the Plan will be detrimental to the School District; (2) to propose alternative ways to adequately mitigate the impacts of development projects upon facilities of the School District; and (3) to set forth revised and additional provisions to incorporate into the policy document of the General Plan.

<u>The Draft General Plan</u>

The School District has established school impact fees under the authority of Government Code section 53080, et. seq. in the amount of $1.58 per square foot of residential development in an effort to generate revenue to offset the costs of school

WJUSD (B

construction made necessary by new development within its boundaries. When initially established by the Legislature, the school impact fees were intended to be supplemented with state revenue to provide funds to construct schools made necessary by new development. Presently, a severe shortage of revenue exists at the state level to fund school construction. In recent years, the Legislature and the Governor have placed before the voters, on an intermittent basis, bond issues of approximately 800 million dollars each. Revenue from the most recent bond issue is almost exhausted at this time. It is estimated, that the current need for school construction revenue in the State is in excess of 6 billion dollars. In light of this substantial need, the current system of intermittent 800 million dollar bond issues is inadequate to generate revenue to supplement the $1.58 per square foot local developer fee program. As a result, the School District must obtain alternative funding sources in addition to the $1.58 per square foot school impact fee.

The School District has presented information to the City in the recent past and is prepared to provide additional information to the City documenting the inadequacy of the current school impact fee program to address the construction costs needs of the School District made necessary by new development within the School District boundaries and approved by the City.

The failure on the part of the Draft General Plan to contain elements ensuring adequate revenue raising mechanisms to fund new school construction leads to internal inconsistencies within the Draft General Plan. In this regard, a general plan must be integrated and internally consistent, both among the elements and within each element (Government Code section 65300.5). This applies to any optional elements such as the Public Facilities and Services element as well as the mandatory elements. In <u>Sierra Club v. Board of Supervisors</u> (1981) 126 Cal.App.3d 698, the Court found that the Kern County General Plan was not internally consistent because the land use and open space elements designated conflicting land uses for the same property. The inconsistency was not cured by a clause indicating that when in conflict, the land use element would control. A lack of internal consistency was also found were one portion of a circulation element indicated that roads were sufficient for projected traffic increases, while another section of the same element described worsening traffic congestion as a result of a continued subdivision development (see <u>Concerned Citizens of Calaveras County v. Board of Supervisors</u> (1985) 166 Cal.App.3d 90).

In regard to internal inconsistencies in the Winters Draft General Plan, Policies 1.F.1. under Goal 1.F. of the Land Use element of the Draft General Plan provides that the City shall designate adequate, appropriately-located land for school district facilities. Nevertheless, under the Policies section commencing at IV.H.1. through IV.H 9. of the Public Facilities and Services Element of the Draft General Plan, no provision exists which ensures that there will be adequate revenue provided to the School District to purchase the sites to be designated as required by the Land Use Element.

More significantly, Goal IV. H. of the Draft General Plan's Policy Document states that it is the policy of the City "to maintain a high level of educational services for all Winters' residents." Nevertheless, none of the policies thereafter set forth at IV. H. 1 through 9 mandate that no development shall be approved unless and until it has been shown that adequate mitigation will be provided to the School District enabling the School District to maintain the high level of educational services in accordance with the stated goal of the Draft General Plan. In an earlier version of the Draft General Plan, Policy IV.H provided as follows:

> "The City shall require the following condition on approval of all general plan amendments and rezoning:
>
> The Developer shall obtain written certification from the District that the Developer has mitigated the school-related impacts of this project satisfactory to the District and City. The methods under which the school-related impacts are to be mitigated include, but are not limited to, those methods set forth in Government Code section 65995, et. seq., 69570 et seq., or other legal authority. This condition shall not be construed as a limitation on the District's or the City's choice of legal mitigation alternatives."

Without such an express, mandatory requirement of mitigation as a prerequisite to the approval of development within the City and School District boundaries, no mechanism exists in the Draft General Plan to ensure that the current, stated policies and goals relating to the caliber of educational services will be maintained. This lack of internal consistency

should be corrected prior to final approval of the Draft General Plan.

As you are aware, a subcommittee, appointed by the Council and by the School District's Board of Trustees, with their consultants, met on several occasions to draft revisions to the General Plan to satisfy the concerns raised by the School District and enunciated herein. A copy of the results of the committee's work is enclosed herein and dated December 5, 1991. Although the suggested provisions contained in the enclosed document do not entirely resolve the concerns of the School District, in the interest of reaching a mutual agreement on the draft General Plan, the School District is willing to use the proposed changes at this time.

In addition, however, along with the revisions to the policy document for the draft General Plan, the School District provides the following comments on the Environmental Impact Report for the 1991 draft General Plan.

General Plan Environmental Impact Report

Under the heading "Schools" at page 127 of the Environmental Impact Report (the "EIR") for the draft General Plan, the EIR describes the effect of development as proposed within the draft General Plan on the School District in the context of less than seven pages. [1]

In an abbreviated, summary fashion, the EIR falsely concludes that the draft General Plan and the modified, draft General Plan provide a process to "ensure" adequate mitigation of development impacts on School District facilities. There are no guarantees in the current provisions of the General Plan, nor are there guarantees in the proposed revisions to the draft General Plan as prepared by the committee to ensure that the impacts of all new development upon School District facilities will be adequately mitigated. Therefore, we request that the EIR be modified to accurately state that the draft General Plan and the modified draft General Plan do not ensure the existence of a process which will fully mitigate the impacts of new development upon the facilities of the School District.

Mitigation Measures to Address Development Impacts on the School District

As noted above, the School District must obtain additional, alternative funding sources to the current $1.58 per square foot school impact fee in order to obtain adequate revenue

to offset the expense of construction made necessary by new development.

In this regard, the City may condition the approval of development within its boundaries on adequate mitigation of school impacts. Several recent California cases have held that a public entity, when requested to approve a development project, may condition such approval on the mitigation of the impacts of the project on schools. In this regard, in Mira Development Corporation v. the City of San Diego (1988) 205 Cal.App.3d 1201, the Court of Appeal determined that the San Diego City Council did not abuse its discretion when it denied the approval of a development project on the ground that the proposed development would "outstrip the provision of needed public services and improvements in the area." In William S. Hart Union High School District v. Regional Planning Comm. of the County of Los Angeles (1991) 226 Cal.App.3d 1612, in concluding that the County of Los Angeles should have considered the impacts of developments on local school districts the Court of Appeal stated:

> "Based on erroneous legal advice, (the County) believed it had no choice but to grant the requested zoning changes, and therefore did not sufficiently consider the impact on school facilities that the proposed zoning change would have or what mitigation measures, if any, might be required, . . . it has not discharged its responsibilities under the development monitoring system contained in the County's General Plan."

More recently, in Murietta Valley Unified School District v. County of Riverside (1991) 228 Cal.App.3d 1212, the Court of Appeal reversed a trial court finding and ordered the County of Riverside to respond to a school district's petition in trial court alleging that a project's EIR failed to adopt adequate mitigation measures relating to the impact of development on school facilities among other matters. According to the Court, the County should have considered such mitigation measures as the densities of the phasing of development to mitigate the impact on school facilities. The case was returned to the trial court for further hearing.

These cases clearly establish that notwithstanding the language on preemption contained in the statutes authorizing the current $1.58 per square foot facility fee (Chapters 886 and 887, Statutes of 1986), the City may impose conditions on development

projects which adequately mitigate impacts of the projects on school facilities.

Summary

Based on the foregoing, it is requested by the Winters Joint Unified School District that the Draft General Plan be modified in accordance with this correspondence to ensure that it contains provisions which must be satisfied as preconditions to development approval in order to ensure that adequate mitigation of development impacts upon the School District are addressed

Very truly yours,

P. Addison Covert

P. ADDISON COVERT

PAC:vj
Enclosure
cc: Michael Roberts

YOLO COUNTY TRANSIT AUTHORITY

(916) 661-0816 825 East Street, Suite 120, Woodland, CA 95695

YCTA

December 17, 1991

TO: Brent Moore
Community Development Director

RE: Review Draft Winters General Plan EIR

Dear Brent:

We have reviewed the Draft Winters General Plan EIR, in addition to the General Plan Policy Document, the Circulation Master Plan and the General Plan Background Report, and are pleased to be able to comment on them.

From the perspective of the Yolo County Congestion Management Agency, we agree that the projected Levels of Service for the proposed roadway system will probably not degrade the designated LOS for Railroad Street and Grant Avenue below "D". The widening of Grant Ave. and the addition of the several signalized intersections should also assist in reducing congestion.

The inclusion in the Policy Document of the intention to implement the CMP elements, specifically the Trip Reduction Element, should also assist in mitigating any impacts to the road system realized by the projected growth in Winters residents and jobs.

In the Congestion Management Program Capital Improvement Element, two other intersections on Grant Ave. were identified, namely, at the intersection with Hemenway and with Valley Oak Drive, as being programed for signalization; however, these intersections were not so identified in the proposed circulation plan. Was this an omission or do these projects need to be removed from the Capital Improvement Program?

From the perspective of the Transit Authority, we have several concerns about the Draft EIR. Firstly, in the description of the current transit service, reference is made to the "Hemenway loop". This section of the service route was discontinued because ridership was low, and the other transit users desired a more direct route to Davis. [1]

Secondly, if it is assumed that the commute to jobs outside of Winters will remain at 54%, clearly there will be more demand for commute transit service, since the same proportion of the larger population will be of commuters going to Davis, and perhaps connecting to West Sacramento, Sacramento and Woodland. [2]

YCTA

Finally, while the current status of public transit was described, there was no exploration of the probable impacts on transit due to the increased growth. Specifically, there may be a slowing of traffic flow on Grant Ave. between Railroad and the street loop due to increased trips, increased traffic signals could slow traffic if the cross traffic flow increases) and retaining this section as two lane. [3]

The proposed land use map shows high density housing on Railroad and Road 33, as well as several other sites. Serving this higher density area, which would probably be a source of transit users, would mean routing north of Grant Ave. as well as south to access the Central Business District. This increase in transit service may entail adding equipment in the form of either additional medium-sized buses, such as the ones now in service, or full-sized transit coaches.

In any event, the city should consider a transit improvement study, similar to the one recently conducted for West Sacramento, as growth progresses, to identify the areas needing transit service and to allow for ample public input. The city should also consider some development fees to be reserved for capital expenses associated with the probable increase in transit service. We would also recommend that the placement of bus shelters be considered in the high density and medium high density development areas.

If you have any questions, feel free to call me at 661-0816.

Yours truly,

Martie Dote

Martie Dote
Sr. Transportation Planner

County of Yolo

292 West Beamer Street Woodland CA 95695 Phone 666 8270

COMMUNITY DEVELOPMENT AGENCY
PLANNING DIVISION

YOLO (A)

December 9, 1991

Perry Beck, City Manager
City of Winters
318 First Street
Winters, CA 95694

SUBJECT: Draft Environmental Impact Report for the Winters General Plan Revision

Dear Mr. Beck:

The Yolo County Community Development Agency submitted a response to the Notice of Preparation for the Draft Environmental Impact Report (see Attachment 1). Although that response is not included in the Winters General Plan Environmental Impact Report the document seems to have addressed most of the major county concerns, with one exception.

The E.I.R. has identified the loss of open space /agricultural land as significant The document clearly specifies that the ag land loss represents an unavoidable, adverse, cumulative impact that cannot be mitigated. The approach that the General Plan identifies, and the EIR reviews is sound. The proposal to direct growth to less prime agricultural land seems appropriate. 1

A review of the counties proposed Farmland Conservation Ordinance (see Attachment 2) could provide additional support to the city's approach for protecting the prime agricultural lands in the area. Some of the proposals within the draft ordinance may be viable for the city to implement in an attempt to, at least partially, mitigate the loss of the agricultural lands identified for development. These mitigations might also apply to minimizing the impacts of development on adjacent actively cultivated land. The County's recently adopted Right to Farm Ordinance (see Attachment 3) might also provide mitigation measures for the City of Winters.

The Draft E.I.R. identifies public expenditures for ongoing city services at buildout. However, just as increased population will impact the services provided by the city, county services will also be impacted by growth in the City of Winters. 2

As we outlined in our comments on the Notice of Preparation, the County has adopted Ordinance No 1119, the County Facilities Authorization and Fee Ordinance. This fee is levied both in unincorporated and incorporated Yolo County. This fee is meant to

YOLO (A)

compensate for construction of additional public service facilities required because of new development.

It is important to the County and for the City's final decision, that the impact on County services be identified in the draft General Plan EIR. The impact on County services are as vital to the residents of Winters as the impact on the City services. The City General Plan EIR should take into account the impact the proposed population expansion will have on County services.

If you have any questions concerning this response, please call me.

Sincerely,

Elizabeth Castro Kemper
Assistant Community Development Director

attachments:

1. County Response to Notice of Preparation for the proposed City of Winters General Plan Revision.
2. Draft Farmland Conservation Ordinance
3. Final Right to Farm Ordinance
4. County Facilities and Authorization Fee Ordinance

PLANNING/WINTERS/ECK

County of Yolo

[illegible] WOODLAND CA 95695 [illegible]

COMMUNITY DEVELOPMENT AGENCY
PLANNING DIVISION

YOLO (B)

December 9, 1991

Mr. Brent Moore
Planning Director
City of Winters
318 First Street
Winters, CA 95694

RE: City of Winters General Plan Environmental Impact Report

Dear Mr. Moore:

This letter will serve as a reply to the request for comments to the City of Winters General Plan EIR. It is our intention to submit substantive comments that relate directly to the significant effects of the project, rather than discuss legal ramifications and procedural requirements under the California Environmental Quality Act (CEQA). Our response will employ a narrow approach in commenting on the most significant effects upon Yolo County.

AGRICULTURE

As noted in Land Use Policy No. 6 of the Yolo County General Plan and referenced on page 212 of the draft environmental impact report (EIR), it is the policy of the county to protect and conserve the agricultural lands within the county. 1

The draft EIR has identified the loss and conversion of agricultural land to urban uses as a significant and unavoidable impact of urban expansion of the city. The document's presentation of the impacts, the County's General Plan policies, and the city's approach to limit this impact in conjunction with being fundamentally consistent with the county's General Plan is appropriate.

The north and west expansion of the City of Winters designated General Plan area, and the subsequent introduction of urban uses adjacent to longstanding agricultural areas presents the potential of conflict between agricultural and nonagricultural land uses. Where non agricultural land uses, especially residential development, extend into agricultural lands or located in the vicinity of agricultural lands, agricultural operations may be the subject of nuisance complaints. Such complaints

YOLO (B)

may cause the curtailment of agricultural operations and discourage investments for the improvement of agricultural land. This is detrimental to the economic viability of the agricultural industry of the County.

On December 3, 1991 the Yolo County Board of Supervisors adopted the Right-To-Farm Ordinance. It is the purpose and intent of the county's Right-To-Farm Ordinance to prevent the loss to the County of its agricultural resources by limiting the circumstances under which agricultural operations may be considered a nuisance.

The Yolo County Board of Supervisors have provided consensus approval for the development of an Conservation Easement Ordinance. The purpose of this ordinance is to supplement the agricultural land conservation policies contained in the Yolo County General Plan with a program designed to permanently protect agricultural land for agricultural uses. This ordinance involves the creation of a deed restriction on farmland which precludes its use for development or for non-agricultural purposes. Title to the land itself remains in private ownership, subject a conservation easement - a deed restriction which prevents the conversion of farmland to non-agricultural uses. This program provides for compensation to landowners in exchange for the voluntary grant of an conservation easement.

Paragraph 2 on page 212 should read: "The remainder of the land which is potentially useful for farming is categorized as "Farmlands of Local Importance" as summarized from the "Advisory Guidelines for the Farmland Mapping and Monitoring Program". The map referred to in this paragraph was produced by the state and not by the county. The Board of Supervisors established the "Blue Ribbon Committee" which among other things is to define what is to be considered prime and non-prime agricultural property the county. The eventual adopted county definition may be different from the City's definition of "prime" land.

PUBLIC SERVICES

The north and west expansion of the City of Winters designated General Plan area, and the subsequent introduction of urban uses, presents potential financial and allocation impacts on public services provided by the County of Yolo to residents and employees who live and/or work within the City of Winters and the unincorporated area. Yolo County, like many other counties in the state, is in a financial crisis due to increase state mandates and decreased revenues. 2

The Yolo County Board of Supervisors on April 30, 1991, adopted Ordinance No. 119, the County Facilities Authorization And Fee, effective August 1, 1991. The ordinance establishes the levying of an impact fee within both the unincorporated area of the county and the incorporated cities, as means of providing compensation to the county for the construction of additional public services facilities (i.e. social services, health services, law enforcement, etc.) required to serve new development.

YOLO (B)

BIOLOGICAL ENVIRONMENT

The north and west expansion of the City of Winters designated General Plan area presents habitat and forging concerns. Failure to address the CESA or the requirements of the Department of Fish & Game could result in long time delays, legal action, and/or fines on development projects. [3]

The incorporated cities and the county have formed an ad hoc committee to prepare a regional habitat conservation plan (HCP). The purpose of the plan is to develop habitat mitigation measures as required by the California Endangered Species Act (CESA) for the preservation of endangered or threaten species within the county. A regional program will provide for planned development within the jurisdictions to continue in a manner that is sensitive to the preservation of the species habitat and foraging areas, and adequately address issues presented by the state Department of Fish & Game. The City of Winters long term commitment in the establishment of an regional habitat conservation plan is of major importance to all jurisdictions within the county and towards the future physical development of the City.

The Yolo County Community Development Agency would like to thank you for the opportunity to respond and participate in the process for consideration of the City of Winters General Plan EIR. Yolo County feels that these among other issues that effect the region must be addresses in total.

If you have questions regarding this letter, I can be contacted by phoning the Community Development Agency at (916) 666-8020.

Sincerely,

Stephen L. Jenkins
Director

Mark R. Hamblin
Planner

cc: County Administration Office

29

YOLO SOLANO AIR POLLUTION CONTROL DISTRICT

[illegible]
Phone (916) [illegible]
FAX (916) [illegible]

November 13, 1991

Mr. Brent Moore
Community Development Department
318 First Street
Winters, CA 95694

YSAPCD

Dear Mr. Moore:

The Yolo/Solano APCD has reviewed the City of Winters, Draft General Plan Environmental Impact Report and presents the following comments.

The Y/S APCD agrees with the findings of the DEIR that the air quality impacts of the General Plan would be significant. The District also agrees with the DEIR that only the impacts from project construction would be mitigated to a less-than-significant impact. [1]

Thank you for the opportunity to comment on the Winters General Plan DEIR.

Sincerely,

David B. Smith
Air Pollution Control Specialist II

(WP51:winteir)

JOHNSON DESIGN

December 2, 1991

To: Perry Beck
City of Winters

JOHNSON

From: Clay C. Johnson
11 Anderson Ave., Winters

Re: General Plan EIR, Anderson Ave.

1 I would like to register my observations as a homeowner about how the General Plan EIR classifies Anderson Ave.

In both the General Plan Policy Document and the General Plan EIR, Anderson Ave. is viewed as a secondary collector street and is furthermore shown as extending to the east through existing industrial buildings and residential apartments to extend to Walnut Lane. The Policy Document goes on the state that secondary collectors shall have a right of way width of 74 ft. Here lies a problem.

The existing Anderson Ave. right of way is 48 ft. wide, 65% of the safe width recomended for a collector street. To widen Anderson Ave. is impractical due to the existing houses built to existing setbacks. The existing paved surface is 2 ft. less than the recommended paving and leaves only 4 ft. for sidewalk on each side as opposed to the 8 ft. wide meandering ped/bike path within a 16 ft. wide easement as shown in Fig. 1-2 of the Policy Document.

This lack of width of Anderson Ave. is very important in considering the specific use of this street. Anderson Ave. is, and will be, the primary pedestrian and bike thoroughfare for the students of the middle school every morning and afternoon. The projected traffic of 3100 cars per day cited in Fig. 21 of the General Plan EIR is completely inconsistant with the safe transportation of school children on foot and bicyles.

My recommendations are:
To classify existing Anderson Ave. as a neighborhood street, not as a secondary collector;
To extend Nieman Street to Walnut Lane(and possibly the Main Street ring road) to pick up the east-west traffic as Nieman can be built to adequate width;
Do not extend Anderson Ave. to the east as this will only overload vehicle traffic on a street that middle school students use;
To extend Anderson Ave. to the west to connect with the Main street ring road, as shown in the EIR. This portion of Anderson Ave. can and should be built to secondary collector cross section.

I look forward to seeing this resolved.

Sincerely,

Clay C. Johnson

PH NO (916) 795-2880 PO BOX 621 WINTERS CA 95694

(This page has been purposely left blank.)

ANDREWS, LANDO & ASSOCIATES

Telephone (707) 437 5785 | Land Development | Project Management | Telecopier (707) 437 4157

LANDO (A)

November 12, 1991

Mr. Perry Beck,
City Manager
City of Winters
318 First Street
Winters, CA 95694

RE: General Plan and Environmental Impact Report Matters

Dear Perry:

Thanks again for the meeting on Friday the 8th. On the whole, I thought it was very constructive. There were a number of matters that we discussed which I would like to confirm.

First, the Winters Group, as well as the other major developers, will be making substantial presentations at the City Council/Planning Commission meeting on December 3rd. We discussed setting aside a total of about 2 hours for the purpose of making these presentations. The presentation of the Winters Group would most likely consist of preliminary and conceptual descriptions of the project of each of our five members, a description of the important planning elements which unify our five separate developments, and a description of the specific changes in the text of the General Plan and the draft land use diagram which our members are requesting.

In addition, as we discussed, I have several comments to the Environmental Impact Report. As I indicated, these comments do not go the quality of the document, which I believe on the whole is good, but rather to request some minor amendments, which if made, make the document more defensible. You indicated that on the same day that we are to meet with the representatives of the School District we could have a meeting with the EIR Consultant, to discuss these comments. 1

In addition, we decided we would attempt to meet with the representatives of the School District with regards to the Districts Facilities Plan requested impact fees. We had hoped the meeting would include representatives of City Staff, the Developers, School District Staff, the School District's consultant, and most importantly, some members from the School Board. You will let us know when and where the meeting will occur.

As you will recall, at the meeting on Friday, Marian Moe said she felt it was important critical that some form of a fee schedule be passed concurrently with the approval of the General Plan. Before this, we had thought the Fee Schedule would be dealt with after the General Plan was approved. We therefore have two

requests with regard to the Fee Schedule. First, we would like to have one more meeting to discuss some of the specific items and details relating to the underlying improvements. None of these are as significant as the issues we have discussed before, but in the aggregate they could be important. Second, since there is an understanding that following the approval of the General Plan, all involved will continue to work on analyzing the necessary improvements and issues that relate to the Fee Schedule, the Fee Schedule should be entitled an "Interim Fee Schedule" or "Temporary Fee Schedule" until the additional engineering work has been done.

Of greatest importance, we feel that it is critical that the Fee Schedule specifically provide that under appropriate circumstances the Developers may construct improvements included in the Fee Schedule, both on and off of their properties, in lieu of the payment of the fees for those improvements. The great benefit of this approach is that it could render moot most of the disagreements about the cost of construction. In addition, the Fee Schedule should include a Reimbursement Ordinance providing a mechanism for compensating developers who oversize improvements, both on-site and off-site, to the benefit of those who develop subsequently.

Finally, I believe there was an agreement that the Drainage Master Plan could be slightly amended to indicate that the northern detention basin might not need to be built, or in the alternative, that the inundated area north of town might not need to be any larger in the 100 year storm than is currently the case. In addition, the Master Plan would describe the Putah Creek diversion as having a capacity of between 2,000 cubic feet per second and 3,500 feet per second.

I believe this sums up the most important issues dealt with at the meeting. We would appreciate it very much if you would let me know right away if you disagree with any of the foregoing.

Thanks again for your courtesy and cooperation.

Very truly yours,

Robert E. Lando

REL/wkw
cc: Steve Jackson, CH2M Hill
Tim Youmans, E&PS
Marian Moe
Mort VandenBerghe
Winters Group

ANDREWS, LANDO & ASSOCIATES

Telephone (707) 426 0100 — Land Development — Project Management — Telecopier (707) 426 0318

November 26, 1991

LANDO (B)

Robert Chapman, Mayor
City of Winters
Members of the Winters City Council
Members of the Winters Planning Commission
318 Main St.
Winters, CA 95694

RE: Comments to Draft General Plan

Dear Mayor Chapman, Members of the City Council and Planning Commission:

As you know, the Winters Group is an informal association of five landowners in the North Area who have joined together for the purpose of proposing a comprehensive planning solution to development in the North Area. At your Public Hearings on December 3 we will present to you a plan which we feel is very responsive to the goals, policies and standards articulated by the Draft General Plan. However, there are some areas where our proposed plan and the specific language and the land use diagram of the Draft General Plan diverge. With regard to factors that affect our comprehensive plan, we are requesting that in a few limited instances the Draft General Plan and the Draft Land Use Diagram be amended. In each instance, we believe are offering an alternative which we feel is responsive to the overall goals and standards of the General Plan and which will help provide for the success of development in the North Area and the community as a whole. In addition, we are also requesting that changes be made with regard to land use designations which affect the land owned by our individual members.

Road 33

The Circulation Element of the Draft General Plan provides that Road 33 be constructed all the way from the I-505 frontage road to the western boundary of the City.

The Winters Group proposal calls for this right of way to be a landscaped pathway inside of the Loop Road. It would be dedicated to the exclusive use of pedestrians and bicyclists. This is a proposal which was contained in the North Area Specific Plan Application, and which the Winters Group Members have always considered a very important element of this plan.

The primary reasoning for completing Road 33 as a city street is to buttress the east-west element of the city's circulation pattern, and to a limited extent, to take pressure off of Grant. However, it is our understanding that Wilbur Smith & Associates has indicated that the benefit to Grant may not be sufficient to

justify the construction of this road. It is pretty much agreed that this issue relates more to planning than to circulation patterns, and that preserving the Road 33 right for pedestrian and bicycle traffic would not require the [illegible]tion of additional roads, or widening the Loop Road to four lanes. Nor would it significantly reduce the level of service on Grant.

In the many hearings held on the General Plan is was clear that among the most important issues to those who commented was that the City of Winters should remain a pedestrian oriented community. This aspiration is repeatedly referred to in the Draft General Plan. Policy I.A.7. listed on Page II-1 of the Draft General Plan states:

> *"The land use pattern in Winters shall facilitate development of a balanced transportation system which emphasizes pedestrian convenience and the use of non-automobile forms of transportation."* (emphasis added).

Goal B, also contained on II-1 of the General Plan also states that it is the goal of the City:

> *"To promote the development pedestrian oriented central business district that includes retail, commercial, office, residential, civic cultural/recreational uses."* (emphasis added)

Goal III.G on Page II-19 is *"to promote pedestrian bicycle and travel as alternatives to automobile use"*. Policy III.G.1. states:

> *"The City shall create and maintain a safe and convenient system of pedestrian and bicycle routes which encourages walking or bicycling as an alternative to driving. New development shall be required to pay its share of the cost for development and maintenance of this system."*

Policy III.G.3. also furthers this goal. This policy states:

> *"The City shall establish a safe and convenient network of bicycle routes connecting residential areas with recreation, school [illegible] and employment areas within the City . . ."*

Policy V.A.14 on Page II-32 states:

> *"The City shall pursue the development of the City-wide network of pedestrian, bicycle, equestrian pathways and trails. The pedestrian and bicycle pathway and trail system shall be designed to link park, schools, civic and major shopping and employment centers. The City's pathway system should be integrated with the county wide bike system."*

The need to separate school children from traffic is underscored in the School Facility Element of the Environmental Impact Report at Page 129: 1

> *"Although Winters is a relatively compact small town which would normally be suitable for walking, sidewalks exist only in limited areas for school children to walk safely to schools, which increases the need for school bus services."*

These policies and goals all indicate the need for the establishment of a strong circulation element which excludes motor vehicles from some transportation routes.

The proposed pedestrian pathway is located at the boarder of the North Area and the existing City, and can be used by residents of both. Because of its central location, many children will be able to use it for a substantial portion of their walk to school.

The dedicated pedestrian and bicycle pathway would have benefits in addition to the actual movement of pedestrian traffic on it. If Road 33 is built, it will be a collector street which physically separates the new North Area development from the existing City. A pedestrian pathway will have much less of a physical and psychological effect as a separator between the two areas. Road 33, if constructed for automobile traffic, would also have the effect of severing the Ag School site from the proposed new site for the high school.

This issue goes to a concern expressed by many residents of Winters that whatever development occurs, it be done in a way that preserves the City's sense of community and small town atmosphere and that new development be part of the City, not just another suburb. A landscaped pedestrian right-of-way running the width of the town, and facilitating foot traffic to its parks, schools and business district would not only help achieve this goal in a physical way, but would serve as a symbol of the community's commitment to real alternatives to auto traffic and of its commitment to actually providing pedestrian oriented amenities which will cause people to <u>want</u> to walk and ride bikes between places within the community. We request the City Council and the Planning Commission adopt the pedestrian pathway proposed by the Winters Group.

<u>Parks</u>

The land use diagram provides for 90 acres of new parks primarily located in the North Area. The financial consultant for

the City has indicated that this is well in excess of that which can be afforded by the City. The Winters Group has proposed a solution which its Members feel is both responsive for the City's need for parks and which although the total acreage is lower than that proposed in the draft General Plan, provides many of the amenities proposed in the draft and achieves the objective of providing parks throughout the community. The Winters Group proposal includes an eight acre neighborhood park located in the Camray Property, a 59 acre "Lake Park", including 30 acres of developed park land and an approximately 29 acre lake, and a 200 foot wide Linear Park totalling approximately 20 acres.

The most significant park amenity included in the Winters Group plan is the 59 acre "Lake Park" which is located in the geographic center of the Condiotti Property north of town. The eastern half of the park is comprised of a lake, which provides both an aesthetic amenity, a landscaped walkway around its boarders, and capacity for necessary flood control for runoff within the project. The western half of the park will be landscaped for both active and passive recreational uses. The plan calls for four baseball/softball diamonds, and a multipurpose field combining soccer and softball. The park provides the added benefit of being adjacent to the school site located north of the Road 33 right of way.

This juxtaposition of uses is consistent with Recreation and Cultural Resource Policy V.A.7 which provides:

> *"The City shall pursue joint-use of school facilities as a high priority for the development of new park and recreational facilities."*

The Lake Park would replace the facility shown as located to the northeast of the Loop Road on the Draft General Plan Land Use Diagram. Compared to this facility, we feel that the Lake Park would be more centrally located and provide easier access for bicyclists and pedestrians. An additional benefit would be that with the Park in this location, it could be engineered so that some of the area could be used for flood control in the 100 year storm, resulting in significant cost savings for flood control facilities.

<u>Open Space</u>

The Draft General Plan Land Use Diagram shows a very large open space area just east of the Loop Road. One of the purposes of this open space area is to handle run-off from the 100 year flood. We are proposing that instead, a two hundred foot wide linear park running from the northern boundary of the SOI to Grant Avenue contain the, flood control improvements. The

only time significant amounts of water will flow into town from the North will be when Chikahominy slough and/or Moody Slough overflow their banks. This will not happen frequently enough to support any significant wetlands, especially in an area as large as the one identified in the draft Land Use Diagram. In addition, inundation would not occur frequently enough to provide any water recharge benefits. The same general kind of physical improvements for channelizing the water will be required regardless of the width of the area into which the water is diverted. Two hundred feet will accommodate these improvements in a landscaped park environment. Any savings in construction costs resulting from minimizing the height of berms or depth of channels in the area identified in the Draft Land Use Diagram would be overwhelmed by the cost of obtaining the land.

On the other hand, a 200 foot Linear Park with a very small channel in the center to accommodate what permanent run-off there is and combined with natural landscaping, would provide a very pleasant amenity which would balance the more developed park areas in the North Area. In addition, in combination with the East/West pedestrian pathway we are proposing, the City would be provided a very strong statement of its commitment to pedestrian activities and opportunities.

As to the open space area south of the Road 33 right-of-way, it is suggested that this be designated primarily for medium density/residential or a 10 acre neighborhood shopping center. Neither designation would result in a significant density increase, but rather would allow the property to pick up some of the density from the area immediately east of the Loop Road, thus allowing for larger lots.

Density

We urge that the General Plan provide for maximum flexibility for homebuilders in the form of Planned Development designations that would allow, under appropriate circumstances, exchanges of density within property under the same ownership (or even between parcels owned by cooperating landowners), if to do so would not result in an overall increase in density within the parcel in which the Planned Development is located. The approval of such a reallocation of density within a holding could be conditioned upon its not upsetting the Transportation and Circulation Plan, and on other appropriate design criteria.

At the present time, and in the foreseeable future, we anticipate that the overwhelming demand for new homes in Winters will be for units built at densities of over four units to the acre

at the lower end to slightly less than seven units to the acre at the upper end. A strong commitment to planned development would allow homebuilders maximum flexibility in responding to market conditions, and would maximize the value of the physical improvements on the lots.

We suggest that a policy No. I.C.5. be included in the General Plan which would provide as follows:

"The City shall provide for flexibility and innovation in project design by including Planned Development Zoning designations for allowing exchanges of densities in land under the same ownership."

Definition of Multi-Family Housing

Policies I.C.2. and II.A.4. provide that *"The City shall seek to maintain an overall mix of 75% single family and 25% multi-family in its housing stock."* On Page II-32 of the General Plan Background Report, multi-family housing is defined as a *"detached building designed and used exclusively as a dwelling by three or more dwellings occupying separate suites."* We feel that this definition is too restrictive.

It is anticipated in the General Plan that multi-family housing not necessarily occupy the extremely high-der nd of the land designation spectrum. The designation for High Density Residential, which provides for 6.1 - 10 units to the acre, anticipates the inclusion of multi-family units.

In addition to condominiums and apartments, zero-lot-line homes and townhouse projects can be built at these densities. A typical townhouse project might include some buildings containing four or more units and at the same time include other buildings with only two units. Such a townhouse development should be treated as multi-family for purposes of the General Plan regardless of the number of dwelling units that are actually located inside its individual buildings.

For similar reasons, we are requesting that dwel on lots of 4,500 sq.ft. or less also be designated as multi for the purposes of the General Plan. There are several compelling reasons for this. As a result of increasingly restrictive building requirements relating to fire safety, sound proofing, and other factors, the cost benefits of including numerous dwellings under the same roof have declined relative to the cost of detached single family dwellings. In addition, when dwelling units share the same building, it is usually necessary to form a Homeowners Association. This creates substantial administrative expenses. Moreover, the

homebuilder's Completed Project Liability Insurance is much higher for townhouse or condominium units than is the case for detached units. Finally, the architectural design for small lot detached units, using so called "zipper lots", or other innovative features, has radically improved the aesthetic quality of smaller lot projects. This, coupled with the much higher buyer acceptance of small lot detached products compared to traditional multi-family, means that homebuilders can frequently deliver zero lot line homes at cost equal to or lower than similar sized townhomes. At the same time, it is now possible to deliver a high quality detached patio home on a lot of as small as 4,000 sq.ft. This creates a density similar to that of a good quality townhome development.

For this reason, we strongly urge that the definition of multi-family housing be expanded to include detached dwelling units built on lots of 4,500 sq.ft. or less.

Reservation of Lots

Housing policy II.A.18 states that the "City shall require that 10% of the lots in residential subdivision of 20 or more be reserved or sold to local builders or owner builders."

Although the purpose of this policy is to provide commercial opportunities for local builders, the unintended negative consequences of such a policy can be very significant. First and foremost, such a policy will have the effect, directly and indirectly, increasing the cost to home builders. In allocating the cost of bringing infrastructure to individual lots, the homebuilders will be faced with over-building infrastructure by 10%, relative to their projected cash flow from the sale of houses. Ordinarily, sales of lots for spec homes are on relatively large lots, yet this requirement applies across the board. In addition, the provision will have a harmful effect on the ability to finance infrastructure with Mello-Roos or other bonds given the potentially indefinite lag between improving the lots and building homes on them. The market for custom and spec lots in Winters is much less defined than that for housing. As a result, assessed values of land will be lower than would otherwise be the case.

At the very best, this provision will increase costs and raise home prices. At the worst, it may render some otherwise excellent projects infeasible.

We strongly request that this General Plan policy be deleted.

Grid Pattern

Transportation and Circulation Policy III.A.10 states that *"the City shall encourage the use of grid street patterns in newly developing areas."*

Although there may be newly developing areas where grid street patterns are appropriate, they will be impossible in other areas. For instance, the Lake Park makes grid systems infeasible in a very large portion of the North Area. In addition, grid systems, by their nature, diminish the distinction between local streets and primary and secondary collectors. It may be necessary to discourage grid street layouts in the vicinity of schools, and in areas where it is important that traffic be routed to specific streets.

One of the most significant benefits about the use of grids is that they are helpful to pedestrians and bicyclists (although speeding is frequently a problem on long straight streets). This is another instance where a dedicated pedestrian and bicycle path running East and West through town would have a very beneficial effect in providing pedestrians an alternative to the need to follow the Loop Road or other primary or secondary collectors.

Sewage Treatment

Partially in response to the City's desire that sewage effluent be used for landscaping and similar purposes, the Sewage Master Plan provides that an entirely new sewage treatment plant will be constructed which increases the level of treatment of the effluent to the point where it can be used for landscaping, a golf course or can be returned to Putah Creek. The cost of the new facility is estimated at $10,800,000. Under the current treatment system, effluent is stored during wet weather, and used to irrigate pasture land at times when the water can be disposed of by evaporation or evapotransporation of the irrigated vegetation. If this treatment system is used in the future, it will be necessary for the City to increase its wet weather storage and either replace or add to the land area required for effluent disposal, depending on whether it would actually be necessary to purchase land for sewer effluent disposal, adding wet weather storage and disposal areas could be much less expensive than building an entirely new facility.

Although the crops which the effluent can be used to irrigate are somewhat limited, they include permanent pasture, animal fodder, fiber crops and many others. Given the fact that the Draft General Plan provides that the City will not expand west of Dry Creek, and given the agricultural activities in that area, we believe that the City should at least explore the possibility of

finding a long term agricultural user of effluent and building additional wet weather storage in lieu of a whole new treatment plant. Such an analysis would at least allow the City to know how many of its policy to use treated effluent for landscaping and similar uses will cost.

There is another compelling argument for exploring this approach. Although increasing sewage treatment capacity is required by reason of new development, increasing the level of treatment is not. This means that unless it is simply not feasible to expand the facility for the current level of treatment, a much higher percentage of the cost of the new facility would have to be allocated to the existing City than would be the case if the same level of treatment is maintained.

The General Plan makes a strong commitment to the long term preservation of agricultural uses adjacent to the City. The use of effluent from sewage treatment plants for crop irrigation would provide excellent mitigation for the development of former agricultural lands within the City.

Flood Control

Policy IV.D.4. provides that:

"The City in cooperation with property owners, developers and the Yolo County Flood Control and Water Conservation District will undertake a feasibility and design study for the development of the northern storm water detention pond to alleviate flooding problems associated with Moody and Chickahominy Sloughs. Development of the Northern Storm water detention pond should provide for the ongoing agricultural use of the inundation area during dry weather."

The northern detention pond referred to in the Draft General Plan would be needed, if at all, only when rain fall is so heavy that Chickahominy Slough greatly overflows its banks. This would only happen, at most, on a couple of occasions in a century. And the period of inundation referred to the in General Plan would be measured in terms of hours in a century.

The Drainage Master Plan provides for dealing with these rare floods with a combination of a large detention basin north of the SOI, and a 2,000 cubic feet per second channel connecting the detention basin to Putah Creek. The Winters Group has suggested as an alternative to constructing a north area detention basin, that the channel to Putah Creek be increased to 3,500 c.f.p.s. This would eliminate, or at least greatly reduce the need to detain any water north of the SOI. In addition, with regard to the great majority of land owned by our members, any flooding in the 100 year storm would be very shallow. This means that the flooding problem

2

could be solved by raising building pads as little a foot above current elevations. This is a very common approach to dealing with 100 flood plain problems, which are extremely common in flat areas in California. This approach is alluded to on Page 109 of the Environmental Impact Report.

Our Group Members also feel that the construction cost estimates for the flood control facilities described in the Master Plan are extremely high. Although we appreciate the appropriateness of making estimates of construction costs conservative on the high side for General Plan planning purposes, we think that so much cushion has been put into the cost analysis that it can lead to incorrect conclusions about the entire planning process.

One way to avoid debating the question of these construction costs is to allow developers to actually build these improvements in lieu of paying flood control fees. We will comment separately on the City's Development Fee Impact Schedule, and an important part of our comments will be directed towards making sure that the Fee Ordinance provides that required improvements can be constructed in lieu of payment of fees.

We request that Policy IV.D.4 be amended to read as follows:

"The City, in cooperation with property owners, developers, and the Yolo County Flood Control and Water Conservation District, will undertake a feasibility and design study for the development of improvements to alleviate flooding problems with Moody and Chickahominy Sloughs. These improvements will include an outfall running from the area north of the SOI to Putah Creek, and may include the development of a northern storm water detention pond."

Individual Projects

As to four of our Members, the ability to carry out their proposed projects will require land use patterns which, in some respects, are significantly different than those contained in the Draft General Plan Land Use Diagram. With regard to these individual land holdings, it is best to look at the specific parcels in relation to the Draft General Plan. These parcels and the requested changes are described below.

CONDIOTTI ENTERPRISES - The Condiotti Enterprises property consists of two parcels totalling 296 acres located due north of the existing City. Roughly half of this property has already been annexed to the City. These parcels, because of their size and central location, are critical to the success of the North Area project.

November 26, 1991
Robert Chapman, Mayor
Page 11

The following page contains a representation of the land use pattern requested for this property by the owner. The plan is very faithful to the Draft General Plan Goals and Policies and, at the very least, to the spirit of the Draft General Plan Land Use Diagram.

We propose that a 30 acre school site, large enough for use as a high school, be located at the southwest corner of their property. In keeping with the General Plan Policies relative to joint use of parks and schools, this school site abuts a 30 acre recreational park, which contains ball fields, a soccer field, and other active recreational facilities. This park site is more centrally located and provides better access for pedestrians and bicyclists than does the park site shown in the Draft Land Use Diagram.

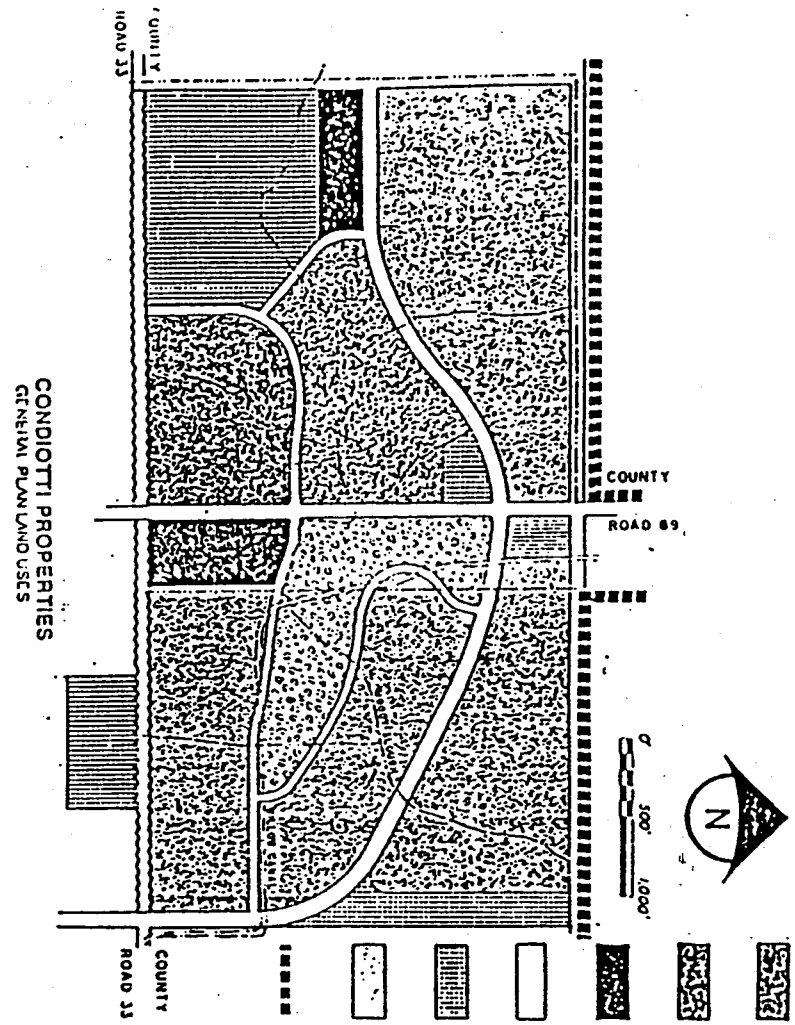
In the northwestern corner of the property, a density of 4 - 6 units per acre is requested in lieu of the low density residential designation contained in the draft Land Use Diagram. The draft plan's low density designation, does not yield land values adequate to support the infrastructure and amenities required under the General Plan. We are also very concerned that under the market conditions prevalent in Winters, there may be not a demand for the products which could be constructed on lots of those sizes.

The following table contains a comparison of the land use allocation on the requested plan and that contained in the Draft General Plan. As can be seen, under the Draft General Plan Diagram only 36% of the property could be developed. This compares to a still quite modest 63% under the requested alternative.

PROPOSED WINTERS GENERAL PLAN LAND USES AS THEY AFFECT THE CONDIOTTI PROPERTIES AND REQUESTED ALTERNATIVES:

	Proposed General Plan	Requested Alternatives
Residential	106 acres (36%)	185 acres (63%)
Park	64 acres (22%)	28 acres (9%)
Public/Quasi Public	48 acres (16%)	40 acres (14%)
Open Space	48 acres (16%)	15 acres (5%)
Major Streets	30 acres (10%)	28 acres (9%)

If the requested land use configuration is used, it will result in a density of development which is still lower than that requested in the North Area Specific Plan Application. Condiotti



Enterprises will ultimately want to build between 850 and an absolute maximum of 900 units on its property. Although the land use categories requested could yield somewhat over 1100 units if built to 100% of the allowable density, this higher figure should be disregarded given the commitment to stay below 900 units. By comparison, the land use classifications contained in the Draft General Plan would yield a high end density of about 642 units.

We believe this requested alternative development pattern fully implements the applicable Policies of the General Plan with regard to providing for school sites, juxtaposing school sites and park sites, providing park sites adequately sized for substantial recreational development and locating parks where they can be conveniently reached by pedestrians and bicyclists. In addition, it provides for the necessary public and quasi-public facilities needed in this area.

At the same time, the requested alternative land use pattern provides for patterns for development which are efficient, will allow great flexibility in the final design process, and which will provide land values necessary to support the infrastructure and other amenities which will ultimately be required of new development in Winters. We urge that the alternative development pattern for the Condiotti Enterprises property be approved.

ARCHER/MORIEL PROPERTY. The Archer/Moriel property consists of approximately 60 acres bisected by the Loop Road, bounded by Grant Avenue on the south and by the Linear Park/Putah Creek outfall on its eastern boundary.

The primary difference between the land uses we propose for this property and those shown on the draft Land Use Diagram is that we propose substituting the 200 foot Linear Park for the broad expanse of open space shown on the Diagram. As noted above, it is requested that instead of the undeveloped open space shown on the Diagram there will be a 200 foot wide Linear Park, which accommodates the Putah Creek diversion channel.

The owners of this property are proposing two alternative approaches to development. In one approach the southeastern quarter of the property will be designated Medium High Density Residential, and the strip on the west side of the Loop Road adjacent to Grant Avenue would be developed in a manner essentially consistent with the Land Use Diagram.

As an alternative, the owners of this property would like to you to consider a 10 acre site appropriate for a neighborhood shopping center located on the east side of the Loop Road adjacent to Grant Avenue, with the area immediately north of that parcel designated Medium or Medium-High Density residential; all of the land west of the Loop Road would be designated Medium Density Residential. The diagram on the page following illustrates this configuration.

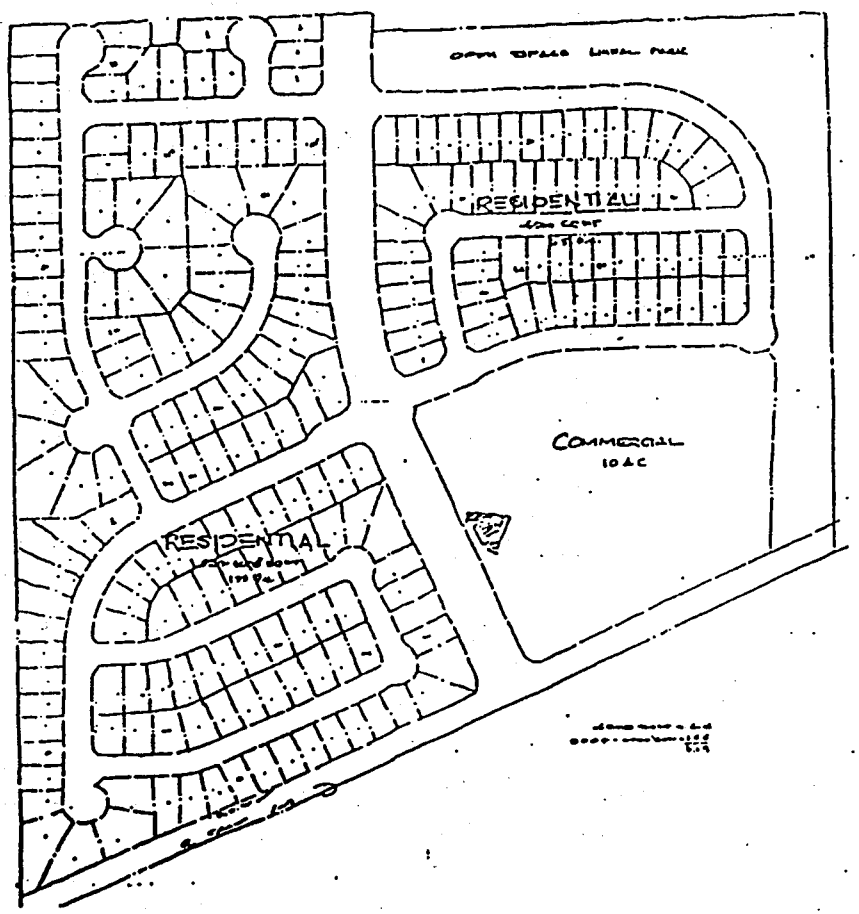
There are some significant benefits to be gained from having a commercial center at this location. The most important benefit arises because people tend to shop as they drive into the City as opposed to when they drive out. With the commercial site at this location, people entering Winters can make two right turns to get to the shopping center and then can either turn right onto the Loop Road to go home, or can turn right onto Grant Avenue to head to the downtown. A shopping center south of Grant Avenue would have most people turning left on Grant and then left again to get back onto Grant. Although from a planning viewpoint it is always better, all other things being equal, to have shoppers predominately turning right into a shopping center, this is especially significant here because the intersection of the Loop Road and Gr[illegible]l likely be the most important one in the entire City from [illegible] of service perspective.

Because of the compelling basis for siting a shopping center north of Grant, we feel this alternative is preferable. However, the owners of this property would be pleased with the approval of either of the requested alternative land use configurations, and we believe that either would be fully in keeping with the Policies and Goals of the Draft General Plan.

GRANT STREET INVESTORS. Grant Street Investors owns the parcel (APN 038-050-601) located at the northwest corner of Grant Street and Interstate 505. the Draft Land Use Diagram designates the southern half of this parcel as Highway Service Commercial and the northern half as Light Industrial.

We feel that Highway Service Commercial is the best use for this property for the reasons given below and would note that the Planning Advisory Committee (PAC) and the Winters Planning Commission, after their lengthy deliberations, agreed with this view. This designation is also in agreement with the most recent recommendations of the Winters Chamber of Commercial.

Because of the location of this property within 1,000 feet of the I-505 and Grant Street interchange, its desirability for Highway Commercial users is very high and may make it some of the



ARCHER/MORIEL PROPERTY

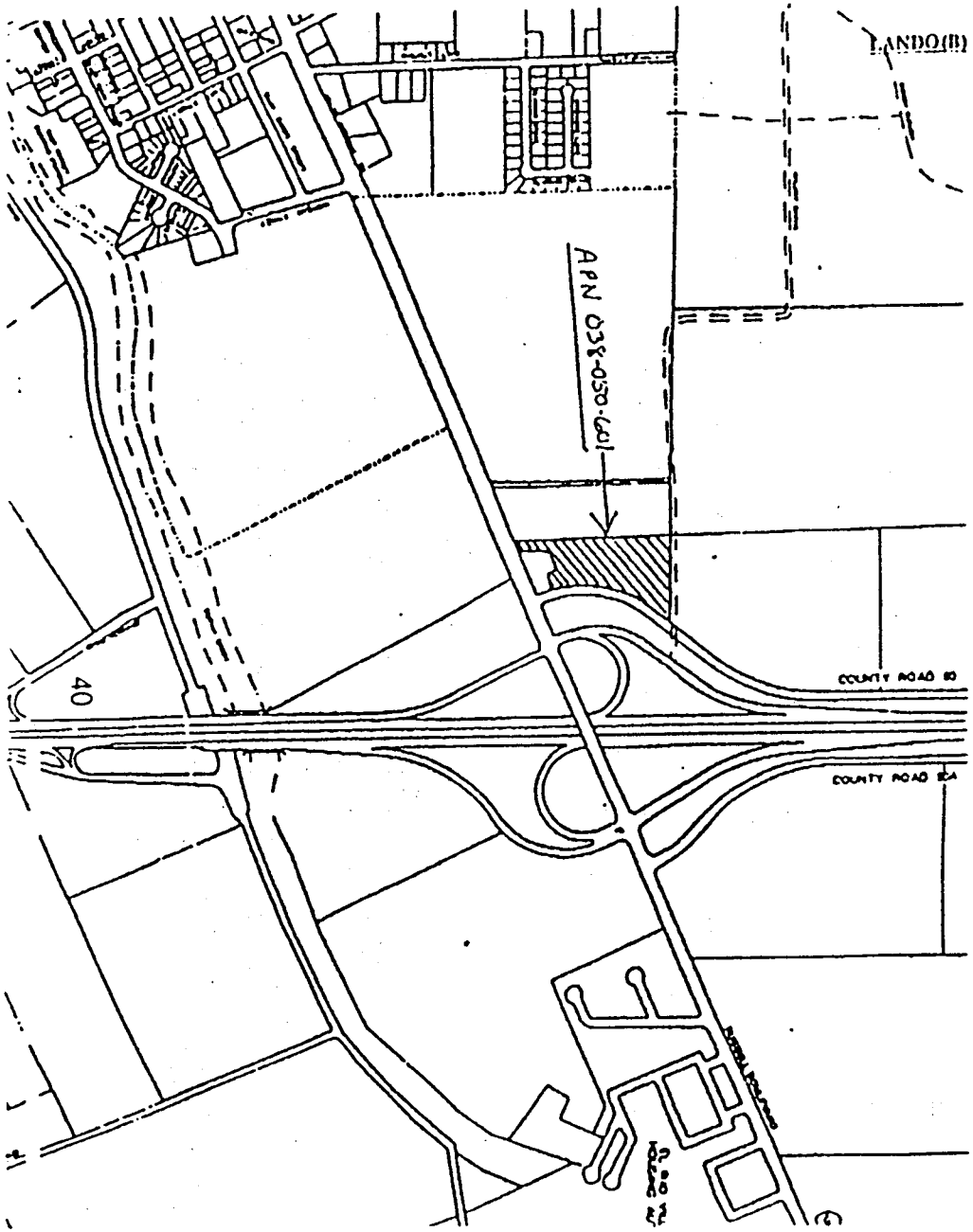
most valuable property in Winters. This value comes in several forms. One is increased property values which translates into increased property tax revenues to the City plus increased bonding ability for revenue generating mechanisms such as Mello-Roos districts. The added value also comes in the form of capturing more sales and sales tax revenues from the traveling public that would otherwise be lost to the city of Winters.

A comparison of the property tax records for six highway commercial and six industrial businesses in our neighboring city of Dixon illustrates this point. The six commercial uses show appraised land values of $4.78 to $12.50 per square foot with an average value of over $8.00. Because these commercial sites are within a quarter mile of a freeway off-ramp, not only are the land values very high, but also improvements on the sites are much more valuable ranging from $520,000 to $972,000. The improvements average an additional $18.00 per square foot for a total assessed value of over $26.00 per square foot.

Contrast these numbers with the six industrial users found in the very successful Dixon Industrial Park located off 1st Street in an area with good access to the freeway but located over one mile from I-80. Average appraised land values for the six sites were less than $1.00 per square foot with a high value of just $1.50 per square foot. Likewise, the assessed value of the improvements averaged only $2.60 per square foot.

While land and improvement values will vary depending on where you compare them, we offer you these actual values to support that point that land values for Light Industrial property would be much lower ($1.00-$1.50 vs. $8.00) and also improvements will be much lower ($2.60 vs. $18.00) as compared to Highway commercial uses. On the approximately 4.8 acres we are asking to be restored to Highway Commercial zoning, leaving it classified as Light Industrial could mean a loss of $40,000 to $50,000 per year in property tax revenues, without taking into account Mello-Roos or other Special Assessment District revenues.

An examination of other cities in the area will demonstrate that industrial property can be, and generally is, located on the edges of a city with good access to a freeway, but does not need to be immediately adjacent to a freeway interchange to be acceptable by industry. On the other hand, attempting to site highway commercial uses even a quarter or a half mile away from an interchange will substantially decrease the desirability of such sites to potential users.



LANDO(

Developers of highway commercial businesses can only afford to pay the prices for buildings and land that they do because their sales volumes will be large enough to justify the high investment. Industrial property users pay no sales tax on goods that are not sold retail from that location nor on labor services provided from that location. Consequently, the levels of sales tax per acre can be expected to be much lower for industrial uses and a loss of highway commercial business would mean a substantial loss of sales tax revenue for the city of Winters.

As mentioned above, the Chamber of Commerce has recommended zoning this area as Highway Service Commercial. After studying the appropriate uses of Highway Service Commercial property, the Chamber felt that such uses would not conflict with the types of commercial uses one hopes to attract to the downtown.

Members of the Council have previously expressed their desire that the future entrance to the City be made as attractive as possible. We share this desire.

The presently proposed General Plan zoning would create an unbalanced entrance to Winters. There would be only a 300 foot deep strip zoned HSC on the north side of the Interchange, but over 1,600 feet on the south side of Grant. The requested change would create a more balanced entrance.

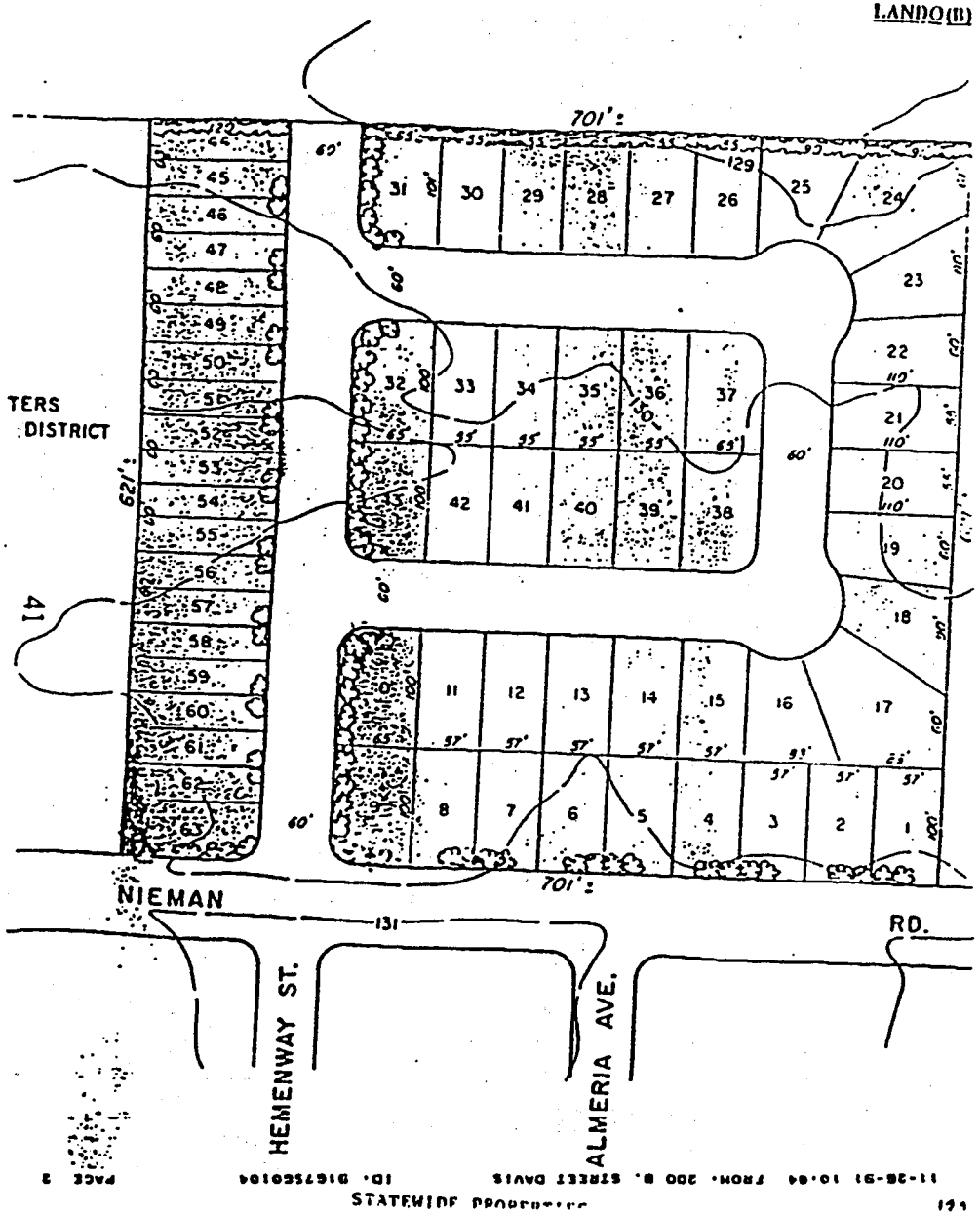
Such a balanced HSC zone will provide the higher property values that will in turn permit the businesses locating there to spend the necessary monies to make their properties aesthetically pleasing and well landscaped. We are prepared to work with the City and adjacent property owners to develop a coordinated design approach that will create such an attractive entrance.

The best use for the entirety of this parcel is Highway Service Commercial. This will avoid the current situation which will split the zoning on the parcel and create an odd shaped, virtually unusable HSC portion. This designation will generate the highest value and consequently highest revenues to the City. This request is consistent with all previous zoning recommendations and will best enable the creation of an attractive entrance to the City.

<u>STATEWIDE PROPERTIES</u>. The Statewide Properties holding is a small, 9.4 acre parcel located south of Road 33 next to the School Ag Site.

APN 30-210-4
DOC 1429-652

LANDO(B)



LANDO

The Winters Group Land use Plan shows the northern extension of Hemenway Street as straight. To the east of this Hemenway extension are single family detached lots built in the Medium Density Residential Category.

The 120 foot strip west of the buffer would contain split lot duplexes which would be intended primarily as rentals. Special attention would be given to the backyard fencing and landscaping of these units to eliminate conflicts with the adjoining school property.

The Draft General Plan Land Use Diagram shows the extension of Hemenway proceeding due north and then curving off to the east so that the western edge of its right of way lies on the Northwestern boundary of our parcel. This diagram thus requires the addition of two acres to the Ag site. We feel this creates an unnecessary expense to the School District on the one hand and a severe reduction of the value of our parcel on the other.

CONCLUSION

Although our comments of the draft General Plan seem lengthy, they are surprisingly brief given the fact that they concern literally thousands of pages of plans and concern hundreds of acres of land. As a group, we have done our best to conform our projects to the goals and policies articulated in the General Plan and in the comments of the Planning Commission, City Council and the Planning Advisory Committee. We have likewise tried to limit our requests to matters which we consider to be to be very significant, both in terms of the economic success of our individual projects, but also to the overall success of the growth of the City under its new General Plan.

We thank you very much for your consideration of these matters.

Very truly yours,

Robert E. Lando
For the Winters Group

REL/wkw

cc: Larry Mintier
Perry Beck
Marion Moe
Winters Group

ANDREWS, LANDO & ASSOCIATES

Telephone (7 ') 426 0100 | Land Development | Project Management | Telecopier (707) 426 0318

LANDO (C)

December 5, 1991

Robert Chapman, Mayor
City of Winters
Members of the Winters City Council
Members of the Winters Planning Commission
318 Main St.
Winters, CA 95694

RE: Development proposal of Winters Group of North Area Developers

Dear Mayor Chapman, Members of the Winters City Council and Winters Planning Commission:

Following the presentations by members of our Group at your joint public hearing on December 3rd, several members of the public seemed to object to our proposal primarily on the basis of the contents of the old North Area Specific Plan application, rather than our new development proposal. The NASP Plan is one of the alternative projects considered in the EIR for the basis of comparison to the Draft General Plan, even though it is now significantly different from the specific proposal of the North Area landowners. Our new proposal, which we showed you on December 3, is based on the Goals and Policies which are articulated in the Draft General Plan and which were contained in the report of the Planning Advisory Committee. A copy of our proposed land use plan, which we presented at the public hearing on December 3, is enclosed. We are concerned that controversy is being created where none need exist. 1

One of the areas of greatest concern to many of those appearing at your public hearings is that the General Plan designate adequate land for park and recreational facilities for the residents of the City. The purpose of this letter is to further explain how our land use proposal deals with this issues.

The Draft General Plan Land Use Diagram shows two developed parks on property owned by Winters Group members. One, an eight and one-half acre neighborhood park, is located on property owned by Camray. Our land use proposal includes this park site essentially as shown the Land Use Diagram.

The other developed park on our land shown by the General Plan Land use Diagram is a 40 plus acre site located at the northeast corner of property owned by Condiotti Enterprises. Our plan, instead, shows this facility being located at a more centrally located site of 30 acres. It should be emphasized that the 30 acre

site shown on our plan can accommodate the actual facilities which the City intends to locate on the site. The site we propose is located next to a 29 acre "Lake Park" which would be surrounded by a bicycle and pedestrian trail. The site we propose for the developed park is responsive to the draft General Plan's proposal for a 30 acre park to house ball and soccer fields.

In addition, we propose a 20 acre plus linear park, which would contain the improvements for the Putah Creek flood control outfall. This park, 200 feet in width and running for about a mile from the northern Sphere of Influence boundary to Grant Avenue, would contain natural landscaping and a small permanent stream channel in its center. It would also contain pedestrian and bicycle facilities.

In total, our plan designates sites for 38 1/2 acres of developed recreational facilities, and another approximately 49 acres which could contain passive recreational and aesthetic uses.

Our proposed 30 acre site for the developed park is somewhat smaller than that identified for the area by the Draft General Plan Land Use Diagram. On the other hand, the 30 acre site has room for all of the desired amenities, including lighted ball and soccer fields, parking, concessions and passive recreational uses.

Because of its location, most of the residents of the City will be able to get to the 30 acre site without crossing the Loop Road. Because it is adjacent on its southern boundary to the school site shown both on our plan and the Draft General Plan Land Use Diagram, the location of the facility at this site is also consistent with Policy V.A.7 of the General Plan, which states:

> *"The City shall pursue joint use of school facilities as a high priority for the development of new park and recreational facilities."*

A copy of a proposed land use diagram for the Condiotti Property, which would contain the 30 acre site, the Lake Park, and much of the linear park, is also enclosed.

Although the park land shown on our land use proposal still exceeds Quinby Act limitations by a significant amount, some significant savings will be realized under this proposal compared to the Draft General Plan Land Use Diagram. About 14 acres have been trimmed off of the size of the playing field park while still providing space for the desired facilities. To the ex[illegible] the

linear park contains the minimum area required for the flood channel to Putah Creek, its area would not be taken into account in counting community park land. Likewise, the Lake Park, consists largely of land necessary for flood control improvements.

The Draft General Plan provides for approximately 1,600 new dwelling units for the land controlled by the Winters Group. Taking into account only the land set aside for developed recreational uses in the Winters Group proposal - 39.5 acres - this would create a ratio of developed park acreage to population (assuming 2.8 persons per unit) of 8.5 acres per 1,000 population for land belonging to Winters Group members. Given a population of 12,500, this land alone would raise the City Wide ratio of developed park land to population to 3.36 acres per 1,000 population compared to the .74 acres per 1,000 that the City currently enjoys. In addition to the two developed park sites proposed by the Winters Group Members, Mort VandenBerghe and Helmut Sommer are each proposing that neighborhood park sites be developed on their land.

Taking into account the land for passive recreational facilities designated for the proposed Winters Group land use proposal, over 87 acres have been designated for park land. This would create a ratio of 19.4 acres of park per 1,000 population on the Winters Group property and would, by itself, raise the ratio of park land acreage to population in the City as a whole to 7.5 per 1,000 population.

If the City council or Planning Commission would like any additional information about our proposed park land designations, we would be very pleased to provide it.

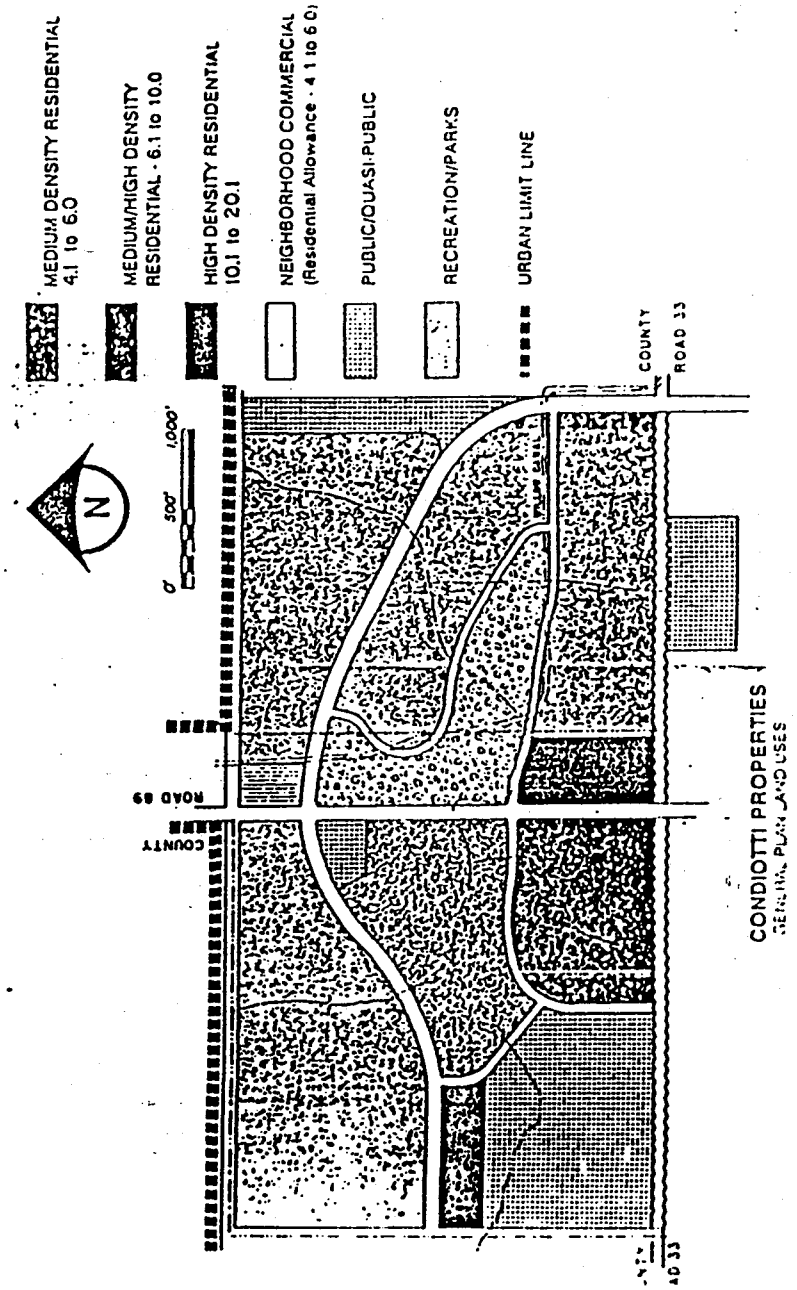
Very truly yours,

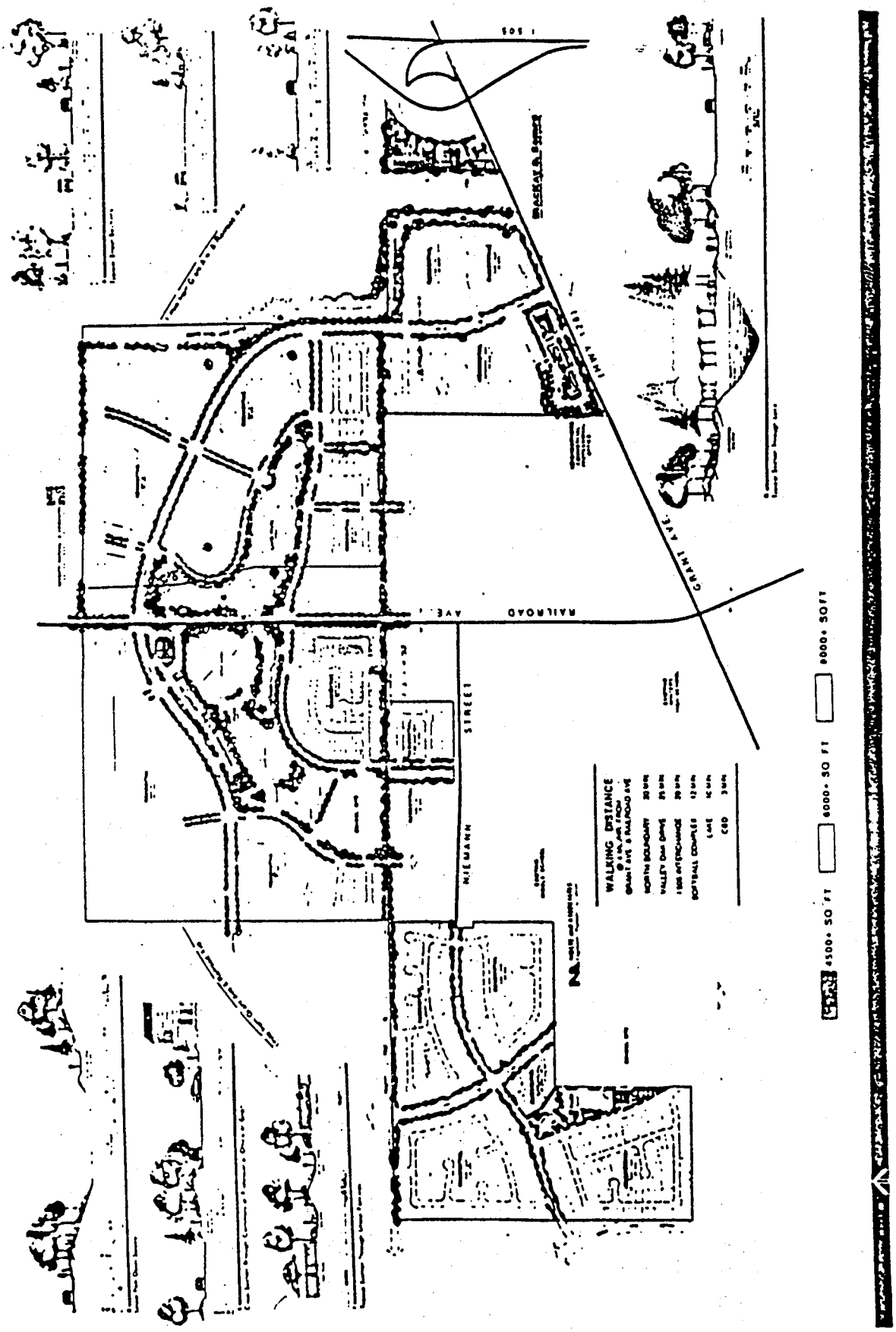
Robert E. Lando
For the Winters Group

REL/wkw

Enclosure

cc: Perry Beck
Winters Group
Brent Moore




RAILROAD AVE.
NIEMANN STREET
GRANT AVE.
WALKING DISTANCE
4500+ SQ FT
6000+ SQ FT
8000+ SQ FT

52

ANDREWS LANDO & ASSOCIATES

LANDO (D)

January 6, 1992

Robert Chapman, Mayor
City of Winters
Members of the Winters City Council
Members of the Winters Planning Commission
318 Main St.
Winters, CA 95694

RE: Development Fee Schedule; Storm Drainage and Flood Control Issues

Dear Mayor Chapman, and Members of the City Council and Planning Commission:

Since the question of storm drainage has a significant impact on the draft Development Fee Schedule and draft Financing Plan and because it has proved to be somewhat controversial, the Winters Group of North Area Developers has devoted a great deal of time, money and attention to analyzing this issue. Our members retained the firm of Vail Engineering to review and comment on the Drainage Master Plan, and the firm of Andrews, Lando & Associates has been retained to comment on the drainage issue in the context of the Financing Plan, the impact Fee Study, the General Plan, and the Environmental Impact Report.

It should be noted that members of the Winters Group, Vail Engineering and Andrews, Lando & Associates have met productively with representatives of CH2M Hill and City Staff to discuss the Storm Drainage issue. The current draft of the Fee Study describes some of the issues dealt with in the first of these discussion and reflects those matters on which we were able to agree. Everyone involved agrees that additional studies and considerations will be required in order to find the best means of removing land designated for new residential development, as well as portions of the existing City, from the FEMA 100 year flood plain.

The primary concern of the Winters Group is that the actual costs of building the flood control improvements identified in the Master Plan are vastly overstated. Although we understand that it is safest to err on the high side in estimating costs which will be incorporated into a Development Fee Schedule, we feel strongly that the costs are nonetheless much too high. Second, we feel that the Master Plan calls for the construction of expensive improvements which are nearly certain to be unnecessary. Finally, it should be noted that the proposed solution to the problem of flooding is based on the assumption that it is necessary to remove the entire area contained in the 20 year SOI from the 100 year

1107 Beverly St. Fairfield, CA 94533

LANDO (I

flood plain. It is allowed under FEMA to raise building pads above the flood plain the liue of taking whole areas out of the area subject to flooding.

As a result of this initial determination by the City that the entire SOI should be removed from the FEMA flood plain, we did not explore the feasibility of removing residential development from FEMA flood plains by increasing the elevation of building pads. This is the most common and usually the least expensive way of dealing with a 100 year flood plain in flat terrain.

The purpose of this letter is to explain why we feel the solution to the flooding problem will be substantially less expensive than stated in the Storm Drainage Master Plan, the Impact Fee Study, or the EIR.

BACKGROUND

The existence of a FEMA 100 Year Flood Plain to the North and East of Winters (including part of the existing City) is mostly caused by the potential for Chikahominy Slough and Moody Slough to overtop their banks in the 100 year storm. Both Chikahominy Slough and Moody Slough flow in a general West to East direction, although Moody Slough actually flows to the Northeast between the existing City and I-505. Most, if not all, of the flooding in and near Winters in the last century has been the result of Moody Slough topping its banks in heavy rains.

The need to deal with Moody Slough flood runoff has been well established, and the North Area Specific Plan provided for controlling flood waters from Moody Slough with a combination of a lake and detention basin in the North Area, and with a 1,000 cubic foot per second capacity channel running from this lake to Putah Creek.

In its research for the Storm Drainage Master Plan, CH2M Hill determined that primarily because the channel for Chikahominy Slough under I-505 had capacity for only about the 25 year flood, Chikahominy Slough, in a 100 year storm, might not only overflow its banks but could ultimately cause water to flow along the freeway in a southerly direction and contribute to flooding in the area North and East of the City within the 20 year SOI. Although Chikahominy Slough and its drainage basin run East and West, the general topography of the land immediately west of the freeway slopes gently to the South. This means that flood waters backed up by the bottleneck at the freeway will move gradually to the South on their way to Putah Creek.

Ordinarily, flood plains are oriented in roughly the same direction as the channels that contribute to the flooding. Because of I-505, we are faced with the unusual situation of having a FEMA 100 Year Flood Plain with a generally North/South orientation, even though Moody Slough and Chikahominy Slough each run roughly East and West. It is partially for this reason that the portion of FEMA 100 Year Flood Plain within the SOI which is designated for development contains only minuscule quantities of wetlands. The individual members of the Winters Group retained the firm of Zentner & Zentner to undertake a wetlands analysis of their respective holdings. Out of the nearly 500 acres comprising the land of Winters Group members, there were, in the aggregate, less than two acres of wetlands. These wetlands were defined under generous Federal criteria in effect in 1990. Surprisingly, the majority of wetlands discovered on these lands were located outside of the FEMA 100 year flood plain. Chikahominy Slough contributes nothing to creating wetlands within the SOI and Moody Slough contributes very little.

MASTER PLAN SOLUTION

The draft Storm Drainage Master Plan estimates that the Chikahominy Slough runoff be controlled by two improvements. First, there would be constructed a Northern Storm Water Pond which would act as a detention basin for flows from Chikahominy Slough in the 100 year flood.

The second element of the Master Plan Flood Control Improvements is the Northern Storm Water Diversion Channel, which would convey water away from the Northern Storm Water Detention Pond to Putah Creek. The channel would have a capacity of 2,000 cubic feet per second.

The Storm Drainage Master Plan estimates the hard costs of dealing with Chikahominy Slough flood waters at $7,254,000, which is comprised of $4,081,000 for the Northern Storm Water Diversion Pond and $3,276,000 for the Diversion Channel. Adding the contingencies and other "soft" costs as described in the Master Plan brings the total cost for these two sets of improvements to $11,305,750. We feel that these costs are far too high and that for reasons discussed below should be less than half of the amount stated in the Master Plan.

WINTERS GROUP PROPOSAL

The Winters Group engineering consultant, Vail Engineering, has found that if the capacity of the Northern Storm Water Diversion Channel is increased to 2,470 cubic feet per second from 2,000 cubic feet per second, then the Northern Storm Water

Detention Pond can essentially be eliminated. This is because a channel of this size could accommodate 100% of the water flowing into the SOI from Chikahominy Slough.

Based on the Master Plan cost estimates, this alone would result in the savings of $2,563,000 in land acquisition and $2,846,000 in construction costs, versus only a $476,000 increase in the cost of constructing the channel, for a total savings of over $3,400,000. It should be noted that some improvements included with the Northern Storm Water Detention Pond in the Master Plan, such as the Road 89 Bridge, would need to be built under any circumstances. This is why the entire cost allocated to this flood control element would not be eliminated.

Although CH2M Hill is in accord with Vail Engineering on the physical feasibility of this approach, it feels that the capacity of Putah Creek, especially down stream, needs to be studied prior to implementing such a solution. However, it is our opinion that with the combination of the very large capacity of Putah Creek, together with the flood detention capacity created by Monticello Dam, the odds of a slightly increased flow from Winters creating a significant effect downstream are minimal. According to the Draft EIR, Putah Creek has the capacity "to contain the 500 year flood within [it's] banks" (Page 105, Section C.1.). It should be noted that the great majority of water from Chikahominy Slough flowing into the SOI in the 100 year flood would end up in Putah Creek under any circumstances. 1

CONSTRUCTION AND CONTINGENCY COSTS

It was also the finding of Vail Engineering that the construction costs used by CH2M Hill in estimating the cost of the Northern Storm Water Diversion Channel were much too conservative. Although there was objection to the hard construction costs as being too high, this issue is fairly technical and will be dealt with in a subsequent letter. However, given the fact that hard costs were estimated on the high side, we feel that the soft costs are much too high. CH2M Hill estimated the actual hard cost of building the improvements and buying the land for all Flood Control Facilities at $13,046,000 (See Table 13 on Page 37 of Master Plan).

The Master Plan estimates that it will cost $40,000 per acre to acquire the land needed for flood control facilities inside the SOI. With the exception of land for the North Area Detention Basin, the great majority of the land required for flood control improvements is owned by landowners who are participating in the Planning Process, and who cannot develop their property until the flood plain issue is resolved. Although it will be necessary to set prices for land required for these improvements in order to

adjust burden sharing between land owners, it is very unlikely that these landowners will set the price for land needed for flood control facilities so high that they will render their own land undevelopable. In addition to the high land acquisition costs, The Master Plan adds 5% for "contractor operating costs", adds 30% as a "construction cost contingency", and adds 17.5% for "engineering and construction management". These three items alone add soft costs of $5,062,800! Ultimately, the Development Impact Fee study reduced acquisition costs to $30,000 per acre and deleted the construction cost contingency for land acquisition as to the Master Plan project. However, there are many more significant changes which should be made.

We feel that the cost of these facilities will be much less than half of that stated in the Storm Drainage Master Plan.

The construction of the Northern Storm Water Diversion Channel would produce additional cost savings. With a 3,470 cubic foot per second channel taking water from the area East of the Winters Detention Pond (which is shown as the Lake Park in the Winters Group Plan) the size of the storm water detention portion of the Winters Detention Pond can be significantly reduced, resulting in still further savings.

In our discussions with City Staff and the City's economic consultant, we have asked that those landowners whose property is located within the flood plain be given the option of installing the flood control improvements and receiving a credit for so doing against the storm drainage development fees. If this is made an option, it will reduce the significance of any disagreement over the actual cost of construction of these improvements, since the landowners could build the necessary improvements at whatever they cost and then dedicate them, lien free, to the City.

ALTERNATE APPROACHES

As noted above, the Storm Drainage Master Plan is based on removing all of the land in the SOI from the 100 year FEMA flood plain. Although we discussed with City Staff and CH2M Hill the possibility of alternate approaches to the solution of the problem, such as leaving industrial land in the boundaries of the 100 year flood plain, and raising the height of building pads, we were told that it was the goal of the City to remove all of the SOI from the flood plain. However, if the City feels that the potential cost of entirely eliminating the flood plain is daunting, alternate measures probably are available. Only somewhat more than half of the land within the SOI is designated primarily for residential use. Since flood waters would be deepest adjacent to I-505, the land within the SOI actually designated for residential use

probably accounts for much less than one-half of the flood water which must be controlled. It might be possible to construct improvements which would remove only residential property from the flood plain, with the flood plain problem being dealt with in industrial areas by raising building pads above the flood plain.

Finally, there is the question of whether merely raising building pads for both residential and industrial development would remove most, if not all, of the proposed new development from the flood plain for FEMA purposes. Again, if the City is concerned that it may not be appropriate to deal with the flood control question in the manner proposed by the Master Plan, this option should be explored.

IMPLEMENTATION

We suggest that beginning almost immediately, and continuing through and after the ongoing General Plan process, City Staff and its consultants meet with the consultants of landowners affected by the FEMA flood plain to attempt to reach a consensus on the solution to the flooding problem. Where this is not feasible, studies should be undertaken, at the cost of the landowners, to explore lower cost alternatives to flood control, and to carefully calculate the cost of such measures as are ultimately acceptable. This information can then be plugged into the Development Fee Schedule.

It is understood that the City may want to enact a Fee Schedule concurrently with its approval of the new General Plan and that it therefore may be necessary that the Fee Schedule which is enacted be similar to that proposed in the current draft of the Development Impact Fee Study. If this is the case, we strongly request that the City acknowledge that the Fee Schedule will later be amended to reflect any cost savings which are ultimately identified and that the City create a mechanism for refunding any excess fees which are paid by developers who proceed with their projects prior to the ultimate resolution of the cost issues.

SUMMARY

It is our opinion, and that of our consultants, that the cost of removing land in the SOI from the FEMA 100 year flood plain will be much less than is stated in the Storm Drainage Master Plan. This is true because it should not be necessary to construct the Northern Storm Water Detention Pond if the capacity of the Northern Storm Water Diversion Channel is increased from 2,000 cubic feet per second to 3,470 cubic feet per second. In addition, very large savings can be achieved by reducing the "soft costs" included in the Master Plan cost estimates, by using reasonable land

LANDO (D)

acquisition costs and by honing the estimates of the actual construction costs.

As an alternative, it should be possible to achieve even greater savings by reducing the areas protected by the flood control measures to only those which are designated for residential development, or by concentrating instead on raising building pads to remove property from the flood plain.

We request that the City and landowners continue to work together to find a workable, lowest cost solution to the flood control issue, and that the solution ultimately be worked into the Development Fee Schedule. Under any circumstances, it is critical that landowners be allowed to build flood control improvements as an alternative to paying the component of the impact fees attributable to those improvements. This could ultimately eliminate much of the contention about what the actual construction costs will be.

In our experience, much flat land in California is subject to drainage problems of varying degrees of severity. In the great majority of cases these problems can be solved by methods and at costs which are not out of the ordinary. We are confident that this will be the case in Winters.

Thank you for your kind consideration of this matter.

Very truly yours,

Robert E. Lando
For the Winters Group

REL/wkw

cc: Perry Beck
Brent Moore
Marion Moe
Tim Youmans
Larry Mintier
Steve Jackson
Winters Group

LARKE

December 2, 1991

Winters City Council and
Winters Planning Commission

Subject: Public Comment Re: Draft General Plan Background Report, Policy Document, and Environmental Impact Report

We, the undersigned citizens, wish to comment on those aspect of the Draft General Plan which concern the cultural, historic, and archaeological resources of the city of Winters.

The city has previously recognized the significance of these resources by appointing a Historical Landmard Advisory Committee in 1979, commissioning a survey of historic buildings in 1982, enacting a Historic Preservation Ordinance in 1985, and including a comprehensive Historic Preservation Element in the 1986 Winters General Plan.

It is, therefore, with some dismay that concerned citizens reveiwing the current Draft General Plan learn that in the Draft General Plan Environmental Impact Report, the 1986 Historic Preservation Element has been relegated to Item "D" under the Chapter XIII title of "Other Considerations." In addition, the stated goals and policies in the Background Report have been substantially abbreviated. The natural resources and the archaeological resourses appear to have been adequately covered in all the documents. There are, however, a number of oversights and errors in the sections referring to historic/cultural resources.

Most Winters citizens recognize the importance of architecturally significent residential and business buildings to the entire community's quality of life and to the overall economy of the downtown business district because of their attraction to tourists.

In the Background Report, Cultural Resources are combined with Recreational Resources in Chapter VII. The following errors or omissions should be noted:

1. Parks: The Agricultural Facility should be called by its full name. Regional recreational facilities should include the Stebbins Cold Canyon Reserve.
3. The historical background should be updated. Neither Theodore Winters or D. P. Edwards donated land for the town of Winters. George B. and Andrew M. Stevenson, owners of the Vaca Valley Railroad Co. purchased 40 acres from Winters, then they laid out the townsite.
4. Odd Fellows (typo). The 1892 earthquake damaged, but did not destroy downtown buildings. Asian business community remained until 1942, when Japanese were interned: buildings were razed in April 1948. Winters had libraries before turn of the century.
5. Vegetable production is highlighted by tomato crop, not farmers growing for themselves. 1908 California Fruit Exchange building at 7 E. Main bought from SP by Larry and Beverly Dunning (Wool Warehouse); Dudley Lourie bought building at 9 E. Main (Wool Co-op, Moonshine Trading Co.). Valley Farmers Co-op doesn't deal in fresh or dried fruit, just agricultural supplies. Holmes Warehouse handles nuts.
6. City of Winters contains more than "several" historically significant

buildings. The 1983 Survey researched 79, 14 of which are potentially eligible for the National Register of Historic Places. Figure VII-1 is a map of historic buildings, but it does not locate the Historic District. No mention is made of the Yolo County Historic Resources Survey of 1986, which identified 29 historic buildings in the rural area of Winters. Those that might be impacted by expansion of the city limits should be noted.

The Executive Summary of the Background Report sets out some commendable Goals and Policies regarding development of a cultural center and the preservation of Winters' historical heritage. This is the section where the more detailed "Goals, Policies and Implementation" statements in the 1986 General Plan would seem more appropriate. In addition, the most significant goal should be to continue implementing the Historic Preservation Ordinance (85-03), which the city adopted on May 21, 1985. There, however, is no mention in any of the draft documents regarding this "ORDINANCE ESTABLISHING A HISTORICAL PRESERVATION COMMISSION AND PROCEDURE FOR DESIGNATING AND PROTECTING HISTORICAL LANDMARKS AND HISTORICAL DISTRICTS." In October 1988 the duties of the Preservation Commission were assigned to the Winters Planning Commission.

Policy V.D.2 states the "City shall adopt and implement the State Historic Building Code," whereas that code was already implemented in the 1985 Ordinance.

Regarding the Draft Environmental Impact Report:

2

The Executive Summary makes no mention of Impacts or Mitigation Measures for historical resources, only for Archaeology.

Chap. II, item 6 (p.33) Recreational and Cultural Resources makes no mention of the Historic Preservation Ordinance and recommends adoption (implementation) of State Historic(al) Building Code.

Chap. XIII Other Considerations: D Cultural Resources/Archaeology

1. Setting. John Wolfskill settled on both sides of Putah Creek in 1842. Town of Winters was platted on 40 acres purchased from Winter, then subdivided by the Stevensons.
2. Impacts. DGP (and the modified DGP) Reference should be made to the Historic Preservation Ordinance as well as the specific policies listed. Mitigation Measures are already required for those historic structures within the designated Historic District. In time, other historic districts may be designated.

A great deal of citizen effort has been spent on researching and implementing a historic preservation program for the city of Winters. More than 1,255 volunteer hours were donated during the 1982-1983 historic survey alone. The General Plan should refect the need for an ongoing program of public education, restoration and preservation of significant structures, as well as the preservation and enhancement of Winters' historical heritage.

Yours sincerely,

Jean L. Larkey
Craig McLennan
John DeWeese
Gordon Rupenthal
M. Michael Tuney
Betty Lindeman
Colleen Lund
Duane Beato
Robert Hale
Bruce Chalfant

Carol Swanson
Valerie Whitworth
Michael Barton
Suzanne Grist — homecoming
Richard Sagerel Hoover
Don Hoover
Lorraine M. Young
Robert O. Young
Charles Wallace
Maine Barber
Robert M Coman
Elizabeth Coman
Jorge B Coman
Betty Coman
Jeannie D. Coman
Richard L. Kinney
Janet L Kinney
Shirley W. Sulsal
Linda A. Ramos
Carmen J. Rubio
Nancy Parkin
Joan E Josell
Richard E. Rominger
Evelyne Rominger
Francis Rominger
Theresa Sockette
Basil Sockette
Sandra Mariani
Marian Hamilton

LEGAL SERVICES OF NORTHERN CALIFORNIA, INC
YOLO COUNTY LAW OFFICE

ATTORNEYS
GARY F. SMITH
DAVID E. JONES
CAROLE W. HARPER
SUPPORT STAFF
AIDA E. SANCHEZ
DAHLIA C. LONG

619 NORTH STREET
WOODLAND, CA 95695

(916) 662-1065
(916) 447-5798
FAX (916) 662-7941

December 3, 1991

LSNC

City Council Members
Planning Commissioners
City of Winters
318 First Street
Winters, CA

Dear Members of the City Council and Planning Commission:

Legal Services of Northern California represents very low income residents of the City of Winters. On their behalf, we would like to submit the following comments on the Draft General Plan and Draft General Plan Environmental Impact Report (DEIR). In particular, our clients are concerned about the Land Use and Housing Elements of the Draft General Plan. We understand that the deadline for comments is December 6, 1991, and that we may provide additional comments to augment those set forth below.

50

I. Land Use Element

State Law requires that the City of Winters identify adequate sites to ensure the provision of housing for all income levels. Gov. Code § 65583. The Sacramento Area Council of Governments has determined that the City has a new construction need of 118 dwelling units affordable to very low income households and 91 units affordable to low income households over the next five year planning period.

The DEIR indicates that the draft land use diagram provides for 78.2 acres and 27.8 acres of vacant land designated at medium higher residential density (MHR) and higher residential (HR) density. DEIR p. 25. According to the DEIR, this will result in the development of 600 units in areas designated MHR and 430 units in areas designated HR, between 1991 - 2010. 1

The DEIR then assumes, without analyzing whether the vacant sites are indeed developable and without analyzing whether the absence of needed infrastructure and services may constrain development, that 150 units could be developed by the year 1996 on MHR designated land, and 110 units on HR designated land.

The DEIR then goes on to assume, without any supporting evidence, that 50% of medium high density units and 60% of high density units will be affordable to low income households. As well, the DEIR assumes 20% of units built on HR designated land will be affordable to very low income households. Even with these assumptions, the DEIR is forced to conclude that there is insufficient land at very high densities to accommodate the City's need for very low income housing. (DEIR, p. 65.)

We disagree with the assumption that 50% of the units developed on medium higher density designated land will be affordable to low income households. There is no evidence in the DEIR and Draft General Plan to support this assumption. The MHR designation only provides for up to 10 units per acre. The State Department of Housing and Community Development has taken the position that density of 25 units per acre is required to facilitate affordability for very low and low income households.

The Draft General Plan does not provide sufficient sites at sufficient densities to ensure that the housing needs of very low and low income persons are met. The failure to meet these needs is a significant impact which is not mitigated by the programs contained in the Draft Housing Element. The programs identified in that document rely largely on external forces to address the City's housing needs, and provide no assurance that those needs will indeed be met. Moreover, the DIER fails to analyze the feasibility of those programs in meeting the identified need, before relying on them as mitigation measures (DEIR p. 65)

In order to ensure that there are adequate sites at sufficient densities to provide housing for very low and low income households, we urge the City to designate additional acreage as High Density Residential. Only at this density is it reasonable to assume that housing affordable to low income households might be produced. This alone will not suffice, but coupled with a program requiring all new development to contain affordable housing (see below), the City may be able to meet its new construction need.

The problem of providing land at sufficiently high densities to meet the City's housing needs is further exacerbated by Land Use Policy I.C.2, which calls for 75% of all new units to be single family and only 25% multifamily. As the DEIR and General Plan concede, single family units will in all likelihood only be affordable to moderate and above moderate households. Thus, even though almost 50% of the new construction need is for housing affordable to low and very low income households, only 25% of the new units will have any chance of being affordable to those families. The DEIR fails to adequately address the potentially significant adverse impact of this policy.

We urge you to revise Land Use Policy I.C.2 as follows:

The City shall seek to maintain an overall mix of 60% single family and 40% multifamily in its housing stock.

II. Housing Element

Our clients are concerned that the Housing Element does not comply with the requirements of the Housing Element statute, Gov. Code § 65583, both with regard to its background analysis and the programs set forth therein. The programs contained within the Housing Element fall short of meeting the City's identified need and do not establish the "maximum number" of housing units that can be constructed, rehabilitated and conserved to meet the City's identified need for affordable housing. Gov. Code § 65583(b).

A. Shortage of Affordable Housing for Lower Income Households

The Housing Element Background Report acknowledges the City's shortage of affordable housing for very low and low income households. According to the Housing Element, 58.6% of the City's lower income households do not have affordable housing. (Page II-9). The abnormally low vacancy rate of 3.7%, most of which are not rental units, provides further evidence of the extreme shortage of affordable housing. (General Plan Page II-5).

The lack of affordable housing can also be seen in the very high percentage of families who are living in overcrowded conditions -- 12.7%. Families in Winters are forced into overcrowded conditions because there is a shortage of units that are of sufficient size at an affordable cost. The overcrowding rate exceeds even the Yolo County rate of 8.8%

Typically, only multifamily rental housing is within reach of the incomes of low and very low income households, as the Housing Element concedes. The difficulties faced by lower income households in Winters is exacerbated by the relatively low level of multifamily units with greater than five units (only 11.9% of the total stock) (Page II-2), and the low percentage of available rental housing (32.3% of the total stock, versus 48.1% for Yolo County) (Page II-3).

The Housing Element does not contain "an inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites." Gov. Code § 65583(a)(3). The table at II-17 is not site specific and provides no analysis of whether the vacant land has sufficient services and improvements to make it developable. Even without this inventory, however, as discussed above it appears that there are insufficient high density sites to meet the City's need for affordable housing.

The analysis of governmental constraints does not include an analysis of the constraints posed by the fees that will be required in order to provide the improvements necessary for development of vacant land in Winters.

B. Policies

The policies contained in the Housing Element rely largely on third parties or external forces to ensure that housing is produced. The DEIR provides no analysis of the feasibility of these policies as mitigation measures, but to the extent that the Housing Element relies largely on private market forces and third parties to meet the City's housing needs, those needs are likely to remain unmet. [2]

In addition to revising the draft policies to provide for a stronger commitment on the part of the City to meet its housing needs, we urge that the City adopt the following policies, many of which have been adopted successfully in other communities:

a. The City will require the provision of relocation assistance to tenants required to relocate as a result of the removal or condemnation of housing.

Objective:	To mitigate displacement
Responsibility:	City Council Community Development Department Public Works
Schedule:	1992 and ongoing

The purpose of this policy is to ensure that when housing is condemned or removed, often as a result of code enforcement activities when the owner fails to maintain the premises, that the tenants be provided with assistance in relocating to another rental unit.

b. The City will require that 15% of all new single family development be permanently affordable to low income households and 25% of all new multi-family development be permanently affordable to very low income households. A density bonus equal to the number of affordable units produced shall be provided to the developer.

Objective:	Development of affordable very low and low income units
Responsibility:	City Council City Manager Community Development Department
Schedule:	1992 and ongoing

The purpose of this policy is to ensure that all new development contains some level of housing affordable to low and

very low income persons. Variations of this policy have been adopted in Woodland, Davis, Yolo County and Sacramento, and the City of West Sacramento has included a version of this policy in its draft housing element.

The provision of a density bonus to the developer provides the developer with additional market rate units in a number equal to the affordable units, in order to offset the costs of setting aside units at an affordable price.

c. The City will establish an affordable housing trust fund for the provision of affordable housing for very low and low income households, funded by a fee on new commercial and industrial development.

Objective:	Mitigate housing demand generated by new non-residential development
Responsibility:	City Council City Manager Community Development Department
Schedule:	1992 and ongoing

As new commercial and industrial development creates a demand for lower income workers who require housing, it is appropriate to require tho[illegible]lopers to mitigate the effects of that additional demand by co[illegible]uting to a fee for the provision of affordable housing.

d. A fee waiver shall be provided for dwelling units permanently affordable to low and very low income households.

Objective:	Mitigate impact of development fees
Responsibility:	City Council City Manager Community Development Department
Schedule:	1992 and ongoing

The purpose of this policy is to ensure that high priced development fees do not make it impossible to provide permanently affordable housing.

III. Conclusion

We appreciate having this opportunity to comment upon the Draft General Plan and Draft Environmental Impact Report. We look forward to working with the City Council and Planning Commission, and City staff to address the housing needs of low and very low income Winters residents.

Sincerely,

David E. Jones

REACTION TO THE EIR--PART II
Gerry Lund

1

Douglas Duncan said, "The purpose of the EIR is to provide information to give quality to the decision-making process in the formation of the General Plan." With this in mind I focused on the major policy decision of the General Plan contained in Policy I.A.1. in the Policy Document.

> "The City shall seek to preserve Winters' traditional small town qualities and agricultural heritage, while increasing its residential and employment base."

The last time I addressed you I pointed out the negative impacts of the General Plan which were described by the EIR and the conclusion of the EIR that the General Plan will have a "significant adverse effect on the small town flavor of Winters and its agricultural heritage(page 67) in spite of its stated policies. But later the EIR states

> "The impact on the small town character would NOT be significant" and "The agricultural heritage will be protected."

Why? Because of the major policy I have quoted. This is a common technique of the EIR. We realize that the EIR attempts to be flexible, but we believe that it is not sufficient to rely on a stated policy, no matter how well meaning. For example, the existing General Plan of 1986 has some great goals and objectives, such as

1. "providing for cultural, creative, and educational enrichment"
2. "promoting employment ~~enrichment~~ opportunities"
3. "treating the entry corridors to Winters as important Gateways to Winters and Lake Berryessa, placing emphasis on urban design, architecture and landscaping."

The next time you drive down Highway 128 toward Railroad Avenue, ask yourself if ~~these~~ this goal ~~have~~ has been followed. The ~~policies were~~ policy was fine, but that was not enough.

In the case of the effects on Town Character and Agricultural heritage, we would request more from the EIR(pages 67-68)

1. We need more analysis of the physical impact of the changes in the General Plan on existing conditions.
2. The EIR needs to be more specific in providing mitigation measures for these adverse effects, not relying on a stated policy.
3. The EIR needs to tell us HOW this policy will be carried out and WHO will supervise the implementation.

2

So far I have concluded that the Draft General Plan will not protect the Winters quality of life, but we need to consider our second goal, the need for economic growth. I asked you to read carefully the EIR on Fiscal-Financial Considerations, noting that there is NOTHING there to give rise to hopes for economic growth to justify this destruction of what we have now in Winters. Since then the Financial documents have been released. By now all of us, including the Developers, must know the financial aspects of the General Plan are also ~~disastrous~~ catastrophic!

First, almost a $1 million negative balance of the General Fund of the City of Winters by the year 2010.(The EIR considers this to be a MAJOR effect.)

Second, the non-competitive fees for new houses.

Winters City Impact Fees..$12,250 per house

Storm System.....$10,000 to $15,000 per house

School Fees.....$13,257 per house

TOTAL.....$35,000 to $40,000, depending on which part of the flood plain your house is located in.

A medium density house will cost more than $200,000.

The Financial Planning report tries to present methods of financing such costs, including Assessments, Bonds, special taxes--but it is obvious that these costs must be lowered, and changes in

the General Plan must be made.

1. $39 million is a forbidding cost for flood control. One logical way of lowering the cost of Development Fees is to MOVE the major part of development outside the flood area into the Northwest area.

2. All of the fees are high in comparison to surrounding areas and must be lowered if we are serious about development.

I have concluded that the General Plan meets neither of our major goals, economic growth and quality of life. Changes must be made in the General Plan, following some important principles endorsed by PAC, the Planning Commission, and the City Council.

1. It is the responsibility of the Developers to show us HOW they will improve the quality of our lives. (So far they have not done this satisfactorily.)

2. Developers should pay for the facilities and services their projects require. (Because of the high costs, there is a search for financial support from the existing community.)

While you are making changes in the General Plan, the following are some of the characteristics I would like to see included.

1. A town character that would be distinctly different from other towns with its own unique identity

(2. Some distinct visual characteristics)

3. Good balance of jobs to housing, minimizing Oxnard's role as a "bedroom community"

(4. Retain City's agricultural, rural small town character)

5. A unique Central Business District, made up of specialty shops such as Wooden Pens, Honey Van shop, Good Stuff.

~~4. 6. Tree-lined streets~~

4. Some special amenities, like a golf course, a Cultural Center, a Senior Condominium Center.

5. Fewer and narrower streets, avoiding 4 lane highways

Well, we have to look forward to more than the necessary sewers, schools, and flood control.

I would like to see an artist concept of the General Plan so that we can picture what our new town will look like in the future. As you make the necessary changes in the General Plan, please keep our major goals in mind so that we plan a community that encourages people to say, "Now that's a place I'd like to live in." (but no more than 12,500!)

To: Winters City Council
Winters Planning Commission

From: Linda Mariani
Winters Park and Community Services Commission

Date: December 3, 199[illegible]

MARIANI

To my knowledge, in these public hearings, not one person has spoken to the City Council about excessive requests for recreational facilities or school facilities a cost for the developers. But, many people have asked how can the City of Winters afford the infrastructure that we need to improve and ensure the quality of life for all our citizens. Therefore, the issue is not that the City of Winters will need adequate recreational and school facilities. The issue is how can we afford these facilities and still provide affordable housing units.

There has been a lot of criticism about what the process of writing a new General Plan has cost us. It was not the City Council's or City Staff's idea to re-plan the north area [illegible] for this process. It was a necessity, forced upon the city by a plan for projected growth. It was to protect the City of Winters from making the same mistakes that so many communities have made throughout our state. We must look at what the EIR and Financial report have proven to us- if we interpret and use that information correctly, it was some well spent. 1

How can anyone even suggest that 1.86 acres per 1,000 people is enough park space. Our youth soccer program has grown from 70 to over 500 [illegible] 2 [illegible] Middle School [illegible] children ages 5-18. The little league baseball and softball programs have increased over [illegible] children ages 5-18. [illegible] property to accommodate games played every week night and all day Saturday [illegible] Saturday. [illegible] 5th-8th. Swim team practices over 200 children ages 4-18 every morning at the High School pool during the summer and consists on Saturdays. [illegible] basketball, tennis lessons, adult softball, adult volleyball, etc. The facilities that these programs use are almost maxed out now with a slow growth population of 4000. And, these facilities ARE maintained. When discussing the EIR's existing ratio of 1.3 acres per 1000 present residents, we should include the amount of school acreage and indoor facilities that we use for community recreational programs. This should give us a significant increase in our present amount of parkland used and could be legitimized by our Joint Usage Agreement between the city and the school district to argue against the restrictions that the EIR is imposing upon us because of the Quimby Act (in addition to the old General Plan's designation of the 30 acre dumpsite for recreational facilities.)

Look at what our community has done mostly on a volunteer basis for recreational programs to give our youth something to do after school and on weekends instead of hanging around street corners in black jacket

gangs. It's the City's responsible to help provide the facilities needed so that these programs can continue.

There were also people opposed to the existence of the Community Center and felt that the city entertainment facility was excessive. At the time, they might have been right. But today, it's at maximum usage. Besides the usual weddings, private parties, fundraising and holiday events, etc., our senior citizens now have a place to meet, many children are involved in after school arts and crafts programs, and Winters now has a fully developed theater group that we are all very proud of and that few communities our size could ever imagine having. We must commend the people who had the foresight to envision the necessity for this type of facility at a time when it seemed an extravagance. We can't look at today and say that what we have is enough let alone that it's too much. We must be able to meet the needs of these recreational programs as we grow or we will lose them due to lack of park space and indoor facilities.

So, what has the Financial Report shown us that we can't afford? It shows that we must spend 34 million dollars to mitigate flooding and drainage problems so that [illegible] in certain parts of the North area. If we then tack on the cost of the recreational and school facilities that we need [illegible] Winters. It was asked who would want to pay $[illegible] dollars or more for a house in Winters that in another city [illegible] The question should be who would want to buy a house in Winters if their children would be attending substandard and overcrowded schools or if they had no where else to play but next to a mosquito infested lake or a 200 ft. aqueduct for their first 10 years of residency? The need for new recreational and school facilities is not going to go away. If adequate funding is not available for the [illegible] substandard level. What the financial report proves is not that we can't afford to develop in Winters but that we can't afford to develop in [illegible] 34 million dollars on flood control and storm drainage. We must not risk having substandard recreational and school facilities.

[illegible] Have they done anything to change or modify their plans so that Winters can afford adequate recreational facilities or throughout the process have they only continued to try to convince us that what they had planned for us 3 years ago is all that we need and all that we can expect. Again, the EIR and Alternative Plans give us at most 1.86 acres of parkland per 1000 people with no indoor recreational facilities even mentioned stating that this will have no significant impact. We must not believe this- if we allow that to happen, it will be a major significant impact. We must also explore all of the other funding sources available that city staff is looking into and of course, fully support the design of shared recreational and school facilities. We need these facilities and we can maintain them. Send the WASF planners back to their drafting tables and make sure that the new General Plan protects the City and Citizens of Winters from any and all significant impacts that new development will have on our community. 3

V.A.14- Include as written.

Again, the EIR does not support this policy statement since all parks are located in the outer boundaries of the North Area- a significant distance from our present schools and city population.

V.A.15- Include as written

V.A.16- Delete entire policy.

Replace with:

V.A.16- The City shall adhere to the Developed Park Master Plan.

Goal V.B:

Policies:

V.B.1- Include as written.

V.B.2- [illegible]

V.B.3- Delete this entire policy statement

V.B.4- Delete this entire policy statement

V.B.5- Include as written.

LAND USE ELEMENT-

Policy-

1.A.3- Include as written.

The EIR does not support "the provision of adequate services and infrastructure, including schools". Instead, it says that we currently have inadequate services and that we will continue to grow with inadequate levels of services. It goes on to indicate that because we currently have inadequate services the continued level of inadequate services with new development is not a significant impact.

SECTION [illegible]

RECREATIONAL AND CULTURAL RESOURCES

CHANGES TO GOALS AND POLICIES:

V.A.1.- The City shall establish a standard of five to ten acres of developed parkland (combined neighborhood and community) per 1000 residents.

V.A.2.- New development shall be required to meet the City's standards of five to ten acres per 1000 residents. (Include the remainder of this policy with no corrections).

V.A.3.- Include as written

V.A.4.- Include as written.

The EIR does not support this policy as 3-5 acre neighborhood parks are not included per 1,000 people.

V.A.5.- No corrections as written.

V.A.6.- [illegible] winters. (Include the remainder of this policy with no corrections.)

V.A.7- [illegible]

V.A.8- Include as written.

The EIR does not support this policy as all major parkland designation is located in the outer boundaries of the NAR.

V.A.9.- Include as written.

V.A.10- The City shall encourage development of recreational facilities along Putah Creek near the Community Center. (Include the rest as written.)

V.A.11- The City shall pursue the development of a cultural center, teen center and senior center facilities near the Community Center or at another suitable location.

The EIR does not address the development of any indoor facilities to accommodate this policy and excludes the need for a new library in the downtown area.

V.A.12- Include as written.

Sierra Orchards

MEMORANDUM

TO: Perry Beck

FROM: Craig McNamara C.McN.

SUBJECT: City of Winters General Plan EIR

DATE: December 3, 1991

1

I have read the Draft EIR on the City of Winters General Plan prepared by Duncan & Jones. My overriding concern with the Draft EIR is that it seems to be justification for the proposed General Plan. Time and time again the EIR states that implementation of the General Plan will not have a significant impact because of the proposed policies.

In the Introduction (page 4) it states that impacts are first analyzed in terms of the effects of development, without the mitigating effects of the proposed policies and programs of the Plan, and then within the context of those policies and programs, in order to evaluate both the physical development implications of the Plan, and the capability of the Plan for minimizing environmental impacts of such development.

I am not sure that this is the proper approach for this EIR to take. I think for the citizens of Winters, the issue is the impact of change which will occur as a result of implementation of the General Plan compared to existing conditions.

Also, the reality is that the EIR simply does not do what it states in the introduction cited above. What the EIR does is to repeat the proposed policies of the General Plan and then simply state that because of the policies, the impacts will not be significant. There is no examination of the implications of the policies, of the reality of implementation, how policies will be implemented, etc. The EIR simply assumes that because a policy is well meaning, everything will be ok.

For example, the Land Use and Housing section discusses the issue of Town Character (page 67). As discussed on page 67, compared to existing conditions implementation of the General Plan "would result in a substantial expansion in the physical, social, economic, cultural and institutional development in Winters". Compared to

Sierra Orchards Craig McNamara 9264 Boyce Road Winters, California 95694 Phone (916) 795-3118

existing conditions, the extent and character of development encouraged by the General Plan would clearly result in a significant adverse impact. I do not need to explain to you how our town is going to change and why this is a significant impact, but you might want to review Appendix G of the State CEQA Guidelines, which gives examples of significant impacts and one of the examples is "disrupt or divide the physical arrangement of an established community".

The EIR, however, states that the impact on Town Character would not be significant (page 68). The authors of the EIR base this finding on the "fact" that one of the policies of the plan (I.A.1) promotes the preservation of Winters' small town qualities and agricultural heritage, while increasing its level of residential and employment development. While the policy is nice, the reality is that the physical development which would occur as a result of implementation of the General Plan would significantly change the character of Winters. Good intentions of General Plan authors do not mitigate impacts!

The EIR needs to analyze the impact of the physical development which would occur as a result of the Plan and compare that physical development against existing conditions.

2

The section on Housing Mixture and Affordability (page 62) is another example of a basic failing of the EIR. The EIR concludes that implementation of the General Plan will not have a significant impact on the affordability of housing in Winters (page 66). Again, this conclusion is based on the finding that Implementation Programs of the Housing Element identifies the means by which the City will meet its objectives for housing (page 65). Housing programs are nice; the reality is that very few cities actually implement such programs. What evidence is there that the City of Winters will carry out the specific housing programs discussed in the General Plan?

This entire section (pages 62 to 66) makes all kinds of assumptions as to why the City will be able to meet its "fair share" of regional housing need. The basic assumption seems to be that by building at higher densities, this promotes affordable housing. Although on page 62 the EIR states that "no direct relationship between density and affordability can be established" it then goes on to base the rest of the analysis on the assumption that "housing development occurring at higher densities is ordinarily less expensive per unit and more affordable to lower income households" (page 62).

C.McN.

Other than making some wild assumptions, the EIR provides no evidence that the housing which would be constructed as a result of General Plan will, in fact, be affordable to very low, low, or moderate income families. The issue for Winters may better be stated as follows: will people who work in Winters (the fire fighters, teachers, police men and women, farmers) afford to live in Winters? The goal of the City of Winters (I believe) should be that housing affordable to all persons who work in the City, shall be available in the City of Winters. This means the EIR should examine the incomes of Winters' households and match these incomes with realistic house prices, in order to determine if housing affordable to the workers in Winters will, in fact, be available.

3

I also want to discuss the issue of cumulative impacts. The EIR provides only a cursory overview of cumulative impacts (pages 225 and 226). There has been lots of litigation over the issue of cumulative impacts. The City Council should be guided by the concept that a legally adequate cumulative impacts analysis is an analysis of a particular project viewed over time and in conjunction with other related past, present, and reasonably foreseeable probable future projects whose impacts might compound or interrelate with those of the project at hand. Does not Las Lomas fall into this category, and shouldn't it be mentioned for its potential cumulative impacts by the EIR?

I appreciate this opportunity to comment on the EIR and look forward to working with the City Council to insure that future growth in Winters is beneficial to the citizens and city.

Sincerely,

Craig M McNamara

Craig McNamara

November 22, 1991

To: City Council
Planning Commission
Parks & Community Services Commission
Perry Beck

J.McN

From: Julie McNamara

RE: Testimony from November 19, 1991 Public Meeting

1

While reviewing the Policy Document of the Draft General Plan, I am reminded of all the time and all the thoughtful and innovative ideas that have been generated by our community members, city officials and city staff over the last three years. Many people have worked together to envision and plan for our town's future, while proudly trying to preserve our heritage and community character. I think the majority of the statements in the Policy Document are good and have been put [illegible] to protect us from the unsightly suburban sprawl our neighboring communities have unfortunately experienced.

However, I believe that the various plans analyzed in the EIR document, frequently undermine the Policy document and in many cases are antithetical. I would like to discuss the problems and contradictions in the Cultural and Recreation Resources Section.

I begin with two multifaceted and philosophical questions.

#1: We are considering spending over 34 million dollars to mitigate flooding and drainage problems so the d[illegible]rs can come in and build homes. This amount of money will [illegible] fees and home prices so much, that we've heard that we can[illegible]pect to ask for additional fees which might improve the quality of the whole communities' lives.

#1-A: So, will we have to cut corners on schools, parks and other public services so that we can provide affordable housing to people who want to move into our community?

B: How many of us will truly benefit from this growth?

C: How many of us will be adversely impacted?

D: Can you ensure an improved quality of life for all our citizens or will we be forced to compromise our services because of funding shortages?

#2: What priority will parks have in this plan?

The recent census indicates that 37% of the households in California have children under age 18. In Winters, 51% of the households have children. Therefore, as you consider factors which affect quality of life, you must consider our level of services to families. At this point in time, our level of services for families is substandard. We are facing the following problems:

1-Our schools are overcrowded.

2-We have no after school latch-key program and there is no promise of State funding to create a program.

3-We are struggling for funding and facilities to keep our current recreation programs going.

4-We have out grown our community center.

5-We are completely out of space to provide any additional recreation programs which have been requested by our citizens.

6-We currently have 1.2 acres of developed parks/1000 citizens.

7-With so many single or two parent working families, many of our school age children are either home alone or wandering around town. Many of our children in Winters are at risk, and children at risk affect everyone in the community, including businesses.

The only factors keeping these kids afloat is our caring, involved school staff and our small, close-knit community where people know and therefore can keep an eye on the kids.

By adding 3,000 more families to this town, without sufficient facilities and an adequate support system, we stand to lose our ability to care for our Community's children.

8-Now that the school board is discussing the possibility of year round education, which with our current population would have up to 200 school age children out of school all year round. Without latch key programs or city recreation programs, how will these children spend all day for three week stretches while their parents are working?

The school board and the State advisors on year round education have all stated that the key to a successful YRE program is to work very closely with the local recreation

department. At this point, our recreation department operates on a shoestring budget, constantly groping for sites, classroom space, gym space, field space and funding.

FACTS:

1 We currently have 1.2 acres of developed parkland for 1000 people. The EIR recognizes this amount as SUBSTANDARD

2- The recommendation of the National Parks and Recreation Society for neighborhood and community parks is to provide 6.25-10 acres of developed parks/1000 people

3- The Winters Parks and Community Services Commission requested the allocation of 92 acres of parkland which would bring us up to 7.4 A/1000 population (based on 12,500 total population)

4- In the Policy Document, V.A 1 recommends 5A developed parkland per 1000 population.

5- in the EIR, the various plans analyzed offer a total of between 18-45 acres of parkland

PLAN	TOTAL POPULATION	PARKLAND ACREAGE	ACRES 1000 POP	COMMENTS
A-alternative 1:	12,500	23.2	1.86	
B-Alternative 2:	14,000	23.2	1.66	
C-Alternative 3:	15,000	30 A	2	
D-Alternative 4:	15,000	45 A	1 A	No land is designated
E-Alternative 5:	[illegible]	18.7	1.7	
F-Alternative 6:	12,500	23.2	1.86	

PROBLEMS:

1- Developers and EIR consultants have told us that because Winters only has a current developed parkland acreage of 1.2 A/1000 (which they admit is substandard), under the Quimby Act we can only ask for an additional 3 Acre/1,000 in new development

2- in the Draft General Plan (Alternative 1), developers are only offering 2.4 A/1,000 new residents. This only provides 1.86 acres per 1,000 residents for a total population of 12,500

3- Developers and EIR consultants are basing parkland ratios only on new population.

QUESTION #1: Given the fact that we are beginning at substandard levels, do we allow developers to come in to build, yet continue to keep us at substandard levels? Is this what we want? Do we have any interest as a community in deriving any benefits from this future growth?

2

1

J.McN.

QUESTION #2: In the EIR, on page 248, the NAS plan offer of 30 acres of park is not considered a significant negative impact, only because we are already existing at a substandard level. This assumption is clearly unsupportive of our community's needs.

I urge you to make Parks and Recreation facilities a high priority for our community. As you finalize this plan, look at the needs listed by the Parks and Community Services Commission:

IMMEDIATE NEEDS

- Completion of existing parks (Valley Oak, Rotary)
- Repair of existing facilities (Community Center, Pool, Gym, etc.)
- Additional recreational fields for current programs.
- Protect and preserve Putah and Dry Creek for future recreational needs.
- Acquire land for future parks, greenbelts, bikeways and buffer zones.

CURRENT NEEDS

- Community Park: 20+ acres adjacent to future high school including hardcourts, gym, pool, fields, playground and picnic area.

8

- 30 acre ballpark complex with lighted playing fields, concessions and restrooms.
- Develop Putah and Dry Creek for recreational and educational activities while preserving and restoring their riparian habitats.
- Develop buffer zones between residences and agricultural areas.
- Development of neighborhood parks in residential areas 3-5 acres per 1,000 people. To include restrooms, may include tennis courts, picnic areas, playgrounds, volleyball courts; basketball courts, field areas, green areas and a recreation building.
- Development of area around Community Center and Rotary Park to include a theatre, Senior Center, library and cultural center.
- Development of a Teen Center. 4

J.Mc

Land Use Element

Policy I.A.3. The City shall link the rate of growth in Winters to the provision of adequate services and infrastructure, including schools. The City shall, through specific plans and/or planned unit development plans for major projects, ensure that growth occurs in an orderly fashion and in pace with the expansion of public facilities.

The EIR does not support this statement. Instead, it indicates that we currently have inadequate services and that we continue to grow with inadequate levels of service. To enforce Policy I.A.3., we will have to restrict our rate of growth significantly, in order to provide adequate services

Recreation and Cultural Resources

Policy V.A.1. The City shall establish a standard of five acres of developed parkland (combined neighborhood and community) per 1,000 residents.

As discussed, there are major discrepancies between this policy, what Parks and Community Services has recommended and what is being offered by any of the alternative plans analyzed in the EIR.

Policy V.A.4. Neighborhood parks shall be integrated into, and become focal points of, new residential neighborhoods.

- This is also mentioned in Section VIII, Policy C.2..
- This is a vital planning element for creating neighborhoods and for maintaining the integrity of our community. By establishing schools, parks and other public facilities as focal points within our neighborhoods we can start to prevent the suburban sprawl effect of never-ending, indistinguishable tract homes arranged along a maze of cul-de-sacs.
- This policy needs to be enforceable

Policy V.A.5. The City shall work with the Winters Joint Unified School District in developing a 20 plus or minus acre joint use community-park next to the proposed high school site. This park should include basketball and tennis courts, swimming pool, gymnasium, ballfields, playground, and picnic area.

Now that the school district has rearranged its facilities list, including a new high school as an immediate priority, we need to designate and plan for the development of this park.

Policy V.A.11. The City shall explore the development of a cultural center, teen center and senior center near the Community Center or at another suitable location.

The language is weak in this statement and excludes our need for a new library in this downtown area. These are existing needs that will become even greater as our town grows. We need space for classes, meetings, rehearsals and the many recreation programs our families have requested.

J.McN.

Policy V A 14. The City shall pursue the development of a citywide network of pedestrian, bicycle, equestrian, pathways and trails. The pedestrian and bicycle pathway and trail system should be designed to link parks, schools, civic and major shopping centers. The City's bicycle pathway system should be integrated with the county-wide bikeway system.

The policy document contains several statements regarding the need for an interconnected path to alleviate traffic congestion and air pollution and to facilitate the total integration of our community. This policy must be enforceable.

The NAC Plan suggests placing our community park at the top of the Loop road, where many citizens will have to drive and park to get there.

MAINTENANCE

Figures generated by our financial consultants project a cost of $10,500 per acre for park maintenance. The consultants extrapolated to project the annual maintenance cost of 23.7 new acres at about $250,000. These figures are exorbitant and exaggerated for the following reasons.

1. Nearby communities have much lower maintenance costs: Ex: Vacaville: $6,000 ; Davis: ; Dixon $6,500

2. Parks & Community Service has recommended adjoining our larger parks with schools. In this way we can reduce land needs and share development costs and maintenance costs.

3. We must consider economies of scale. Although we are currently maintaining only 7.5 acres of parks, we still have the costs of administration, equipment, supplies and salaries that give benefits that will not necessarily increase in direct proportion to park acreage.

CONCLUSION

We need more parklands and more facilities for recreation programs. We need to make these needs a high priority for our community as you finalize this plan.

As you review the Policy Document and the Parks and Community Services list of immediate and current needs, please find a way to include and enforce these needs in the final General Plan. Whether we need to tighten the language, negotiate through the annexation process, increase developer fees, form assessment districts or pass a bond issue, please explore all the options. Providing our citizens with a good quality of life, through recreation opportunities and access to community facilities is one solution to maintaining our community pride and character.

mj\jmn

1.

SEEGER

Input to the EIR and General Plan
Mary Helen Seeger
3373 Sackett Lane
Winters, Ca 95694
(916) 795-4670
December 9, 1991

Element: Housing
Consideration: Jobs-Housing Ratio
Topic: Farm Worker Housing

1 Currently, Winter's "industry" is agriculture. EIR authors wear rose-colored glasses regarding the state of farm worker housing. EIR does not address the true situation; that adequate migrant housing and low cost homes for local farmworkers are not available in the Winters area.

General Plan Reference: Goal IIE1
The City shall give special attention in housing programs to the needs of special groups, including the physically and mentally disabled, large families, farm workers, the elderly, and families with lower incomes.

2 EIR Reference, P. 50.
Yolo County has a large population of farmworkers and seasonal migrant workers, most of whom are housed in facilities located on or near their employer's farm fields.

Recommendation:
Get up to speed on reality. The real situation is that many on-site facilities have been removed or not used in recent years. The Department of Housing and Community Development states that there are currently 984 labor camps state-wide, with permits, and 3,425 camps listed as inactive. In 1990, there were 2300 violations cited in the legal camps. This does not include people who must live outside the available camps, who end up sleeping in fields, cars, or if they are lucky, crowded in the homes of family or friends.

The California Legislature, under new provisions of the Employee Housing Act, recently passed harsh new penalties for health and safety violations on farm labor housing which will go into effect January 1st. More farmers state-wide will close their facilities rather than risk violations and penalties.
Meeting the General Plan Goal will require some concrete data on the existing need for housing as well as projections for the next twenty years. A commitment to meeting the GP Goal needs to be outlined by EIR consultants, and carried out by City Staff and City Council members and Planning Commission members.

SNYDER

To: Winters City Council
Winters Planning Commission

From: Joyce Snyder
Winters Parks and Community Services Commission

Date: December 3, 1991

I would like to address the council members and commission members on the need for adequate park acreage in the future of Winters.

The National Parks and Recreation Society recommendation for neighborhood and community parks is 6.25-10.5 acres of developed parks per 1000 population. Currently, Winters has 1.2 acres of developed parks per 1000. The EIR states that this is substandard. 1

The Winters Parks and Community Services Commission has requested the allocation of 92 acres of parkland which would bring us up to 7.4 acres per 1000. (based on 12,500 total population.)

In the EIR, the various plans analyzed offer a total of between 18-45 acres of parkland. (1.7-3 acres per 1000 population.)

Developers and EIR consultants have said that because Winters only has a current developed park acreage of 1.2 acres/1000 (which they admit is substandard), under the Quimby Act we can only ask for an additional 3 acres/1000 in new development. (City staff has informed us that there are ways to get around the Quimby Act.)

In the Draft General Plan (Alternative 1), developers are only offering 2.4 acres/1000 new residents. This only provides 1.86 acres per 1000 residents for a total population of 12,500. Developers and EIR consultants are basing parkland ratios only on new population.

Does this mean that, since we are beginning at substandard levels, we continue to stay there while we allow developers to come in and build? Do we have any interests as a community in deriving any benefits from this future growth?

In the EIR, on page 248, the NAS plan offer of 30 acres of park is not considered a significant negative impact, only because we are already existing at a substandard level. This assumption is clearly unsupportive of our community's needs. 2

Regarding park maintenance: Figures generated by our financial consultants project a cost of $10,500. per acre for park maintenance. The consultants projected the annual maintenance cost of 23.7 new acres at about $250,000. These figures are exorbitant and exaggerated for the following reasons: We must consider economies of scale. Although we are currently maintaining only 7.5 acres of parks, we still have the costs of administration, equipment, supplies and salaries including benefits, that will not necessarily increase in direct proportion to park acreage. Nearby communities have much low maintenance costs. (Vacaville: $6,000./acre, Davis: $7000./acre, Dixon: $6500./acre). The Winters School District has approximately 45 acres of field and playground space to maintain. According to Gloria Hahn, Director of Business Services for the Winters School District, last year total maintenance costs per acre averaged out to about $1963. (She said this figure was higher than normal because of the purchase of a large mower last year.) If our larger parks and schools are adjoining, as Parks and Community Service Commission has recommended, maintenance costs could be reduced.

Please make Parks and Community Service recommendations a high priority for our community as you finalize this plan. (I have enclosed a copy of those recommendations as our immediate and current needs.) A recent census states that 37% of California households have children under 18. In Winters, 51% of households have children under 18. Please remember this when you review the Policy Document and finalize the General Plan. Please explore all options and funding mechanisms available, such as annexation, use of property development agreements for parkland exactions, etc. and remember that we are already operating below standards regarding developed park space. Usage of our playing fields and facilities is already stretched to maximum. We must provide a good quality of life for our citizens and maintain our community pride and character. If we are unable to provide recreational space for citizens of Winters, especially our youth, we will all pay dearly in the end.

IMMEDIATE NEEDS

- Completion of existing parks (Valley Oak, Rotary)
- Repair of existing facilities (Community Center, Pool, Gym, etc.)
- Additional recreational fields for current programs.
- Protect and preserve Putah and Dry Creek for future recreational needs.
- Acquire land for future parks, greenbelts, bikeways and buffer zones.

CURRENT NEEDS

- Community Park: 20+ acres adjacent to future high school including hardcourts, gym, pool, fields, playground and picnic area.

- 30 acre ballpark complex with lighted playing fields, concessions and restrooms.
- Develop Putah and Dry Creek for recreational and educational activities while preserving and restoring their riparian habitats.
- Develop buffer zones between residences and agricultural areas.
- Development of neighborhood parks in residential areas. 3-5 acres per 1,000 people. To include restrooms, may include tennis courts, picnic areas, playgrounds, volleyball courts; basketball courts, field areas, green areas and a recreation building.
- Development of area around Community Center and Rotary Park to include a theatre, Senior Center, library and cultural center.
- Development of a Teen Center.

Winters District Chamber of Commerce

9 1/2 Main Street ~ P.O. Box 423 ~ Winters, California 95694

WDCOC

Jan 6 1991

TO: WINTERS CITY COUNCIL AND PLANNING COMMISSION
FROM: WINTERS CHAMBER OF COMMERCE BOARD OF DIRECTORS
RE: 1991 DRAFT EIR, POLICY DOCUMENT AND MASTER PLANS

Thank you for this opportunity to comment on the 1991 draft Environmental Impact Report, policy document and master plans for the revision of Winters General Plan.

1) The Circulation Master Plan shows the need for 4 lanes on Railroad Avenue from Grant Avenue to Main Street. In table 9 titled Recommended Traffic Volume Standards, the daily volume range on a 4-lane road would need to be 17,500 to 22,500. There is no data which indicates that the section of Railroad Avenue from Grant to Main will reach that volume in the project 20 years of the revision. Indeed, there is no indication that any roadway, other than Grant Avenue near I-505 comes close to needing 4 lanes.

THE CHAMBER REQUESTS THAT RAILROAD AVENUE BE LEFT A 2-LANE STREET AND THAT THE ONLY 4-LANE STRETCH BE ON GRANT AVENUE NEAR THE HIGHWAY.

2) In Section I (Land Use) of the Policy Document, it states the city shall promote and provide support for the physical upgrading of older buildings and their facades in the Central Business District. THE CHAMBER APPLAUDES THIS POLICY. Section VII A-3 addresses a loan-grant program for these buildings noting state and federal programs only. Since state and federal grants and loans usually come with strings attached which normally preclude local contractors and insist on a rent controlled result. THE CHAMBER REQUESTS SPECIFIC LANGUAGE TO ADDRESS MORE LOGICAL FINANCING.

3) The Chamber agrees with the policy which encourages retail uses for ground floor areas in the Central Business District. However, we are concerned with having residences over businesses in the central core area. THE CHAMBER REQUESTS LANGUAGE WHICH WOULD OMIT RESIDENCES OVER GROUND FLOOR BUSINESSES IN THE CENTRAL BUSINESS DISTRICT.

4) I E2, page II-3 of the Policy Document, states that the city shall work with the private sector to promote job creation and a better jobs/housing balance. If more consideration is not given to a jobs/housing balance, we will become a bedroom community. It is a known fact that people shop where they work, not where they live. THE CHAMBER REQUEST LANGUAGE THAT WOULD STATE A SPECIFIC JOBS-HOUSING GOAL TO ENSURE AN ADEQUATE JOB MARKET.

5) VI B6, page II-38 of the Policy Document notes an encouragement of activities that support local agriculture, such as a farmers' market, on-site sale of produce and special events promoting local ag products. THE CHAMBER ENTHUSIASTICALLY SUPPORTS THIS POLICY.

6) Section VIII B1, page II-55 of the Policy Document, states that Winters will promote the development of a well-defined pedestrian oriented downtown that includes commercial, civic, residential, cultural and recreational use. THE CHAMBER ENDORSES THIS POLICY AND PLANS TO BE PRO-ACTIVE IN A SPECIFIC CENTRAL BUSINESS DISTRICT PLAN.

7) The draft EIR, on page 136, states that Winters is forecast to have a total of 3,000 employees by 2010, of which 695 would be in retail industry with the balance of 2,305 employed in other industries. It was assumed by the EIR analyst that the majority of this new space would be industrial. An average of 400 square feet per employee was applied to the projected 2,305 employees, equaling an approximate 1.03 million employee square feet. THE CHAMBER AGREES WITH THE BASIC PREMISE AND REQUESTS THAT LAND USE AND ZONING FOR WINTERS REALISTICALLY REFLECT A MAJORITY OF 1.03 MILLION EMPLOYEE SQUARE FEET OF INDUSTRIAL AND COMMERCIAL SPACE. THIS WOULD MEAN SETTING ASIDE CONSIDERABLY MORE LAND THAN IS CURRENTLY IDENTIFIED IN THE DRAFT GENERAL PLAN FOR INDUSTRY AND COMMERCE. SINCE SPACE WOULD ALSO BE NEEDED FOR PARKING, LANDSCAPING, ROADWAYS, ETC. 1

In closing, the Chamber would encourage moderation in development fees in line with other cities. The name of the game is and will continue to be supply and demand. A person will not buy a home in Winters worth $130,000, but selling for $170,000, when they can get the same home down the road for the lesser price.

Setting Winters' fees exorbitantly high is essentially saying we have a no growth ordinance.

Tom Peerbolt

Tom Peerbolt
President

28472 Rd 87D
Winters, CA 95694

December 9, 1991

Perry Beck, Manager
City of Winters

WEIRW

Dear Perry,

We are pleased to transmit to you the cumulative efforts of the EIR Workgroup's evaluation of the Winters General Plan, EIR and various Master Plan documents. This has been a rewarding experience for all involved in it.

This document consists of sections written by the chairpersons of the various sub-groups organized to study the EIR and General Plan, including (in alphabetical order):

Michael Barbor
Diane Beaton
Deborah Hunter
Peter Hunter
Joanne Larkey
Michael McCoy
Mary Helen Seeger
Valarie Whentworth
Steve Wilce

We have tried to organize our comments in a meaningful and concise format. We hope that you will give these comments and suggestions full consideration.

Thank you.

Sincerely,

Peter J. Hunter, Co-chair,
Winters EIR Workgroup

Michael McCoy, Co-chair
Winters EIR Workgroup

Considerations of Importance for The Winters Draft General Plan and Draft General Plan EIR

Winters EIR Workgroup
December 9, 1991

ELEMENT Land Use and Circulation
CONSIDERATION: Pedestrian Orientation
GENERAL DISCUSSION: The population of citizens over the age of 65 is expected to double in the United States in the next 20 years. Citizens over the age of 65 have more fatal car accidents than any other age group except the 18-25 year old group. Our senior citizens and our youth cannot afford to be automobile dependent. Our air quality cannot afford a continuation of our past exclusive reliance on the automobile. The cost of our infrastructure cannot bear a transportation element that relies exclusively on the automobile. General Plan Goal I.A.7 recognizes these problems and states "The land use pattern in Winters shall facilitate development of a balanced transportation system, which emphasizes pedestrian convenience and the use of non-automobile forms of transportation." Both the land use map and the street section guidelines are inconsistent with that statement. Additional features known to be important to the encouragement of pedestrian traffic are not addressed. These include considerations of "build to" lines, pedestrian friendly architecture (eg. garage setbacks), attractive street amenity details and appropriate minimum curb radii.

TOPIC	IMPORTANCE	GP REF	GP DISCUSSION	EIR REF	EIR DISCUSSION	RECOMMEND
Land Use Distance to CBD Distance to NCC	It is generally agreed that the pedestrian realm extends out from a point to about 1/4 or 3/8ths mile by the most direct available route (MDAR). The literature varies from suggesting 1,000 to 2,000 feet as a measure. Beyond this point it becomes significantly less likely that people will walk to their destinations It is important that as much of the population as possible be housed within 2,000 feet (MDAR) of the Central Business District. It is important that neighborhoods more than 2,000 feet (MDAR) from the CBD be provided with a neighborhood commercial center that is within 2,000 feet of 90% of the residences in the neighborhood.	Draft General Plan Land Use Diagram. I.A.7. I.B. I.C.4. II.A.17.. III.A 10.. V.A 14. VIII.A 4. VIII B 1.. VIII.B 2	The Draft General Plan recognizes the importance of a pedestrian oriented community to the quality of life of its citizens. This concern is not well reflected in its land use diagram or its policy statements relating to land use and housing. The pedestrian realm of 2,000 feet from the Central Business District (Railroad and Main) encompasses too few residents. Add emphasis on residential here. Neighborhood commercial uses must be appropriately centered at the pedestrian heart of other neighborhoods and must include both convenience retail and office/job possibilities.	III B.1.d.. III B.1.g.. 1 2	The EIR, in its Land Use and Housing section, makes the preposterous claim that, because of the mere existence of generally well meaning policies in the Draft General Plan, Winter's small town qualities and pedestrian oriented downtown will be retained. There is no examination of the implications of these policies, their consistency with other General Plan policies, the reality of their implementation, measures to ascertain their effectiveness or contingency plans should they fail in meeting their objectives	Identify pedestrian realm. * Modify land use * Modify definition of Neighborhood Commercial. * Or change EIR * And the DGP * The City Requires *
Street Sections Road Width Curb Radius	Street dimensions serve either to encourage or discourage pedestrian traffic. Wide streets with large curb radii increase the distance between points and increase the crossing time spent by pedestrians. Increased distance and increased crossing time are both barriers to pedestrian activity. Engineers conventionally focus on streets as conveyors of automobiles. The dimensions they have established for streets make vehicles happy. The 1960 Highway Engineering Handbook, a recognized reference work of 1555 pages, devoted only 1/4 page to the pedestrian. Significantly smaller street sections than those contained in conventional engineering publications can and do work in many American and European communities. To rely solely on conventional engineering data without looking for pedestrian oriented solutions is to trust the wrong goal The greater the curb radius, the greater the length of the crosswalk needed to cross the street at that point. A 30 foot curb radius will require 24 more feet of travel than a 10 foot curb radius. Create enough streets with 30 foot curb radii and the 2,000 foot pedestrian realm is gone pretty fast not to mention the extra minutes pedestrians will be asked to spend in-street, exposed to traffic.	Circulation Plan Diagram and Standards. I.A.7. I.B. III.A.2.. III.A 4.. III.G 1. VIII.A.3	The General Plan Circulation Plan Diagram and standards conflict with the goal of producing a pedestrian friendly community. The definition of local streets sets a huge 74 foot right of way with 42 feet being in the "curb to curb" section. Although extreme, the city of Seattle has a majority of its local streets, with 2-sided parking, in 25 foot curb to curb section. This has the singular effect of slowing traffic and discouraging non-resident through traffic and supporting pedestrian activity. On the contrary, larger scaled streets encourage higher speeds. It is a well accepted idea in traffic engineering that drivers travel along streets based on the physical limitations of the street, not its posted limit Consideration must be made for service and safety vehicles but it should be noted that with no parking allowed at the intersection large dump/garbage trucks can operate with significantly narrower streets. Although they will encroach on adjacent lanes when making a right hand turn they will still be able to negotiate the street. The General Plan only allows variance from its street standards on approval of the City Engineer (see Engineers under "importance" column to left). The general plan does not discuss curb radii	No comment relative to pedestrian impact of circulation plan standards. 3	The EIR comments on Transportation and Circulation focuses, as do most engineering studies, on the degree to which the circulation element satisfies the desire to have vehicles move with an uninterrupted flow. However worthy a goal that might be it is unacceptable to consider vehicular flow as the only impact of circulation planning. No review is given to pedestrian impacts of circulation plan standards. It should be noted that the EIR cites the Draft General Plan's pedestrian oriented policies as the reason for concluding that the project would avoid a significant impact on local carbon monoxide concentrations.	Local Street minimum cross sections * Exceptions * Curb Radii * Safe Streets ** Or change the EIR **

ELEMENT: Land Use and Circulation
CONSIDERATION: Pedestrian Orientation (continued)

TOPIC	IMPORTANCE	GP REF	GP DISCUSSION	EIR REF	EIR DISCUSSION	RECOMMEND
Pedestrian Appeal	An attractive pedestrian realm is defined by the details of the streets and paths that are to be followed. Crossing sidewalks to nowhere along sound walls on busy streets will not result in pedestrian activity. Pedestrians need a well defined space in a visually interesting atmosphere buffered from traffic.	Circulation Plan Diagram and Standards, I.A.1., I.A.7., I.B., I.B.1., I.B.4-6., I.D.4., II.B.3., III.A.2., III.F.1., III.F.2., III.G.1-2., VII.E.10.4. VIII.C.2-3.	It is clear that the issue of pedestrian appeal is important to the General Plan. It is mentioned in numerous locations throughout the plan. This attention is welcome. However, the plan contradicts its own intentions in some entries, is not specific enough in others and misses a couple of points.	III.B.1.f., III.B.1.g., XIII.2.	The EIR contends that the existence of the loop road will mitigate any potential impact to the "urban form" of Winters. No mention is made of General Plan Policies which call for interconnected streets or the use of Winters' older sections as a model for new development and no consideration is given to the development of an "urban form" supportive of the stated goals relative to a pedestrian oriented environment.	Include second floor residential in DGP priorities for CBD "
Ped Buffer	The use of adequate planting strips and on-street parking is very important to the creation of an active pedestrian community.		The Circulation Plan Standards support street trees and sidewalks. Too much sidewalk and strip may actually be provided in lower density residential uses adding unnecessarily to infrastructure costs.	4		Prioritize on street parking "
						No soundwalls "
Ped Architecture	It is also important that the architecture fronting the street not include the monotony of massive garage doorscapes. Such building conventions add no interest to the landscape and act to exclude or hide important elements of architectural interest that make an area building styles special and a pedestrians trip interesting.		Goal I.B. and numerous policies indicate the importance of developing a pedestrian oriented downtown through the use of various architectural and land use incentives yet Policy I.B.7., which states the principles for judging development and redevelopment on the east side of Railroad Avenue, does not include upper floor residential use as a guiding principle.	5	The EIR asserts Winters town character and pedestrian orientation would be preserved because of the existence of General Plan policies stating a desire to retain a small town character and because the city proposes to retain the Ag Site and open a farmers market. Vague General Plan policies are assumed to mitigate the stated potential impact, that the small-town quality of Winters "could be largely eliminated in the character of new development." This is as close as the EIR comes to adequately commenting on the kinds of aesthetic features that are required for the support of pedestrian activity. Because the General Plan's statements of intention are expected to mitigate this impact no further detailed mitigation is proposed.	"Shall" and "should" becomes "will." "
						Building Setbacks "
Setback	Although somewhat controversial it also seems useful to have residences, at least in medium and high density areas, built to within 15 feet of the frontage line. The ratio of street width to building height forms an enclosed space that either "holds" people or leaves them "lost in space" and aesthetically dissatisfied. A height to width ratio of 3:1 should not be exceeded. The closeness of houses to the street adds significantly to the pedestrian appeal of neighborhoods. Privacy can be facilitated, even with the curtains open, by building 4-5 feet above street level over a finished basement and adding a narrow front porch.		Policy III.F.1. is unclear. It seems to require the provision of off street parking to the elimination of on street parking. This would contradict the desire to enhance the pedestrian realm. It would also contradict the street sections shown as "2-lane secondary collectors" and those described as "local streets" in the Circulation Plan Diagrams and Standards. Clarification is needed.	6	The EIR, after discussing views of the mountains, fields and the historic downtown concludes that "The Draft General Plan policies would avoid significant impacts on the scenic and visual resources of the city resulting from development under Alternatives I and II." This is patently untrue. It is obvious, on the face of the land use map, that there will be a significant visual impact from development. The General Plan policies referred to may or may not mitigate some of that effect. The truth is that Winters' residents will pay a price for development. The EIR should address that candidly and let the citizens decide if the potential rewards are worth the price.	Garage Setbacks. "
						Lot standards. "
						Lot standards II. "
						Modify the EIR. "
Parking Lots	In addition, all parking lots should be at the rear of commercial and retail buildings. Parking lots have very low pedestrian appeal. Any lots that are not at the rear of buildings should be visually screened. Corner lots should never be used for parking as they expose way too much auto to the walking public. All parking lots should contain adequate plantings. One drought tolerant tree for four cars is lush, one for eight is tolerable.		The Circulation Plan Standards support street trees and sidewalks. Too much sidewalk and strip may actually be provided in lower density residential uses adding unnecessarily to infrastructure costs. Goal I.B. and numerous policies indicate the importance of developing a pedestrian oriented downtown through the use of various architectural and land use incentives yet Policy I.B.7., which states the principles for judging development and redevelopment on the east side of Railroad Avenue, does not include upper floor residential use as a guiding principle. Policy III.F.1. is unclear. It seems to require the provision of off street parking to the elimination of on street parking. This would contradict the desire to enhance the pedestrian realm. It would also contradict the street sections shown as "2-lane secondary collectors" and those described as "local streets" in the Circulation Plan Diagrams and Standards. Clarification is needed. The use of "berms, walls (emphasis added), and setbacks" are recommended to shield noise sensitive areas from noise sources. Policy VIII.C.2. gives a very important clue as to the intentions the city has for its future. It says each neighborhood should have a focal point and should be designed to promote pedestrian convenience. It points to Winters' existing neighborhoods with grid streets as a model for future development. The use of more committed language in this section would go a long way toward a promising tomorrow. If we are so unsure of our ability to manage that we have to use compromising language to describe our intentions then maybe we shouldn't be developing. Building setbacks, garage setbacks and parking lot standards, which are an important part of establishing a pedestrian realm, are not discussed.	7	No consideration is given to the visual experience of the pedestrian realm.	

1. Identify and map the "pedestrian realms" of the city. (for example see appendix "Alternate Concept Maps" at the end of this document)

2. Modify land use to place neighborhood commercial uses at the center of each "pedestrain oriented neighborhood" in the city and increase residential densities to an average of 8 Dwelling units per acre within each pedestrian oriented neighborhood (with the possible exception of the CBD).

3. Modify the definition of "Neighborhood Commercial" to specifically allow for small office uses. Allow FAR to go to .65 to intensify use and increase pedestrian activity.

8

4. If the above recommendations are not incorporated into the General Plan then the EIR must not rely on the General Plan's provision of a pedestrain community as a mitigation to traffic and air problems since without these measures no pedestrian community will exist. The EIR then, in order to be adequate, must make a more complete study of mitigations for air quality and traffic impacts.

5. If the above recommendations are not implemented then all references to a "pedestrian oriented community" should be struck from the general plan since the map, design and other elements would be inconsistent with such references.

6. Amend II.A.17 to read "The city shall require the development of second story residential uses over commercial and office uses in the Central Business District , neighborhood commercial and community commercial designations at least to the extent that it is needed to achieve neighborhood densities consistent with standards for pedestrian and transit success "

7. Local Street maximum cross sections will be 30 feet curb to curb with parking on both sides. Smaller curb to curb dimensions, down to a minimum of 25 feet curb to curb both sides parking. Planter strips with a minimum width of 3 feet and sidewalks with a minimum width of 3 feet will be provided on both sides of all local streets

8. Modify General Plan policy III.A.2. measure #3 to read, "The City may allow other deviations from these standards if the City determines that safe and adequate pulic access and circulation, including pedestrian convenience, are preserved by such deviations

9. Create a General Plan policy requiring curb radii to match design speed and intersection at the road system. Specifically prohibit curb radii of more than 10 feet in local neighborhoods, comercial centers and the Central Business District.

10. Delete the words "where feasible" from III.A.4. All neighborhood streets should be designed to discourage unsafe traffic speeds.

9

11. If the above recommendations are not incorporated into the General Plan then the EIR must not rely on the General Plan's provision of a pedestrain community as a mitigation to traffic and air problems since without these measures only a limited and partially functional pedestrian community will exist. The EIR then, in order to be adequate, must make a more complete study of mitigations for air quality and traffic impacts.

12. Modify I.B.7. to include an additional "principle", d. stating, "The City will require the development of second story residential uses over commercial and office uses in the Central Business District."

13. Clarify III.F.2. to recognize that the city will require off-street parking when it is needed <u>in addition</u> to on-street parking which must be provided.

14. Don't put up walls, reduce noise. Modify measure 4 of policy VII.E.10. which reads, "Use berms, walls and setbacks to shield noise sensitive areas from noise sources." to read, "Use noise reducing design, such as slower road design speeds, and increased setbacks to shield noise sensitive areas."

15. VIII.C.2. will read, "The City will require the creation of well-defined residential neighborhoods in newly developing areas. Each of these neighborhoods will have a clear focal point such as a park or other open space or community facility, and will be designed to promote pedestrian convenience. To this end, the City will encourage the use of appropriate existing Winters neighborhoods which include the grid street system as models for the planning and design of new residential neighborhoods."

16. The DGP should include a policy in the Community Design section that advocs setback/build-to line options For example Palm Beach, Florida has the following standard, "The City will require a setback of 5 feet or 15 feet on all residential lots "

17 Even if the City cannot agree on a build-to/setback line it is imperative that garages be set back from the front of each and every new residence. A policy will be added to the Community Design Section that states, "The City will require that garages either be detached and at the rear of residential buildings or that attached garages be set back 15 feet from the front of the residential section of the structure."

18. Policy III F.1 should be modified to encourage on-street parking, as previously noted It should also have a subsection "a" and "b" added to keep lots screened and off of corners. Add "a. When it is not possible for parking lots to be placed behind buildings the City will require adequate screening to mitigate the visual impact of the lot while allowing continued police surveylance." and "b. The City will not allow the use of street corner lots as parking lots "

19. Add a policy for lot standards which specifies tree allocation such as, "The City will require all parking lots of more than 8 spaces to contain a minimum one suitable tree for each 4 spaces created. Each tree will be centered at the intersection of 4 spaces except at row ends where trees will terminate a row.

10

20. The EIR inaccurately says that impacts on the visual resources of the City are mitigated by the General Plan If the General Plan is not amended to more fully assure mitigation of visual resources then the EIR, in order to be adequate, must more fully consider the extent to which current policies are likely to be executed and to be successful if executed as commited

ELEMENT: Community Design
CONSIDERATION: Designing Communities of Place
DISCUSSION: There are a lot of details that go into making one town or region distinct. In the past these details grew up slowly over time in response to the physical, social and economic environment of communities. Brownstone row houses grew out of New York's limited land, fluctuating climate and need for decent low cost housing. San Francisco's Victorian houses reflect a mild climate, a then plentiful supply of wood and a culture fascinated by the craftsman movement of the day. Winters' older building patterns and buildings reflect a country heritage with small lots and large lots interspersed in mixed income neighborhoods that were reflective of the varied workforce of the day. Modern development and building practices have paid little respect to the concept of locally evolved land use and building patterns. The current trend is to put down the same cookie cutter suburban homes on the same cul de sacs as the community next door, down the road and across the nation. The result another "this could be anywhere" town. No one likes a lot of restriction and tedious design review is an untenable burden but understanding the visual preferences of the community and laying down a few general rules regarding the appearance of streets, the placement of buildings and the parking of cars is probably a good idea.

TOPIC	IMPORTANCE	GP REF	GP DISCUSSION	EIR REF	EIR DISCUSSION	RECOMMEND
Land Use Frontage Width	Having smaller residential lot sizes interspersed with larger lots is one of the elements that gives Winters a small-town rather than a suburban look and feel. This variance in lot size, especially lot frontage, provides a varied "texture" to the landscape which is visually more interesting than repeating the same dimensions over and over as is done in many suburbs that have a specific singular frontage requirement.	I.A.1.. II.A.1.. VIII.A.2.. VIII.C.1.	The General Plan supports the philosophy of supporting Winters small-town look and feel but it does not identify historic frontage mixes as one of the key features needed to enact this philosophy.	III.B.1.g. 11	The EIR says. "The moderate-density qualities of the small-town, characterized by a high proportion of smaller residential lot sizes interspersed with larger lots, could be largely eliminated in the character of new development." It uses general plan policy I.A.1. as the reason that this potential impact will not occur. I.A.1 says. "The City Shall seek to preserve Winters' traditional .." You be the judge.	Call for frontage variances. [1] Modify EIR [2]
Views	Good views add pleasure and value to any property or neighborhood. Looking down an endless empty corridor does not excite the human mind. It is important that our long range view of the mountains, agricultural sites and open space be preserved. It is also important that neighborhood level views, whether to parks, public or commercial buildings or street ends, be created to be pleasing. This is, to a great extent, an issue of street geometry. It needs to be considered in the matrix of creating pedestrian support and automobile access.	V.B.1.. IV.1.3.. VIII.A.7.. VIII.C.2..	There is no direct reference to the creation and maintenance of views in the general plan but there is plenty of illusion to creating a visually pleasing town through discussion of parks, trees, historic architecture, underground wiring and so forth. Two things are lacking: 1, a direct reference to the preservation of significant view corridors to the mountains, and 2, a suggestion regarding how interconnected but not necessarily through streets can terminate views with pleasing civic, open or architectural space.	XIII.2. 12	The EIR repeatedly acknowledges the modification and loss of views throughout the city as a result of development. It does not seek to mitigate those acknowledged impacts of development but rather says that those impacts will be mitigated by General Plan policies that start off with language like. "The City shall seek to preserve...". "The City shall seek to maintain...", "The City shall promote...", "The City shall endeavor..." These don't sound much like mitigations.	Require Vistas. [3]
Streets Trees Fixtures	The importance of street design to the physical and psychological well being of pedestrians is discussed in our report on the Land Use and Circulation Element. It is not coincidental that the same streets that are conducive to pedestrians are the streets that most appeal to people aesthetically. Human scale, not auto scale, should be the deciding factor for street design. Writing in Transit Oriented Development Design Guidelines, Mintier and Associates in Association with Calthorpe Associates said, "Many streets are identified and remembered by their street trees." Their recommendation was that trees be spaced no further apart than 30 feet on center and that they be located in 4-6 foot wide planter strips between curbs and sidewalks. Some little details are too important to be overlooked in a big general plan. Street fixtures are that kind of detail. The use of 30 feet high standard "cobra head" lights degrades the human scale of a street. Older style 12-14 foot fixtures fitted with modern low glare illumination are a production item available today.	Circulation Plan Diagram and Standards VIII.D.2.. VIII.D.7.	The street sections identified in the General Plan are just plain too big. The curb to curb dimensions of local streets could be reduced significantly and even the planter strips and sidewalks could be reduced in some cases. This really needs attention. Overly wide residential streets can create a sense of emptiness not spaciousness. If it is the desire of a sense of spaciousness that is reflected in these overly generous street sections then create more views to the mountains and/or parks. The General Plan references the City's Street Tree Plan and Standards as the guide for new development. This is acceptable only insofar as this document is currently acceptable to the community and that decisions to change it require a vote of the council. Lighting is mentioned in the General Plan but no standards are recommended or set for selecting human scale fixtures.	XIII.2. 13 14 15	No mention is made of the aesthetic element of street design or scale. The maintenance and planting of street trees as cited in the General Plan is referred to as partially mitigating the visual impacts of the project. Street lights are discussed only as they effect night sky clarity.	Adopt #7 and #16 from "Pedestrian Orientation" Consideration Lighting Fixtures. [4]

ELEMENT: Community Design
CONSIDERATION .Designing Communities of Place (continued)

TOPIC	IMPORTANCE	GP REF	GP DISCUSSION	EIR REF	EIR DISCUSSION	D
Parking	If automobiles become the dominant feature of a landscape then that landscape is no longer unique. When autos are aggregated in large numbers they need to be screened from the public view. Pedestrians in parking lots should be provided with a reasonable experience too. Ample trees and pedestrian paths help define a better "in-lot" experience.	I.B.6.. I.D.4. III.F.1	The General Plan says parking lots should not separate buildings from the street in the CBD, that "strip malls" should be avoided and that, "To the extent possible, parking shall be located behind buildings, out of view from the street." These provisions could be strengthened. No mention is made of aesthetic standards for parking lots or of screening parking lots when they are not behind buildings	No comment relative to the visual impact of parking lots on community character.	The EIR does not discuss this issue 16	Adopt #18 and #19 from "Pedestrian Orientation" Consideration
Buildings Commercial Residential	Except in historic districts and subdivisions that have agreed on narrow design standards in their own CC+Rs it is just as well to stay away from very specific guidelines. Some general community standards should, however, be set to insure that the preferences and standards of the community are met In visual preference surveys across the United States factoryless office buildings and strip malls rank among the least favored buildings. Buildings with a distinct bottom floor, a defined middle section and a clearly embellished top floor or floors and clear windows rank from being o.k. to being very good and excellent. Having a sense of a communities preferences can lead to the development of a simple code that is not subject to too much interpretation. The single family home can contribute a sense of individuality and style to the sense of place created in a town. The single element that has rubbed more from the contribution made by the home is the garage. Some garages dominate the home frontage so severely it might be more appropriate to call the home a "three car garage with house attached." Garage setbacks from the house frontage or detached garages at the rear of houses or other offsetting garage treatments can mitigate this effect.	I.B.1.. I.D.4 II.A.5. II.B.6. V.D.1.5.	Support is given to the maintenance, integration and extension of historic design in the CBD particularly in policy V.D.3. The "appearance of strip development" is vetoed by policy I.D.4. This needs further definition, possibly with some help from III.F.1. which locates parking behind buildings in the CBD. Strip development is characterized by parking between the street and shop fronts among other features. Require street front buildings and rear parking and the single component most responsible for the appearance of "strip development" is gone. No other consideration is given to the general character of commercial buildings outside of the CBD No consideration is given to the setback of garages in residential structures.	17 18	The EIR refers to General Plan policies which address the maintenance of the historic character of the CBD in its contention that the impacts of development on town character would not be significant The EIR does not discuss the impact of commercial and residential building design outside of the CBD. It maintains that the General Plan Policy I.A.1. which says that the City will "seek to preserve Western" small-town qualities...", will mitigate the visual considerations of future development.	Adopt #17 from "Pedestrian Orientation" Consideration. Visual Preference Survey."
Maintenance	Building blight, neighborhood blight and civic blight are like a progressive cancer. Once a lot, building, street or sidewalk falls into disrepair it is not long before others around it begin to fall. A strong, no nonsense, civic commitment to maintenance and code enforcement must be made.	I.B.5.. II.B.2. II.B.5.	The General Plan discusses renovation, maintenance and the responsibility of private property owners for maintaining buildings and grounds. The General Plan generously allows owners "simple opportunities" to correct unsafe structures	No Comment	The EIR does not comment on the potential impact of blighted properties 19	Strengthen DGP"

1. Add a policy under VIII C that addresses the frontage variance quality. For example, "The frontage of residential lots will vary in width with the largest being as much as 4 times the smallest for single family homes. No three adjacent lots may have frontages that are equal or near equal (20% variance)."

20

2. If the General Plan does not address this historic quality which is mentioned in the EIR then the EIR should recommend some predictably effective mitigation to preserve this value besides its reliance on the General Plan Policy that "seek(s) to preserve."

3. The General Plan should require streets to terminate in views or vistas. This could be done with policies in the Circulation element or the Community Design element. They would say something like, "streets that have or can have clear views of the mountains will be designed, within the limits of appropriate pedestrian principles, to protect those views. Streets without clear views of the mountains will have their views terminate at least every 1/8th of a mile while still maintaining their essential interconnectedness with other streets. (For example, this may done by offsetting the grid, creating mild curves or using vegetated roundabouts at intersections)."

4. The City should adopt a lighting standard that picks a single human scale fixture. The fixtures currently used in East Sacramento and Land Park are excellent examples. A separate standard designed to enhance the historic character of the CBD should be allowed.

5. The City should make a commitment to a visual preference survey conducted by appropriate professional personnel pursuant to the review of the Winter design review process. This may not have to be treated as a General Plan policy but it certainly needs to be treated if people are going to be given a design code that reflects what they want.

21

6. H.B.5. should read, "The city shall require the abatement of unsafe, unhealthful or visually blighted properties requiring owners to promptly comply to correct deficiencies. If this is not done then the EIR must examine the potential effects of blighted buildings

ELEMENT: Circulation
CONSIDERATION: Street design
DISCUSSION: Street design has a profound impact on town character. Two general types of street design are found in communities today: Conventional Street Design (CSD), and Interconnected Network Paths (INP). CDS typifies suburban design with freeways, arteries, collectors and signalized intersections. Local streets funnel traffic to collectors. INP design is typical of existing Winters with many interconnected streets that provide drivers with multiple route choices, lower traffic speeds and visual diversity. INP design may also improve overall system capacity. Walter Kulash (1990) has shown through detailed engineering studies that a network of small interconnected streets has more traffic capacity the same street area arranged in a sparse hierarchy of typical CSD systems. Presently, the policies in the Circulation Element suggest an INP design, the Circulation Master Plan clearly proposes a CSD system, and the Draft EIR say nothing about the discrepancy between the two.

TOPIC	IMPORTANCE	GP REF	GP DISCUSSION	EIR REF	EIR DISCUSSION	RECOMMEND
Maintenance of "small town" character	All elements of the General Plan, including circulation, must actively contribute to maintaining the town character we seek to preserve. Circulation and street design are closely linked to town character. Conventional Street Design (CSD) tends to isolate neighborhoods. Interconnected Network Paths (INP) tend to bind neighborhoods together. A community can maintain cohesiveness only if its residents have direct access to adjoining neighborhoods.	I.A.1 I.C.5 III.A.10 VIII.A.1 VIII.C.2	I.A.1 is fundamental to the GP. I.C.5 re-affirms that we value our existing residential neighborhoods and seek to preserve them. III.A.10 encourages the use of "grid street patterns. VIII.A.1 again strives to maintain distinctiveness and integrity of neighborhoods. VIII.C.2 finally makes a connection between a cohesive neighborhood and street design.	None 22	The Draft EIR contains no discussion of the potential impacts of the Circulation Master Plan on the character of the town.	
Interconnected Network Paths, aka "Grid design"	The term "grid design" has been replaced with the more descriptive "interconnected network paths". Grid connotates a geometric layout, whereas INP has no such constraints. A neighborhood circulation system designed using the principles of INP would have three to four local streets traversing the neighborhood, preferably in a non-linear manner. Non-linear streets add to visual diversity and physically restrict vehicle speed.	III.A.4 III.A.10 VIII.C.2	III.A.4 mandates designs that discourage unsafe traffic speeds. The two remaining policies relate to the "encouragement" of INP (aka grid) designs. Neither mandate it.	None. 23	The Draft EIR contains no discussion of alternative street designs. The Draft EIR presumes that the Circulation Master Plan satisfies the policies. The Draft EIR contains no discussion of the impact of increased traffic on existing local streets.	Street layouts *
Provision of multiple route alternatives	A CSD system can leave residents with few options for route choice. A typical consequence of this design are subdivision with one road leading into and out of the subdivision. Another common feature of CSD is the collection of "left turns" and forcing them at one location. This limits a driver's alternatives, and, if an accident occurs at the left turn intersection, long delays can follow.	Goal III.A	There are no specific policies relating to the design of streets to provide drivers with alternate route choices. Do we want streets with "No Left Turn" signs posted at otherwise convenient intersections? Do we want collector streets with medians that prevent left turns? Lacking specific policies, this is what the Circulation Master Plan suggests.	None. 24	The Draft EIR offers no discussion on how local streets interact with the arteries, primary and secondary collectors depicted in the Circulation Master Plan (CMP). Currently, there are no turning impediments on any existing streets. If the CMP intends to restrict access to collectors and arteries (especially along Grant) this represents a significant impact and must be discussed as such.	Local access * Left turn lanes *

Circulation: Street Design

TOPIC	IMPORTANCE	GP REF	GP DISCUSSION	EIR REF	EIR DISCUSSION	RECOMMEND
Pedestrian "friendliness" of street designs.	Winters is a community of families whose children use the streets to go to school, to visit friends and travel to play areas. Winters is a community having active senior citizens who like to walk across the street to talk with their neighbors. If Winters is criss-crossed with wide collectors with landscaped medians, crossing these streets is difficult, except at intersections. Collectors designed as such divide neighborhoods.	VIII.A.1 VIII.A.2 VIII.C.2	It is not surprising that key policies affecting circulation issues are found in the Community Design section of the DGP. All these policies relate to "maintaining and enhancing the distinctiveness and integrity of neighborhoods", to "preserving the vital qualities of existing stable neighborhoods" and promoting the same in new development. However, if this is to occur, more attention must be given to the Circulation Master Plan.	None. **25**	Despite CEQA's clear definition of significant impact as "disrupt or divide the physical arrangement of an established community", and a Circulation Master Plan that divides both old and new neighborhoods with "modernized" streets, the EIR manifestly maintains there is no impact and no conflict with proposed policies.	Median strips.*
Loop Road	A persistent feature of the Draft GP and Land Use map is the existence of a "Loop Road". The loop road is a major determinant of town character. Before accepting the loop road we need to be absolutely certain that 1)it appropriately reflects the goals and policies of the GP; 2)it represents a cost effective method of moving people and vehicles.	None.	It is astounding that the single most prominent feature of the Draft Land Use Map has no policy associated with it. The "justification" for the loop road design appears on page 3-2 of the CMP: "Because the network which has evolved in the course of current planning has been shown to function well under future conditions, ...it is recommended that this basic network be adopted for the General Plan".	No specific references to alternatives or impacts **26**	An alternatives analysis would have shown that there are a number of alternate configurations possible, many of which are more in line with policy statements seeking harmony with existing street design, pedestrian friendliness, and inter-connected neighborhoods. Furthermore, other alternatives could be far less expensive than the proposed loop road by providing the same or better connectivity with fewer new road miles.	The following recommendations should be viewed with reference to the alternative circulation diagram in Appendix "Alternatives" —— Break Loop Road.* Delete CR33.* Niemann Extension * NE Main Extension * NW Main Extension * SE Main Extension *
Local streets	There is a fundamental difference of philosophy of INP designs and CSD systems. INP relies on local streets to move people through the city whereas in CSD, local streets move people to collectors, which move people through the city. The City, in order to be consistent with its GP Policies, should be relying on a network of local streets to provide transportation alternatives. This is important for reasons of cost, aesthetics, and character.	III.A.10 VIII.C.2	There are a great many streets in the Circulation Master Plan (CMP) that should not be so designated. The intent of the CMP is to show major routes to move goods and services throughout the city. It is not intended to give details of "local" street design. There are numerous new "local" streets shown in the CMP. These artificially, and incorrectly, inflate the cost of providing a good transportation infrastructure.	None. **27**	The Draft EIR provides no discussion of "over specification", even where it relates to the economic impact of proposed improvements on the City.	Local street sections * Easements *

POLICY RECOMMENDATIONS:

1 Street layouts.
Policy III A.10 should be restated as follows:
"The city shall require street designs consistent with the principles of interconnected network path design. At the discretion of the City, alleys may be used in conjunction with the overall street layout. The City will encourage the use of non-linear routing of local streets through new development."

2 Local Access.
The city should adopt a specific policy contributing to Goal III.A as follows:
"The City shall insure that there are multiple, local-street access points to all developments throughout the City."

28 3 Left turn lanes.
The city should adopt the following policy that will insure current and future residents will not be denied access to their local street based on the direction they are traveling:

"The City shall insure that direct access to all local streets from primary and secondary collectors is maintained." (Note that this does allow left turn restrictions on 4-lane arterials (Hwy 128). However, the impact of left-turn prohibitions must be discussed in the EIR.)

29 4 Median Strips.
The City should acknowledge the adverse impact that median strips have on neighborhood cohesiveness and adopt the following policy to avoid the impact:

"The City will insure that street design is consistent with the pedestrian nature of the community. Median dividers on collector streets are to be discouraged. Streets should not be used as separators of neighborhoods."

If such a policy is not adopted, then the impact on neighborhood pedestrian access by collectors must be addressed and mitigated in the EIR.

5 Break Loop Road.
The City should examine alternatives, such as the one presented in Appendix "Circulation" that dispenses with the loop road concept and proposes a greater reliance on existing roadways. The proposed, which is *one of many possible*, reduces the number of new road miles that must be constructed, utilizes smaller street cross sections and achieves nearly the same result.

6 Delete CR33.
The CR33 extension from the Ag facility to CR90 near I-505 would reduce the amount of new road construction by approximately 6200'. The East-West corridor would be replaced by an extended Niemann.

7 Niemann Street Extension.
Niemann Street is an existing east-west corridor. It provides routing from Railroad west to CR88. By extending Niemann approximately 500' east of Railroad would provide a complete east-west connection between the Northwest Main Street extension and an extended Dutton Street.

Circulation: Street Design

8 NE Main Extension.
The Northeast section of old loop road is no longer needed. Cross connections are achieved through the extension of Dutton north and northwest to Niemann and Redwood.

9. Northwest Main Extension.
The northwest main street extension could begin as depicted by the old loop road, but it should intersect the existing portion of CR33 approximately 1000' west of the Ag site (where Niemann turns north). In the near term, the roadway should terminate here, although the city should obtain right-of-way northward to CR90. Until build-out is closer at hand, access to the north would be provided via the Northwest Main Street Extension to CR33, thence west to CR88, thence north to CR32A. As population densities increase in the area, the Main Street Extension could itself be extended northward to CR32A.

10. SouthEast Main Extension.
Southeast Main Street should be extended eastward from Morgan towards I-505. It should not curve north to intersect I-505. The City, in conjunction with Policy III A.6 (Johnson Road Bridge) should obtain easements from the Main Street extension to a point opposite Johnson road. This easement should be shown on the General Landuse Map and the costs of the easements should be included in the Financial Report.

11. Local Street Notations.
The City should specifically note on the Circulation Master Plan (CMP) streets that may be included for clarity but are essentially local in nature. The exact location and routing of these streets will be determined at project approval time making sure that they comply with existing policy, including the provision of interconnected paths and alternate route choices for residents.

A list of "local" streets currently shown on the CMP include:

Taylor Street Extension
"North Park Loop Road" from CR32A to Niemann
East Baker extensions, especially in Business Park area.

Kennedy Extension to Country Drive
Dutton Street Extension

Niemann east of NW Main Extension
Walnut Lane extension

Un-named North/South road W. of Ag. site between CR32A and CR33
Industrial Road

12. Easements.
The City should indicate on the CMP those areas where easements are to be obtained. Apparent candidates include:

Valley Oak to CR88
Northwest Main Street extension from Niemann to CR32A
Southeast main to Putah Creek for an eventual Johnson Creek Bridge.

ELEMENT: Recreational and Cultural Resources
CONSIDERATION: Historic Preservation
DISCUSSION: A Historic Preservation element is an important consideration which was included in the 1985 BA General Plan, but has been fragmented in the Draft General Plan and EIR documents

TOPIC	IMPORTANCE	GP REF	GP DISCUSSION	EIR REF	EIR DISCUSSION	RECOMMEND
St. Historic Bldg. Code	Implementation of the State Historic Building is a central incentive in promoting the renovation or renovation of historic buildings, particularly for commercial buildings. This code was adopted by the city of Winters in the Historic Preservation Ordinance (85-03), May 21, 1985, Section 8-1. 3011, pertaining to the Historic District.	Section V V. D 2 Policy Doc.	The background report, paragraph VII-6 mentions the Historic Resources Inventory and "a designated Historic District, without locating the District on the map	XIII. DP 221 Cultural Resources Archeology	Again, the Impact says "policies concerning historic preservation of historic structures require the City to adopt the State Historic Building Code.. 30	Note that'
Ordinance establishing an Historic Preservation Commission and procedure for designing and protecting Historical Landmarks and Historical Districts	This ordinance 85-02 needs to be referenced in the General Plan because it outlines an ongoing Historic Preservation program for the city of Winters. This involves incentives to landowners as well a public education. A Historic Preservation Commission was established since the 1985 GP.	No reference is made		No reference noted		Reference of'
Goals, policies, & implementation	These were well stated in the 1985 GP, but C-1 needs to be amended.	V Goals & Policies		XIII. D, p.221		Elaborate on'
Mitigation measures				XIII. D, p.222 31	No mitigation measures are listed for Historic Structures although some are required for designated historic districts	Add mitigation'
Historic Districts	Should appear on land use maps, but do not. It should also be noted that additional Historical Districts may be designated by the City in the future	VII-6-7 GP Background Report		No ref.	None	Include Downtown'

ELEMENT: Recreational and Cultural Resources
CONSIDERATION: Historic Preservation
DISCUSSION: Page 2

TOPIC	IMPORTANCE	GP REF	GP DISCUSSION	EIR REF	EIR DISCUSSION	RECOMMEND
Historical Background	Needs to be updated using Winters: A Heritage of Horizons, a Harvest of Purpose (1991) as a source of local history.	VII, p.3-6	Details of local history were extracted from the Historic Resources Inventory Report of 1983, some of which are in error and should be corrected. An introductory paragraph should refer to the Patwin and the prior village of Liwal.	XIII, D, p 220 setting 32	Additional errors occur in 1. setting re. John Wolfskill, Theodore Winters, D P. Edwards	See attached*
Archeology	There were 400 Patwin living on or near the site of present day Winters in 1821. It is possible that many more Native Americans resided in the area as long as 6,000 years ago It is important that we learn more about these people before their buried village sites are destroyed forever by excavation and development.	Policy Doc. II-33-34 VII-10-11 Background Report	Goals and Policies and Implementation should ensure that the Northwest Information Center is notified			Strengthen mitigation*

1. Note that the City has adopted the Historical Building Code in Historic Districts. It could be adopted for all historic buildings

2. Reference of the goals and policies of the Ordinance should be noted.

3. Elaborate on the Goals and Policies included in the 1985-86 GP. See Appendix Policy C1:
Suggested Wording: "The Historical Preservation Commission will continue to coordinate and encourage historic preservation efforts in Winters." The foundation of Historic Preservation should be restated or revised 9-C.
Expand V. D. 1-5, Keep V. D. 6 & 7.

33 4. Add mitigation measures for designated historic districts

5 Include Downtown Historic District on land use maps and perhaps on Fig VII-1. Map of inventoried historical sites and Buildings. (City Hall was also added to that Historic District)

6. See attached letter of Dec 2, 1991 re. specific changes that should be made.

34 7. Strengthen mitigation requirements to include on-site survey for archeological evidence at all new development or excavation sites because there may be hidden sites that have yet to be recorded.

ELEMENT: Cultural

CONSIDERATION: Meeting the needs of a growing community for expanded cultural resources

DISCUSSION: Goal VIII.A states "to promote the development of a coherent and distinctive physical form and structure that reflects Winters' small-town qualities and agricultural heritage." Cultural resources allow community members to extract a town's distinctive qualities through artful expression. A community rich in cultural resources is a community that can define itself well and measure its uniqueness. Cultural resources are the tools by which a community can resist the growing pressures of monotonous non-aesthetic suburbanization

TOPIC	IMPORTANCE	GP REF	GP DISCUSSION	EIR REF	EIR DISCUSSION	9 IFND
Cultural Center	It is important to renovate an older building (such as the Hahn Fossy Building on Railroad Ave.) for a cultural center. The Cultural Center would house the community theater, art galleries, classroom space and civic arts commission offices.	Background Rpt VII-2 Policy Doc V.A 11. VIII A	The Draft General Plan recognizes the need for a cultural center but does not define adequately the mechanism to build one.	None.	None.	Cent[illegible] [illegible]ction'
Public art	A sense of place and community is enhanced by the acquisition and installation of art on public land. Public art stirs controversy (everyone has an opinion) which in turn defines and redefines a community's visual reality and sense of itself.	None	None.	None.	None.	Support for art.'
Expanded Library	The current library building is inadequate for the current population. This is a survey.	None	None	None.	None.	Library support '
Natural Science Museum on Putah or Dry Creek.	It is important to educate people about the ecosystems that surround Winters. Putah and Dry Creeks provide an excellent backdrop for this type of activity. Such a center could be used as an augmentation for science programs of local and neighboring schools.	All policies under goal IV.D Policy V.A.16	These policies recognize the importance of riparian ecosystems to the community. Policy V.A 16 is the weakest of the section as it states "shall explore the feasibility" of establishing an interpretive center.	None.	None.	Natural Science Museum/ Interpretative Center '

POLICY RECOMMENDATIONS:

1. Center construction.
The General Plan should state clearly that the City will develop a civic arts commission to make recommendations and seek funding for a Cultural Center. The commission should look into the renovation of an older building (such as the Hahn Fossy Building) as such a site. If no older building can be renovated, the city shall build a new cultural center adjacent to the existing Community Center.

2. Support for Art.
The city should adopt a policy which states that through its public arts commission, the City will support public art, such as murals and sculpture, on public land.

3. Library support.
The city in recognizing the importance of library resources to its citizens, establish a minimum population to library ratio for Winters

4. Natural Science Museum/ Interpretative Center
Recognizing the importance of a natural science museum and/or interpretative center to education, citizens and tourism, the City should strengthen its commitment to the establishment of such a center. Towards this end, the city in conjunction with the establishment of the Civic Arts Commission (Recommendation 1, above) charge the commission to initiate a facilities study, a site location study, and a funding search for these important assets of Winters

ELEMENT: Storm Drainage

CONSIDERATION: Effective system design

DISCUSSION: An area in the Northeast portion of the 20-year Sphere of Influence (SOI) is a designated floodplain. This area normally drains to the East via Moody Slough, but the construction of I-505 effectively created a dam and has prevented normal drainage. The floodplain receives flows from a watershed west of the City. In addition, flows from a larger watershed, normally drained by Chickahominy Slough overtop their banks in flood conditions and travel east ward to the Western floodplain. These flows are also directed by I-505 and its undersized culverts. There are two outlets for the floodplain; the undersized culvert on Moody Slough and the low section of Hwy 128 between I-505 and the Main Street intersection. Floodwaters overtop 128 and flow southward to Putah Creek.

The Storm Drainage Master Plan (SDMP) proposes to intercept, contain and channel the two flows from the Western and Northern watersheds. The western flow is intercepted by the 63-acre Western Detention Pond and sent to Putah Creek via a buried pipe and open canal. The northern flow is intercepted by the 170-acre Northern Stormwater Diversion and sent to Putah Creek via a 100-foot wide open canal.

This aggressive, complex and costly engineering is at odds with the Policy and Land Use elements of the Draft General Plan. The Land Use Map for Alternative 1 puts most of the floodplain in an Open Space designation and Policy directs this open space be used to mitigate the flooding. The Flood Control Plan instead protects the open space against flooding. Residential use in the floodplain is only 75 acres with 360 dwelling units and a projected population of 930. The proposed industrial area can be reclaimed with much less aggressive measures, as can the problem of flooding on Hwy 128 and in low portions of the present city. The alternatives presented in the SDMP are too similar and too narrow in scope to allow the City an informed choice.

TOPIC	IMPORTANCE	GP REF	GP DISCUSSION	EIR REF	EIR DISCUSSION	RECOMMEND
System design and costs	The cost of the proposed system outweighs its benefits and would cripple the City's expansion with abnormally high fees. Some developer fees, such as those which support schools and parks, can be "sold" to prospective home purchasers, as many want to move to a community with good services and will pay for them. No such mitigation is possible with flood control fees. The effect of high fees on commercial property is a corrosive loss of tax base. Note that the reduced cost basis in the Financing Plan (Section IV) provides a 34% reduction, hardly enough to make the project feasible. Furthermore, some obvious costs are omitted from consideration, such as two bridges over the canal in addition the Hwy 128 bridge, fencing for the canal and maintenance of the canal and lake.	Financing Plan sections III, IV, V, VIII, and XI.	The Financing Plan Section VIII gives the following conclusion: "For both Alternative 1 and Alternative 2, the cost of facilities is very high compared with the number of housing units and non-residential space that can be developed."	None.	None.	Floodplain survey. Preserve design. Study Area.
Open Space Policy	Given that both land and finances are limiting factors in future development of Western, it is critical that multiple uses of land be encouraged.	VI.C.5	Policy VI.C.5 states that "The Open Space Preserve shall, the maximum extent possible, be designed to function as part of the City's flood control and waste water discharge system. This policy was not used by the engineers in designing the system.	None.	None.	

Impacts of Stormwater Diversion	Under existing conditions, the watershed to the west of the city is drained by Moody Slough. Only in flood conditions does the slough overtop and floodwater flow southward. The proposed Alternatives deprive Moody Slough of all rainfall from this watershed, sending it to Putah Creek instead. Moody Slough will receive water from the Northern Stormwater Diversion, but only in flood conditions. Thus, Moody Slough is deprived of its primary watershed. Loss of riparian habitat and groundwater are distant possibilities, as is the City's loss of groundwater due to the draining of the floodplain. The plan calls for diverting storm water into Putah Creek at the rate of 2000cfs via the 100' wide canal. The effects on downstream flooding are not known	SDMP pg. 36		None	35 The engineering survey calls for a subsequent EIR but assumes downstream flooding is the only risk. It does not consider downstream water loss.	Downstream water loss.*
Stormwater Canal Visual Impact	The preferred alternative envisions a mile long 100' wide canal connecting the Northern Stormwater Pond with Putah Creek and bisecting the western portion of the town. A similar canal was considered and rejected by the Plan Advisory Committee for its high maintenance cost, inefficient land use and unmitigable, unsightly eyesore.	Policy VIII.A.7	Policy calls for development of design standards reflecting the designation of SR 128 as a scenic highway.	None.	None.	

POLICY RECOMMENDATIONS:

1. Floodplain survey.
The FEMA floodplain map and the USGS topographical map are in conflict. Both cannot be correct; most likely both are inaccurate. The City should commission a survey to determine the extent, water depth and holding capacity of the floodplain. Given this information a decision as to which parts of the floodplain to reclaim and what reclamation methods to use can be made.

2. Passive design.
An outfall from the southern portion of the floodplain to Putah Creek can be designed to prevent flooding over Highway 128. This outfall is the only active element envisioned in this recommendation. There is no Detention Pond, Stormwater Diversion or canal. The storm drain piping can be re-designed to operate with the revised floodwater plan.

36 3. Study Area.
The City might consider putting the floodplain into a special study area. However, given sufficient political will and consistent leadership, it is feasible that a revised stormwater plan could be ready to include in the final general plan in the Spring of 1992. We do not feel that these changes, moving in the direction of dramatically lower environmental impacts, would necessitate recirculation of the EIR.

37 4. Downstream water loss.
In order to be adequate, the EIR must address downstream water loss in Moody Slough resulting from the diversion of the natural flow of Moody Slough to Putah Creek.

ELEMENT: Infrastructure Services and Facilities
CONSIDERATION: Wastewater treatment
DISCUSSION: The projected population of Winters in 1995 is approximately 7000 people. Hence the existing treatment facility, with repairs and improvements, will reach capacity. The conversion to a new secondary level treatment facility will occur at that time.

The Sewer System Master Plan (SSMP) proposes to relocate the new facility adjacent to the 63-acre Winters Detention Pond so that the treated wastewater can be engineered into the storm drainage plans. The advantages listed for the relocation include 1)the reduction of potential noise, odor, and aesthetics associated with the current facility; 2)the reduced risk of contaminating the city's domestic water supply and 3)cost. Upon closer evaluation it is unclear that any of these "advantages" are actually strong enough to justify the relocation of the sewer facility .

TOPIC	IMPORTANCE	GP REF	GP DISCUSSION	EIR REF	EIR DISCUSSION	RECOMMEND
Relocation	The recommended relocation of the sewer facility requires the city to purchase agricultural land outside the urban limit line, in the floodplain, to build a treatment facility that must never be flooded. The existing sewer plant is above the floodplain and, because of the elevation, will never flood.	IV.C.3	The Draft General Plan recognizes the need for improvements to the existing facility and for future development of new facilities. Policy IV C.3 encourages the alternative of relocating the new facility to the northeast part of the city.	SSMP pg 29-34 and cost section pg 35-42 39	There is no reference to relocation in the EIR document. However, the SSMP recommends the relocation of the new treatment facility with an evaluation and cost analysis between four alternatives. 38 The potential noise, odor and aesthetics of a new secondary treatment plant at the current site can be mitigated. Relocation of the treatment facility does not necessarily reduce the risk of groundwater contamination. Furthermore, the costs associated with the decommissioning of the current site have not been considered. In addition to the liability insurance of the property, the city must conduct a hazardous waste analysis of the storage ponds. The heavy metals and the bacterial pathogens in the sludge create a hazardous waste situation. This must be mitigated before the land can be marketable.	Feasibility study [1] Remediation [1]
Phasing	The new treatment facility must be on-line when the population of Winters reaches 6600. It is important to set up a specific time schedule for phasing in the new facility.	Goal IV.A Policy IV.C.2 to IV.C.4	The Draft General Plan supports the idea of a new facility when the current sewer treatment plant reaches capacity. However, it neglects to address a schedule for the new plant construction and commission date.	V.B.1-3 40 SSMP pg 14 and 30	The EIR states on page 104 that when the capacity of the current sewer facility is reached that a conversion to a new secondary level treatment facility will be made. Once again, there are no specific plans or time tables for this conversion.	Phasing [1]
Reuse of reclaimed water	The recommended alternatives for beneficial reuse of reclaimed water do not offer enough options for the City to make an informed choice. Other innovative ideas can be incorporated into reuse plans that 1)promote groundwater recharge, 2)functionally clean-up the water to a higher level of purity, 3)provide wildlife habitats, 4)create aesthetically pleasing open-space, and, 5)do all the above on a cost effective basis.	IV.B.9 IV.C.5 IV.D.3 IV.D 6	The policy document states that reclaimed water will be used for landscaping and agricultural irrigation only.	SSMP pg 19-29 and pg.34 41	The EIR document does not discuss specific reuses of reclaimed water. However, the SSMP examines four alternatives for effluent reuse: 1)agricultural irrigation, 2)landscape irrigation, 3)recreational lake discharge, and 4)surface water discharge.	Wetlands [1]

POLICY RECOMMENDATIONS:

1 Feasibility study. The City shall undertake a feasibility and design study for the development of a new secondary treatment plant at the present site of the existing facility. Treated effluent from the sewer plant must be incorporated into beneficial reuses during the summer months and discharged into Putah Creek during winter months.

42 2 Remediation. If the wastewater treatment plant is relocated, then the EIR must include a discussion of the remediation measures and costs required to decommission the existing facility.

43 3 Phasing. A policy should be added to the general plan which states:

"The City shall ensure the provision of adequate sewer service to all new development in the city by adhering to the following schedule: (a)When the flow rate has reached 80% of the current facility capacity the funding sources for the new treatment plant must be identified and the environmental review initiated. (b)when the flow rate has reached 90% of the capacity, construction of the new facility must begin; (c)when capacity is reached, the new facility must be on-line.

If the above policy is not implemented in the General Plan, then the impact of inadequate wastewater treatment facilities must be addressed and mitigated in the EIR.

4 Wetlands. Additional reuse alternatives should be explored. One suggestion is the creation of an Artificial Wetlands (Appendix "Wetlands"). If small communities are to meet wastewater requirements of the future, they must have treatment systems that are not only effective and reliable, but also simple and inexpensive to build and operate. Constructed wetlands appear to meet all of these criteria and offer promising alternatives to conventional treatment plants. Furthermore, in the case of Winters, constructed wetlands could mitigate the loss of naturally occurring wetlands through development (See Natural Resources discussion).

ELEMENT: Natural Resources

CONSIDERATION: Need for documentation of database for existing natural resources.

DISCUSSION: Many vegetation types unique to California and to the nation are located at low elevations, near population centers, where human activities have degraded them, fragmented them, or completely replaced them with agricultural or urban settings. The ecological health of any region depends upon the existence of vigorous natural ecosystems. Responsible development requires General Plans and EIRs which identify these ecosystems— location, status, environmental requirements— so that they may be properly avoided and buffered from proposed development. Responsible development also must create the economic support for mitigation of those ecosystems that will be unavoidably degraded. Finally, responsible development must confront the fact that mitigation is not necessarily achievable. The re-creation of many habitats and plant communities somewhere new, away form the development area, is difficult. Consequently, repeated calls for mitigation in a General Plan or EIR as compensation for development is misleading.

44

TOPIC	IMPORTANCE	GP REF	GP DISCUSSION	EIR REF	EIR DISCUSSION	RECOMMEND
Retain agricultural productivity.	The continuing need for agricultural products in the region is obvious; Winters is surrounded by prime ag land; the town character reflects an economy based in agriculture.	Policies under goal VI.B	The GP does not go far enough in basing landuse decisions on soil information. Agriculturally productive soils are classified as Types I and II. These need to be mapped and distinguished from other soils, and viewed in a special way in urban planning.	pp 52-3, part III. p 223, part XIV	45 EIR states that land-use policies should protect those agricultural lands in areas presently farmed, which have prime soils: later it is accepted that there will be unavoidable adverse effects due to conversion of prime ag land to urban use.	Extend policy VI B[4] Policy VI.B 6[5]
Habitat surveys, wetlands definition, identification of wetlands	A database of existing natural resources is an obvious starting point for developing protection plans. None currently exist.	VI.C.1	The GP calls for site-specific habitat surveys in or near riparian or wetland areas.	p 156, part IX.	46 California Department of Fish and Game (CDFG) and Army Corps of Engineers (ACE) definitions of wetlands are given, but which one will be adopted for Winters?	Wetland definition.[6]
					47 Many Winters wetlands are seasonal or episodic (not wet every year); thus do not meet the ACE 3-way definition. What wetland areas will be designated in Winters? Why are wetlands not mapped in the EIR? Dry Creek should qualify as a wetland.	Wetland maps.[6]
					48 "Potential wetlands... include... a large depression northwest of the cemetery which is subject to short periods of ponding...". The cemetery depression contains water for several months— a significant period rather than a "short" one. This wetland will be destroyed by development. Its contributions to the Dry Creek aquifer need definition and study.	
				p 165, part IX.	49 "Where wetland features are present...appropriate mitigation will be required." Why have those wetlands not been identified at this time? The EIR proposes that a qualified biologist be retained to conduct wildlife studies. How will the process of wetland survey/search occur? What are the mitigation provisions in Section 404 of the Clean Water Act and Sections 1601-6 of the CDFG code?	Specialist.[7] Guidance.[8] Provision list.[9]

Natural History and Resources

Renovation and maintenance of habitats for endangered species: Mitigation for Swainson's hawk: Call for more study for burrowing owl, mountain plover and California tiger salamander.	Legally listed species or nearly-listed species of special concern must be protected.	VI.C.4	The GP calls for the development of a region-wide Habitat Resources Plan.	p 163, part IX **50**	Mitigation apparently shall include "restoration and enhancement of nesting and foraging habitat," for Swainson's Hawk. An example of wishful thinking when it comes to promoting mitigation. How does one enhance hundreds of habitat acres: plant mature trees as nest sites? remove ground cover for rodent prey? The re-creation of damaged ecosystems is not trivial	Mitigation sites "
				p 164, part IX **51**	"..additional studies would be necessary to conclusively determine whether a number of taxa of concern occur in the area and may be affected by future development." Which species need study? Who would the EIR nominate to study them? For what period of time? Who pays? Why didn't the EIR conduct these studies as part of the EIR process?	
				p 159, part IX **52**	Vague statements about the possible presence of burrowing owls and mountain plovers being in the area Are these birds present or not? If so, as potentially listable species, the EIR should present mitigation details.	
				p 160, part IX **53**	"..no detailed studies have been conducted to confirm the presence or absence of this subspecies." [of salamander]. Again, how can we proceed without this information? Preservation of upland habitat is vital for the survival of this animal.	
				pg 165, part IX **54**	The EIR calls for future biotic surveys by a biologist who may find taxa of concern other than those already identified. How long should this survey go on for? If a survey is too brief, it may miss an animal which uses the area as part of an extended forage area rather than as a central area near a nest– yet the forage area is important and should remain intact.	Survey methodology " Policy VI C.2"
				p 166, part IX **55**	The EIR calls for plantings of elderberry, to serve as a beetle habitat. Elderberry is not genetically homogeneous throughout its range, and the beetle may be genetically variable in a parallel fashion	Local stock "
				p 167, part IX **56**	The EIR suggests that nest trees could be cut down after raptor fledgling is complete. However, Swainson's hawk nest in the same place year after year.	Nesting trees "

Natural History and Resources

Creation of replacement habitat	No net loss of wetland habitat is a national goal, as well as a local one.	VI C.2 VI.C.3	The GP assumes that replacement of degraded habitat is possible on at least a 1:1 basis.	p 162, part IX 57	The EIR here and elsewhere puts great reliance on replacement of impacted habitat by creation of enhancement of habitat elsewhere (eg. 3:1). the technical ability of landuse managers and ecologists to successfully create wetlands is limited. Fragmentation of wetlands has been a recurring theme in this century, much to the detriment of biotic diversity.	Explicit methods " Wetland connections "
Public awareness programs	Education of the public about unique Winters habitats will 1)help maintain these systems and 2)draw visitors to experience these habitats as well as boosting a tourist oriented economy.	VI.C.8	Public appreciation of nature is mentioned, but economic gain from natural history tourists is not mentioned.	None	None	Environmental Center "
Protection and enhancement of Dry Creek	Dry Creek is an intermittent wetland within a city boundary; a rare and difficult habitat to manage. State funds, through the Urban Streams Program of the Water Resources Department could be sought to assist the City in this task.	VI D.1 to VI.D.6	Policy statements concerning setbacks, recreation, habitat management and bank stabilization with native plants.	p 161, part IX 58 pp 161-2, part IX 59 p 165, part IX 60	The EIR projects minimal impact to Dry Creek as the result of watershed development; it implies that erosion has been caused by recent riprap work upstream. Dry Creek erosion has been significant for the past 20 years according to local residents, preceding recent development. Blanket proposals for 50-100 foot setbacks, recreational trails, complex teams to determine erosion control techniques. Setbacks could be narrower once slope stabilization is achieved. Trails can be very inappropriate along banks and cliff edges. There is no reference to plans by local citizens (eg. Dry Creek Citizens Group) already developed to accomplish innovative erosion control using state funds from the Urban Streams Program. The EIR lists examples of channel stabilization and mitigation. Another technique could be cutting back the top of the bank to create a gentler slope and strengthening the base with a toe of rived rock; then planting the bank with native climbers (eg. blackberries, grape, pipevine). This technique has been proposed by the Dry Creek Citizens Group with Winters and the Urban Streams Program. Finally, downstream erosion may result from upstream inputs or inappropriate stabilization activities.	Cumulative effects." Policy VI A 6" Expand section " Policy VI.D 2" Interdependence."
Promotion of habitats	Disturbance of any ecosystem must be approached with the idea of preservation of the ecological system.	VI.D.2 to VI.D.5	Lacks specificity and commitment.	pg. 165, part IX 61	General discussion only. Lacks specificity of mitigation measures.	Policy VI C 4" Policy VI C 5" Policy VI C 6" Policy VI C.7" Policy VI D 3" Policy VI D 4" Policy VI D 5" Policy VI D 6"

Natural History and Resources

Provision about future corrections to impacts.	If future research reveals that some species are not threatened after all, or can be easily protected, we needn't be so concerned about developing detailed protection plans.	None.	None.	p 223, part XIV 62	The EIR states that future adverse effects may become insignificant by "... presently undetermined mitigation measures, such as might be produced through advances in technology, or social behavior patterns."	Re-word.[illegible]

POLICY RECOMMENDATIONS:

1. Extend Policy VI.B
The policies under goal VI.B of the GP need to be extended. Add policy VI.B 7:
"The City shall require that all land-use maps include boundaries designating soil types I and II (productive soils) from other types."
Add policy VI.B.8, as follows:
"The City shall favor less productive soils for future expansion. Class I and II soils may be placed within the Urban Limit Line only when less productive soils are not suitable for the intended use."

2. Policy VI.B.6. This policy should be reworded as follows: (changes in italics)
"The City shall allow and encourage activities that support local agriculture, such as farmers' markets, on-site sale of produce, *special variance for caretaking quarters on ag land within the city limits*, and special events promoting lo[illegible] [illegible]ural products.

63 3. Wetland definition. The EIR should state explicitly how wetlands are defined in the document

64 4. Wetland maps. The EIR should provide a map of wetlands for the general area or provide a mitigation budget for its preparation.

65 5. Specialist. If the EIR does not map wetlands, the EIR should propose a specialist for wetland determination

66 6. Guidance. The EIR should give guidance for the specialist. (specifics?)

67 7. Provision list. The EIR should add the list of mitigation provisions found in Section 404 of the Clean Water Act and sections 1601-6 of the CDFG code.

68 8. Mitigation sites. The EIR should propose mitigation only for habitats which are known to be capable of management. (See "Explicit Methods" recommendation above.)

69 9. Survey methodology. The EIR should be more explicit about expectations and operational methods for these later surveys.

10. Policy VI.C.2. Add the following text at end: "*Lists of native species will be procured from studies of the natural area surrounding Winters. If no such studies exist, they must be done and analyzed prior to any habitat disruption. Study expenses shall be borne by development fees of the impacted area.*"

70 11. Local stock. Plantings of elderberry should be made from local (foothill coast range) seed or stock.

71 12. Nesting trees. The EIR should be modified to include the statement that identified nesting trees for Swainson's Hawk should be retained

72 13. Explicit methods. The EIR should explicitly state methods to be used to reclaim wetlands, or, refrain from describing this option as viable

73 14. The EIR should address ways of improving connections between the small acreage of existing wetlands

74 15. Environmental Center. Both the GP and EIR should recommend establishment of a riparian Environmental Center. This recommendation is synonymous with the recommendation in the Cultural element

75 16. Cumulative effects. The EIR should conclude that any increase to runoff in the channel (eg the projected 3.4%) will have significant impacts because of cumulative effects on top of existing problems

Natural History and Resources

17. Policy VI.A.6. To strengthen the protection against further sedimentation, policy VI.A.6 should be re-worded as follows. (New wording in italics).
The City shall implement measures to minimize the discharge of sediment from grading into Putah and Dry Creek. Baseline measures shall exist or be collected for the area to be graded before work is commenced. Analysis of impact shall occur prior to grading. To this end, grading... Also, temporary drainage structures and sediment basins must be installed to prevent sediment from entering and thereby degrading the quality of downstream surface waters, particularly Putah Creek. *Expense of such work shall be borne by fees to developers who impact this area. Present residents will not be asked to mitigate work needed in order to further development.*"

76 18. Expand section. The EIR should expand this section to include ongoing activity and its impact on the GP process.

19. Policy VI.D.1. Delete the words "as much as possible".

77 20. Interdependence. The EIR should explicitly recognize the interdependence of one part of Dry Creek on another. North area development should be explicitly examined relative to its potential impact on increased water flows into Dry Creek and the subsequent erosion impacts resulting from those flows.

21. Policy VI.C.4 Add text to end: "... regionwide Habitat Resource Plan which *shall provide baseline data for the Winters area.*"

22. Policy VI.C.5. Re-word as follows: "...recreational opportunities. The Open Space Preserve shall *be managed in such a way that it will continue to function as part of the area's natural flood control system. The present hydrological balance shall not be changed by new discharges or diversions as a result of planned development. Control of erosion and preservation of wetland habitats shall be first priorities.*"

23. Policy VI.C.6. This policy should be reworded as follows: "The City *shall* require the use of native plants, especially valley oaks, for landscaping roadsides, parks and shall promote such use on private properties."

24. Policy VI.C.7. Delete the words "where feasible".

25. Policy VI.D.3. Reword the preamble as follows (new wording in italics): "The City shall develop a program for habitat management of Putah and Dry Creek corridors *utilizing baseline information of the area as a guide. Where such studies do not exist, they will be conducted.* The management will be undertaken using the following principles:

Add as a fourth principle: "*Replanting of native species on public and private land shall be actively encouraged.*"

26. Policy VI.D.4. Re-word as follows: "The City shall seek state grant funding for revegetation, *habitat preservation, and erosion control* of Putah Creek *and Dry Creek.*

27. Policy VI.D.5. Add as a first principle: "*Baseline figures shall be provided and analyzed prior to project implementation.*" Modify the last principle as follows: "... but the erosion control measures shall minimize damage to riparian vegetation and wildlife *and downstream residents.* Riprap shall not be used unless slope, current, and existing vegetation are favorable to provide substantial vegetative screening of the riprap *and if mitigation downstream is adequate. Expenses of mitigation and study will be borne by the development that impacts the area.*

28. Policy VI.D.8. Add the following sentence at the end of the policy statement: "*'Welfare' here includes ethnic utilization of native plants.*"

78 29. Re-wording. The quoted sentence should be struck. All we can deal with is what we know now. This attitude encourages a laissez-faire attitude which will not serve the area well.

ELEMENT: Infrastructure, Services and Facilities

CONSIDERATION: Water Supply

DISCUSSION: The city is solely dependent on the supply of groundwater to meet the water demands for the present and projected growth. The protection and management of the quantity and quality of this water source is of primary importance to the City.

TOPIC	IMPORTANCE	GP REF	GP DISCUSSION	EIR REF	79 EIR DISCUSSION	RECOMMEND
Groundwater quantity	Groundwater is not a limitless resource. Thus, it is important to manage this finite water supply to ensure adequate quantities are present in 2010 and beyond. The recharge of the city aquifer is vital to the groundwater supply. Some communities are concerned about groundwater balance when the recharge to discharge ratios reaches 3:1. Winters, in 2010, has a projected groundwater balance of less than 1:1.	IV.A.2 IV.B.1 IV.B.6 IV.B.7 IV.B.8 IV.B.10 IV.B.11	The Draft General Plan recognizes the need to conserve water and promote groundwater recharge. However, the wording is not specific enough to protect current areas of known groundwater recharge	V A pg 1-3 IX.2 A and B Water System Master Plan: Groundwater Study	The Water System Master Plan (WSMP) adequately reviews plans for three levels of water conservation. However, the strongest level of conservation will not mitigate the anticipated water budget deficit in 2010	Conservation * Recharge areas * Water levels * Agriculture.*
Groundwater quality	The quality of the water supply must be maintained since this is the City's only domestic water source. Very little is known about the hydrology of natural percolation structures such as the floodplain. The ecological role of these structures needs to be understood, evaluated and retained if their disruption significantly affects regional water quality.	IV.A.2 IV.A.3 VI.A.1 VI.A.2 VI.A.3 VI.A.4	The Draft General Plan outlines the intention of maintaining groundwater quality but neglects to specify a monitoring program or the consequences of decreased water quality.	IX. 2A and B SSMP pg 12 WSMP: Groundwater Study	80 The EIR has a very general discussion about minimizing disturbance to wetlands, hence preserving groundwater recharge and purification areas. The SSMP alludes to groundwater monitoring wells near the Sewer Treatment Facility. Both discussions are vague and inadequate.	Monitoring *

POLICY RECOMMENDATIONS:

1. Conservation. The City will adopt and implement the "moderate" conservation alternative as part of the Master Plan
2. Recharge areas. The City will make the preservation of groundwater recharge areas a high priority
3. Water levels. The City will monitor groundwater levels at least twice a year. If groundwater levels are found to be dropping, then the City will implement the most aggressive water conservation alternative. If ground water levels continue to drop, even with the strongest conservation measures, the City will cease to issue building permits until the overdraft situation is mitigated.
4. Agriculture. In light of the City's policies towards the preservation of agriculture, the City will not develop further wells and expand its groundwater pumping when it is determined that further depletion of the groundwater supply will adversely impact neighboring agricultural operations.
5. Monitoring. The City should adopt a policy detailing its intention to institute an adequate groundwater monitoring program. The policy should read.

"The city will monitor, on a semi-annual basis wells 2, 4, and 5, (wells 1 and 3 are in close proximity to well 2 and need not be monitored separately) as well as any new wells drilled in new locations, for the following parameters: pH, dissolved oxygen major cations, nitrogen (ammonia, nitrate, and total N), phosphorus (orthophosphorus and total phosphorus), chlorides, alkalinity, suspended sediment and solids, biological oxygen demand, chemical oxygen demand (BOD/COD), trace metals, pesticides, herbicides, volatile organics (VOC's) and bacterial and viral components. All parameters must meet acceptable levels as determined by the Regional Water Quality Control Board."

If the monitoring shows degradation of the groundwater, additional measures (as suggested by the RWQCB) will be adopted to protect the groundwater quality.

ELEMENT: Circulation
CONSIDERATION: Transportation System Management, Congestion and Air Quality
GENERAL DISCUSSION: The provision of streets, bike paths and pedestrian routes provides the skeleton of a transportation system. Making good use of limited resources is the job of transportation systems management. Providing the framework for public transit and support for voluntary programs such as ride sharing can make better use of the infrastructure. These transportation tools historically provide a very modest but useful amount of traffic generation relief in small cities. The most powerful tool in reducing trips is to provide a balance of jobs and housing within the General Plan area

TOPIC	IMPORTANCE	GP REF	GP DISCUSSION	EIR REF	EIR DISCUSSION	RECOMMEND
Transit	Effective public transit can mitigate traffic congestion, reduce air pollution and decrease the costs associated with providing excessive single occupancy vehicle use. Transit use varies according to availability, frequency and cost of transit and other modes. The availability and frequency of transit is dependant on the density of the population within walking distance of transit routes. Small towns seldom achieve high "mode splits" between transit and automobiles but some success can be had by increasing overall density and by clustering high density near transit access points. In general, a density of 8 dwelling units per acre, depending on total population served and route segment distances, will support frequent bus service.	III.B.1., III.B.2	The General Plan mentions working with the Yolo County Transit Authority to provide busses. It also notes that the City will require bus facilities as appropriate.	IV.A, XII.C.12.3 **81** **82**	The EIR notes existing transit services in its background to transportation and circulation impacts. It makes no mention of the impact of growth on the existing transit system and offers no advice for a future transit system. The EIR provides for financial contributions to transit as a possible "off-site" air quality mitigation for developments (producing 200 or more trips) that cannot reduce their trips by 25% through site planning, mixed land uses and/or TSM measures. The formula for computing the value of off-site mitigations is unclear. This mitigation measure has no attached monitoring plan.	Increase Density [1]
Voluntary Programs	In preparation for the 1984 Olympics in Los Angeles it became clear that the existing transportation infrastructure was not going to be able to handle the increased strain of the event. A series of private actions were proposed and supported by public agencies. These included car pooling, van pooling, and park and ride facilities. They helped momentarily. After the games people pretty much returned to their old habits. Having a glimmer of hope the region passed a regulation requiring employers to continue supporting these activities. They met with modest success, getting vehicle occupancy up from 1.1 occupants per vehicle to 1.2 if the parking supply was manipulated through pricing. These programs have never been, and probably never will be, dramatically effective. They can chip away at trip reduction a few percent at a time especially when jurisdictions are willing to manipulate the parking supply.	III.C., III.C.1-2,	The General Plan pledges to "encourage and support programs which will increase ridesharing", and to "cooperate with Caltrans in developing and maintaining park-and-ride facilities..."	XII.C.12.3 **83**	The EIR requires a report on measures for projects that generate more than 200 trips per day. If the report does not identify measures which result in a reduction of 25% of the originally forecast trips then "off-site" mitigations will have to be used. Forecasting techniques for the report and measurement for reductions are not specified. All parties should be very wary of claims regarding the possibilities and performances of TSM measures other than mixed use site planning or jobs housing balance. While useful, TSM measures, such as ride sharing rarely achieve anywhere near a 25% reduction in forecast trips and providing park and ride facilities off-site for other car pooling systems that aren't working doesn't help much either. Careful monitoring and contingency planning will be required gain any effect from this proposed mitigation.	Reporting Criteria and Mitigation Monitoring [1]
Jobs/Housing Balance	The single most effective factor in reducing vehicle trips and vehicle miles is to have general plans and even site (neighborhood) plans that contain a mix of jobs and housing. The work of Rich Chellman in Berkeley and the oft quoted Brandermill study bear this out. While it is true that people may still live in one town and work in another it has been demonstrated that, over time, when at all possible, people will choose to live close to where they work. A wonderful byproduct of this is that people also shop where they work so the overall savings in trip reduction and vehicle miles is multiplied at the same time that the City's cash registers ring.	I.A.5., I.D.1., I.E., I.E.1., I.E.2.	The General Plan clearly states that jobs/housing balance is a goal and designates land use in job promoting classifications. The only plan associated with this goal calls for writing another "plan to identify strategies..." If the City is sincere about achieving jobs/housing balance then the rate of residential development should be tied to the rate of development of commercial and industrial space. If there is no market for commercial and industrial space then residential development can stop until there is enough demand to warrant construction. Otherwise "jobs/housing" is just a new way of saying "bedroom community."	**84**	Regional air quality impacts are serious health impacts to every man, woman and child in Winters and the surrounding area. To suggest a few minor mitigations of questionable merit and to leave the subject saying that these mitigations will not reduce cumulative air impacts to below a level of significance is inadequate. Significant reductions in emissions are available through significant mitigations that comprehensively act to reduce pollution. Pedestrian orientation, land use, appropriate densities and mandated significantly higher jobs/housing balances can act together to achieve better air quality. These options must be clearly embraced by the General Plan or defined in the EIR.	The residential building and occupancy permits to commercial building and occupancy permits [1]

1 Increase the average density of each pedestrian oriented neighborhood to eight dwelling units per acre the mid point of the Medium High Density Residential designation

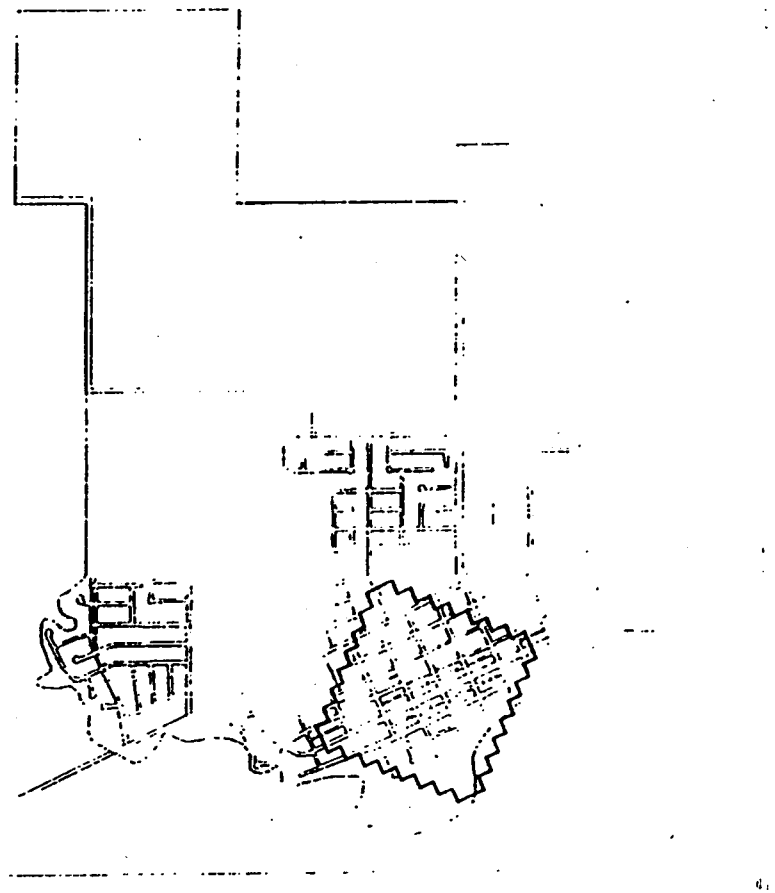
85 2 The EIR should specify requirements for measuring trips and recognizing trip reductions proposed by sites generating more than 200 trips per day The EIR should also specify criteria for evaluating and accepting plans for off site mitigation when it is needed by developments unable to reduce their trip generation through site planning The EIR should also suggest a measurement and monitoring technique to determine if on-site and off-site mitigations are meeting their trip reduction goals

3 Tie the build-out of residential units to the development of commercial space. The City's stated goal is to provide .25 jobs per dwelling unit This would require 50 feet of office space (200 ft/job) or 125 ft of retail space (500 ft/job) or other appropriate figures for each employment use. The City should create a legal framework binding the provision of these two kinds of space together For example the City could require that for each 200 dwelling units started sufficient space also be started to accomodate 50 workers. Tie the issue of building permits in residential to the issuance of building permits for commercial and tie the issuance of occupancy permits for residential to the issuance of occupancy permits for commercial

WEIRW

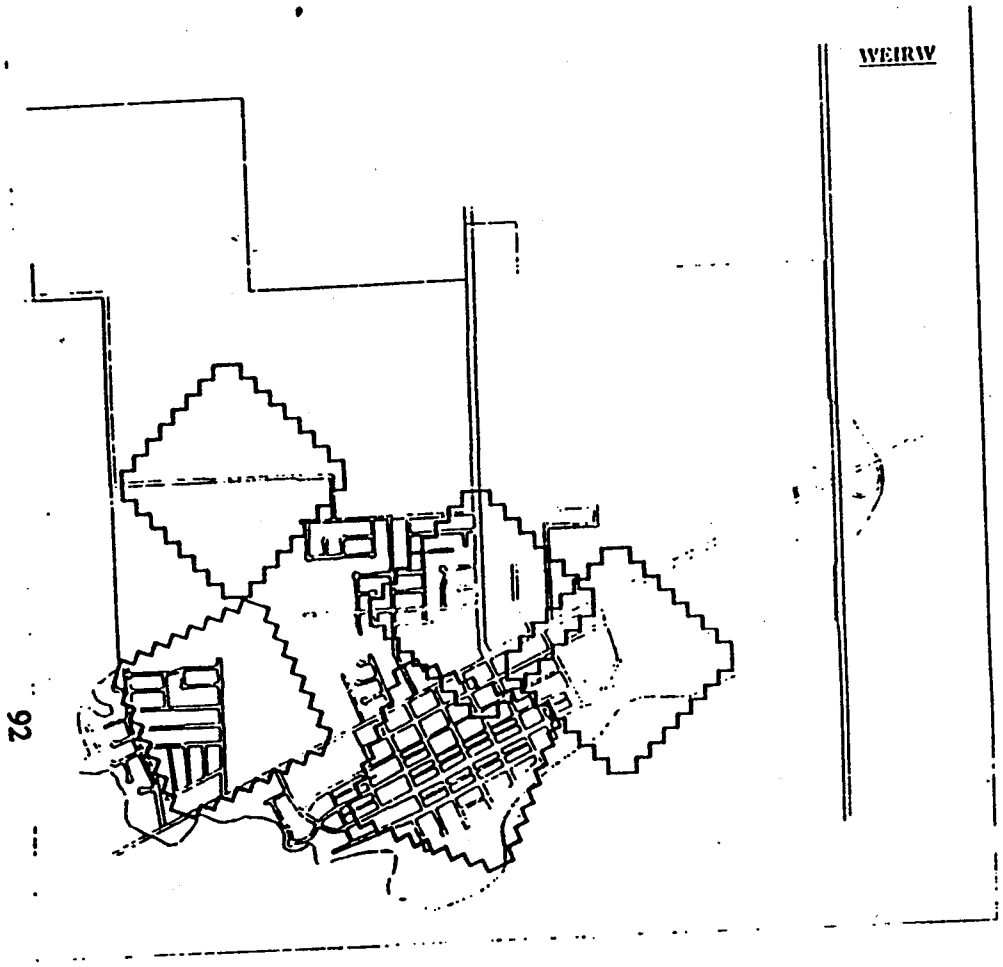
Alternate Concept Maps

Pedestrian Orientation
Circulation
Floodplain location



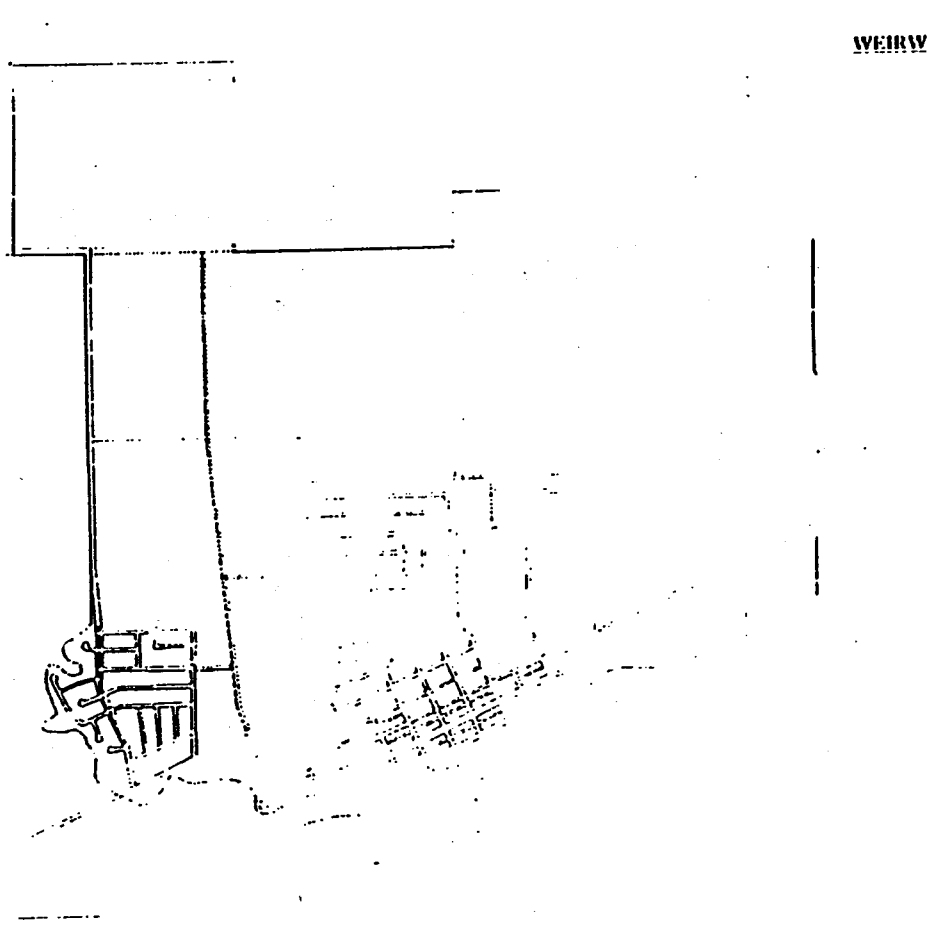
Old Town Pedosphere

A "pedosphere" is an area that studies have shown a person is likely to walk to retail and commercial businesses. For adults, this is approximately 1800'. For school-age children, it is approximately 2200'. The pedosphere shown on this and following maps represents the adult sphere of 1800'. As can be seen, existing Winters perfectly underlies a pedosphere centered on the downtown (where one of the downtown grocery stores used-to be located.)



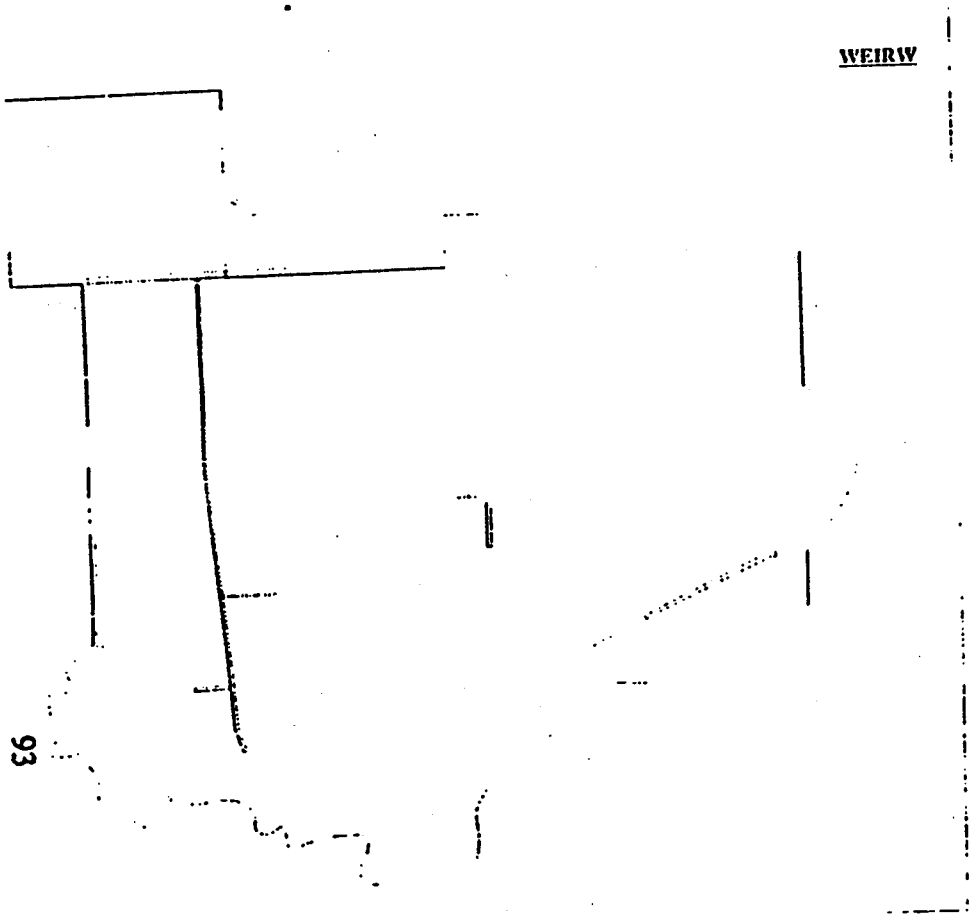
Pedestrian Oriented Neighborhoods

The policy document consistently supports the continuance of "pedestrian oriented" developments. We have overlaid four additional pedospheres. The area in between the two spheres in the west and the three downtown are where schools sites are located, thus schools are easily accessible in the 2200' schoolager's sphere. The overlap of the three downtown pedospheres suggest an excellent location for retail/commercial/mixed use development. Lower density, high-end homes are well suited for the periphery of the pedestrian core.



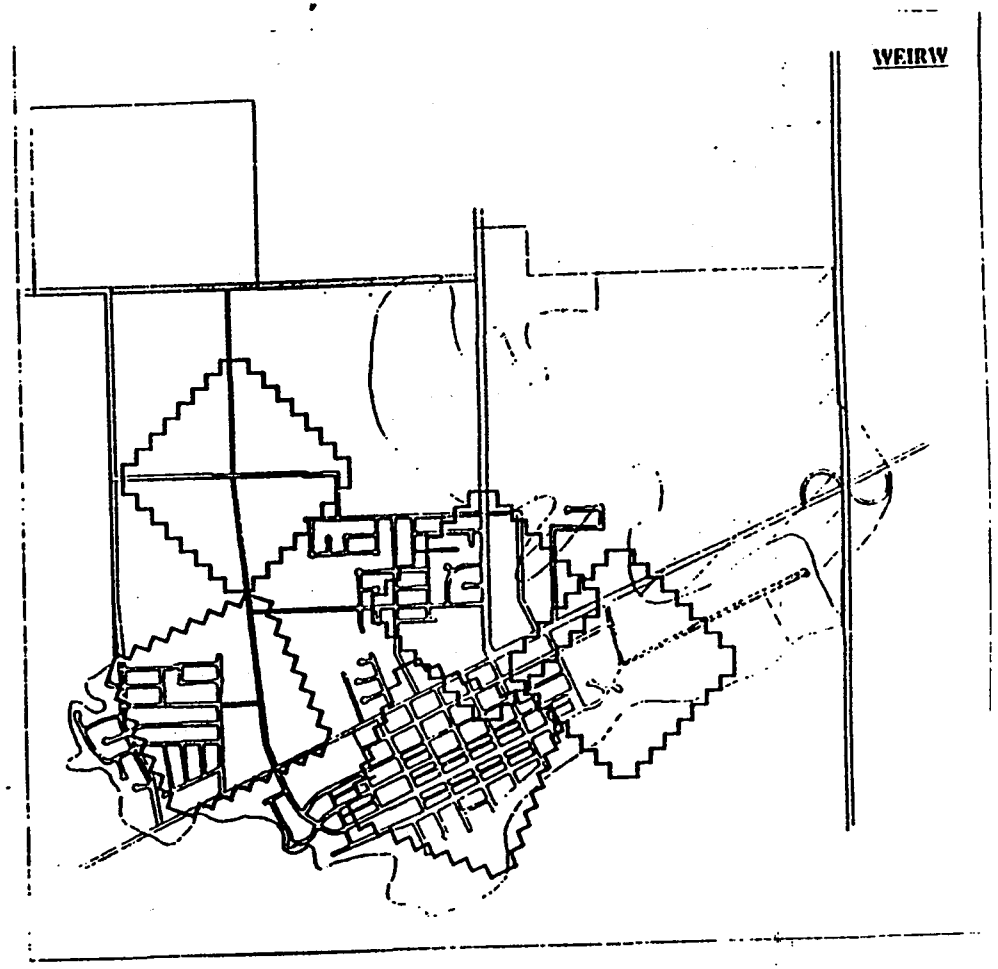
Circulation Required for Pedestrian Community

This circulation concept map shows the required major routes needed to satisfy the needs of the pedestrian oriented community illustrated in the preceding map. New roads are shown in cross hatched areas. Easements discussed in the circulation element of this document are shown but not cross-hatched. The interconnected street pattern of this map provides ample routing opportunities for transit between pedestrian spheres.



New Road Construction Required

This map illustrates the minimal amount of new road construction needed to achieve a pedestrian orientation. As in the preceding map, new road construction is shown with cross-hatching, easements are shown open.



Floodplain Mitigation

This final map overlays the FEMA floodplain outline on the preceding set of maps. As can be easily seen, the floodplain lies outside the pedestrian areas. There exists ample open space left outside the pedospheres and outside the floodplain to locate lower density housing. Floodplain mitigation costs are drastically reduced in this scenario. Minor diversion berms may be required to protect some existing areas of the City.

37

Constructed Wetlands for Wastewater Treatment

Municipal, Industrial and Agricultural

Donald A. Hammer

LEWIS PUBLISHERS 1990

94

WEIRV

CHAPTER 2

Wetlands Ecosystems: Natural Water Purifiers?

Donald A. Hammer and Robert K. Bastian

Everyone has a vague idea of what constitutes a wetland, but not everyone has the same idea. Just as the predominant types of wetlands vary from one region to another, names commonly used to describe them also vary regionally. A *slough* is a freshwater marsh in the Dakotas, a brackish marsh along the West Coast, and a freshwater swamp on an old river channel in the Gulf Coastal plain, while the vernacular *bog* covers anything wet and difficult to cross.

Obviously, wetlands are not continuously dry lands. On the other hand, they need not be continuously wet. Many types of wetlands are wet only after heavy rains or during one season of the year. At other times they may be very dry, as many people are surprised to learn when they visit Everglades National Park during the dry season.

Wetlands are an *ecotone*—an "edge" habitat, a transition zone between dry land and deep water, an environment that is neither clearly terrestrial nor clearly aquatic. Because land and water can merge in many ways, it can be frustrating to attempt to define wetlands or determine where wetlands begin or end strictly on the basis of wetness or dryness.

There is no single "correct" definition of wetlands for all purposes. Several definition and classification systems have been devised for differing needs and purposes. Most tend to skirt the how-wet-is-wet question by identifying wetlands in terms of soil characteristics and the types of plants these transitional habitats typically support, since shallow standing water or saturated soil soon cause severe problems for all plants except hydrophytes, which are specifically adapted for these conditions.

In 1979, the U.S. Fish and Wildlife Service developed a definition and classification system capable of encompassing and systematically organizing all types of wetland habitats for scientific purposes.[1] It broadly recognizes wetlands as a transition between terrestrial and aquatic systems, where water is the dominant factor determining development of soils and associated biological communities and where, at least periodically, the water table is at or near

the surface, or the land is covered by shallow water. Specifically, it requires that wetlands meet one or more of three conditions:

- areas supporting predominantly hydrophytes (at least periodically)
- areas with predominantly undrained hydric soil (wet enough for long enough to produce anaerobic conditions that limit the types of plants that can grow there)
- areas with nonsoil substrate (such as rock or gravel) that are saturated or covered by shallow water at some time during the growing season

The classification system is much like the hierarchical system scientists use for classifying plants and animals. It starts with five large systems; these are progressively divided into 10 subsystems, 55 classes, and 121 subclasses, which are then characterized by examples of dominant types of plants or animals.

This system provides a consistent standard of terminology for use among scientists and specialists throughout the country. It is now being used by the U.S. Fish and Wildlife Service as the basis for the National Wetlands Inventory, a comprehensive identification and mapping of wetlands that will greatly assist wetland assessment and management.[1]

However, various legislation and agency regulations define wetlands in more general terms. With minor variations, most describe wetlands as areas flooded or saturated by surface water or groundwater often and long enough to support those types of vegetation and aquatic life that require or are specially adapted for saturated soil conditions. Such descriptions can be stretched, if necessary, to accommodate many of the scientific classifications. At the same time, they more comfortably conform to popular conceptions of what constitutes wetlands—salt and freshwater swamps, marshes, and bogs and perhaps a few subclassifications of these basic types.

In popular usage, shallow-water or saturated areas dominated by water-tolerant woody plants and trees are generally considered *swamps;* those dominated by soft-stemmed plants are considered *marshes;* and those with mosses are *bogs*.

Our principal saltwater swamps are mangrove wetlands along the southern coast of Florida. Mangroves are among the very few woody plants adapted to tolerate saltwater environments.

Freshwater swamps contain a variety of woody plants and water tolerant trees. Southern swamps typically contain bald cypress (*Taxodium*); tupelo gum (*Nyssa*); water, willow, and swamp white oak (*Quercus*); and river birch (*Populus*) (Figure 1). Northern swamps are more likely to include alder (*Alnus*), black ash (*Fraxinus*), black gum (*Nyssa*), northern white cedar (*Thuja*), tamarack (*Larix*), red maple (*Acer*), and willow (*Salix*).

Coastal salt marshes are dominated by salt-tolerant herbaceous plants, notably cordgrass (*Spartina*), and blackrush (*Juncus*) or other rushes along extensive areas of the eastern and southern coasts or cordgrass and glasswort (*Salicornia*) along the west coast. Less familiar are the inland salt marshes of the

Figure 1. A southern cypress swamp, a wetland dominated by trees and other woody plants

intermountain west where high evaporation rates from shallow lakes and playas concentrate the salt content.

Freshwater marshes are dominated by herbaceous plants. Submerged and floating plants may occur, often in abundance, but emergent plants usually distinguish a marsh from other aquatic environments. Familiar emergents include cattails (*Typha*), bulrush (*Scirpus*), reed (*Phragmites*), grasses, and sedges (*Carex*). A wet meadow may be only intermittently saturated or flooded with very shallow water but it also supports marsh species, especially sedges and wet grasses. A common type of freshwater marsh, the prairie potholes of the northern Great Plains, are shallow depressions formed by glaciers (Figure

2) Those that hold water year round, seasonally, or following heavy rains often support luxuriant marsh vegetation. Although most are small, there are many of them (810,000 ha in North Dakota alone), and collectively they constitute an important wetland resource, especially for waterfowl nesting.

Bogs form primarily in deeper glaciated depressions, mainly in "kettle holes" in the northeastern and north-central regions (Figure 3). Bogs are dependent upon stable water levels and are characterized by acidic, low nutrient water and acid tolerant mosses. Other bog plants such as cranberry (*Vaccinium*), tamarack, black spruce (*Picea*), leatherleaf (*Chamaedaphne*), and pitcher plant (*Sarracenia*) may be rooted in deep, spongy accumulations of dead *Sphagnum* moss and other plant materials only partially decomposed under bog conditions. In the same region, fens have water nearer to neutral and are dominated by sedges.

There is not a reliable quantification of the original wetland resource of this country or of the portion that has been lost, even estimates vary widely. However, one frequently cited estimate made in the mid 1970s was that only about 40 million ha, or about 46%, remained from a wetland heritage of some 87 million ha.[1] Continuing wetland losses were estimated to average 185,000 ha annually, 87% of which was attributed to conversions to agricultural land.

WETLANDS DYNAMICS

In a geological sense, natural wetlands are an ephemeral component of the landscape, highly dependent upon disturbance whether as long term, large-scale tectonic forces or localized phenomena such as annual or daily flooding and drying, fire, or storm events. Without tectonic or hydrologic disturbance, wetlands gradually progress through a succession of stages to relatively dry upland type ecosystems.

On a large scale, extensive wetlands resulted from recent glaciation, mountain-building, and changes in sea level that interrupted or destroyed drainage patterns. Once erosional forces have reestablished streams and rivers, most wetlands are soon drained. Extensive North American wetlands were created by continental glaciation (e.g., midwestern pothole marshes), valley glaciers in the Rocky Mountains, and changing sea levels along the coastal plain in the East and Southeast. Extensive bottomland hardwood swamps associated with the Mississippi and other large river systems in the coastal plain were created by a combination of changing sea levels, silt deposition from upland erosion, and natural channel alterations. Rising lake and sea levels may turn river swamps into bays, whereas falling levels cause greater relief and fast-flowing rivers in narrow V-shaped valleys with few wetlands.

Locally, without disturbance, a New England bog or a prairie marsh will gradually fill in, becoming a forest or prairie. Without seasonal flooding, the great river swamps are soon lost to terrestrial forest types. All are dependent upon disturbance or cyclic fluctuations in local hydrology.

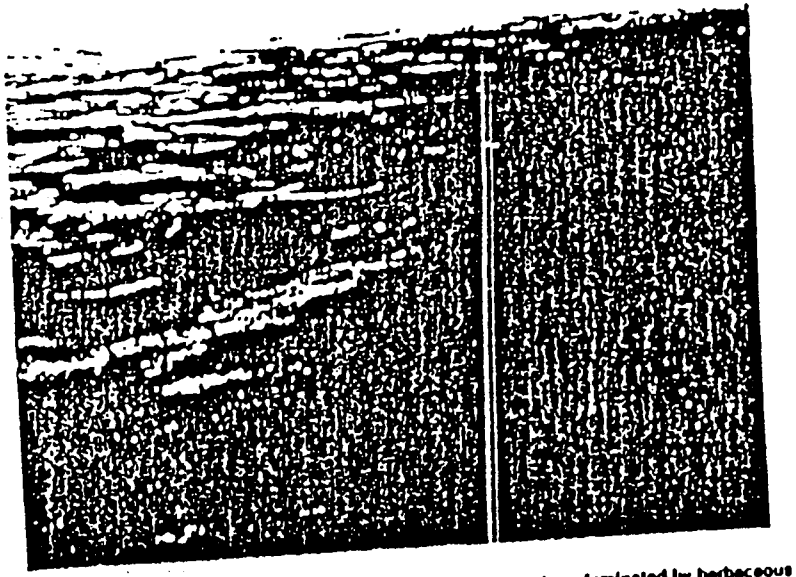


Figure 2. Prairie potholes, highly productive freshwater marshes dominated by herbaceous cattail and bulrush plants

Internally, natural wetlands are also dynamic, undergoing species compositional changes, seasonally and annually. Early waterfowl managers soon learned that stable water levels throughout a growing season and/or year after year reduced marsh productivity almost as much as the lack of water during the drought years of the 1930s. Kadlec[9] later showed that periodic drying recirculated critical nutrients that were unavailable under constantly flooded and anaerobic conditions. Flooding and drying events will favor some plants and inhibit others, with consequent changes in microbial, invertebrate, and larger animal populations. In addition, major shifts in species composition over time are inevitable. Only 10-20 species were planted in many large National Wildlife Refuges that now have hundreds of plant types. Two years after four species were planted in a mine drainage treatment wetlands, over 40 species were present.[9] Concurrently, substrates, water flow, and microbial and animal population changes have occurred.

The dependency of wetland communities on hydrologic patterns is most obvious in changes in species composition resulting from alterations in water depths and flow patterns. Deliberate modifications of depths and flow can maintain a desirable mix of plant species or inhibit the establishment of others. Some information on the requirements of various species is available in the literature,[10] but much practical management knowledge is located in the internal reports and experience of regional wetlands managers of the State Fish and Wildlife Agencies or the National Wildlife Refuges.

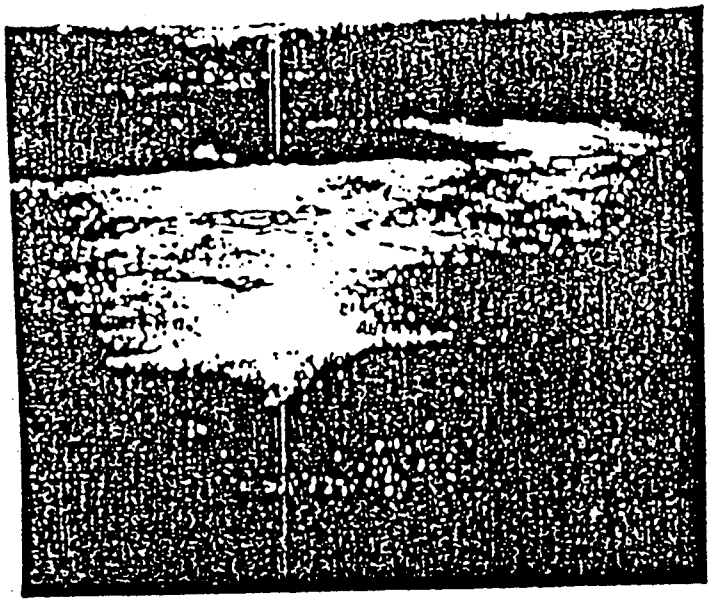


Figure 3. A northeastern bog. Note the large expanse of moss surrounded by shrubs grading into trees.

FUNCTIONS OF NATURAL WETLANDS

The productivity of many wetlands far exceeds that of the most fertile farm fields (which in many cases are former wetlands). Wetlands receive, hold, and recycle nutrients continually washed from upland regions (Figure 4). These nutrients support an abundance of macro- and microscopic vegetation, which converts inorganic chemicals into the organic materials required – directly or indirectly – as food for animals, including man.

In addition to their vegetative productivity, wetlands teem with zooplankton, worms, insects, crustaceans, reptiles, amphibians, fish, birds, and mammals, all feeding on plant materials or one another. Other animals are drawn from nearby aquatic or terrestrial environments to feed on plants and animals at the highly productive "edge" environment of wetlands, and they in turn become prey for others from a greater distance, thus extending the productive influence of wetlands far beyond their borders.

Sport and commercial hunters and fishermen have called public attention to the economic value of wetlands fish and wildlife. They were first to note the direct relationship between wetland destruction and declining populations of valuable species of fish, shellfish, birds, reptiles, and fur-bearing animals that

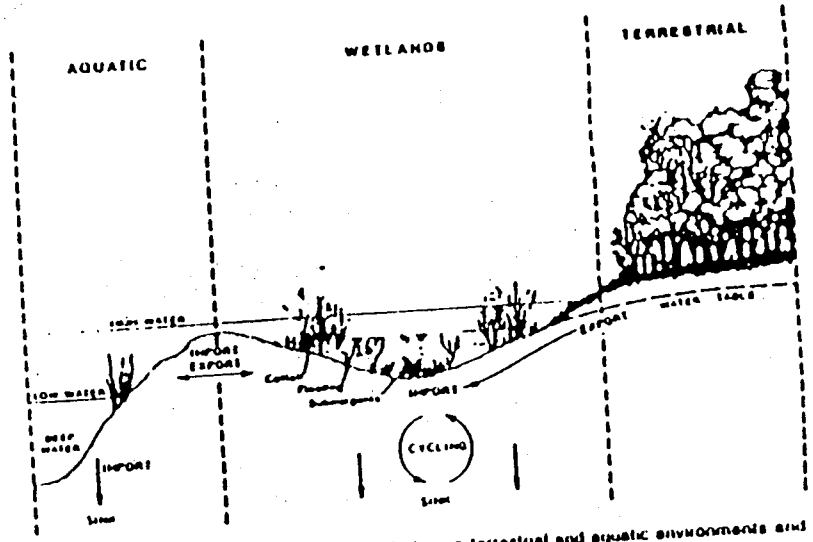


Figure 4. Wetlands are transition zones between terrestrial and aquatic environments and benefit from nutrient, energy, plant, and animal inputs from neighboring systems

are dependent on certain types of wetland habitats during part or all of their lives. Many studies have now linked the destruction of summer breeding wetlands and winter feeding wetlands to shifts or declines in populations of migratory waterfowl and other birds. Wetland destruction can be especially significant in regions where such habitat is least common and alternative sites may be unavailable.

Because of the diversity of habitats possible in these transition environments, the nation's wetlands are estimated to contain 190 species of amphibians, 270 species of birds, and over 5000 species of plants.[1] Many wetlands are identified as critical habitats under provisions of the Endangered Species Act, with 26% of the plants and 45% of the animals listed as threatened or endangered either directly or indirectly dependent on wetlands for survival.

Wetlands along coasts, lakeshores, and riverbanks have recently begun receiving increased attention because of their valuable role in stabilizing shorelands and protecting them from the erosive battering of tides, waves, storms, and wind. One of the greatest benefits of inland wetlands is the natural flood control or buffering certain wetlands provide for downstream areas by slowing the flow of floodwater, desynchronizing the peak contributions of tributary streams, and reducing peak flows on main rivers.

Some wetlands may function as groundwater recharge areas, allowing water to seep slowly into underlying aquifers. At other times wetlands serve as discharge areas for surfacing groundwaters, allowing stored groundwater to sustain base flow in streams during dry seasons.

Perhaps the most important but least understood function of wetlands is water quality improvement. Wetlands provide effective, free treatment for many types of water pollution. Wetlands can effectively remove or convert large quantities of pollutants from point sources (municipal and certain industrial wastewater effluents) and nonpoint sources (mine, agricultural, and urban runoff) including organic matter, suspended solids, metals, and excess nutrients. Natural filtration, sedimentation, and other processes help clear the water of many pollutants. Some are physically or chemically immobilized and remain there permanently unless disturbed. Chemical reactions and biological decomposition break down complex compounds into simpler substances. Through absorption and assimilation, wetland plants remove nutrients for biomass production. One abundant by-product of the plant growth process is oxygen, which increases the dissolved oxygen content of the water and also of the soil in the immediate vicinity of plant roots. This increases the capacity of the system for aerobic bacterial decomposition of pollutants as well as its capacity for supporting a wide range of oxygen-using aquatic organisms, some of which directly or indirectly utilize additional pollutants (Figure 5).

Many nutrients are held in the wetland system and recycled through successive seasons of plant growth, death, and decay. If water leaves the system through seepage to groundwater, filtration through soils, peat, or other substrates removes excess nutrients and other pollutants. If water leaves over the surface, nutrients trapped in substrate and plant tissues during the growing season do not contribute to noxious algae blooms and excessive aquatic weed growths in downstream rivers and lakes. Excess nutrients from decaying plant tissues released during the nongrowing season have less effect on downstream waters.

It is no secret that natural wetlands can remove iron, manganese, and other metals from acid drainage—they have been doing it for geological ages. In fact, accumulations of limonite, or *bog iron*, were mined as the source of ore for this country's first ironworks and for paint pigment. Limonite deposits are most common in the bog regions of Connecticut, Massachusetts, Pennsylvania, New York, and elsewhere along the Appalachians. Wetlands were abundant in parts of the Tennessee Valley during past ages, and significant bog iron deposits are found in Virginia, Tennessee, Georgia, and Alabama. Although now of limited economic importance in the United States, bog iron is still a significant source of iron ore in northern Europe.

Similarly, mixed oxides of manganese, called *wad* or *bog manganese*, are the product of less acidic wetland removal processes. Often these wad deposits also contain mixed oxides of iron, copper, and other metals.

CONSTRUCTED WETLANDS FOR WASTEWATER TREATMENT

We define *constructed wetlands* as a designed and man-made complex of saturated substrates, emergent and submergent vegetation, animal life, and

WEIRW

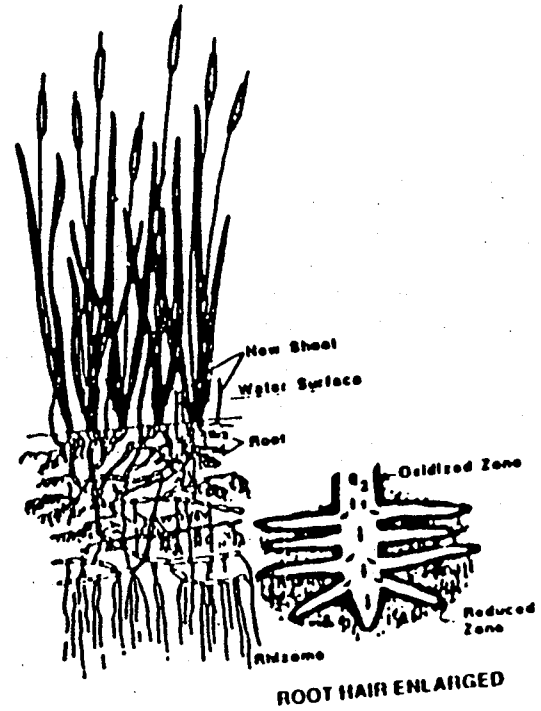


Figure 5. Wetlands plants have the unique ability to transport oxygen to support their roots growing in anaerobic substrates

water that simulates natural wetlands for human use and benefits. Synonymous terms include *man-made*, *engineered*, and *artificial* wetlands. Although bogs and swamps have been constructed or used for wastewater treatment and consequently are included in the above definition, most constructed wetlands for wastewater treatment emulate marshes. Marshes with herbaceous emergent and, perhaps, submergent plants have the most promise for wastewater treatment (Figure 6). Water-tolerant woody plants in swamps may require 5-20 years for development and full operational performance. Bogs dominated by mosses are difficult to establish, have limited retention capacity[8] and limited adaptability to fluctuating water levels, and are likely to become marshes if water and nutrient inputs are increased.[9] Conversely, marshes with cattail, bulrush, rush, or giant reed are adapted to fluctuating water and nutrient levels and are more tolerant of high pollutant concentrations.[10]

For our purposes, most natural or constructed wetlands have five principal components:

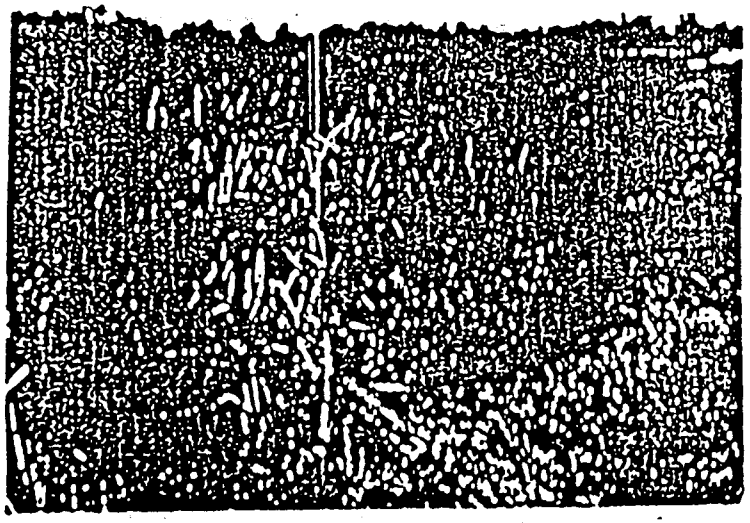


Figure 6. A dense stand of cattail in the Benton, Kentucky municipal wastewater treatment wetlands.

1. substrates with various rates of hydraulic conductivity
2. plants adapted to water-saturated anaerobic substrates
3. a water column (water flowing in or above the surface of the substrate)
4. invertebrates and vertebrates
5. an aerobic and anaerobic microbial population.

Microbes—bacteria, fungi, algae, and protozoa—alter contaminant substances to obtain nutrients or energy to carry out their life cycles.[11] The effectiveness of wetlands managed for wastewater treatment is dependent on developing and maintaining optimal environments for desirable microbial populations. Fortunately, these microbes are ubiquitous, naturally occurring in most waters and likely to have large populations in wetlands and contaminated waters with nutrient or energy sources. Only rarely, with very unusual pollutants, will inoculation of a specific group or strain of microbes be required. In addition, many naturally occurring microbial groups are predatory and will forage on pathogenic organisms.

Wetland plants appear to have two important but indirect functions. (1) Within the water column, stems and leaves significantly increase surface area for attachment of microbial populations. (2) Wetland plants have the ability to transport atmospheric gases including oxygen down into the roots to enable their roots to survive in an anaerobic environment. Some incidental leakage occurs, producing a thin-film, aerobic region called the *rhizosphere* surrounding each rootlet. Doubtless, some chemical oxidation occurs in this microscopic region, but more important, the rhizosphere supports large microbial populations that conduct desirable modifications of nutrients, metallic ions, and other compounds. The juxtaposition on a microscopic scale of an aerobic region surrounded by an anaerobic region multiplied by the almost astronomical area of rhizosphere boundary is crucial to nitrification, denitrification and numerous other desirable pollutant transformations. Nutrient or other substance uptake by plants is generally insignificant except for a few systems that incorporate periodic plant harvesting to physically remove plant biomass. However, these systems tend to have high operating costs.

Fortunately many wetland plants are widely distributed in suitable environments throughout the northern hemisphere. Some are cosmopolitan: giant reed occurs on every continent except Antarctica, as do various species of cattail. Naturally occurring plant species are adapted to local climate and soil conditions and are much more likely to succeed and provide treatment in a constructed wetlands. Exotic plant species may simply fail to survive or may perform poorly, and could become serious pests in natural waterways.

From the standpoint of wastewater treatment, certain plant/substrate combinations appear to be more efficient in constructed wetlands treatment systems,[11] and others may be more tolerant of high pollutant concentrations.[11] Consequently, many projects have included a single plant/substrate combination. But maintaining a monoculture may require unnecessary operational expenses or even be undesirable since an insect pest outbreak could seriously damage a monoculture system,[11] whereas a mixed-species system may be more resistant to pest attack and fluctuating loading rates and may remove a broader variety of pollutants.

Additionally, fostering growth of a single species may require operational practices with substantial changes in water levels that would essentially remove part or all of the system from operation. Conversely, three plants—cattail, bulrush, and giant reed, commonly used in wetlands treatment systems—tend to create and/or maintain single-species stands by inhibiting or out-competing other plants.

Substrates—various soils, sand, or gravel—provide physical support for plants; considerable reactive surface area for complexing ions, anions, and other compounds; and attachment surfaces for microbial populations.

Surface and subsurface water transports substances and gases to microbial populations, carries off by-products, and provides the environment and water for biochemical processes of plants and microbes.

Constructed wetlands appear to have very broad applicability as wastewater treatment systems for an array of water pollution problems. This is more likely to be true for naturally occurring organic and inorganic substances but may be extended to some, if not most, anthropogenic compounds. A number of factors are involved. Wetland complexes naturally occur at topographic lows receiving runoff waters from various sources and have done so throughout geological time. Wetlands have adapted to substances carried by runoff, using

WEIRW

them to help support some of the highest known productivity rates. Many wetlands have higher rates of carbon fixation, biomass production, or other measures of productivity than the most intensively managed agricultural fields.[9] In essence, the high productivity of wetland systems results from inputs of waterborne nutrients and energy sources.

In addition, wetlands microbial populations that conduct critical processing of pollutants have short generation times, high reproductive rates, and considerable genetic plasticity, all of which permit these organisms to rapidly adapt to and exploit new nutrient or energy sources.

However, many mechanisms that modify and/or immobilize pollutants, especially toxic substances, are poorly understood. Some wetland systems appear to remove or modify even complex toxics,[10,11] but plant harvesting and subsequent incineration or other ultimate disposal methods may be necessary. Long-term accumulation of heavy metals or unaltered toxic compounds in wetland vegetation or sediments may reduce widespread distribution in the environment, but the concentrated deposits may contribute to detrimental effects of bioaccumulation and/or biotransport, may require periodic recovery/recycling procedures, or may restrict other uses of these areas.

SUMMARY AND CONCLUSIONS

Our information indicates that constructed wetlands offer an economical, largely self-maintaining, and therefore preferred alternative to conventional treatment of a variety of types of contaminated water. There is every reason to expect that these systems can continue to function reliably for long periods of time just as natural wetlands have, but only long-term operating data will confirm this expectation.

If small communities are to meet wastewater treatment requirements of the future, they must have treatment systems that are not only effective and reliable but also simple and inexpensive to build and operate. Constructed wetlands, which appear to meet all of these criteria, offer a promising alternative to conventional treatment plants. Constructed wetland systems (1) are relatively inexpensive to construct and operate; (2) are easy to maintain; (3) provide effective and reliable wastewater treatment; (4) are relatively tolerant of fluctuating hydrologic and contaminant loading rates; and (5) may provide indirect benefits such as green space, wildlife habitats, and recreational and educational areas.

Disadvantages of constructed wetlands for wastewater treatment relative to conventional systems include: (1) relatively large land area requirements for advanced treatment; (2) current imprecise design and operating criteria; (3) biological and hydrological complexity and our lack of understanding of important process dynamics; and (4) possible problems with pests. Steep topography, shallow soils, a high water table, or susceptibility to severe flooding may also limit their use. Mosquitoes or other pests could be a problem with wetlands systems that are improperly designed or managed.

Furthermore, operation of constructed wetland treatment systems may require two or three growing seasons before optimal efficiencies are achieved. Completion of earth moving, concrete and pipe installation, and vegetation planting does not translate into full operational status. Since treatment efficiencies generally improve as above- and below-surface plant densities increase, full operational status will likely require several years after construction and planting are completed.

Probably the greatest single problem is the lack of detailed information from long-term experience with these systems. Although research and demonstration projects have shown that wetlands can provide effective treatment, this treatment option remains generally unknown outside the scientific community. Available information has been applied on a practical scale in only a few cases, and there have been few attempts to effectively document and communicate the details of project design, construction, operation, maintenance, and performance needed by regulatory officials, engineering consultants, developers, and community leaders. Much available information is sketchy, at times contradictory, and generally inadequate for optimizing process variables, treating other types of wastewaters at other sites, or achieving various effluent limits under specific conditions at minimal costs. Conversely, the existing data base is adequate for *conservative* design and operation of constructed wetlands to meet most discharge limits for household, municipal, and acid drainage wastewaters.

As a final note, we urge caution in attempting to reduce wetland treatment systems to minimal components and treatment areas or simply implementing the most efficient combination of substrate/vegetation/loading rates. The contaminant processing mechanisms in constructed wetlands are likely similar, if not identical to, microbial transformations present in package treatment plants, lagoons, or other conventional wastewater treatment systems. The latter require large inputs of energy, operating procedures, and subsequent costs to maintain optimal environmental conditions for suitable microbial populations within a relatively small treatment area. The low capital and operating costs, efficiency, and self-maintaining attributes in wetland treatment systems result from the complex of plants, water, and microbial populations in a large enough land area to be self-sustaining without significant energy or other maintenance inputs. It may be less costly to construct a minimum size, least-component wetlands treatment system, but operational costs to maintain that system could easily negate initial cost savings. For small communities, farms, mines, and some industries, a conservatively designed and biologically complex system may provide more efficient treatment, greater longevity, and reduced operational requirements and costs.

Although some *natural* wetlands have been effectively used for water quality improvement, we do not wish to encourage additional use. We have recently become aware that natural wetlands are valuable resources that must not be

WEIRW

WEIRW

wasted. Much remains to be learned about their many values and functions and the long-term consequences of wetlands destruction. However, enough is known to conclude that it is not worth risking the unnecessary loss of any remaining natural wetlands without a better understanding of their important roles in biological productivity, fish and wildlife habitat, flood protection, groundwater recharge and discharge, base flow stabilization of rivers, and water quality improvement. On the other hand, *constructed* wetlands may provide a relatively simple and inexpensive solution for controlling many water pollution problems without detrimentally affecting our natural wetlands resources. Although all of the processes are not well understood, constructed wetlands are capable of moderating, removing, or transforming a variety of water pollutants while also providing wildlife and recreational benefits commonly associated with natural wetlands systems.

REFERENCES

1. Cowardin, L. M., V. Carter, F. C. Golet, and E. T. LaRoe. "Classification of Wetlands and Deepwater Habitats of the United States," U.S. Dept. of Interior, FWS/OBS-79/31 (1979).
2. Tiner, R. W., Jr. "Wetlands of the United States: Current Status and Recent Trends," U.S. Dept. of Interior (1984).
3. Kadlec, J. A. "Effect of a Drawdown on a Waterfowl Impoundment," *Ecol.* 43:267-281 (1962).
4. Brodie, G. A., D. A. Hammer, and D. A. Tomljanovich. "Constructed Wetlands for Acid Drainage Control in the Tennessee Valley," in *Proceedings Wetlands – Increasing Our Wetlands Resources*, J. Zelazny and J. S. Feierabend, Eds. (Washington: National Wildlife Federation, 1987), pp. 173-180.
5. Schulthorpe, C. D. *The Biology of Vascular Plants* (London: Edward Arnold Ltd., 1967).
6. Stephenson, M., G. Turner, P. Pope, J. Colt, A. Knight, and G. Tchobanoglous. "The Environmental Requirements of Aquatic Plants," in *The Use and Potential of Aquatic Species for Wastewater Treatment*, Publication No. 65, California State Water Resources Control Board, Sacramento (1980), Appendix A.
7. Mitsch, W. J., and J. G. Gosselink. *Wetlands* (New York: Van Nostrand Reinhold Company, 1986).
8. Wieder, R. K. "Determining the Capacity for Metal Retention in Man-Made Wetlands Constructed for Treatment of Coal Mine Drainage," Bureau of Mines Information Circular IC 9183 Pittsburgh, PA (1988).
9. Kadlec, R. H. "Northern Natural Wetland Water Treatment Systems," in *Aquatic Plants for Water Treatment and Resource Recovery*, K. R. Reddy and W. H. Smith, Eds (Orlando, FL: Magnolia Publishing Inc., 1988).
10. Small, M. M. "Data Report – Marsh/Pond System," USERDA Report BNL 50600 (1976).
11. Alexander, M. *Introduction to Soil Microbiology* (New York: John Wiley & Sons, Inc., 1967)
12. Gersberg, R. M., B. V. Elkins, S. R. Lyon, and C. R. Goldman. "Role of Aquatic Plants in Wastewater Treatment by Artificial Wetlands," *Water Res.* 20:363-368 (1986)
13. Brix, H., and H. Schierup. "Danish Experience with Sewage Treatment in Constructed Wetlands," Chapter 39a, this volume.
14. Smoldy, F. L., G. A. Brodie, D. A. Hammer, and D. A. Tomljanovich. "Control of the Armyworm, *Simyra henrici* (Lepidoptera: Noctuidae), on Cattail Plantings in Acid Drainage Treatment Wetlands at Widows Creek Steam-Electric Plant," Chapter 42i, this volume.
15. Odum, E. P. *Fundamentals of Ecology*, 3rd ed. (Philadelphia: W. B. Saunders Company, 1971).
16. Dornbush, J. N. "Natural Renovation of Leachate-Degraded Groundwater in Excavated Ponds at a Refuse Landfill," Chapter 41d, this volume.
17. Pottier, R. J., and S. J. Palmer. "Wetlands Microbiology: Form, Function, Processes," Chapter 6, this volume.

PH (A)

Mayor Chapman called the meeting to order at 7:10 p.m.

Pledge of Allegiance

Present: Commissioners Brewer, Cody, Cummings, Riley, Sanders, Taylor, Chairman Cantor
Councilmen Curry, Fridae, Mosier, Pfanner, Mayor Chapman

Absent: None

Also Present: City Manager Beck, City Attorney Wallace, Assistant City Attorney Anderson, General Plan Project Manager Mintier, Planning Director Moore, Public Works Coordinator Hutchinson, City Clerk Mills

Councilman Fridae arrived at 7:15 p.m.

Commissioner Sanders arrived at 7:20 p.m.

General Plan Project Manager Mintier provided an overview of all the General Plan documents:

General Plan Policy Document
General Plan Background Report
General Plan EIR
Water System Master Plan
Sewer System Master Plan
Storm Drainage Master Plan
Circulation Master Plan
Developmental Impact Fee Study
Financing Plan

General Plan Project Manager Mintier went over Table of Contents in General Plan Background Report, Policy Document, Land Use Diagram (12,500 population), Land Use Diagram (14,000 population), Circulation Plan, Roadway Cross Sections.

General Plan Project Manager Mintier highlighted key policies:

Urban Study Area
Downtown
Housing
Transportation and Circulation
Public Facilities and Services

General Plan Project Manager Mintier stated the policies that will

PH (A

probably generate concern and the most discussion [illegible] V.H.4, IV.H.5 and IV.H.6. The first of those policies call[illegible] the City to work with the School District in an effort to ensure adequate school financing, the next policy stated, "...to the extent possible that new school facilities constructed and operated prior to the occupation of the residences for which the School District facilities are intended." The third of those policies which General Plan Project Manager Mintier mentioned was, "The City shall ensure, to the extent allowed by law, that the school related impacts of the new residential development are mitigated consistent with City policy, which shall be adopted after consultation with the School District."

General Plan Project Manager Mintier pointed out the area at Grant Avenue and West of 505 stating that it was to be used as a recreation facility and as open space.

General Plan Project Manager Mintier went over the schedule of Public Hearings, mentioning how, after all meetings are over, all the Draft General Plan documents will be revised by City staff and Consultants.

Planning Chairman Cantor opened Public Hearing at 7:13 p.m.

Dr. Mike Roberts, Superintendent of Winters Joint Unified School District, said "First of all, in the process of the PAC, the Planning Commission, and I believe, by the Council, schools were an accepted element within the General Plan. Noticing that this wasn't there, I guess my question there is why? We noticed in Land Use, the comments about providing the land for schools and that, we thank you for that. In housing on page 9 II.D.1 on page 29 under the goal of continued provision of agricultural services supporting existing and future residential development. We would like to ask why the first one is not more strongly stated? Instead of saying the City shall work with the School District, why does it not read, the City shall ensure the ability that adequate school facilities meet the needs of the projected households in Winters. There's a caveat there, I'm asking why? In IV., that same section, the City shall strive to ensure the necessary public facilities, possibly to and including schools, services are available prior to occupancy. On Pg. 18 under Goal III.A. "...to create and maintain a roadway network that would ensure the safe and efficient movement of people and goods throughout the City", we ask why schools were not addressed in that area? We would suggest that there might be a III.A.15. that would read, "Schools shall be located away from major arterials and next to pedestrian and bicycle routes to ensure the safe transportation of students back and forth." On page 26, under goal IV.H., "...to maintain a high quality of educational

services for all Winters residents", we ask why doesn't it direct facilities more directly? Possibly a goal would read, "providing new public schools which serve a neighborhood focus in maintaining a quality learning environment for Winters children as the City's population increases", something that's more direct. Another item under VI.H.I. on Page 26 again, there's some rather specific language that should be more generic. We are willing to provide that language for you in written testimony. At this stage in the General Plan this is a plan that we have to do and as things change it would be very inhibiting. There's some language that we can suggest and again, I will save that for written testimony. On Pg. 27, which is the heart of our concern, we had language in the Draft General Plan that went forward, I saw a draft a few weeks ago it was in there. When we received this, it was not. As you have heard me speak to you time and time again, the School District is dependant upon the City to mitigate the impact of new developmental growth. We are only allowed by law to collect a developer fee per square foot and we've shown you documentation that doesn't come anywhere near providing for new development. The language that is here now, in these three pages is not sufficient to do that. Section IV.H.4., the language is very mushy, "the City shall cooperate with the Winters Joint Unified School District in an effort to ensure adequate financing for new school facilities." It is said "the City shall cooperate with the School District in the collection", cooperate again, "of school facility development fees." What are we talking about? To me it says nothing, just the $1.58 we're getting you to help us with? I think there needs to be more direct language. Just below VI.H.5., the City shall require, again, cop out language. To the extent possible, delete those four words, and that says something. With those four words it says nothing, that new school facilities are constructed and operating prior to the occupation of residences. Six is the heart of the whole problem. That says nothing to us. In concept when you talk about language, we would like something like, "No development project should be approved unless and until a mechanism to mitigate school impacts has been formally and agreed to by the District, the City, and the Developers and approval of the project is conditioned on the Developers compliance with a mitigation point." That says take care of the impact that development is going to have on school districts or something to that effect. Again, I ask on the implementation programs on pg. 28-29, why there isn't an implementation program for schools? It's not addressed in those pages. In terms of recreational and cultural resources talk about the joint use of parks, we applaud that. We are cooperative, we'd like to have that go forward. Again on page 33, "maintain proper agreements with the School District", again we are in total agreement with that. For example, in terms of the, "I call it wimp out," language is caveat so that nothing has to happen. In other

areas of the plan that language doesn't exist. For example, page 44, when their talking about fire, the City shall require, the City shall ensure, there's no caveat language, it's going to happen. We ask that for schools and for children of Winters. In the EIR, there's some typographical and some specificity which should become more generic, but basically we really contest and ask how the EIR can say that no mitigation measures are necessary when this document lacks the language to mitigate growth on the School District. Mitigation needs to be necessary, language needs to be changed in this document."

Dan Figueroa said, "I'm here to represent the property owner for a 26 acre piece of property which is located at the West end of Anderson Avenue, 18-230-22. The comments are limited to a more specific issue, and that is the designation of this particular property on the Land Use Diagram. My presentation is written out here, I would like to read it into the record, it will take me less than five minutes. This letter brings forth a formal recommendation regarding the land use designation shown specifically on the Callahan property. On the Draft Land Use Diagram, a future middle school is clearly depicted over most of the Callahan site. This diagram depiction is in direct contrast to the standards written in the opening sections of Part I of the General Plan Policy Document which reads, I quote, "In the case of future parks and schools, however, the location shown on the land use diagram are conceptual, not parcel specific." There are many reasons to generally depict a future school site on a land use diagram. Both the School District and City would benefit from substitution of a graphic symbol or map notes. A graphic symbol or notes would schematically show future school needs, without tying the hands of decision makers to a specific site. As to the need for a new middle school related, the latest district studies and recommendations show that conversion of the existing high school is preferred to a new site. This was presented and discussed at the November 7, 1991 School Board Meeting. The request in this letter on behalf of my client, the property owner, is to please direct that the Draft land use diagram be changed to direct more generalized locations of where future schools are needed. A specific public designation as shown on the Callahan's site, would only be appropriate if such locations were already under control by the District or if such locations were formally adopted as part of a specific development plan. Neither of those conditions exist to warrant the diagram in its present form. That concludes my statement."

Mike McCoy stated, "Referring first to Dr. Roberts comments, in 1989 California Legislature passed Assembly Bill 2180, a mitigation monitoring act, because it is estimated a full 7% of all

10

mitigations recommended under CEQA were never enacted, they were never done. I think the kind of language he is asking for in the General Plan is considerably needed if the General Plan is actually going to be seen as self-mitigating. I directed the University of California's Extension Land Use Planning Program at Davis for the last 15 years and it has always been my business on the behalf of the University to shed the light of knowledge on controversy. Stay out of a controversy, this is a role I've tried to take in Winters until tonight. Tonight I want to take my University jacket off and say what I personally feel. I want to do that with respect to Larry Mintier, who's taught in my program for a number of years. I value Larrys' opinions highly, and I think he has provided us with an excellent outline and a great starting point for the process that we must, as a community, conclude. Without more specific detail and a strong, exact language, the design we have before us is for a suburb. It is not for an extension for our town. The suburb that is proposed has nothing to do with Winters. It is a blueprint of a bedroom community for some far away office or factory, filled with middle aged people looking for less expensive houses too tired from the commute to participate in their childrens' schools or their communities' churches and City events. There's a plan of a sprawled out community which centers in commerce and socialization too distant from housing for the young and old to move freely without cars. It is the design of a pricey community with an appetite for costly land and expensive infrastructure. There's general lipservice paid to the concept of extending and supporting successful fabric of the past, but the specific plan contradicts that suggestion. The roads are too wide to cross, corners are too round to slow speeders, the infrastructure is too expensive to fund, and density is too slight to create neighborhoods. When all of this is done without significant respect to the sacrifices that are being made. Rare and valuable farmland is being converted to urban use, mobility is being sacrificed, and the social organization and rural history that are a product of the slow growth, will be severely stressed. That might be okay, if the payoff were there, the promise is that this will result in economic benefit for everyone. It is said that our merchants will prosper, our large land owners will be made wealthy, and our homes and new homes that are built will increase in value. We will have infrastructure items like better schools and parks that we could never afford before. The problem is, that few of these results will occur without increased levels of specificity in this plan. Our merchants could easily be replaced by chains that will syphon all but the minimum wage job income and a few tax dollars. Dollar values will replace town values. And on the other hand suburban homes might not appreciate all that fast either. The highest real estate values ultimately accrue to communities with the strongest sense of place. Community after

community has found the exact dedications and the tax base rarely keep up with the infrastructure costs as we know them. There's nothing interensically wrong with growth. Some of the most exciting places on earth are the places inhabited by lots of people. The small densely populated agricultural hill towns of Italy, the villages of Ireland, the bergs of Germany, and the settlements of Princeton and Annapolis, are all destinations that are so special that thousands of people spend millions of dollars a year to get there. But how many tourists went to Rancho Cordova, Roseville or Citrus Heights this year. Growth is needed to provide living space and jobs for our children. Moderate, slow growth is not compatible with Winters' past. Growth that recognizes the nature of the past and the economics of the present could enhance Winters' environment. There's no reason this Plan and this EIR could not be modified to enable, even require, the kind of development that is consistent with Winters' past but significantly grave detail and resolve is needed from you now. Myself and many others will comment in detail, in writing on many specific issues that must be more fully addressed in this Plan. Please give us a careful, considerate, and committed hearing. Do not turn our thoughts over to a consultant for processing, but rather demand the strong and precise detail that will commit our community to its future. Thank you." 2

Peter Hunter said, "I'm speaking here tonight as part of an EIR work group which is a collection of about 35-40 citizens here in town who banded together for the purposes of studying the Draft EIR and General Plan. Many of these individuals are going to be speaking tonight or at some of the upcoming meetings and it's our intent as a group to submit a formal document toward the end of the review period which encompasses all our comments. The work group is broken up into subgroups, each focusing on a single dimension of the Draft EIR. We meet periodically as a whole to swap stories and focus and make general discussions. Tonight I want to make a general comment about the EIR document as a whole, I was going to go on and go into the Traffic and Circulation study but I'll reserve those until Saturday. The Draft EIR is basically lacking in specificity and in many of our minds there's some question to whether or not it even meets the basic legal requirements of an EIR. I was astounded when I sat down and read the executive summary and item after item said no mitigation was necessary. I couldn't believe what I was reading. But this slight of hand was accomplished by referring back to the Policy Document and stating well the City said it was going to adopt a policy to avoid an impact therefore there is not going to be an impact and so therefore, no mitigation is necessary. Mitigation measures must be discussed in the EIR, if the project by itself would have significant impacts. So there's a question here about what is a 3

significant impact. These come out of the California Environmental Quality Act Guidelines and I just want to point out four of these. They say if the project has any of these items that a significant impact exists. Item A is conflict adopting environmental plans or goals of the community where it's located. B is if it has a substantial demonstrable negative asthenic effect and that is again if it's turning our town into something which it historically has not been. K, if it induces a substantial growth or concentration of population. Clearly if we are going from 4,000 people to 12,000 people that's a substantial growth and deserves some sort of significant impact discussion. Item L, causes an increase in traffic which is substantial in relation to the existing traffic load capacity of the street system. I'll wait and refer until later, and also item E, disrupted by fiscal arrangements in an established community. Very specific things. Many of these things are going to be happening to our community, and the EIR document should be discussing them as significant impacts and discussing specific mitigation measures for them. Just to prove this, in another document which is referring back to guidelines "The EIR must have mitigation measures for each significant environmental impact discussing whether the effect you can avoid substantially lessened, and discussing side effects." None of this has happened in the EIR. All that has happened is a reference made back to the Policy Document stating that if the City Council adopts a certain policy that there will be no mitigation necessary. It is very clear what is adequate and what is inadequate wording. Inadequate treatment of mitigation measures includes words like consult with, submit for review, coordinate with, study further or encourage. How many of the policies that are in our policy document use exactly those words. That's not legally acceptable in an EIR mitigation. I want to briefly go over some of the wording in Traffic/Circulation, we heard some of the wording earlier in the Schools element. The City shall work with CalTrans, shall explore feasibility. All these things, very vague wording. We need to get alot more specificity in the Draft EIR and in the General Plan. I think I'll stop the comments there for the moment, I do have another section here, specifically on the Transportation/Circulation element which I feel is extremely weak and there are many inconsistencies in it which we'll bring out on Saturday. Thank you."

Dianne Beaton said, "There are members of the audience tonight wearing yellow acorns that wish to relay this message. We are parents, grandparents, teachers and school administrators, these are also voters. The following language was omitted from the final draft of the General Plan. The developer shall obtain written certification from the District, the developer has mitigated the school related impacts of this project satisfactory to the District

and City. The methods under which the school related impacts are to be mitigated include, but are not limited to, those methods set forth in Government Code Section 65995 and other Government Code sections. This condition shall not be construed as a limitation on the District or the City towards legal mitigation alternatives. We the parents, grandparents, teachers and school administrators wish to ask that the Environmental Impact Report Consultants the following questions, why was this paragraph omitted, by whom was this paragraph omitted and when in the EIR process was it omitted? We strongly recommend that this paragraph be reinstated as is, into the adopted General Plan, and we trust that this will happen. We intend to see that this will happen. Thank you."

Steve Wilce stated, "I want to say a few words once again, on the question of storm drainage and I'm also wearing an acorn and I think what I have to say will be of interest to those people who are here tonight primarily with schools as their main interest. The Draft EIR Storm Drainage Treatment analyzes in detail three different alternatives for solving the Northern area flooding problem. The least expensive of these alternatives comes at a price tag of 40 million dollars. The issue here tonight, discussion of the School District, is infrastructure cost for new schools. The School District's going to be hard put to find adequate infrastructure and the City's ready to spend 40 million to fix these storm drains. The EIR also recognizes that this is not the only method that might be used to mitigate this problem. In the draft EIR statement on page 29.2 where it discusses alternatives states, the compact plan and storm drainage. The storm drainage system can be substantially altered using this alternative. The northern storm water retention pond and Winters retention pond can both be eliminated. In order to eliminate these facilities, business industrial parks in the Northern portion of the loop road need to be elevated about one foot above the one hundred year flood plains. The policies and implementation project can be changed to reflect an elimination of ponds and the addition of elevated business parks and industrial infrastructure. The impact of this alternative is less than alternative one due to not building two ponds. The impact repeating alternative without that which is environmentally significant, but there's a financial significance, this is very important and essentially I feel a weakness in the EIR Storm Drainage Master Plan. The only alternatives considered are those alternatives that completely protected the line within the 20 year estimated byline, even though the City Council has set aside some open space uses in there that might have been used. I feel the EIR Storm Drain Master Plan will need to be evaluated."

Liz Coman said, "I wasn't sure which affiliation to put down on the

sheet because I too should be wearing an acorn because I support the PTA and I'm a member of the PTA, but I'm speaking to you as a member of PAC. I had the pleasure of sitting on the Planning Advisory Committee way back when this first started and we spent hours trying to determine the qualities that make Winters a desirable place. I think we actually spent two or three sessions brainstorming and making the little lists and all those kinds of things that you do when you're trying to take abstract qualities and make them into something concrete. What I want to talk about is, in Winters we have a sense of community. One positive aspect of our community is the school system. And in Winters we're fortunate to have a system that starts from the classified staff, clear up to the administration, of caring and understanding people. I just want to tell a little anecdote. I've been through three accreditation reports and that's when experts come into the school and examine all the different facets that go into a school and give you a rating on whether you can get credited for three years, four years, and we have always at the last three times that we have had that done, received the accreditation for six years, which is the longest that a school can receive an accreditation for. One of the things that they always, at the high school, comment on as one of our incredible strengths is that the staff and the students have a rapport that is unique, that's warm, that's caring, and they tell us that it does not exist in other school districts. We need to strive to maintain that quality, that rapport. It's not just at the high school, we're accredited so they write that down, but in our whole school system that exists. We need to really work to maintain the rapport that we have. What I want to say is that tonight there many people here that are here simply to urge you to tighten up the language of the Draft EIR and the Draft General Plan. It's imperative that specific language be inserted into those plans to preserve this aspect of our sense of community in Winters and I urge you to please tighten the language."

Jim Stark said, "My name is Jim Stark and I am addressing you on behalf of the Winters High faculty at large. I'd like to reiterate some of the things Dr. Roberts said, and also that Liz Comen said. My students and I talked about this at great length today, because I think we're standing at a crossroads in history, unlike any point we've ever been at in Winters history to date. My students are students of history and if you ask them why they bother to study history, they'll tell you that it's not about memorizing the names of dead presidents and battles long over and done. What it's about is learning from the mistakes of the past and applying those lessons to challenges of the present. We're at a place now in Winters where we have a chance to learn from the history that reads all to clearly and all too negatively, I think, if you look at the communities on the Highway 80 corridor area, as development creeps

6

toward Winters from both sides, Sacramento and the San Francisco have been losing the battle. I think they've taken the wrong road so far. In Elk Grove, in Dixon, in Fairfield, Vacaville I'm afraid the battle is lost already because of their plans. They didn't tighten the language up enough to the point where schools and the needs of young people were safeguarded. Right now we have some big advantages in Winters, big advantages, we're ahead of the game, we still have a handle on things. Like Liz said we still have a rapport with our kids, we still have class sizes that are small enough that we can do great things in our schools. If we trade that away, if we lose that upper hand, I believe that we'll be unable to get it back. When we arrive at the year 2010, or whatever projected date we happen to choose, we'll look back and say, remember when we had it made. Too bad we didn't learn the lessons and do the job right. So, again, I urge you in the strongest possible terms, and hopefully myself and some of my students will be here at subsequent meetings to reiterate the message, please, please toughen up the language. Let's [illegible] from history. Let's do the right thing to make sure [illegible] of our children are protected. Thank you."

Mike Roberts returned to the podium to finish his comments stating, "Just a couple of additions. One is when you developed the land use maps, I need to caution you that we have to submit to the California Department of Education school sights and they require three, so you designated only one spot for a school. That could be an issue with them. We've all talked about the future high school being continuous with the ag sight. That's very definitely a bull and for some reason they found that is not a safe sight for schools and would get eliminated by the state department, so to put better schools on a specific point at this point in time would be a concern. In the general areas where the population is away from major arterials, and those kinds of things. In the General Plan Background Report there's some inadequate information I'd like to submit to you in writing. For example Waggoner is not spelled right on page 6.3. I guess there is not an implied message with the storm drainage map in the middle of a school section. There's an inaccurate statement on 5 in terms of programs and other voluntary mechanisms for private schools for less crowded sites in our school district. No matter who goes to what school, so it may not be problematically feasible and desirable but in terms of housing more students it's just not a viable action. I also have a draft copy of the Development Impact Fee Study, it says that the total public facilities were addressed in that issue. I'd like it to read, the total public facilities, excluding schools, were addressed in that document because the schools were not addressed."

Peter Hunter concluding his presentation said, "I'd like to

continue on about the transportation/circulation plan. Go back to the goals and policy document and again, and just point out some of the phraseology here about them exploring, studying and cooperating with. Pretty vague stuff there. If we go directly into traffic circulation map, there are a couple things I'd like to point out about this forecasted daily travel. Two things that are real obvious on this, one of the policy statements says that Winters was going to encourage a grid system of traffic, nothing in this plan here, which would support a grid system. If fact a loop road is at odds with a grid system. That's one thing. The other thing is that we see traffic counts here on the order of 19 Thousand vehicle trips, 15,400 vehicle trips just to the East of the Grant-Railroad intersection. We show 16,400 vehicle trips to the West of that. Now, this is assuming that Grant Avenue to the East of Railroad is widened to four lanes. It is assuming that Grant Avenue to the West of Main Street is widened to four lanes. The section of Grant Avenue between Main and Railroad remains at two lanes. It's very explicitly said that widening that is not feasible. How are you putting 15 thousand vehicle trips on a two lane road coming off a four lane road and maintaining a level of service of C or D. You're going to have one massive parking lot there. Some of the assumptions that go into the traffic model, it's kind of interesting when they're talking whatever jobs in Winters is built into the traffic plan. For future population 12,500 they're saying there's 6,400 jobs. That's one job for ever two men, women, child in a town. I know where you're getting it, it's just not a very reasonable number. I contrast that with the estimate of the Economic Consultants, they are saying that at filled out we would have a maximum of about 2,600 jobs. There's a discrepancy here in the figures. The other thing I was here to say, another key input in all this is the section regarding travel external to Winters. According to the January 1989 Census Consumer Survey, approximately 54% of Winters employees currently commute to jobs outside the City. That survey was conducted, I believe, by the Chamber of Commerce and it was a midday survey of people snopping in downtown stores. They went around asking where they worked. It wasn't exactly a very scientifically based survey. Based on that they were saying 54% external commute. It was my impression that the number of jobs in Winters was going to be increased some with the new housing units but it wasn't going to increase on a 1 to 2 level which is being implied on the map. So I question that assumption. The other thing, again this is something where the citizens of Winters are going to have to keep their eye on the Consultants because we know what the town was like and they don't. They conducted a survey on June 20, 1990. On June 20, 1990 three of the major trip generators in this town were on summer vacation. They were missing alot of interactions going on around the High School, Waggoner and the Elementary School. These are just sort of general

comments on the traffic circulation pattern. I haven't had a chance to look at it yet but I think what worries me about some of this is that the better elements of the General Plan have assumptions similar to what was built here, I think we're in trouble. So I really would urge all of you, who get a chance to look at the assumptions behind what your reading. I think we'll come out of this with a much better General Plan, much better EIR than we have right now. Thank you."

Gary Pitek said "I have taught in Winters for 26 years and I also served on the Winters Area Education Association board of directors as a negotiator and as the President of the Association. I've really enjoyed my tenure at Winters High School and I hope to continue doing so. Whether we build a new high school anywhere else in the city or continue to be at the current site. But however we plan for education in the future, I would highly recommend to all of you to insist on the most specific and the simplest and most forceful language in any contract. When we first started collective bargaining years, and years ago many of us thought we had our problems solved in our first contract in which all sorts of contractual obligations and evaluation procedures were specifically noted. When we found to our amazement that every time that it was time for renewal of the contract that there were gaping holes. Some of the stickiest situations had arisen because the language was not specific. Specifically delineating who was to what by when, and what the results would be if they did not. I therefore recommend that the language pertaining to any sort of mitigation regarding schools, or drainage, or anything else not be couched in whimpy terms. Strive to cooperate, that is a meaningless term. I can strive all I want to cooperate, but I can still do whatever I really please to do. As long as I can say I strove. I think whenever there is a weak part of the plan, that has been pointed out by various members of the community, that the people in charge who are adopting this plan should go for the very strictest, strongest, and simplest language possible. Some of my students strive to cooperate with me in the classroom and yet, some of them approach the point of being struck out of my class, they are striving very nicely to have a good time. When they get to strike two, perhaps they might leave the class under duress, they suddenly realize that striving isn't quite good enough. Essentially what I'm saying is that specific language avoids sticky problems and mitigation in the future. If someone sees in an agreement that they must do something no ifs, ands, or buts, then they'll do it, or they simply will not take part in the project so someone else who is willing to abide by the rules will. I find it hard to believe that the growing area such as California and the beautiful area of the state and this area between the city and the mountains, that some developer might not be interested in going

with very strict language and going along with all sorts of mitigation fees for various things that must be done to maintain the quality of life in our City. I think that there are lots of developers that would very interested in this town and I don't think that they would be unwillling to pay fees necessary to do business here. One of those would be an added rate revision for the students for today and for tomorrow and for the year 2010. I urge you to look at the language, make it as strict as possible and to provide those fees necessary for a decent development of our town. Thank you."

Planning Commission Chairman Cantor closed the public hearing at 8:35 p.m.

City Manager Beck said,"Mike Roberts and I had a meeting today and one of the things that has characterized the General Plan, and I don't know why, it always seems we never have the time to do things right, we always had to go back and correct them. There were bound to be some corrections necessary to it. One of the things that has been characteristic of the last several years is the good working relationship with Mike Roberts and myself and attempting to address the issues of schools. I say attempting because the issues are complex. The wording that the School District submitted was carried in the General Plan up until very recently. The last thing that occurred prior to publication of all the documents was to review with the City's legal consultants, Balfrey & Abbott and the firm of Remy & Thomas. These firms are not insensitive to the needs of School Districts or any other agencies, but they suggested that the language had to be changed. Mike Roberts and I chatted today and we know, his experience and my experience, that any time we get a lawyer representing one interest and a lawyer representing another interest, together they can have a spirited conversation as they both strive to achieve various good for their respective agencies. Mike and I chatted over this and felt that we should get back to our respective governing boards, him the School District Board , me to City Council, to request that the Council appoint a committee to meet with a like committee of the School District to sit down and go over the issues concerning the wording of the language in the General Plan. That the School District have their attorney present and we have our attorney present and that we work through that language and seek the common ground that will assure the efforts of both the City and the School District. The School District is dependent upon us working very closely because they can't do what the City can do. The City ultimately looks to the decision of the five Council members that will have to make some very difficult decisions. But through this process of possibly committee action, where there are a couple of Council members and a couple of School Board members, the School Districts attorney and

our attorney. I'd also like to invite Chairman Cantor of the Planning Commission because she is involved in this both in her business practice and as a representative of the Planning Commission. The discussion of schools will continue at the level of the Planning Commission as they deliberate in December. So again, Mike is going to go to the School District Board and ask them for representatives and I would like to ask you, the Council, if we could select the Council's appointments tonight fine, if not the 19th. Talk about it amongst yourselves a little bit."

Mayor Chapman said it would be an excellent idea to form a committee, but would need to check everyone's schedule.

Councilman Curry stated that he was fearful for another committee action. He feels the issues have been deliberated and the language should be put in or given to attorneys to be melded to fit.

Council concurred to form a committee.

Mayor Chapman adjourned the meeting at 8:45 p.m.

J. Robert Chapman, MAYOR

ATTEST:

Nancl G. Mills, CITY CLERK

PH (B)

Mayor Chapman called the meeting to order at 9:10 a.m.

Pledge of Allegiance

Present: Commissioners Brewer, Cody, Sanders, Taylor, Chairman Cantor
Councilmen Curry, Fridae, Mosier, Pfanner, Mayor Chapman

Absent: Commissioners Cummings, Riley

Also Present: City Manager Beck, General Plan Project Manager Mintier, EIR Consultant Douglas Duncan, City Attorney Wallace, Assistant City Attorney Anderson, City Engineer Steve Jackson, Financial Consultant Todd Bland, Planning Director Moore, Public Works Coordinator Hutchinson, City Clerk Mills

Mayor Chapman indicated that he would only be at the meeting briefly due to a death of a close friend, but he wanted to announce the progress of the School Board/City Council Committee concept of trying to resolve the conflicts between the School and the City. Councilman Pfanner has agreed to serve on the Committee with Mayor Chapman and they will be meeting with the School Board within the next seven to ten days with two representative from the School Board, Planning Chairman Cantor and Staff from each entity. Mayor Chapman indicated that Mayor Pro Tem Fridae would conduct the remainder of this meeting.

Mayor Chapman left the meeting at 9:20 a.m.

City Manager Beck indicated there would be two presentations, one from the City Engineer, Steve Jackson, from the Firm CH2M Hill along with Lotchi Morris, also from CH2M Hill, and the other presentation will be by the EIR Consultant Douglas Duncan.

Lotchi Morris indicated that the Firm of CH2M Hill was responsible for developing a sewer, water, and a storm drainage master plan. She will be going over the recommendations of the three plans.

Lotchi indicated that CH2M Hill looked at existing provisions first. They looked at each system to see if their were existing problems that needed to be taken care of, they then came up with recommendations for the existing problems and then looked at the

future to see what would be needed to take care of future development. There are two sets of recommendations for each master plan, one for the existing problem and one for the future development.

Lotchi began with the Water Master Plan. The Water Master Plan is composed of three different documents, a Facility Plan, a Groundwater Study, and a Water Conservation Plan. She began with the Facility Plan.

Lotchi stated, pointing to the map, "This is the existing layout, the orange shows all the existing pipeline in the City now, green circles are wells, red squares are the existing two elevated tanks. The check marks are the check valves that are in the system, black is showing different pressure zones. There are three pressure zones in town. The first thing we took a look at was the pipe system and what we saw is that there is a need for a lot of leakage repair and that the system is tending to need a lot of repair work due to the age of the pipe. There is a lot of pipe that is in the Hundred year old range, and so we recommend that pipe between thirty and a hundred years be replaced in the next ten years over a phase replacement program. We also recommend that as the crews are in the line or in the street replacing the main line that they also retrofit water meters into the existing homes at the same time. This way the crews are already there, the manpower is there, and it would be much less expensive to put meters in at that time than to come back at a separate time and do it then. This will be a phased approach of water meters, they will not go in all at once, but will all be in at the end. They took a look at the wells, and in the event of a major power outage, the City may have trouble providing water for all residents. We recommended that power backup generators be installed at each well. We noticed that there were low pressure problems in the downtown area and over on Walnut Lane. Pressure problems in the downtown area tend to have to do with fire flows, fire flows are low, below the minimum standard at some hydrants. There seems to be a problem at Walnut Lane as far as some people getting their sprinklers to work. This is a combination of things, one being a dead end line with a small line. We have three pressure zones, and three are independent of each other. The pressure is set by what is called a "variable frequency drive", meaning an operator can come out and change the pressure at will, within the range of the pump. In the downtown area, the pressure is regulated by the two tanks. You cannot get any more pressure than the height of the top of the tank, so we recommended that these tanks be removed, and use the same system that is used at the other site and the pressure be raised. At the moment the check valves act as an emergency system for these two areas. If

the pump goes out, or there is an emergency such as a fire that this pump can't handle, then this check valve will automatically open the pressure valve and water from these three wells will flow here. This adds safety and backup to these two areas. There are enough wells in the downtown area that there is enough redundancy here that we don't need that kind of protection. When the check valves are taken out and the tanks taken down, there will be one pressure zone and the water will be able to be shared by everyone equally and there will be enough water for emergency conditions, without having to go in and put any more wells or do anything else to the system. As far as raising the pressure in this area, there is a down side, if there is old pipe still in place when the pressure is raised, there is a possibility of leaks developing in the pipe. As you go down the street, from one side of the curb to other side, sidewalk to sidewalk, if the pipe leaks in there then the City will come in and fix it. From the curb to your home, that is the homeowners responsibility, and if that part of the pipe begins to leak then the homeowner would need to fix it. This is the down side but the other side is you will have increased fire protection and then generally better pressure the rest of the time. This is the existing water system."

Lotchi then continued with the future water system, "The same orange lines showing the existing water layout, the green lines showing future pipe. The future pipe, on the map is only showing the main lines, there will be a lot of lines in all the subdivisions, the orange will show all the lines in town. We will have four new wells. These locations are preliminary, except for this well here. By preliminary, I mean that we need four wells, we need them spaced about like this, we need them on a main line like the loop road, but not necessarily right there. When the Land Use Designations are finalized, then place the wells in locations such as parks or schools, someplace not in a residential neighborhood, so that the sound of the pumps will not be coming on in the middle of the night in someones backyard. This well is already situated, because the property was bought before the Water Master Plan had begun. This well will be going in at this location and will provide a loop system to Walnut Lane and help alleviate the problems that are out there now. When we designed the system, this loop road is designed so that water can be served from one location. Within the future a surface water supply is developed based on the Colusa Canal, that you can tap into the line anywhere along here and be able to serve the entire City from one location. You will not have to repipe parts of the City, or anything like that, if you need to do that in the future. At build out, if it were to look like this, this is one pressure zone. There is one extra well in the system as a whole, and so this will give the

added protection I was talking about before. If any one of the wells go down, or there is an emergency, there is one extra well that will be available for water. Then the Ground Water Study was conducted to see if there was enough water to serve these four wells in the future. The Ground Water Study concluded that there was enough water for the future wells. We recommend that these wells be monitored for levels to make sure that the ground water level is not declining over time. If it is declining then we recommend that the City adopt an aggressive conservation program. We estimate that this program will conserve about 30% of the current usage of water. We also did a water conservation study and came up with several different plans. One recommendation is "moderate" and we recommended that it be adopted now. Several reasons for that is, conserving water now will delay the expense of having to put in some of these wells immediately, or as soon as development begins to proceed. The longer we conserve the longer it would take to put in the wells and delay capital costs. We are looking at just what is happening in the City, how much water the City will need. This is a shared aquifer, where people around are also using this water, and it would be beneficial to conserve the aquifer because everyone will be using it and needing it. Another reason is the cost of acquiring surface water from another source. It is quite expensive for ground water and if that can be eliminated, or at least delayed, way into the future, then this would benefit conservation. The conservation program that we recommended was low flow plumbing on all new homes, this would be mandatory. Water meters on all new homes would be mandatory. In the existing City, water meters would be retrofit at the same time that the main lines would be replaced. As plumbing fixtures wore out, it would be recommended that residences put in low flow plumbing fixtures. This would not be mandatory it would be voluntary. Odd even watering schedules for lawns would be recommended for the entire City and this also would be voluntary. There would be a public education program and a water waste report. Public education would be along the lines of possibly articles in the newspaper explainING how to do landscaping with drought tolerant plants, it would be advantageous to not run water while brushing teeth, these kinds of things. General information on how to conserve water. A Water Waster Ordinance would be something along the lines of, if someone is blatantly wasting water, turning on their hose and going on vacation for a week, that sort of thing, a notice would be given to that person stating they must stop. After a couple of notices it is recommended that a fine be levied for people who continue to do that. This is not a water cop program. We are not recommending anyone be hired to go around and look for this sort of thing. If it is noticed and reported, there will be a mechanism for the City to request that a person stop. As

far as new construction goes, it will be mandatory on January 1, 1992 that all new construction have low flow toilets installed. The rest of this program as far as new vacancy homes are concerned, will be on a voluntary basis."

Debbie Hunter indicated, "There is one page in the EIR which also says that if we notice a decrease in the ground water level that an aggressive plan for the aggressive level would be suggested, at that point you have a 30% savings in water. What I found in the Water Master Plan, Ground Water Study is that the aggressive program only saves you 17% but the maximum program is only 29%." 1

Lotchi said, "There is a problem with the nomenclature there. The aggressive that the EIR is referring to is being more aggressive in what you are doing now. We happen to have that same name actually in the water conservation program and it was a middle of the road approach that saves 17% and the names for the most aggressive was the maximum program. What we do mean is to go to the maximum program which we term aggressive and we do need to change that language so it is more clear."

Lotchi indicated that there is a limit to how far inland that ground water be abjudicated from Putah Creek. If you are two miles away from the creek you would be less likely to feel that the water is coming from Putah Creek than if your well is sitting next to the creek. We have moved the well purposely to the north as far away from the creek as possible to eliminate that particular problem. This is an issue and it will need to be resolved.

Valerie Whitworth indicated, "It was her understanding from what she knows, and she is not a ground water expert, but from the bit she understands, that there are two different areas that supply water to Putah Creek, and that there are rock structures that actually split that supply off at different places down in the creek. I'm not clear, and there are also some differences in flows that happen within the City of Winters itself, and so if the flow from Putah Creek that is being challenged by Solano County has not been taken into account in the ground water study I believe you have left about half of the study out, and at this point that needs to be included before the City decided if they have enough water for anything. I'm concerned if that has not been addressed and it appears that it has not."

City Engineer Steve Jackson said, "That hasn't been considered in the ground water study. The adjudication and the results of that, or the interpretation are unknown at this time. What the current interpretation is, is that the area away from the creek, the City

has the right, the agriculture people have a right to draw water. If you take water from the creek and the water in the creek drops you don't have a right to do that, or you have to establish your rights to do that. The City of Winters does have the right to some Putah Creek water that is travelling underneath the ground under the creek. When they take that portion of the water they only have a limited amount they can take. Away from the creek, when you draw a well and you start pumping and nothing happens to the wells that are taking water from the creek as a result of this, then you can argue that you are not taking water from the creek. There is an area that is a lot larger than the City of Winters that gets water from rain and the foothills that comes down from Cache Creek Drainage Basin and Putah Creek Drainage Basin but it flows under ground, like a slow river from the west to the east. Our people have considered all of that in this Ground Water Master Plan. The current thought is that the City does have the right to draw water from the ground water basin, and this is not considered Putah Creek water. This will be a future argument, but this is not an issue in anyone's argument. This is also one reason for the conservation program. At some time in the future if that becomes an issue, you can argue it and then you win the argument but you still have the rights there.

Valerie Whitworth asked, "Does your wording specifically say that Solano County is not challenging this plan?"

City Engineer Jackson said, "No."

Ms. Whitworth said, "I think that ought to be explicit."

Mr. Mike McCoy said, "To be crystal clear about this, in your professional opinion, water drawn from the new wells will not draw down the table of the existing wells?"

City Engineer Jackson said, "Right, and this is, what everyone must realize that the water records over year to year will fluctuate with drought.

Mr. McCoy asked, "You will not be able, based on this to argue, in your opinion that argument could be made that those wells are drawing down the creek wells?"

City Engineer Jackson indicated, "This is a complicated answer, I don't have an easy answer to this, but what happens is if you put in a well and the water level around you might be at seventy foot below the ground surface, and you start pumping, around that well you are going to draw down the ground water, and the actual water

in the well might be down at 100 feet or 150 feet below the ground, then there is a gradient coming back up to where water is slow flowing through the ground and dropping down to where that level is. Tear out the pump and the water comes up and restabilizes. It would within a short period of time, that restabilizes as to where is was before, you haven't affected the ground water. When you have six or nine pumps in here, there could be a clume where the area between the pumps will get noticed, but there could be an area where the level will drop a little bit in between those pumps. You turn off the pumps and it all comes back up again and you haven't depleted the ground water. The only way that you can really measure that is over a long period of time you see what is happening and over that long period of time you have to take in the full effect of the drought, and the period of time it takes to regenerate all these supplies. What we considered in the ground water report, there is a basis under here that Winters participates in, that has something like 50,000 acre feet of water in storage. It also is slow moving ground water that is going from the west to the east. If you were to draw, let's say, 1,000 acre feet in a year, you would have 50 years of storage, but as you take water out of that pond more water is coming in from all sides to fill it back up again. If you're taking it out rapidly there may be a little percussion in this area. Water will come back in and fill it back up again. What you have to look at is over a period of ten years as to what is happening to it. This is why we are recommending a well water monitoring plan. If you find that the ground water in relationship to drought and relationship to good drainage years, is decreasing, then you have this option of more conservation, to change how much you're using. All of this combination, we think gives you a good secure water supply. At times the wells will affect the ground water elevations."

Mr. McCoy indicated "My worry is Solano is so aggressive about water mitigation that it would behoove us to ensure that there is a reasonable argument for that to attack our water."

City Engineer Jackson said, "But we do not want to create that argument for them."

Lotchi said, "As far as looking back at the records for ground water data there is between fifty and sixty years, DWR has been monitoring wells in the area. They have what they call monitoring wells, and what they do with them is monitor the ground water level. There is one about a mile from Winters and we checked that well and all the others in the area, and they show, there is a chart in the ground water study that shows what those levels were in that well over periods of time. It does show that the spring

levels, which are your high levels are fairly constant throughout that fifty to sixty year period, but there currently is not a ground water problem in the area."

Ms. Whitworth asked "Which way is it, north, south, east, west?"

Lotchi indicated that she did not recall, but would get the information.

City Engineer Jackson said, "It is located fifty feet south of the south bank of Putah Creek, across from Winters."

Lotchi indicated that, "This was a different one than the one she was talking about, there is one a mile away. Actually we did look at the data for all the wells, all the monitoring wells are in the basin. There's not a ground water overdraft. There isn't a problem until you get further down stream and you get around the Davis area, they have a ground water overdraft problem. This area, and upstream does not."

Mr. McCoy said, "I have a natural interest in knowing about the accuracy of fire flows that you are proposing for the newly developed areas and also backup power in case of electric failure. Do you have data that I might review to satisfy myself along those lines?"

Lotchi asked, "Are you talking about what kind of flows we are requiring? It's 1,500 gallons a minutes for residential, two hydrants, and we are talking about actually having a pressure that would be decent, with 20 psi. Then for commercial and industrial areas we are looking to requiring 3,000 gallons a minute. All of the pipelines were designed so residential could provide 1,500 gpm for any area, and same for industrial of 3,000. This side of town where the industrial has much favored pipelines for that."

Mr. McCoy asked what CH2M Hill was doing about providing water in an event there was a power failure?

Lotchi said, "We would recommend generators in each of the new wells, and recommending generators for the existing wells. Each well would have backup power. There would be backup power at each well, diesel or propane, whichever the City preferred. At this point we are looking at both. As far as backup water goes, we have enough wells that even with one down you could still serve that 3,000 gallon per minute fire. [illegible] are talking about the middle of summer, it's hot, everybody is irrigating, everybody is washing everything, and still end up with a fire in an industrial area,

with one well out, that can still be served. With two wells out your pressure would drop. We can put in as much safety, redundancy as the City wishes. This is a standard that most cities use. If the City would like more protection, we can add another well. We do have a list of what we are requiring and a design basis, it's in the Water Master Plan. We have a network analysis of exactly what the pressures were at each point all around the system when we ran those scenarios, and we have that information also. That is not in the master plan."

Councilman Curry said, "He wanted to let the people know that there is currently a committee put together that is made up of Council members and Fire District Board Members and some County representation. This Committee is reviewing all those issues, and I would encourage you and anyone else to please attend those meetings, in fact we have one on November 21, 1991."

Lotchi said, "These recommendations were all made in conjunction with the Fire Marshall. These were his requests after working in the City and knowing what the down sides were of the City and these are the things that he requested for this area. They are higher than some of the standards in the local cities around. There has been a concern about causing leaking lines by raising the pressures."

Lotchi stated, "The net amount of water that we're going to be needing is less then, there are totals in the book that show, now we are at 10,000 gallons a minute and in the future we are going to be at 3,000, so you would assume we need 2,000 more, and we don't, because 1,000 of that is already being used by the farmers. What we need is about 700 more because of the land here that is to be developed."

Ms. Whitworth questioned, "I don't know enough about the difference between a water tower pressure and a generator pressure, and it seems to me that an ordinary system, that you're talking about using diesel and propane where we might get the same thing from gravity. Could you tell me the difference between having water towers verses pumps?"

Lotchi answered, "You could put in a higher tank that was whatever pressure you wished it to be."

City Engineer Jackson said, "The tanks don't require the electricity to drop the water down by gravity. Tanks are more expensive to put in and of course there is a visual problem. The pumps are cheaper to put in, but then you have to pay for the power

to pump them. You still have to pay for some power to pump water up in to the tank, but at a slower rate. With the tanks that you have there is a very small amount of storage in those tanks. They are good for domestic use if a pump goes out, but they are really not good enough for a fire flow, because there is not enough water to take care of fire flows. The pump can then ready the fire flows. In consideration of the water plan for putting in a large tank to take care of fire flows would be much more expensive, and the cost of power is cheaper than putting in the tank."

Ms. Whitworth asked, "Is this more expensive up front or phased over three years?"

City Engineer Jackson said, "It is much more expensive over a period of time, but at the beginning you would have a big expense to put in the tank compared to gradually putting in wells over a long period of time."

Mayor Pro Tem Fridae asked, "Was it a directive to you, or is it your recommendation that the water towers be, I can understand your rationale for wanting to take them out of service, but to actually physically remove the water towers, was that a directive to you or is that your recommendation?"

Lotchi said, "They do recommend that the tanks be discontinued, as to whether they be removed or not, that is up to the City. There is a problem with leaving them as far as the possibility of having them deteriorate, fall down in the wind, if they are not being maintained, and then why maintain something you are not using. It would be up to the City. There is a cost to remove them and you may want to leave them in place."

City Manager Beck indicated the directive that CH2M Hill was given was to review the water system for the best type of system for the future, which was found to be a variable frequency drive. It is very common in this area, because we don't have the hills and the relief in the land to put big water tanks to where we can get pressurized water systems of an adequate pressure needed for fire fighting and general use. No directive was given to remove the tanks. There was a directive given to take the tanks off line because you can't have those kind of tanks on a variable frequency drive system. They will over flow.

Councilman Fridae said, "It's in the Policy Statement."

City Manager Beck stated, "The only thing we discussed was taking them off line. We did not mean that they necessarily have to be

taken down."

Lotchi said, "We will review that and make sure we correct that."

Lotchi stated, "As far as the golf course there is an abandoned force main that will be abandoned. They can use that pipe to pump water back to the golf course without having to purchase and install pipe in this area. The other thing we looked at was elevation. The pump station down here is at one of the low points in town. The existing plan is at one of the highest points in town. This location is about 50 feet lower than this site. This difference in elevation results in a big savings in pump costs for the conservation. The whole system is much less expensive to operate. For those reasons we recommended moving the plant, and cost wise this same exact plant located here (pointing to a map) using the water as I've outlined is more expensive to do at this location than it is to do at this location, so this was a less expensive alternative, even having to take into account having to purchase additional land."

Mr. McCoy asked, "Is that true regardless of the outcome of the planned use for the urban study area designated in this plan?"

Lotchi answered, "The urban study area is located here, and you're asking if the urban study area becomes, say residential, what happens then is you can gravity flow the sewer, since it is on a high spot, and that would be good. It can be gravitied into the pump station or to the plant directly depending on what the elevations are. You would have obviously more pipe line than if the plant were located here, but you wouldn't have pump stations or other things that would really drive the cost up."

Mr. McCoy asked, "So you don't think the change is in the overall calculated costs?"

Lotchi answered, "I wouldn't think so, no. We haven't done that analysis, but off the top of my head."

Mr. Steve Wilce asked, "Are you saying that it is less expensive to build this new and larger treatment facility in this location than to upgrade the existing facility to its capacity and treatment level?"

Lotchi answered, "No, those are two different things. If you mean by an upgrade, use the same treatment, but just expand it. We make it bigger so we can take care of it. To increase the quality is not really an upgrade at this site. This is a whole different kind

of treatment facility. It is a whole different plant, and none of this plant could be used except the ponds. What you're doing is you're starting from scratch and you're building all these new processes. You do need ponds for either process. We are having a redundancy there, where we already have ponds here and we have to build new ponds there. That is the only part of the facility that could be reused. It would be an upgrade, but it is a totally different system."

Mr. Wilce said, "So it's feasible to expand the treatment capacity at the existing plant, but you feel it's not feasible both to expand it or to improve the quality at the existing site."

Lotchi stated, "There are a lot of ponds here, about 30 acres of ponds. For the new kind of treatment we're talking about, we are only going to need about 10 acres. When we rebuild we're not rebuilding the whole thing, we are building a small part of it. If you are talking about expanding the existing plant, and keep building more ponds, we did look at that alternative. What ends up happening is, it is more expensive because we would need to purchase more land. We have other problems like elevation, pump costs, and piping costs."

Ms. Hunter said, "One thing about the new site is that it is either very close to or in the flood plain, and that's a real big problem for sewer treatment facilities to be flooded. Did you account in the expense of building all the protection against flooding?"

Lotchi answered, "Yes, and that is one thing that we did look at. We were talking about putting a berm around the whole thing to protect it from flooding. It is near the flood plain. The Storm Drainage Plan helps outline what we're planning to do about the flooding, and the flood would be more controlled. It would be near the flood plain and we don't have any control over the flood plain. That is a point and is something that we would need to go and design, and something we did consider."

Ms. Whitworth asked, "Where does that storm drain to?"

Lotchi answered, "As far as Putah Creek and the storm drainage goes there is a channel we are proposing that would run down here (pointing to a map) and discharge into Putah Creek here."

Mr. McCoy asked, "The impact of the project is going to exceed the capacity of the existing plant. The policy is to study the feasibility of creating a new plant, and I know elsewhere in the document it does refer to a more general policy statement regarding

infrastructure, keeping pace with development. At this particular point it doesn't specify anything about infrastructure and development. It just says that we will study the feasibility of building this."

General Plan Project Manager Mintier answered, "In the General Plan there is a clear commitment going with particular alternatives, and some of that language is a little ambiguous at this point, subject to a review, such as we're doing now, of the facility master plans. We would hope in the final document we can be less equivocal."

Mr. McCoy said, "So what outcome is it during acceptance, but by the Commission and Council, if a plan like that were deemed acceptable you could drop out the equivocal language."

General Plan Project Manager Mintier answered, "Yes, but there are some qualifications of, with respect to issues that have to be resolved by further study, because we can't be too precise without having done all the engineering studies that would be required for any type of construction."

Ms. Whitworth asked, "What size is the storm drain that is going to be draining the flood area?"

Lotchi answered, "I believe the top elevation is about 100 feet and the bottom is about 11 feet. This is how wide across it would be. It would be an open channel on land that is designated open space."

Ms. Whitworth asked, "Have soil studies been done in that area?"

Lotchi answered, "No, other than what the FCS has done."

Ms. Whitworth said, "I would suggest that soil studies be done, simply because we're having such erosion problems on Dry Creek, that a channel like that would either have to be concreted in, which might be detrimental to a lot of things."

Lotchi said, "We did look at erosion in that context and that is why the channel is so large. It is large so the water will be slow and flat. You put it in a smaller channel that when you flatten it out it will be somewhere around 2 feet per second, a channel that will not have an erosion problem. It will be taken into account and it will be handled by velocities rather than concrete. It was viewed that concrete was not a view that the City wanted to have here in the middle of this area."

Ms. Whitworth asked, "Have you taken into account things like

planting and vegetation that might be around?"

Lotchi answered, "Not specifically, but yes, the concept of having it look nice and not have a concrete channel. That idea has been decided. It will be an earthen soft shoulder, kind of brim. There will need to be a roadway on the top. It can be curved so it looks like a natural stream bed. Planting can be put in and it can be made to look as nice as possible. This area of land is about 40 acres."

Ms. Hunter asked, "Would it be possible, as another scenario for the use of the water from the new treatment plant, if that water comes into some sort of artificial wetland area where the nutrients, nitrates and phosphates could be taken up, I'm not sure, but I believe chloroform bacteria count would come down, such that it would be another form of treatment before it could be passed into an area where the water could be contained or have more options for using that water? This may be actually cheaper than adding infiltration."

Lotchi indicated, "This is something that has also been looked at but not in great detail. It is a possibility that if the City would like to pursue that, it could be done."

Mayor Pro Tem Fridae said, "I know that financing is not in your area of study, but you did some cost analysis of the two treatment plants, and I wondered if you took into consideration the fact that the present sewer treatment plant was built with a Federal Grant and a stipulation that this money be paid back to the Federal Government if it was abandoned?"

Lotchi answered, "Yes, we were aware of that. I can't remember off the top of my head if there is another sentence in there that says, if it isn't built in like, I think there is another part of that, yes you have to repay it if you were to abandon the site. We have our sewer specialist looking into it."

Mayor Pro Tem Fridae asked, "If we abandon the present sewer site is that our's to sell?"

Lotchi answered, "I would think so, we were assuming that, yes. That would be a possible way of recouping some costs. There would be costs in closing the sites but there would be some benefits in reselling the site."

Mr. Hunter asked, "Is there very much unused space at the existing site?"

Lotchi stated, "As far as the entire site goes, there is a few acres, possibly 5 acres to the north of the ponds that is not being used. We do not need that whole site currently to spray out all the effluent that is in the ponds. You will need it all in the future, over the next two or three years."

Mr. McCoy asked, "Would the City have a cost associated with remediating the abandoned site?"

Lotchi answered, "I would assume so, we have not done an analysis of that. There would be at least a cost of, since there are ponds there, and they are not at a level where you would want children playing, you would want it all to be fenced off, otherwise you would need to come in and do something about the area."

Ms. Whitworth said, "It appears that there are two options. If it is redeveloped and you do water pumping there would be an additional drop in the ground water to develop that area. This could be detrimental with that cost figured in, and I'm just asking this generally, that cost to the City in the future figured in to the figures of abandoning those sewer ponds. There seems to be a connection here between ground water use and what we do with the old sewer plant."

Lotchi stated, "This area here (pointing to the map) is proposed to be a golf course, so the difference would be these ponds. If we take that water away and build homes and we need more water, what happens to that? That cost per say has not been looked at. Anything that has to do with what happens to the site after the fact was not actually costed out."

Ms. Whitworth said, "I'm not sure it's your job, but I'm raising this issue to the Council and Planning Commission. This is something that has to be looked at in the overall expense of where we are going."

Lotchi went on to cover storm drainage. "As far as existing problems go there is some local flooding that occurs. This is due to the pipe sizes being undersized. We recommend that they be increased to accommodate the 10 year storm. That is the standard for the industry that pipe sizes accommodate the 10 year storm. We recommend that be done and then that should take care of some flooding. There will certainly be increasing amounts at times if there is water in the downtown area. This shows the 100 year flood plain. The thing about the 100 year flood plain is that you are not allowed to build in it, unless you provide protection for whatever you are building in them. On the other hand that you do

not move the flood over to your neighbors who were not getting flooded before. You would need to change upstream or downstream conditions for the neighbors. We had those two things to consider when we came up with a plan to take care of the flooding. The part of town near the cemetery that floods, a solution for this would need to have a pipeline put in, which would route the water to Dry Creek. The first part of this has already been set up. There is an over sized pipe line that was in place and so what this would do is just connect a new pipeline to the existing pipeline that would be an adequate size to take care of this. The solution to this larger problem, is a new larger pipe draining to Putah Creek. We have this one pipe draining to Dry Creek. All the rest of the green on the map is new pipe and will be draining to this new man made lake. The purpose of this lake is two fold, one will be a recreational lake, primarily in the summer time, and the other is to act as a detention pond for storm drainage in the winter. In the summer, this orange dot is a well, there will be water supplied to the lake to keep up the levels and keep the lake nice in the summertime. Then in the winter water will flow into it from the storm drain and be held here until it reaches an overflow point. At that point it will flow out through this pipe and into that 100 year flood channel we were talking about before that will be located in this vicinity and drain down to Putah Creek. This takes care of the drainage problem that is located on this side of town. As far as the flooding that comes from the north and tends to hit I-505 and move down through the City, we recommend putting in a channel that essentially is like a cut off ditch. It would be all along the top of the 20 year Sphere of Influence. It would stop the water from draining across that line and then into the City. It would be picked up in the channel, run over to this area, and stored in this pond. When the pond reaches a certain elevation that water will flow out and into Putah Creek. This will likely be a retention and regulating reservoir. As far as regulating, that that means is, we can regulate how much water and when it would go out the channel and into Putah Creek. There is also a brim associated with this that would run along the south side of the channel to provide some freebore so you get more than 100 year storm. You don't automatically have this area beginning to be flooded. There would be able to be freebore and would make this pond larger. What we're looking at now is, it would be automatically regulated. It is a situation where you have a wire set up where it's concrete wire and set at a certain elevation. When the water gets above that the water automatically starts pouring out and coming into the channel. It could also be set up with that elevation to be variable, something like a gate structure, where you could move it up and down. The land that would be used for this, the City would have to purchase. It is

116

64

located outside the urban area, and is approximately 171 acres. The reason for purchasing it is because of the consideration of what happens to the upstream people. In this case we would be flooding more than if we did not do this project. The City could purchase the land and lease it back to the farmers, the farmers would continue all normal operations. It would operate like it does now. Currently it starts raining, it ponds in this area, it gets wet and nobody can do anything out there. The same kind of thing would be happening, it's just that it would be this side getting a little wetter than it used to, but the summertime operation could continue exactly the same. This actually could be constructed on the City side of the 20 year Sphere of Influence, you would need a canal, a brim, and a wire structure. It could be built on the lower side. The purpose for putting it here, was that we wanted to develop everything in the 20 year sphere. The reason for not moving it further up was because of the associated costs of this channel that got longer and longer. The land owner is aware of this concept and is not dead set against it. This lake will be a permanent lake. To maintain it would be keeping algae out making sure you do not have a mosquito problem."

City Manager Beck said, "A City of Woodlake Village down in Southern California does a lot of extensive lake maintenance. We have their study available and wish to see them at City Hall, they show what it costs to maintain lakes. They are not cheap to maintain."

Mr. McCoy said, "The General Plan Policy Document states that discharges into Putah Creek will comply with both State and Federal Guidelines and the EIR says that the storm plan is self mitigating. If it is truly self mitigating how does the General Plan Policy propose to monitor the problem of water being discharged into Putah Creek." 2

Lotchi asked, "Quality or quantity?"

Mr. McCoy answered, "Quality."

Lotchi indicated, "I will have to get back to you on that one."

City Manager Beck said, "SOCI, the City's Sewer Contractor currently discharges into a trout stream. They have to maintain extensive records of the water quality both above and below their discharge point. I would imagine this would be similar that, we would have to file reports with the State much like we do on our current system when we are irrigating out there at the sewer spreading fields. We have to maintain records and test the water

66

that is being applied. I would imagine that same kind of monitoring would have to be done for any type of discharge that currently is not common to Putah Creek, that is in fact man made."

Mr. McCoy said, "Since we have to do it anyway it wouldn't be any additional trouble to declare our commitment to that in the General Plan. Another follow up question to that is on wetlands, if any delineation was proposed or conducted or whether you consulted regards to the status of the lands that are being looked at in the northeast section?" 3

Lotchi answered, "The Moody Slough area is considered to be a wetland."

City Manager Beck said, "The Corps of Engineers was sent the entire documents, in fact they were sent all plans, because they are one of the responding agencies that we have asked to respond to the EIR. They were given the EIR on all master plans and documents."

Lotchi said, "One thing we were looking at was making sure that we didn't alter the flows downstream of Moody Slough, so that the wetlands that are there and downstream continue to be there. Part of what's here would be regulation structure to make sure that water was not just bypassing Moody Slough. It would continue like it is."

City Engineer Jackson stated, "The City would have to purchase property for the detention basin and property for the channel to come down. In the development of this, this channel could be widened to a wider channel, 200 feet instead of 100 feet, and it could be used for detention in addition to area here, which would reduce this area. Those kinds of things can be played off against each other."

Lotchi said, "We have a solution for the flooding problem here. We need to purchase land to take care of the upstream parties. As far as downstream goes, we are now going to be discharging water in Putah Creek where it was done before. An additional study needs to be done to make sure that the downstream people on Putah Creek are not being harmed in any way. This study has not been done yet, but will need to be done before any development takes place. After we get the results of that study this whole plan can be revised. This can take two forms, one is if the water is harming people downstream we can detain it longer and make this pond larger, or discharge not at the top of a high flow, and then wait before discharging into Putah Creek."

67

117

Ms. Hunter asked, "What about the people on Dry Creek, you are also discharging into Dry Creek?"

Lotchi stated, "We are not putting anymore water into Dry Creek, except for this little piece."

City Manager Beck said, "The engineering on the Rancho Arroyo Assessment District was done and it was determined that the water that ponds around the cemetery can be put into Dry Creek. It was subsequently rechecked by CH2M Hill to review whether or not that District was properly sized. A portion of that District was shown as flowing to the north. The Cooper Thorne Project drainage has been changed from draining over into the Rancho Arroyo District to draining to the Taylor Street lines."

Ms. Whitworth indicated, "I'm very concerned about this because there has not been any public discussion about this and the Dry Creek Group is very concerned about it."

City Manager Beck said, "This is very recent discussion, and will be heard by the Planning Commission and be noticed for the public discussion. The Cooper Thorne Project will probably be ready to be heard in February."

Mr. Wilce said, "There is an existing policy in the policy document on page 238, paragraph 65, talks about the open space. Did you have that policy before you in the design of your flood flows?"

Lotchi said, "No, the flood control system was designed first."

City Manager Beck stated, "No, because that policy wasn't established until March of this year."

Lotchi said, "We were operating with a specific plan in the beginning, and the idea was this land would be purchased and used for flood control and for the sewer treatment plant."

Mr. Wilce said, "The Parks and Recreation has an outline of operating cost estimates for part of the General Plan, and are you saying that the operating cost of the lake and surrounding park has not been estimated."

Lotchi answered, "The park itself, park land, has been estimated and has a maintenance cost associated and is in the Financial Fee Study. Maintenance of other things that have to do with water, storm drains and that type of things were not included in parks."

68

Ms. Diane Beaton asked, "When will the information be made available to the public on how much the lake will cost to be maintained?"

City Manager Beck indicated, "The only thing we have at the moment is the study from Westlake Village and anyone can come to City Hall and take a look at the studies they did. The cost to maintain the city of Winters lake will be put into a maintenance assessment district. It's like the cost of maintaining water wells, we don't calculate that into the study because it is calculated under a water fee study. We also do not calculate the maintenance of the sewer system at this point because it is done th[illegible] a fee."

Ms. Beaton said, "We say we want the lake but we don't know how much it's going to cost?"

City Manager Beck said, "I don't know whether we say we want the lake at this point."

Ms. Beaton asked, "Shculdn't we find out how much it's going to cost before we talk about whether we're going to have a lake?"

City Manger Beck said, "Yes."

Ms. Whitworth said, "Ultimately aren't we paying the fee?"

Ms. Beaton asked, "Who will be paying for that?"

City Manger Beck said, "People in landscape districts. Ultimately it will probably be City wide."

Lotchi said, "If you don't have a lake, the lake is needed for storm drainage and detention. If you don't have a lake the costs will go up for the storm drainage system."

Mr. Wilce said, "I would like to ask you about some of the alternatives that are in the Storm Drainage Master Plan on Page 36. The objection to the alternative of raising the building lots is that it decreases the storage of the system because you are bringing in the soil and you don't have as much flood water storage capacity. If you excavate in the open space area and use that soil to grade other parts of the flood plain, you may take a rough equivalence of the storage capacity."

City Engineer Jackson said, "What you're saying is true. Right now you have a 100 year pond for flood water, and that is a retention and detention pond. This reduces that pond but still leaves enough

69

of a pond to control flood waters. It is still a detention pond. You can have a detention pond at other locations, instead of having a big pond like this, you get more volume by digging a hole and creating a pond here (pointing to the map). This in effect is what is being done up here. The idea of not doing it here is that this one is scheduled for, in the Land Use Plan, industrial development, residential development. What you can do is dig a hole at the pond, put the earth over here to raise this area so that this area is out of the pond and this area has the bigger pond. You can do those kinds of things. The general overview of how to think about it is that this is a balance between detaining water and the sizes of structures to pass water. You get the extra benefit of detention by having cleaner water when you finally release it."

Mr. Wilce said, "I have a question on Alternative 6, the preamble to the flood, elucidates the basic problem of the flooding which is essentially man made Highway 505 instead of making a little stream. Lake Winters was a flooding control device for downstream."

Lotchi said, "This was looked at, to enlarge the culverts under the freeway and let the water pass on through. What was determined was that to let all the water pass through was going to over flow the banks down stream of Moody Slough and cause problems down stream on these two. I didn't do the Storm Drainage Master Plan so I don't have all the background information. I know it was looked at, that was the conclusion. I don't know why this is different than historically before I-505. If that were to be done it would over flow down stream and the banks would need to be raised all the way at this time."

Mr. Wilce stated, "In the Storm Drain Master Plan, when it is referring to that, as I read it, it seemed like they were saying that it would over flow the Putah Creek system, and that levying Putah Creek would have to be raised all the way down to the Yolo Bypass. You are saying something slightly different. You are saying it's going to over flow Moody Slough downstream and I find your statement acceptable, but I find the statement that the flood flow will in fact impact the creek system to be incredible."

Lotchi indicated, "I'm not sure that those are the same two items. As far as enlarging culverts and affecting Moody Slough that does not affect Putah Creek. Putah Creek, there may have been a discussion on Putah Creek as to what would happen if we increased flows by making a straight shot in diverting all the water from the north to Putah Creek directly without going through the detention pond, and the possibility being that banks would be overflowed. We don't know that, according to the studies we have, that Putah Creek

should be able to handle a 500 year storm. The Core is concerned with this in the Davis area and are now doing studies to see what has happened to their freebore on Putah Creek and all the other creeks that drain in that area. They are having to come down and do some more work in that area."

Ms. Whitworth said, "I'm still unclear about the moving of the land and raising the building sites."

City Engineer Jackson said, "You can create the pond down here by moving dirt in this area and putting it someplace else. Another scenario would be to take water out of here, where there is already a pond planned for, put the dirt down here so you don't have a flood. Then you are eliminating part of the detention in this plan."

Ms. Whitworth asked, "So detention actually will go along 128 according to your plan now?"

City Engineer said, "No. Our plan has detention here and it channels. It comes down through here, and there is not detention in this area. The reason for that, having detention up here, is that this is agricultural land and it is scheduled to remain agricultural land. We are talking about detention for a 100 year storm so that in many, many years this could be farmed just like it is today. Then if you did not do that and you decide to build your detention in this area someplace, it could be done. Then it would be in conflict with the Land Use Plan, that shows industrial land in this area."

Mr. Wilce said, "The concept that I have in mind here, is a concept of eliminating the lake detention area by using fill from the open space area to raise that above the flood plain. Take fill from an open space and create a detention in the open space and use that to raise the industrial site and raise the surrounding residential above the 100 year flood plain so that the Winters Detention Pond is eliminated and then you can take 60 acres of detention pond and pull the northern boundaries to the south by that amount maintaining your base of all your housing balances and circulation and all the rest. Maintaining the same land use designations and the same residential."

City Manager Beck said, "The financing documents will be available after the next Tuesday meeting."

Mr. Wilce said, "My concern is trying to work out a cost effective flood control system. You have a lot of big storm drains in that

area that contribute to a lot of cost that might be eliminated also by making the wetlands a more active part of the flood control."

Mayor Pro Tem Fridae called for a recess at 11:10 a.m..

The meeting reconvened at 11:25 a.m..

Commissioner Cody left the meeting at the time of the recess.

EIR Consultant Douglas Duncan said, "I want to provide an indication of what our intention was when we organized this the way we did, and how it relates to the Draft General Plan and to the proposed master plans, those of which CH2M Hill went over earlier. As many of you know, the purpose of an Environmental Impact Report is to provide information to the purposes of decision making under the terms of the California Environmental Quality Act (CEQA) of 1972 and subsequently amended. I want to draw a distinction between the character of an EIR on a "project" such as the proposed General Plan or proposed master plans as opposed to the development project, such as a subdivision or a industrial plant or some other kind of development proposal. CEQA itself makes a distinction in this regard and indicates an EIR on a General Plan or a proposed governmental program can be, and should be, less specific than an EIR on a specific development project. The other distinction I want to make is that in every case where an EIR is prepared there is a lead agency and in the case of privately sponsored and initiated development projects the lead agency would be the governmental entity in which that project is proposed to occur. In the case of a situation, such as the present situation, where we have a proposed Draft General Plan the sponsor of that is also the lead agency, the City of Winters. I think that needs to be born in mind, and the other aspect that I think needs to be born in mind is the fact the way in which this particular EIR was prepared differs in several respects from those that would be used in the preparation of a development project EIR. Some of you may be unaware of the document that my firm prepared over a year ago, called an Assessment of General Plan Alternatives. This provided some input, I believe, into what has happened subsequently in terms of refining and revising and detailing what has been called the PAC Plan, and which has gone through a variety of evolutions, revisions and refinements since then and, now is before you as the Draft General Plan as shown in map form on the wall for a proposed 2010 population of 12,500 people. What has also happened in the interim is that there was some determinations made by staff, consultants, Planning Commission and City Council that there should be a certain array of alternatives against which this Draft General Plan should be reviewed. The chief among those is the modified Draft General

Plan for a population of 14,000 people, which is also on the wall. They do not differ greatly in their overall appearance. They both occupy precisely the same area of land, which is the City's Sphere of Influence. The only difference is changes in the proposed densities on the number of specific houses in areas that produces the increase in the holding capacity, or the projected build out population of 1,500 people, additional over the proposed Draft General Plan. In addition to those two alternatives which are evaluated in the Draft EIR side by side, because of their substantial similarity. There are four other alternatives which are being reviewed and described in the Draft EIR. Incidentally all of these alternatives can be referred to by Roman Numerals I - VI, or by their abbreviated names. Alternative III is described as the North Area Specific Plan/Existing General Plan. This actually was the original project that tended to kick this whole process off. The property owners and developers who prepared the North Area Specific Plan requested an amendment to the then existing General Plan and the Assessment of General Plan Alternatives treated, that as the primary candidate for consideration in the current Draft EIR is relegated to one of four subsidiary alternatives. Alternative IV is the existing General Plan and quantifies under CEQA as being called the No Project Alternative. If the Planning Commission and City Council decided to do nothing with respect to all of the materials which are in front of you today the City would continue to have its existing General Plan as its continuing General Plan. That would be a No Project Alternative. The Alternative V is a reduced density plan, which owes quite a bit to the COG Initiative that was considered two years ago. Essentially this shows development again, all the alternatives I mentioned so far including the reduced density alternative use exactly the same overall urban boundary, or Sphere of Influence for their considerations. The patterns of density, land use, and the populations that are capable of being accommodated within each of them are slightly different. Alternative III, the NASP existing General Plan Alternative would have 15,000 population estimated, as would the No Project existing General Plan, the reduced density plan could house about 11,000 people. Alternative VI, which is called the Compact Development Plan, is the only plan which occupies, not 100% of the area within the boundaries defined for the Sphere of Influence. This would also have in common with the Draft General Plan of the projected population of 12,500 people could on a substantially reduced area. It was developed for the primary purpose of its evaluation as the environmentally superior alternative. That is also a requirement of CEQA, that among the alternatives, one be identified as the environmentally superior. If among these alternatives, a course of action is determined to be the desirable one by the Planning

Commission and then City Council that is not the environmentally superior alternative there has to be overriding findings of significance made to justify the selection of some other alternative. I was going to just give a very brief overview of the structure of the document, but I think you can see for yourselves from the Table of Contents that the topic areas, and some chapters cover more than one topic area, but in each of those topic areas the sequence of presentation is the same. First of all is a setting section in which information is provided on the existing conditions against which the proposals are to be evaluated. I would just like to indicate to you that the definition of an impact is the extent to which change of existing conditions would result from a proposal. The third subsection for each topic area is mitigation measures. The sequence within the impact section is first to indicate what development of the magnitude and character proposed would have without the policy provisions contained and stated in the Draft General Plan. It would in a sense be the unmitigated impacts of development of a certain size, shape and character. Secondly taking into account the policy content and provisions of the plan the character of impacts that would then result, are stated and those are numbered in sequence within each chapter such as in the Land Use and Housing Chapter, which is Chapter III of the first impact of that character is numbered 3.1. The corresponding mitigation measure, all that impact, would also be 3.1. If there are several mitigation measures that apply to that particular impact they would be then 3.1A, 3.1B and so forth. The other aspects of the EIR that are useful to know is that in addition to examining the impacts under each topic area for the project, the Draft General Plan and the Modified Draft General Plan are looking at each of the other alternatives 3, 4, 5 and 6 in a separate chapter and looking at the topical character impacts that each of those would have. CEQA also requires that some special subject areas be addressed and that the impacts be categorized according to the unavoidable impacts, irreversible environmental change, short term verses long term productivity, growth inducement, and cumulative impacts. There has been some comment already, and I imagine there will be additional comments, both today and the forth coming meetings, that the EIR is capable of being criticized because it has essentially said that the proposed Draft General Plan mitigates the impacts of the development that it provides for. There is some differing view points of whether in fact that is the case. The unmitigated impacts that the EIR has identified as resulting from development of the magnitude and location that is proposed comes under three main headings. The loss of habitat for a state threatened species, the Swainson Hawk, and closely related impact, conversion of prime ag land to urban uses, and the degradation of regional air quality through increased

emissions of hydro carbons and nitrogen oxide, that effect the ozone levels in the region as a whole. Those three impacts are, it appears to us, the only three that are incapable of being mitigated. There is no way in which lost agricultural land can be recaptured in some other place. Similarly, because of the coincidence of Swainsons Hawk habitat, with the kind of ag land that you have around here, there is no way in which that habitat can be reproduced and replaced other than by moving or achieving some sort of replacement habitat in some other location is not currently used as habitat. Or the replacement of lost ag land someplace else by land that is not currently in agricultural production. There appears to be no immediately feasible method of achieving this level of growth and development without having an adverse effect on regional ozone levels. Those three strictly appear to be incapable of mitigation. The other impacts are capable of being handled and reduced to what has been stated in the Draft EIR as being less than significant level. Let me say that in the EIR we have to scathe a very narrow line. The EIR is not supposed to reach conclusions. The conclusions are supposed to be reached by the fathers that are going to review the EIR, but at the same time we're supposed to provide those bodies with a sufficient amount of information to give them some senses for the magnitude, character and quality of the evaluation. It is sort of a catch 22 in many cases. I would like to say, although we are the primary authors of this document, the lead in its preparation, we have been supported by a substantial number of other firms, including three that have worked on the Public Works Master Plans and the Economic Fiscal and Fee Studies. The Traffic Analysis in the EIR was prepared by Wilbur Smith Assoc., the infrastructure analyses and Storm Drainage was conducted by CH2M Hill, the Financing Analysis that is contained in this document was prepared by Economic Planning Systems, and let me just say that we regret the fact that Appendix B, in the document that was originally issued was not the correct Appendix B, and I believe that each of you that have received the original Draft EIR should have received a replacement Appendix B. If you have not I would appreciate you contacting the City and obtaining the correct revised version of Appendix B. The biotic analysis was conducted by the Firm Environmental Collaborative, Noise Analysis by Illingworth and Rodkin, and the Air Quality Analysis by Donald Ballanti. I recognize that many of you have questions and comments and probable criticisms of the EIR. Let me just ask you one thing, that when you get to the public testimony section today and at subsequent meetings, it would be extremely helpful if you could repeat your name for the record, you're obviously all well known to the members of the Planning Commission and City Council, but we are responsible for preparing responses to the comments you provide. It would be very helpful to

us to know who made the comment. Secondly, if you can be fairly specific about the page or section that you are referring to or eluding to that would be helpful too. I recognize that there are many documents in front of you and if you are making a comment that relates to the EIR and you happen to be referring to the Circulation Master Plan I would appreciate it if you could make that distinction. Thank you."

EIR Consultant Duncan was asked a question of a member of the audience that was inaudible. "This was covered in the introduction, and reference to that is in the central paragraph on Page 3. It essentially says that the EIR assumes the subsequent specific development project will conform and be consistent to the provisions of the Draft General Plan. To the extent that they deviate from that or to the extent that they contain some specialized characteristics or detail are not addressed in here, it could require some subsequent environmental analysis. Each of them would go through a process of preparation of an Initial Study to determine just exactly what kind of approach should be taken to satisfy the requirements of CEQA, and it might be determined that they were consistent with the EIR, consistent with the General Plan and do not require any additional special analysis and the negative declaration could be issued. On the other hand, it could be determined that where the roadway systems differ, or the density is different, or the design is somehow different, or their to have an on sight wastewater disposal, that requires its own separate analysis and the preparation perhaps in the EIR is an addendum to this EIR or some other approach." 4

Mr. McCoy asked, "Does it have the possibility of standing as the final document of some projects within the Sphere of Influence?"

General Plan Project Manager Mintier answered, "I think the answer is yes for some projects, but I can't define what projects we're talking about. The determination of which projects of which this may serve as an adequate EIR would have to be determined through an Initial Study. I think that however that the notion that no further EIR is going to be required in this City for the next five years is one that we ought to correct right now. Subsequent EIR's will be required and this will depend on the Initial Study. At the very least we would expect the General Plan EIR to be able to serve us for subsequent environmental analysis. So that perhaps there are cumulative effects that would have to be rehashed in a project level EIR because they've been adequate when dealt with in the General Plan."

Councilman Pfanner asked, "There have been recent laws getting 5

fairly specific about mitigation monitoring, have the courts ruled on program EIR's such as this that are broad brushed, long range, conceptual, where it is difficult to get into specific mitigation measures. Has there been any court action or directives in terms of mitigation language or program documents?"

EIR Consultant Duncan said, "I'm not personally a[illegible] any court related determinations that relate to mitigation m[illegible]ng applied to a program type EIR. I did not get into mitigat[illegible]on monitoring reporting program requirements that might be attached to this. They are not contained in this EIR. There is a certain kind of philosophy that I may have that some other practitioner might not have, and they might do things differently, but my sense is that while the decision making process could possibly benefit in the deliberative stages from some sort of outlying mitigation monitoring programs so that the Planning Commission and City Council can see kinds of implications that might be involved. I believe that it is more proficient perhaps to let the deliberations go forward and then to shape the mitigation monitoring reporting program on the basis of the direction that will be coming out of the deliberations. I think that program is required to be fairly specific and it really should be geared to the decisions that are being formulated."

Councilman Pfanner said, "To be a little more specific here, mitigation monitoring programs are not supposed to say a future study will be done to look at the impact of additional run off in Putah Creek. That would not be an acceptable mitigation measure, but yet because we don't have those studies we don't know what those impacts are and we are making decisions that are saying, well the mitigation is, study that issue at some time in the future. How does that work in terms of a General Plan document where you can't answer all the big picture questions?"

EIR Consultant Duncan said, "The way in which we have prepared mitigation monitoring programs, they are directed towards spelling out who has the responsibility, what they are going to do, when they are going to do it, and how the results are going to be made public and available for review. The performance measures that are going to be used to demonstrate the impacts that the mitigation was intended to achieve, have in fact been mitigated, but I think there is a different level for this type of a program EIR. It can't be determined that the developer does not take out more than 15,000 cubic feet, or does not put in more than 15,000 cubic feet of fill, and that it is going to be achieved by someone standing at the gate and making sure that it will be handled correctly."

Councilman Pfanner said, "We are going to be asked to make some big decisions on some major unknown issues, and the level of discomfort I have is how much security do we have in our decision that the mitigation will happen. Do we need to add language that says, there will be a future study of increased run off into Putah Creek and if there is any adverse impact, then this shall not proceed?" 6

EIR Consultant Duncan said, "I think that is within your purview as a result of the public expression, a particular concern in a particular area. It may be possible to fine tune both the Public Works Master Plan in particular, or the Draft General Plan and to incorporate those kinds of revised and refined provisions in the Final EIR."

Lotchi said, "That was our thinking on that particular issue, but that if the study came back, and it did show adverse impacts that the plan would be altered so that there would not be any adverse impacts. Something would be done."

General Plan Project Manager Mintier said, "When we applied CEQA to the General Plan we find different results than when we apply it to individual projects. In many ways CEQA is not well adapted to statutory language to General Plans. When you are dealing with an individual development project and some physical improvements it doesn't in itself have a policy component. When you assess an individual development project, you would say, let's look at the map and the physical improvements and these are the impacts. What do you do to mitigate the impacts, you add conditions of approval. That translates into a mitigation monitoring program. When you are looking at a General Plan it's heavily problematic, and you're looking primarily at the map in terms of your impact assessment, you start with an analysis of what fiscal impacts are from your land use plan."

EIR Consultant Duncan indicated that at the next meeting is to be devoted to consideration, both of the Circulation Master Plan provisions and tend to lap over into the Circulation Component of the Draft EIR.

Commissioner Brewer asked, "Who established the thresholds? 7

EIR Consultant Duncan said, "The thresholds, in many instances are judgmental, and that is why we're involved in this Catch 22 situation of not being conclusionary and yet having to state in some fashion whether an impact is significant and if it is significant what the mitigation is to reduce it to less than significant. In some cases there not capable of quantitative

analysis. It is a qualitative kind of issue and I should say right now that probably the public review process on the EIR is intended to provide opportunities for people to say not only if this is the case, that the EIR is inadequate because it doesn't give us the information or it is not complete because it didn't deal with vector control, or something, but that you disagree with the determinations that are stated in the EIR. Something that is indicated as not being significant ought to be stated as significant. There are a variety of ways in which comments can be elicited in the EIR."

Chairman Cantor said, "I think the reference to what Commissioner Brewer is talking about, what is the threshold level, that would be significant or not significant, comes up in the Policy Document and the EIR Page 150. In the Policy Document the policy is that the City shall ensure for a combination of development fees and other funding mechanisms that new development pay for their share of cost in developing. I don't know where those standards are that prescribe what that level will be."

General Plan Project Manger Mintier said, "In that case there is a standard and it is LOSC which is stated on the same page. The first policy under transportation in the General Plan. In the case of traffic there is a separate standard, element C. We don't have comparable standards for performance of sewer systems, water systems. I guess we do in the case of drainage, because we have 100 year flood protection, adequate 100 year flood protection. We don't have the equivalent of an LOS standard, level of service standard for each one of the facilities. If we did, of course, that would be very convenient because that would be the threshold of significance. People can debate whether it should be LOSP or LOSC, or whether or not in fact an LOS standard is the appropriate measure of significance."

EIR Consultant Duncan said, "The reference to the EIR is in the Fiscal Public Financing Consideration Section, and the more refined, or perfected document are not here today. I know that there are likely to be some considerations given to discuss, in terms of some of the financing and fiscal effects of certain provisions in the General Plan, that relate to open space and parks, in terms of the ongoing costs, as a fairly substantial burden. What we have been able to do in the EIR is to say, the policies that are expressed in the Draft General Plan and which are related to the provisions of the individual master plans and the implementation spelled out in the fiscal and financing document appear to provide appropriate mitigation and are feasible, and therefore the impact is not significant. It's a general level of

analysis and there is a certain amount of faith involved in making that determination."

Chairman Cantor said, "My comment is the feasible part of that, whether or not it is economically feasible to carry out the policy. I don't see that part and can't make that connection."

General Plan Project Manager Mintier said, "In the documents that you will be receiving on Tuesday will answer that question. The engineering in most cases tells us whether it is physically feasible. Most of this is institutionally feasible, because we either have the City or other public agencies that can participate and accomplish that. These other documents will tell us the financial feasibility."

Mayor Pro Tem Fridae said, "You said that it is not under your purview to set policies, because this determination is set by Council or Planning Commission. There is a fundamental flaw in identifying environmental impact significant. The level of significance is fundamentally flawed, because you based the mitigation on policies that are set in the policy statements, because the policy statements are often general and loose, like will endeavor to promote, or cooperate or encourage. The self mitigating ability of the General Plan and Policy Statement, where are they if the type of determination that this is, in certain areas, fundamentally flawed, where are we in this whole process."

General Plan Project Manager Mintier said, "The issue here is trying to produce a good and adequate General Plan. The objective is not to produce a good and adequate EIR. We want that, but we want that because it helps us to make decisions on the General Plan Policy Document. That is really the fundamental issue and I want to be sure that everyone understands my bias here, because there is a real obsession with satisfying of the requirements of CEQA, extensive of making sound and intelligent decisions. I want to make sure that the focus is on the Policy Document which is the top of the pyramid of all these documents. That is the most important document. One of the things you will find out as you go through this is that it needs to balance the specificity and certainty. There are a lot of statements in absolute terms that you can make enough of the statements in the General Plan in absolute terms you will find that you can do nothing that is consistent with the General Plan, because you have no flexibility to trade off one value against another. If they are absolute you'll have no choice and will not be approving any projects in the City in years until you provide some flexibility. I'm not counseling that you make everything very loose and ambiguous. There is a balancing act and

I think that during the public debate and during the Planning Commission and City Council deliberations on how you state certain policies. For instance you can say traffic conditions in the City shall not exceed LOSC, period. You cannot really control them. If there is a big celebration up at Lake Berryessa and cars come streaming through your town, you have violated your policy. You could say at some time in the future if traffic conditions don't maintain LOSC percentages you can allow no new development. That is a way you can implement that policy. You will have to be in search for the appropriate approach to mitigating what you see as the undesirable impacts, and this is more art than science, because what you are trying to do again, is provide certainty and not flexibility. This is what public policy making is all about.
(The Remainder of Tape 2 was Inaudible)

Peter Hunter said, "This is not related to schools or water. It's something I've been thinking about and I wanted to make sure it gets into the record. It deals with the EIR on page 192 under Noise Considerations. It's the recommendation of 11.1.C., it says "Sound walls shall be required for protection of noise sensitive receptors where noise levels cannot be mitigated through open space and buffer zones." I would like to see that struck. Anyone who has driven through Woodland recently, Dixon's the same way, development after development has ten foot sound walls. They're the ugliest thing you'd ever imagine. I think that we just simply ought to require the sound problem be mitigated to open space or set backs or something, but I don't want to see sound walls in Winters."

Chairman Cantor closed the public hearing at 1:03 p.m.

Councilman Pfanner made a motion to adjourn the meeting at 1:04 p.m. to November 19 at 6:30 for Council Meeting. Then adjourn to General Plan public hearing at 7:30 p.m. at the Fire House.

J. Robert Chapman, MAYOR

ATTEST:

Nanci G. Mills, CITY CLERK

PH(C)

Mayor Chapman called the meeting to order at 7:45 p.m.

Pledge of Allegiance

Present: Commissioners Brewer, Cody, Cummings, Sanders, Taylor, Chairman Cantor
Councilmen Curry, Fridae, Mosier, Pfanner, Mayor Chapman

Absent: Commissioner Riley

Also Present: City Manager Beck, Assistant City Attorney Anderson, EIR Consultant Douglas Duncan, Legal Counsel Moose, Bill Hurrell-Wilbur Smith Associates, Tim Youmans- Economic Planning Systems, Planning Director Moore, Public Works Coordinator Hutchinson, City Clerk Mills

City Manager Beck suggested the 45 day review period be adjusted however the Council sees fit because of the lack of information. Per legal counsel it is not necessary to change that review period, but the Council may wish to make that modification. City Manager Beck introduced Bill Hurrell, of Wilbur Smith & Associates and Tim Youmans of Economic Planning Systems. City Manager Beck suggested running the review period for the Development Fee Study to January 6, then the Planning Commission could do its final recommendation that week instead of December 19th.

Mayor Chapman introduced Legal Counsel Jim Moose.

Legal Counsel Moose said, "What I had recommended was to have normal comment period on everything but the Financing documents and that the Draft EIR relates to these documents be kept where it is, but let people have the opportunity to submit late comments. Only as regards how the Draft EIR relates to the Development Fee Study and the Financing Plan for additional time. I thought that would be a way to allow people to have a full opportunity for public review of these documents with the EIR in hand, but to allow the consultant to begin work on the response to the other comments. It was my feeling that a great bulk of the comments would relate not to the specific documents, but to the General Plan as a whole and various components of Master Plans. We could keep the process moving along as Duncan and Jones begins its work in response to comments after December 9th. Towards the end of the month, or beginning of January the City will receive a few additional comments on the limited questions of how the EIR relates to the two later documents, it shouldn't slow things down, that's my

PH(C)

recommendation. I believe that's how Perry relayed it."

Councilman Pfanner indicated that the problem with waiving the 45 day review period, is that it delays the EIR Consultants ability to prepare the final EIR. He said the City will accept comments after the 45 day period on the documents that were made available this month, and they will extend the fiscal comments to January 6th.

Bill Hurrell, of Wilbur Smith and Associates, said, "What I want to do tonight for about fifteen to twenty minutes, is to summarize basically what's in the document currently displayed on the screen, the Circulation Master Plan. The Circulation Master Plan was developed as part of a process that actually began in 1990, and involved collection of information about traffic conditions, also use of public transit in Winters. It evolved into the development of what we call a transportation model to forecast the amount of future traffic and involved a series of tests of various alternatives for the General Plan in terms of different levels of population and employment, different combinations of land use and also different types of transportation improvements to try to accommodate the growth in traffic that we anticipated from those different options. As I mentioned, the first thing we did was to look at how much traffic there is today, and this is done by taking physical counts of the traffic. We also had available to us counts from a variety of other sources, such as the State. What this figure shows is the volume of traffic, what we call average daily traffic, on the major streets. For example, on Interstate 505, in 1990 we're looking at volumes in the range of 18,000 vehicles a day. On Grant Avenue we're looking at volumes of about 4,000 at the far west end up to 6,000 right near the intersection of Railroad and Grant which is the busiest location right now. One other important thing to remember, is right now there is a significant amount of variation in these traffic volumes. We show an average volume here, we know for example during the tourist season, travel up to Lake Berryessa and harvest season, agricultural related travel changes the traffic volumes, so you have those patterns plus the normal patterns people have, plus summer versus spring, fall and winter volumes. We used averages as a basis of developing the plan so we have to keep in mind those overall variations. Was tested a variety of options for the plan. One option which combines a variety of elements that we'll talk about later on. I think one of the key elements in the plan is the concept of the loop road. Also the concepts of the major east, west and improvements to north, south facilities in the City itself. We also, beyond looking at the options here we looked at a variety of other things. We looked at new crossings of the creek, for example. We looked at improvements to the freeway interchange, and we looked at alternatives which some of them add

these improvements, others which do not add them, just to see how well they would perform overall. Now, the way in which we did this was to test each one of these alternatives using a transportation model. What the model does is forecast what would happen under the future conditions of land use population. For example, this graph shows what would happen with a population of 12,500 in the current General Plan proposal. We also looked at a higher population of 14,000, and actually there are a whole series of options that we looked at in terms of the population and employment. This one is fairly representative of the results. There are some quite significant increases in traffic that are involved here. For example, now on Grant Avenue we have volumes going up to over 19,000 cars a day. On the freeway south we're approaching 30,000 vehicles a day. On Railroad Avenue we have volumes approaching 8,000 vehicles a day. Traffic volumes on the major streets particularly on Grant, would increase by more than 100 percent. That would be at the 12,500 population level. The other thing you need to know about these numbers is that there's more growth that's anticipated here than just the growth of the city itself. We anticipate quite a bit of growth in through traffic on highway 128. We also anticipate growth from influence outside the City. These numbers reflect not only the General Plan build out but also the potential impacts of other growth, such as growth of Davis, for example, we've included traffic on Highway 113 through the City. One of the primary items that's presented in the Circulation Master Plan is the diagram which recommends the types of roadway facilities and the number of lanes that would be needed for the General Plan. For example, here what we're showing is that Grant Avenue would become what we would call an arterial street, between the freeway and Railroad, it would be a four lane facility. When I say four lanes, I mean four through traffic lanes. Two lanes in each direction. Railroad and the western end of the loop road, two lanes would be sufficient and ultimately there could be a need for a short four lane section on the far west end. One thing that the loop road does and also the extension of County Road 33, is it takes a substantial amount of traffic off Grant Avenue. One of our objectives, one thing that many people pointed out early on was they really didn't want to see this section of Grant Avenue widened substantially because of the impact of the residential use on that street and so forth. So, one of our objectives was to strive to keep the volume of traffic down enough on that section so that we wouldn't have a lot of pressure to widen it. Another objective was to try to keep the number of lanes down to four, not to have to go to something beyond four lanes, particularly again on this section of Grant Avenue. So, our other findings as far as the interchange itself goes the current interchange configuration with the freeway will be adequate to accommodate the General Plan traffic but we do anticipate certain improvements to the interchange. There are

physical improvements to address safety and so forth. They'd be improvements to the ramps, every place where you see a little dot, there will be a traffic signal, to increase capacity, to improve safety. It doesn't need to be a major redesign or reconfiguration of the interchange to accommodate the General Plan. There also doesn't need to be any other crossings of the creeksSouth, to accommodate traffic from the General Plan. Although if this existing bridge was closed or eliminated that issue would change. In it's current state it is adequate from a traffic standpoint. As far as some of the other roadway facilities, that the Loop Road itself we're envisioning as a two lane facility. In fact, almost all of the other roads except for Railroad Avenue would be two lane facilities, Railroad being a four lane facility. One thing to keep in mind about these recommendations is they relate to total build out of the General Plan, going all the way up to the 12,500 population. Many of these improvements we're defining here, wouldn't have to happen for quite some time, because many of them are triggered by that 12,500 level. We also looked at a 14,000 population level, and we found that basically the same set of improvements would be adequate for that level. It shows that there is a fair amount of capacity built into these improvements. The end product of this is that with these improvements, we could maintain what's determined as level of service C or it's what we call acceptable design conditions for traffic conditions throughout the City at all the intersections. The would meet the City standards and also more than satisfy the County's new standards, which is part of the County's Congestion Management Plan, which is level of service D, which is one level of service worse than the City. The final thing I wanted to present to you is the conceptual cross sections that are presented in the Circulation Master Plan. These are diagrams that represent, ultimately, how the streets could be developed. There are three basic diagrams for the three typical types of facilities. The top diagram is for the four lane arterial facility and really the only example of this is the section of East Grant Avenue between the freeway and Railroad Avenue. Here we have a four lane facility with four 12 foot lanes, we're proposing a median area, planted, of course, near intersections planting would be replaced with left turn lanes. We have included an eight foot shoulder area, and I should say one thing to remember about Grant Avenue is that it's a State highway facility, so we have to conform with State Highway standards. The eight foot shoulder is one of the State requirements although it is a good thing to have in terms of a place for vehicles to pull over and so forth. Then on each side of the street we have a twenty foot area of green space and a pedestrian bicycle path which in this concept is shown as a meandering facility. The second type of facility is, the best example of it would be the loop road itself, it's essentially a two lane facility and it includes a landscape

PH(C)

median area. Again, that median area near intersections would be a left turn lane. It includes again, the 20 foot green area, in this case however, we have no shoulder area and no parking on the street itself. Then the third example is what we call a secondary conductor. This is not the lowest classification of a street but it's the classification before what I would call a local residential street. A street that takes people to and from other residential streets. Here we have a two lane facility with parking, again we've shown fairly significant green space, 16 foot green areas on either side and the bike path itself. The secondary collector, which is the most minimum type of facility, is the closer dotted pattern. The primary conductor which is closer to the heavier dash pattern. The arterials which are really only Grant Avenue and Railroad Street itself. Now all the other streets not shown on the map would just be considered normal collector streets and the specific standards for those are not defined in the General Plan but we would assume normal City standards for those types of facilities. That's an overview of the main elements of the Plan. I think with that I would ask for any questions."

Kathy Medina said,"I live on Walnut Lane and that's a street that you're calling a secondary collector. I want to be clear that my understanding is that it's going to go from an estimated two cars that pass my house each day and they're mostly my neighbors. You're estimating now that there will be 3,100 cars a day average past my house?"

"Yes, under the build out, I believe that was the estimate."

"That's a real important question, the idea of these standards is not that you immediately go out and develop all the streets or try to develop them to those standards, they are the guidelines for future improvements to the street itself. As development occurs along the various streets or other activities occur, the guideline would be in the General Plan, as far as the street standard itself. Decisions will have to be made on a case by case basis as to what the actual improvement would be. There are a number of factors that play into that. Just because a process is shown in the General Plan, doesn't mean a street that's designated that way will be developed to that cross section. It is however, a guide for developing that street. Unless the City for example specifically in an area where it's already developed, let's take Walnut, unless the City decides to go and specifically upgrade that street to standard as a public works project, it wouldn't likely happen. Where it would happen is to a newly developing area."

"The model doesn't really rely on the traffic counts that we took. It generates traffic estimates independently of those counts.

PH(

There is a step we go through called calibration where we try to get the model to recreate 1990 conditions. In a case like this where we have such dramatic growth, the existing conditions are really not a major element of what the model forecasts. Because we're anticipating some significant changes in not only growth of traffic but in the patterns, the way people travel, that's part of the model."

"Primarily what were concerned about is people that live in Winters, where will they work. Will they work in the City or outside? We assumed that there wouldn't be a significant change in that, even though there are quite a few jobs forecast in the General Plan. Still the people would largely commute outside of Winters to find their place of work. We're also assuming a substantial number of those jobs are going to be filled by people having to commute from outside of Winters to reach the job. That's one reason why we have such high volumes of traffic to and from the freeway. As far as most of the auto occupancy the trip rates that we use are standard rates that have been developed for communities like this in terms of the number of trips per household, trips per employee, and it assumes a very low level of public transit use. It assumes that the automobile is essentially the primary source of travel. It means that up to 88 percent of all the trips are in automobiles. The remainder being on transit, bicycles or walking."

"In the Background materials in the General Plan, besides a set of standards for intersections there are also a set of standards for volumes, or the flow of traffic between intersections. Those standards are used when you have to go from a four lane to a two lane facility, or when we've had to go from a two lane local collector to a two way street with a median area so that it could have left turn lanes. There is consideration of the intermediate capacity. An important point though is that as traffic grows intersections will definitely become the bottleneck. Much more so that the in between areas, because of just the intensity of those volumes at the intersections. There will be quite a dramatic increase over what there is now."

"For that particular section of Grant Avenue what we're talking about is a two lane facility with either an opportunity for continuous left turn lanes or at least left turns at the major turning locations. It's one through lane in each direction plus turn lane options. That's real important, we do have to have the turn lanes. We either have to provide those lanes or take steps eliminate or prohibit some of the midblock left turns. We did like it better trying to accommodate the left turns."

"There will be a lot of traffic turning off of Grant onto Railroad.

For example, what we would anticipate coming to west as you approach this intersection, one lane going through, the second through lane becoming a right turn lane onto Railroad and then actually a third lane allowing a left turn from Grant onto Railroad Avenue. In the other direction the problem is different. We envision that we would also need a through lane coming this way and a left turn lane off onto Railroad Avenue and this approach of Railroad Avenue coming up to Grant we have two lanes, one through and a right turn lane and eventually also a left turn lane at that location. The answer to your question would be done by channelization, by taking people that want to turn right where it expected quite a heavy volume will want to do that it's following to the West having a turn there. Our model actually shows quite heavy volumes doing that."

"In this case we actually did use two different combinations of distributions here. For what's called the internal trip, trips that stay within the City, we used what's called a gravity model. What that does is allocates trips between houses and places of activity like employment centers or schools. Based upon how close together they are and how large they are. Large concentrations of employment will attract lots of trips and so forth. One reason we did in this case, as I sighted earlier, is that the changes are quite dramatic here and we don't have a lot to go on. It isn't really correct to assume that the existing pattern of development travel is what you're going to have in the future. The gravity model totally ignores that pattern so it's a conservative way of looking at that type of activity. The second aspect, though, that's really important, is how we treated the external trips because they're a big portion of the total amount of travel. Again, those are trips that start in Winters and go outside of Winters, or the opposite, they start outside Winters and come to the inside. That is based upon a distribution that looks at both the concentration of population employment outside the City, but also the capacity of the major roads in and out of the City. One thing that we found in using a more conventional approach would do is assign almost all the traffic onto the freeway. In reality what we've seen here is that a lot of the traffic already avoids the freeway and uses local roads as a means of getting around the area. We wanted to make sure that this was taken into account. One of the problems with the equilibrium type of approach is that because those local roads have such a low capacity it would still put people on the freeway. We think that, for example, there's going to be very significant growth in the demand of people that travel on the extension of Highway 128 over to Davis, on some of the north, south roads also that don't involve the freeway. We have significant volumes on all the roads right now to the City. We think that is more realistic than assuming the freeway is the

primary source of traffic."

"The model assumes the same school sites that are sho[illegible] in the Draft General Plan itself and those were an adhering [illegible] the modeling process. The model itself, though, does n[illegible] thing to do with looking at pedestrian circulation or oth[illegible] access to the schools. We did consider that in developing both the roadway network and also the street cross sections. That's one reason, for example, that we called for an extensive network of bicycle and pedestrian facilities, considering both the location of the loop road."

City Manager Beck stated, "I might add, in answer to your question, that school sites have not been selected yet. Mr. Roberts, myself, as well as the School District and the Council will be working on those selections. We also make selections, as I understand it, a combination of the State and the School District working together to identify two or three sites for each site that they want to have. Mike can address that."

Dr. Mike Roberts, Superintendent of Winters Joint Unified School District, said, "The state has final determination. We submit three sites. They tell us which one they feel is the best."

Bill Hurrell said,"There's no particular reason. It's a practice in a General Plan to have a local street standard beyond the levels that I talked about. It is done. I'm not saying it can't be done. One thing you may want to consider is, whether you want one standard or you want some alternatives for what a local street is. There are a lot of things that can be done. Different development concepts allow different types of local streets. I've seen very successful concepts, for example, now going to the very narrow local streets, such as the 26 foot paved street for example even less. I've seen other concepts that go to a much wider example and that depends upon the developer. It is something that could be incorporated into the General Plan."

"There is an alternative that you should know about traffic signals. Several of them really wouldn't be required until you actually get close to the 12,500 level. The way the decision is usually made is there's a series of guidelines called warrants that have to be satisfied in the vine of traffic, number of accidents, pedestrian crossings, and so forth. There would be options for example, the two by three way interchange, there are ways of designing interchange so you can eliminate one or both. There is a development up along indus[illegible]al roa[illegible] there's commercial development up along Grant Avenue that [illegible] have access to that from both the north and south. One alternative would be to

redesign those developments so they wouldn't rely on that signal on that location for their access. It would mean that they would have more circuitous access than people would have to make U-turns, go partially around the block to get in to use something like that. There are a couple of alternatives. The ones that will be difficult are of course Railroad and Grant, that's pretty hard to avoid. The one all the way to the west may never be needed. I say never, in the time frame that we're talking about that's the least likely. The Main Street loop it will be a long time before that one is needed at the east side. The one closest to the freeway will be the hardest to avoid, unless you make major redesign of the Coast Developments."

"It will get harder to enter Grant Avenue from the side streets as the traffic volumes grow, they definitely will. One thing that signals do, is create more gaps in traffic for people from side streets to get out into Grant Avenue. That's one problem now, is that because the stop signs really do create a continuous flow of traffic under heavy conditions, so there will be that. It would be wrong to tell you that would be an improvement. It would probably be worse than what you have now, but it would still be workable under that situation."

City Manager Beck said, "Bill, if I might add on that, a good point about that plan a lot of people may not realize. Walnut Street, the lower portion is looked at to be eliminated. That's why it bends to the left and attaches to Anderson. The street that would be realigned in order to become more of a main street, more of a collector street, is Dutton. Notice that Dutton is aligned to a street South of Grant. That street is East Street. East Street and Dutton would be aligned to match up, because right now you have a triangle there that's a dangerous situation, a problem situation. It was pointed out to us by Cal-Trans as a poor situation. They wanted something done. During some of the discussions that occurred, both at the Planning Commission and the Council, the thought was which street gets aligned to East, is it Walnut or is it Dutton. It was finally settled to look at the Dutton alignment to East rather that Walnut, because Walnut is more of a residential street."

Bill Murrell said, "We did look at peak flows. The model also uses peak flows. When we compare volumes to capacity, we don't compare daily volumes, we compare the peak hour volumes, because that's the only realistic comparison. To give you a rough idea, right now the peak hour volumes are about 12% of the daily traffic on Grant Avenue. Now what's going to happen as time goes on, is that is actually going to decline somewhat. The percentage will be lower than expected, between 10 and 9 percent for example, where we had

18,000 daily vehicles we would have 1,800 peak hour vehicles. That number is what we used do decide the number of lanes and so forth. The 18,000 doesn't really tell us too much."

"As far as, a General Plan type of study or Circulation Master Plan, we normally don't get into level of detail of say, specific standards of curvature, precise distance and so forth. We assume that normal standards would apply. The way that usually works is for example is if you want to control the speed limit on a street you'd use the design standard that's appropriate to the limit that you're choosing. There's been a lot of success now that communities are doing that sort of thing. As far as the layout of the streets themselves, we tested options with and without the loop road and with and without these various rib type roads, like County Road 33. We found that the best performance is when you actually combine the two features. The loop road which provides primarily local circulation through newly developed areas of the City, and then County Road 33, which is really the through route where people are just real intense to get through the area would use that. It keeps the volume of traffic on the loop road down, which is more in keeping with the original concept of the loop road itself. There was sort of a dilemma with the loop road, originally it was discussed as a four lane facility but it was supposed to be providing a certain atmosphere and environment that suggested lower traffic volumes. We think what we have now is sort of a compromise. It still allows you to have the loop road and it functions much the way people envisioned it, to make sure there are good routes for people to get through. There has been a lot of concern in communities that have strictly gone from meandering roadway types of systems, because what they do is they limit the number of intersections, and they increase travel distances, and so forth. They make general travel around the City difficult. For example, bicyclists, most of them, particularly if they're on a trip that has a purpose beyond recreation, would like the shortest route beyond where they're going and combining these two types of streets helps to do that, gives them more options. I think there are a number of advantages to having both."

"Our intenet is, that local streets are not anticipating, we don't want local streets to be carrying heavy volumes of traffic. But we do want to have a relatively continuous system of streets. More convenient, more emergency vehicle access and so forth. Maybe that needs to be stressed more in the Policy Statements."

"In the process of developing the concepts, some of the thinking that went into the roadway network and so forth considered how a street network might be extended beyond the current limits of the City. One thing that we thought about was, right now we only have

one real connection to the freeway, the next opportunity for another connection occurs at County Road 31, which is two miles to the north. There's an overpass there now, but it's far enough away where the State would allow a freeway interchange. That part of our thinking was that the street system that's developed has to have the capability, someday, it has to be expanding up there, and also to expand to the west. That was part of the concept behind County Road 32A, which is this west and Valley Oak Drive was providing those kinds of connections. It works well, because those could function in terms of expansion but they also work fine in terms of this plan, right now. There was some thinking that went into that."

Councilman Fridae said, "On one of the overheads it shows four lanes going over 505. I wanted to know if that has been specifically added in to the cost analysis. Because at present, you know, we only have two lanes. And my second question is in here it says one of the options that was studied was the extension of Johnson Road, is that South? Is the extension of Johnson Road across the bridge?"

Bill Hurrell said, "As far as the question about the interchange goes. Yes, we show four lanes. To be safe, we assumed the four lanes which requires the bridge to be reconstructed and there is money for that in the list of improvements. What may actually happen instead of the bridge being widened, is that the ramps at either end would be modified and raised slightly up in the air. Right now, one of the problems with the interchange is it has what we call a fairly severe vertical curve. When you're approaching from either side it curves up enough so that it's harder to see the cars on one side or the other. As traffic volumes grow, that's going to become a problem, so we built into the Plan the idea that the interchange needs to be improved. It'll be a process that the City is going to have to go through with the State to come up with the actual improvements for it, but we did budget for that in the list of improvements."

City Manager Beck introduced Tim Youmans, with Economic Planning Systems and his associate Todd Bland.

Tim Youmans, of Economic Planning Systems, said, "Mr. Mayor, City Council, Planning Commission and public, it's a pleasure to be here this evening. We're bringing this evening information on the Financing Plan, and for the Council tonight we do have the Financing Plan report and Fee Study, for the public that report will be available tomorrow at City Hall. This evening I'd like to highlight how the Financing Plan Reports fit in with the rest of the General Plan studies. I'd like to go over key finance in the Financing Plans, discuss the major issues that the City will have

to deal with in the financing area. To give an inventory of the reports that you have on your desk, you have a General Plan Policy Document, that describes the proposed land use alternatives that you're considering and policies which the City proposes to adopt to enable that growth occur and to structure the growth of the City over the next 20 year time frame. You have an extensive General Plan Background Report that provides information concerning how the plans were developed and other historical information. You have an Environmental Impact Report, that discusses the environmental impact of the various alternatives. A total of six alternatives are addressed. Over the past few days you've been reviewing the Facility Master Plans, Sewer, Water, Storm Drains, Flood Control and tonight Bill Hurrell went through the Circulation Master Plans. The two reports that were just submitted to you were the Development Impact Fee Study and the Financing Plan. Two interrelating reports. Part of the reason that these reports were late is the financing work always seems to be at the tail end of all this. We need to wait until the design is done, the cost estimates are made for all the facilities and then bring all of those together into a comprehensive package. As you're aware, funding of this infrastructure is a complicated problem. We needed that extra time in order to bring the best information available to you. Once the first round of the Master Plan reports were identified, there were a number of issues that arose and we tried to resolve as many of those we could, prior to bringing the information public. Following adoption of the General Plan Alternative, we will adopt a Development Impact Fee Ordinance, that will set development impact fees for new development to mitigate impacts on the City in terms of infrastructure, sewer, water, roads, parks, etc. The Development Impact Fee Study provides you the basis for adopting that ordinance and has at this time, estimated fee levels for your two primary land use alternatives, the 12,500 population and the 14,000 population. This work will have to be finalized following a selection of your General Plan Alternative and following the identification of mitigation measures that you propose to implement. Following the adoption of your General Plan, you will then adopt the Development Impact Fee Ordinance to pay for infrastructure to serve the new development. The Financing Plan then takes a look at all of the facilities necessary and services necessary to serve development over the 20 year period. Let me review the Fee Study for you. The Fee Study identifies the required facilities and provides the cost estimates available at this time. You must beware that those are conservative cost estimates because detailed design engineering work and bidding has not been done. They are conservative estimates and typical conservative on the high side so you don't find out later that you're short a bunch. It allocates costs in new and existing development. A large amount of the improvement is

necessary to serve the growth of new development but there are a number of facility needs in the City that are required whether or not new development occurs. It establishes a cost allocation methodology to assign cost to each type of land use. It establishes the nexus between the new development and the required facilities. That's the requirement of the law that enables you to establish development impact fees. You must prove that new development requires those facilities under your guidelines. It also calculates fees for the two primary alternatives, alternatives 1 and 2. The Financing Plan puts all of this information together. It summarizes the Fee Study, that's the reason you have three documents ahead of you. The Fee Study was so big I wanted to write a summary on the Financing Plan. It evaluates the timing of the infrastructure. As Bill mentioned, some of the facilities may not be needed for ten to fifteen years. We've provided a cash flow analysis that indicates why those facilities are needed. Another key item is the timing of the need for a sewer treatment plant. It compares the facilities costs with available revenues and that's in a cash flow sense. If we have fees coming in, we have to wait until all the development occurs before our revenues show up. We've measured the fee revenue coming in and compared that with the timing and need for the facilities. Where we have shortfall, we need other funding sources such as long financing programs. As a result, you've then identified the need for alternative funding sources. Both for new development and for the payment of the facilities needed for existing development. The Financing Plan summarizes the results of the Fiscal Impact Analysis that's a chapter in the Environmental Impact Report. The Fiscal Impact Analysis doesn't look at facilities, it looks at services the City must provide. The General Plan has standards established for those services and determines whether or not the tax revenue from development, property tax, sales tax, transit, occupancy tax and other sources to the City of providing adequate funding in order to deliver those services. We also have an analysis of the overall feasibility. After we've added all these costs on, can development actually occur here. Summarizing the major findings from the Fee Study, there's a total need for new development only of about 160 million dollars, 1991 dollars. Flood control and drainage are the major costs of that, sewer is about 17.3 million, expansion of the water system 8 million dollars, roads, including the interchange improvements and widening of existing roads is 31 million dollars, parks is 16 million dollars and other facilities capital improvements are about 10 million dollars. This does not include the cost for the school system, because the City does not control the fees for the school system. The school system has its own capital improvement program. Major issues are flood control and storm drainage. On Saturday, CH2M Hill presented the Storm Drainage and Flood Control Master Plan. The estimates provided are

conservative on the high side. There is a certain amount of contingency in areas because the detailed design work and fixing locations of specific facilities isn't available yet. That's future studies that need to happen as you get into implementation. Some areas of the City require extensive flood control improvements and others don't. In the Fee Study we've allocated costs to those. The total Flood Control Storm Drainage fees are as much as 10 to 15 thousand per dwelling unit, depending on the location of the City. Those are substantially higher than any other area around. Also alternative approaches are being considered. The developers have looked at a number of alternative approaches and the key engineering decisions on whether those approaches will work or not are not available yet. Those still require some additional work. In the Fee Study and in the Financing Plan we've provided an alternative analysis that takes out some of the conservative cost estimates and uses an alternative storm drainage solution to see what the fees look like in that area. That reduces these costs by several thousand dollars per unit. There's also a significant issue concerning parks. The City presently does not meet the standards in the General Plan for parks. At the minimum level under the Quimby Act, which allows the City to require dedications of land to do subdivision improvements the minimum amount is 3 acres per 1,000 population. Under our current review, although that's still being looked at, it does not appear the City exceeds that level. In fact, it's closer to 1.5 acres. The General Plan has approximately 92 acres total parkland. That would have the level up about 7 or 8 acres per thousand. The most under Quimby Act that could be authorized is 5 acres per thousand. Even setting a 5 acre per thousand standard in the General Plan for parkland would not achieve the amount of property allocated for parkland in the General Plan. If the City desires to have all that land developed for parks other funding sources would be necessary, beyond the Quimby Act and beyond the park Development Impact Fees. The fees in the study are set at 3 acres per thousand. At the time that the City obtains a level above 3, say 5 acres per thousand, they could then raise the impact fees and the fees set for developing are still at a higher level and we've provided mechanisms to achieve this higher level. Another major concern is just the overall level of fees. What we found is the base fees for traffic, parks, sewer, water is about 12 thousand dollars per year. This not unreasonable looking in other areas. What we found was that when we looked at every single fee down the list, they were at the high end of any other city in the region. Flood Control Fees would add an additional 10 to 15 thousand dollars per year. As I mentioned earlier, these fees are very high compared to other communities. I'd like to review the Financing Plan. The mitigation measures for schools are presently under negotiations. The schools have developed a funding program, there's a number of

sites identified in the Master Plans for new school facilities a new high school site, a junior high school, new elementary school sites. If the City requires 100 percent school mitigation, this would add approximately 13 to 14 thousand dollars per unit to the cost of development. The timing of the flood control and sewer treatment plant will require some form of debt financing. We can't fund all of those programs with fees. It's likely either an assessment district or a Mello-Roos community facilities district bond financing technique will be necessary to fund some of the flood control improvements and sewer treatment plant. I think we can add in about 500 dwelling units of the 2,500 to 3,000 before the sewer treatment plant is required to come on line. That's several years worth of growth but we can't carry it out on line. We can't make direct findings yet of whether or not the plan is feasible or not, but we have some general feelings. The overall cost of development will cause housing prices to be higher than the current market for similar units currently selling in Woodland, by a substantial amount, 20 to 40 thousand dollars higher then the same sold today. That has significant impacts on the ability of deliver affordable housing. Commercial fees will be somewhere around 10 to 15 dollars per square foot for new commercial development and will threaten competitiveness of that commercial development. The cost for existing development is approximately 15 million dollars. That's primarily water lines and replacing the sewer lines and some of the other improvements. The cost of the improvements in the water system is at 6 million dollars. There are a number of revenue sources available to the City to fund these. Some amount was funded in redevelopment funding, there is potential for revenue bonds for sewer and water waste, and general obligation bonds. Specific assessment district improvements are targeted to areas specifically benefiting those developments, a Mello-Roos community facilities district and lighting and landscaping districts. The exact combination of those facilities is not known at this time. That's future decisions the Council will have to make. Number five points out a number of community wide issues. One, in the area of parks, there is not enough fee revenue, even if the standard is set at five acres per 1,000 to fund all the acreage identified in the Plan. Secondly, and possibly more importantly, we have to consider the additional park maintenance costs would negatively impact the fiscal balance of the City. An acre of parkland roughly costs about 7,500 to 10,000 dollars a year for maintenance. There's an issue concerning the Putah Creek Bridge and Dam that's presently not identified in the fee program, we have a cost there. We feel that benefit to both areas in and outside of Winters. As a result, the funding should be broad based. There's a way the City can work at funding that, from Federal, State and Regional sources. Most importantly, in the key finding of the Environmental Impact Report, is under any

General Plan alternative, there will be a net fiscal deficit to the City of approximately 700,000 dollars per year to 1.2 million dollars per year. There's a couple of major reasons for that. The fiscal impact analysis was based on achievement of the standards set out in the General Plan. The major increase in costs is the increase in fire service standards and secondly, the lack of sales tax base. Presently, Winters has pri ily a volunteer Fire Department. In looking at build out, the General Plan Goal is to increase the level of service and also to have a paid Fire Department. An important distinction there, is that the General Plan alternatives are not different than what the present City is facing. If the present City was using the same service standards as applied to new development plan. It would also face a significant operating deficit each year. As a result, to provide a higher level of service some community wide funding services would be necessary, not just a funding source targeted for new development to provide its own impacts. An example of that would be, you couldn't raise taxes in a new development area to fund police service when you were not, in fact, providing a higher level of service. You're providing the same level of service to the rest of the City, it's unfair to charge new development a higher level. In fact, that tax would be voted out very quickly. As a result, and particularly when you have serves like Police and Fire, it's important to come up with a City wide source to fund that. That summarizes the key elements that you will find in the Financing Reports. We've tried to provide a number of options that will enable you to make choices and determine the levels of service and ways to fund the public facilities that are necessary."

Councilman Fridae asked for a possible extension of the 45 day comment period.

Mayor Chapman confirmed the date ending the public comment period of January 6, 1992 and suggested that the two other meetings be December 19, 1991 and the second one on January 6, 1992 be joint meetings.

Chairman Cantor opened the public hearing at 8:28 p.m.

Frank Gardner said, "Thank you madam Chair, my name is Frank Gardner, I'm an attorney from Woodland, 609 Court Street representing the Carter property, which is located at the Northeast corner of Grant Avenue and the loop road. On the proposed Land Use map that we now have, that property is now designated as medium density residential. We are asking that the part of that property now designated as commercial, continue to be designated in that designation or in the alternative some type of planned unit development type of designation for that parcel. It's about 5.8

acres, its boundaries along Grant are the boundary lines across the street that equate with the school area. This probably is the second or third busiest proposed intersection in the City of Winters as I can determine from the designs we got just a short while ago. The traffic count is going to be about 15,000 on Grant Avenue. It's a high traffic area and I don't know that either the Planning Commission or the Council has taken that into account when we've been talking about it. This area is already a part of the Rancho Arroyo drainage districts and so it's all within the City. It's not any part of any proposed annexations to the City. It's something that we've been trying to develop within the City limits. The parcel has been owned by the Carters since 1968, because parcel designation has been in play since 1969. It was reapportioned as commercial in 1976 when we went through the General Plan back then. The 5.8 acres is now a fruit stand, packing shed and surprisingly a high volume area that's being used by the Carters not only on site but to service 12 markets from San Francisco to the Sacramento area. Also, they provide a great deal of Christmas packaging so the use of this property is really critical to the current development, and they propose in some point in time that this will be a destination type of commercial area with a hotel, shops and something on the order of the fruit orchard in the Sunnyvale area, that type of development. We have a totally designed commercial area, we're not planning on strip development there, but something that really will add a nice commercial development for Winters. It will increase the tax base circling and have something that will be an addition to Winters not a duplication. At one of the PAC meetings, in which Merilyn Clark said that there were some parents who were concerned about their grade school children running across the street, going to the fruit stand to buy fruit, would be a traffic hazard to continue any commercial developments. This was never substantiated the Carters will tell you, this is absolutely false. School children are not buyers of any thing at a fruit stand, this is strictly an area in which the motor vehicle traffic are the customers. The school site is fenced, there is a marked crossing for children going westerly and this is really a non-issue, but all of a sudden this seems to become a plan. You can go through the newspaper that follow the train of instant recognition and by the mere fact of stating the suggestion, it became a reality and now we have it in the final plan. In summary, let me say, that the comments were that the nonconforming use will continue for the Carters if the medium density residential classification was given to the entire parcel. I hope that the Council and the Planning Commissioners understand the significance of putting this into a nonconforming use. These people rely on the present use of this property for their livelihood. If there's a catastrophic fire out there, these people are going to be out of business and it's no small thing that you're dealing with. This is a critical thing to

these people. It's their financial security and it's the same situation of all people of Winters if you're down zoning their property. Their estate planning, their financial security, their livelihood depends upon the reliance of zoning that has been established within the City of Winters by the stroke of a pen and taking away hundreds of thousands of dollars for many people. You're not only doing it because it's a service to the community, but it is not necessary because the decisions you're making on planning and zoning here are not cast in concrete one way or the other. These are options that you're making and as a result of what you really have to take into account, current zoning. The needs and result of what I consider to be arbitrary change of commercial zoning that's been in place since 1968."

Dr. Mike Roberts, Superintendent of Winters School District, said, "Tonight I'd like to just stress specifically the Transportation/Circulation aspect of the Policy General Plan book and to get a response. I'd like to ask a question, why were not the placement of schools addressed in the Section Page II.17. under Goal and Policies 3.A. "...to maintain and create a roadway network that will ensure the safe and efficient movement of people and goods throughout the City." We would suggest that "their" could possibly be a 13.A.15 which would read something to the effect, "Schools shall be located away from major arterials next to pedestrian and bicycle routes." Thank you."

Debbie Hunter said, "I have some concerns about the Sewer Master Plan. In the EIR on page 104 it says that the existing sewer facilities can accommodate a plan growth of Winters until the population reaches 5,800. If we do some repairs and some additions to the current facility it will be able to be on line until a population of 6,600. At that time a new sewer facility must be on line so that the current facility isn't overloaded. My concern is that with the population estimates that [illegible] reach the 6,600 by about 3 years from this date. That means that a new facility has to be on line at that time. My concern is that it may not happen, that the new facility may not be ready and be on line. Perhaps, it's been taken care of in these financial documents, but I'm suggesting with policy statement in Section 2-24, it now reads IV.C.2. "The City shall ensure the provision of adequate sewer service to all new developments in the City." I'd like the following additions to that, something to this effect, "The City shall ensure the provision of adequate sewer service to all new developments in the City by adhering to the following schedule. When the flow rate has reached 80% of the facilities capacity, the funding sources for the new facility must be identified and the environmental review initiated. When the flow rate has reach 90% of the capacity, the construction of the new

facility must begin. When capacity is attained, the new facility must be on line." If this policy is not implemented then the impact must be addressed and mitigated in the EIR."

Jessica Kilkenny, President of the Winters Chamber of Commerce, said, "Tonight I'm speaking on behalf of the Chamber, and I'd like to make a couple of statements and pose some thought provoking questions. In the Circulation Master Plan, prepared by Wilbur Smith and Associates, we are confused as to why Railroad Avenue would need to be classified as a four lane arterial as shown on Illustration 11. In table 9 titled, "Recommended Traffic Volume Standards" the daily volume range on this road would need to be between 17,500 and 22,500. On none of the figures 6-10 does it show traffic volumes reaching those limits, might this be an unnecessary expense added to the City? In the General Plan Policy Document, prepared by J. Lawrence Mintier, and Associates, in Section I of Land Use Policies, it states that the City shall promote and provide support for the physical upgrade of older buildings and their facades in the Central Business District. Section VII.A.-3 Page II.43 address loan grant programs for these buildings. Some of our major concerns are that State and Federal funding for grant programs are cumbersome and come with too many strings attached. We would like to suggest to the City that specific verbiage be put in to address logical financing issues. We agree that the first priority for ground floor use within the Central Business District be given to retail uses. We do however have concern over permittance of residences over ground floor business in the central core area. Under I.E.2. page II-3, states that the City shall work with the private sector to promote job creation and a better jobs/housing balance. We feel that this statement is a little to vague and should have more emphasis put on the issue. If more consideration is not given to jobs/housing balance we will become a bedroom community. It is a known fact that people shop where they work, not where they live. To ensure a more positive fiscal balance for the City, and for the businesses of Winters, we must make sure there is an adequate job market. In IV.B.6 page II.38 it states that the City shall allow and encourage activities that encourage local agricultural, such as farmers markets, on site sale of produce, and special events from local agricultural products. I wanted to let you know that we thoroughly agree with this and appreciate this being added in. The Chamber also agrees with Section VIII.B.1. Page II.55, The City shall promote the development of a well defined pedestrian oriented downtown that includes commercial, civic, residential, cultural and recreational use. In the General Plan Environmental Impact Report, prepared by Duncan and Jones and Associates, on page 136, it states that Winters is forecast to have a total of 3,000 employees by the year 2010 of which 695 would be in retail industry with a balance

2

40

134

of 2,035 employed in other industries. Which was assumed for the purpose of this analysis that the majority of this new space would be an industrial space. An average of 400 square feet per employee was applied to the projected 2,305 employees which equals approximately 1.3 million square feet of space. If this statement is in fact true, has the City set aside enough acreage to handle this industrial growth? In closing, the Chamber would like to encourage moderate fees, in line with other cities, the name of the game is, and will continue to be, supply and demand. A person will not buy a home in Winters that is worth 130,000 and pay 170,000 when they can go down the road to Esparto or to Woodland and get the same home for 130,000. By having our fees exorbitantly high, it is in essence saying that we have no growth ordinance in Winters."

Julie McNamara said, "I'm a member of the Parks and Community Services Commission, but tonight I come to speak to you on my own. The Commission is looking forward, now that we have the financial analysis in hand, to going through the documents more thoroughly and making a formal presentation to you on December 3, 1991. Considering the fact that I may not make it to that meeting, I thought I'd address you tonight. In reviewing the Policy Document of the Draft General Plan, I was reminded of all the time and all the thoughtful and innovative ideas that were generated by our community members and our City officials and staff over the last three years. As people have tried to envision and plan for our towns future, while proudly trying to maintain our heritage and our community character. I think the majority of the statements in the Policy Document are good and been put there to protect us from the unsightly suburban sprawl our neighboring communities have experienced. However, I believe the various plans reviewed in the EIR document frequently undermine the Policy Document and in many cases are empathetical. I would like to discuss the problems and contradictions in the Land Use, Circulation and Housing elements, but instead I'm going to focus on Parks and Recreation. I'd like to begin with two key questions. We're considering spending over 3 million dollars to mitigate flooding and drainage problems so that developers can come in and build homes. This amount of money is so high and will increase fees so much that we've been told that we can't expect to ask for too many additional fees which might improve the quality of the whole community. Will we have to cut corners on the schools, parks and other public services so that we can provide affordable housing? How many of us would truly benefit from this growth? How may of us will be adversely impacted? Can you ensure an improved quality of life for all our citizens, or will we be forced to compromise our services because of funding shortages? These are all factors that I ask you to weigh in in your equation. My second question is, what priority will parks

3

41

have in the final plan? The recent census indicates that 37% of the households in California have children under the age of 18. In Winters, 51% of the households have children. Therefore, when considering factors which grant quality of life, we need to consider our level of services to families in this town. Right now, our level of services for families is substandard and it says so in the EIR. Our schools are overcrowded, we have no after school latch key program and there's no State funding in sight to provide one. We're struggling for adequate facilities to keep our current recreation programs going. We've outgrown our Community Center, and we're completely out of space to provide any additional recreation programs that have been requested by our citizens. We currently have 1.2 acres of developed parkland per 1,000 citizens that we have in this town. With so many single or dual income working families, many of our children are home alone or wandering around town and this effects everybody. This puts our kids at risk. The only thing that's keeping them afloat, I think, is the fact that we have a small, close knit community and a very caring school system with great teachers and staff. By adding 3,000 more families to this town without adequate facilities for recreation, we will lose not only our community character but our sense and pride and caring for our kids. Now the School Board is discussing the possibility of year round education, which with our current population would have up to 200 school age children out of school for three weeks at a time without care and without adequate recreation programs all year round. Every three weeks a new batch of 200 kids would be out. So, the School Board and State advisors on year round education have all state that the key to the success of year round education is to work very closely with the Recreation Department. But our Recreation Department is operating on a shoestring budget, constantly looking for sites, gym space, field space and funding. May I remind you that in our recommendations, we use the recommendation of the National Parks and Recreation Society for neighborhood and community parks, which was to provide 6 to 10 acres of park land per 1,000 people. Again, we currently have 1.2 acres of developed park land per 1,000 people which, as I said, is substandard. The Parks and Community Services Commission requested the allocation of 92 acres of parkland which would bring us up to about 7.5 acres per 1,000, based on a 12,500 population. I urge you to make parks and recreation facilities a high priority for our community as you finalize the Plan. Look at the immediate needs listed by the Parks and Community Services Commission, whether we need to tighten the language, negotiate through annexation process, increase developer fees or form assessment districts. Please explore all the options to provide our families with adequate recreation opportunities."

Gerry Lund stated, "Someone said, "We have so many knowledgeable

people in Winters, it's a wonder we even have to hire Consultants." So I have learned a great deal from this process from Winters citizens, from experts and Consultants and from our very hard working, City government. Truly an example of the democratic process at work. Larry Mentier said, "The objective is to produce a good and adequate General Plan not a good and adequate EIR." Douglas Duncan said, "The purpose of the EIR is to provide information to give quality to the decisionmaking process in the formation of the General Plan." With this in mind, I will focus my comments on how well the Draft General Plan meets our goals and why the General Plan needs revisions. After reading the Policy Document, the Background Document, and the Draft EIR, I felt pretty negative about growth and development. Even though it is difficult to define, surely by now we know what we have in Winters and what we are about to lose forever. For some time we have realized that Winters will have to grow if we are going to survive economically. So our first goal was economic improvement through development. Second, if growth was the inevitable way to economic health, then we wanted to make sure that development paid for the required facilities and services. But we wanted more. We wanted to protect the quality of life we have. Listen to the comments made by those involved in this process. Bill Cody said, "The Winters way of life is being threatened. We are trying to see if we can do something about it." George said, "I challenge anyone to tell us how development improves the quality of life." Frank said, "I will continue to promote that "something special" for Winters, so we don't end up another nothing special suburbia." The Consultant finally said, "It is the responsibility of the Developer to show you how they will improve the quality of life for Winters." So we add the goal of maintaining or improving the "quality of life" we now have to the goal of economic improvement. The major policy decision of the Draft General Plan says that "The City shall seek to preserve Winters traditional small town qualities and agricultural heritage, while increasing its residential and employment base." I am aware that there will be some positive aspects to growth. A new town is twice the size of the Winters we have now. Go through the EIR very carefully and note all the negative impacts, you'll see that the increased traffic alone will cause significant destruction to the quality of life we now have, changing our small town character and the rural atmosphere. The result will be increased congestion, noise, a decrease in the quality of our air. We will lose the pleasing visual aspects of our town. Highway 128 will lose the views of the Vacaville Mountains, the orchards, the fields we have associated with the entry to Winters, to be replaced by commercial industries with only landscaping as a mitigation. Think of the years of construction noises, confusion, dust, trucks while storm drains, schools, central business restoration and houses are being built. How about

4

an increase in violent crime? The EIR does not mention this issue. The EIR concludes the Draft General Plan will have a significant impact on the small town flavor of Winters. A substantial change in the scale and size of the City would not appear to promote the preservation of the identity, integrity, or uniqueness of the existing small-town character." Loss of the Winters agricultural heritage will have a significant impact on the quality and character of life for Winters residents. Development would eventually result in conflicts between town and farm. In spite of all this page 67 of the EIR concludes, the impact of small town character would not be significant. And agricultural heritage will be protected. Why? Because the Draft General Plan has all these policies that say so. Are these policies going to protect the quality of life? Or should we look for stronger mitigation measures from the EIR. I think we need to continue along those lines. We began on the road to development because of the economic needs, I urge everybody to read carefully the EIR on the fiscal-public financing considerations. There is nothing there to give rise to any strong hope for economic health that will justify this destruction of what Winters is now. I know you have important decisions to make. I know you're under tremendous pressure to end the moratorium and finalize the General Plan, but the important point is not how fast, but how good your decisions are. In fact, the process may be as important as the end product. If that process involves full participation by as many people as you can get. If we can work together to reach a consensus of what kind of City we want, we may have developed a new sense of community. If we build it right, we will attract people to live here who share our views of what makes up the quality of life we want for Winters."

Peter Hunter said, "I'd like to make a suggestion to the Council and Planning Commission that right after the Pledge of Allegiance, they ought to follow that by restating this policy out loud. The City of Winters will seek to preserve Winters traditional small town qualities and agricultural heritage by increasing its residential point base. I think every now and then you have to ground yourself and think about what's the underlying goal. To say it out loud and to feel it, it just does something to you, and I think that's important to remind yourself. I'm overwhelmed by all of this. I've been delving into this EIR, all the Master Plans, and I've just immersed myself. I get confused, sometimes I get frustrated and I just don't see a way out of this. I'm thinking there's got to be a better way. Right now, I don't know. I can't stand up here and say this is a better way, I don't have an idea. But I'm struck by the gentleman that spoke here on Saturday. Sometimes it takes the wisdom of someone like that to say hey wait a minute, let's stand back and look at what we're doing here.

Winters, because of its tradition, agricultural community, self-sufficient people, is right now looking to outsiders to solve our problems. I think we're getting bound up in that. Granted the problems we have today are more complicated than they were 50 years ago. There was a big barn just North of Main Street and it was decided that wasn't a appropriate place for an agricultural barn. So the people of Winters tore it down and they moved it to a hill on the Ranch Route. There's a real spirit there and we're missing that, because of what's going on today. I think there are most likely simpler solutions to what's being proposed. I'm not sure what they are but my sense right now is, we're going to the experts, we're going to the consultants and we're throwing money at problems hoping that they go away. Something in my gut tells me that's not the right thing to do, that's not going to retain the traditional values we have here. Thank you."

Mike McCoy said, "I have a document prepared, General Plan Circulation Element preliminary draft comments that I was going to make some comments on. I have to say that I'm afraid Tim Youmans' presentation has left me pretty speechless. I'll address these issues briefly on December 3, in writing shortly th[illegible]. I'm going to need considerably more time to reflect on what all this is about. I would like to ask one question tonight. I know that the alternative Putah Creek Bridge is but what is the dam that you spoke of, Tim. Was it included in any financial calculations and it's impact on the environment of Putah Creek?"

Tim Youmans said, "Perry would have to answer the details of the project itself. It is included in the Financing Plan. I'm not sure to the extent of the environmental impacts of it are."

Steve Wilce, "I'm speechless."

Rudy Rodriquez said, "I'm here to speak on behalf of the Winters Little League and the recreational programs that are offered here in Winters. I originally came back to Winters to teach in 1971 and was asked by one of the City Council members if I would be interested in running the program, which at the time was just a Winters baseball program, which had no affiliation with the Little League program. Two years after that 1972 season, we became involved with the National Little League program. The program has grown much like the City has grown. Right now it is bulging at the seams. It not only has helped bring other forms of recreation that probably were not around before that time in Winters and what I wanted to say before I came up to speak was to ask Julie if she'd loan me her notes because she gave a wonderful overview and presented the whole idea of where we are in recreation, where we're going to need to be and how we might not get the quality kinds of

136

5

44

facilities for the growth that has been projected. My only statement is to reiterate her feelings and to state basically that some concern should be given to the facility plan for the parks in the General Plan. Thank you."

Rory Linton said, "This is concerning citizens and businessmen. Basically I'm kind of overwhelmed with the figures myself. I think we're all stunned. I just wanted to bring up the point Jessica said and reiterate the fact that retail sales tax dollars are important figures to the City. Rather than continue on with assessments to developing, why not consider more land use for industrial and help alleviate some of the problems with the financing as well as looking at the fee figures as well as reducing the fee figures because if we don't do something we won't get any growth."

John Stevens said, "Thanks a lot to the people who are sitting here at all the meetings. Request to City staff, the two nights a week I could see the General Plan at the library was not extremely convenient. Also the size of it is rather daunting and I think many people are interested but may be avoiding it because of the size. I would suggest that the Land Use Map, perhaps the Circulation Map be posted in a public place. That's an easier way for people to see what's happening. Also, summaries, like the Financial Summary, was a wonderful thing, even if a short piece of that of the different Master Plans was available in the newspaper either for submittal by the City. I'm struck by reading the Policy Document by many of the conflicting or competing statements that are in there. There's a lot of nice things, there's something for everyone. The point is which ones are going to come first, where the priorities are going to go. I'm concerned that our elected officials are making those choices. I notice a remarkable resemblance on the arterial and collector street lay out. We're still dealing with what was proposed 3 or 4 years ago by the North Area Plan. I'm glad to see our Circulation Consultant talking about pros and cons of a radial pattern, which focuses on a town center, versus loop roads or eccentric patterns, which is really a description for a bedroom community where people can avoid the town center by going to their little enclave. If you look at the North Area Plan residential streets, which are planned to fit into their collector and arterial streets. There's got to be some compromise for peoples desire for privacy. That type of plan can conflict with a more grid line pattern which I think encourages more pedestrian access. Particularly, it's focused on the school sites. Another thing that shows what priorities are being taken is, this wonderful Circulation Master Plan analysis done by a computer model which is only as good as it's assumption but we're

46

missing some key assumptions there. If you don't pay a little more concrete attention to some of those, they're going to come out second best. The choices between radial and eccentric plans are going to come out that every level of deciding street levels from where we're at now all the way down to the subdivision planning when those come before Planning Commission. I would really appreciate the City firming up their desire for a great Plan and that Policy Statement is going to be approved. I will submit in writing some specific recommendations on that."

Linda Mariani said, "This is an announcement. Parks and Recreation is having another meeting next Tuesday, November 26, 1991 at 7:00 in the conference room, upstairs at City Hall for anyone who would like to come and give their input as to what they'd like in parks and recreation facilities and services for the town of Winters. We welcome you to attend that meeting and hopefully we'll be making a formal presentation on December 3, 1991. Any input that anyone might have, that would be a good time to give it to us. Thank you."

Commissioner Brewer said, "I have one question for the traffic consultant. Did your study include any influences or any effect on expanding Russell Boulevard on the east side of 505?"

Bill Hurrell said, "Russell Boulevard on the east side is not part of the specific area we looked at. We did take a look to see whether it would need to be four or two lanes. We think it could function as a two lane facility with left turns at the intersections, but I have to condition that assumption because we did not assume any new development along Russell. If there was development in the area it might prompt the need for a wider facility beyond what we saw. The road could handle the 12 to 13 thousand that we estimated with two lanes and left turn lanes at the intersections."

City Manager Beck said, "Mike you'd asked a question about the Johnson Road Bridge and dam. For a long time in the planning process a bridge and dam was carried in the planning. The object of the bridge was to provide another access across Putah Creek and we looked at a couple of locations. One was at the extended Elliot Street, one was at Johnson Road. It was my opinion that if you're going to build a bridge you might also consider building a dam there. The purpose of the dam was to resurrect the dam that used to be there, Winters Dam, that provided a couple benefits that I thought would be a benefit to the community. Number 1, I was hoping it could be located most closely to where it currently is, the vestiges of it. It was my opinion that a lake in this area could be a benefit to the downtown and provide recreational

47

PH (C)

amenity. I understand and I was privileged to see a presentation by Joann Larkey that showed what that lake looked like back when the dam was functioning. The other thing that struck me as I got to looking into the dam that used to be there was that it provided additional groundwater to the community because it backed up water and that water was able to percolate outward both south and up into this area. I understand from talking to some of the farmers, that date back, that a dam in that area even helped the water table in Dixon. The dam is no longer being carried in the Facility Financing Plan because I had put in a cost of 10 million dollars for that dam. That cost was just a number off the top of my head. Somehow I wanted to try to get it built. The fact of the matter is that as we proceeded along with these things we came across certain requirements that we have to justify in these fees. The best I can justify at present is a reconstructed Putah Creek Bridge, there's a million dollars in there for that. A reconstructed Railroad Bridge, there's a million dollars in there for that. I hope also, that money will be able to provide some study money so that we can analyze putting a dam and a bridge on Putah Creek at whatever location is found desirable. Be it Johnson Road, be it Elliot Street, be it just a widened Putah Creek Bridge. It's my hope that the current Putah Creek Bridge be saved in much that same look. It's got problems, it's being undercut, we've gotten various reports from CalTrans, who does the inspections of bridges, that something will have to be done with that bridge in the next four years. They're going to do an underwater exploration this next year. That's the story behind the dam and the bridge."

Councilman Fridae said, "I wanted to say that, one of the initial ideas, where this came from the Council was talking about some alternatives to fixing the bridge across Putah Creek. One of the alternatives that we came up with, or studied for possible development, was Johnson which would continue across. We wouldn't have the added element of decreasing the possibility of further northward development. It was mentioned during the presentation that a clover leaf at road 31 might be advisable to decrease the amount of congestion here. If it were done, this would have a tendency to compact. The development can provide an entrance to the City and pump traffic down Main Street and alleviate Grant and provide some egress for people who will be living in this area here. I remember that distinctly as one of the City Council's directives as an alternative. I wanted to ask a question also, this extension of County Road 33, that's something that I remember the City Council giving clear directive to use an idea that came up but I don't remember it being a clear policy. I wanted to know from both traffic consultants and the financial advisors if it is specifically studied and put into the calculations that this road crossing here will need to be a bridge of at least 100 to 200 feet

PH (C)

in length in order to accommodate the crossing of the proposed drainage ditch."

Bill Hurrell said, "The answer to that it no. That section of County Road 33 we did not include a bridge in the cost as the regular cost of the road itself."

Chairman Cantor closed the public hearing at 10:08 p.m.

Chairman Cantor reminded everyone that the next meeting would be December 3, 1991 at 7:30.

Mayor Chapman reminded everyone about the joint meeting on Thursday, December 19, 1991 regarding the Development Fee Study and the Financing Plan. Also a second public hearing on January 6, 1992.

Meeting was adjourned at 10:17 p.m.

J. Robert Chapman, MAYOR

ATTEST:

Nancl G. Mills, CITY CLERK

PH(D)

Mayor Chapman called the meeting to order at 7:35 p.m.

Pledge of Allegiance

Present: Commissioner Brewer, Cody, Cummings, Sanders, Taylor, Chairman Cantor
Councilman Curry, Fridae, Mosier, Pfanner, Mayor Chapman

Absent: Commissioner Riley

Also Present: City Manager Beck, City Attorney Wallace, Assistant City Attorney Anderson, Legal Counsel Jim Moose, EIR Consultant Douglas Duncan, City Engineer Steve Jackson, Planning Director Moore, Public Works Coordinator Hutchinson, Financing Consultant Tim Youmans, City Clerk Mills

City Manager Beck indicated that the Planning Commission felt that there might not be sufficient time for deliberations on all the issues that may be brought out in terms of the Financing Plan. They felt that some additional time beyond the January 15, 1992 date may be needed. City Manager Beck suggested meetings on December 21 and December 28 and conclude the week of January 27, 1992. The OPR extension is until April 30, 1992. If the Planning Commission takes through the end of January, then most likely the Council will have to double up on some meetings in February in order to get done by the third or fourth week in February.

Frank Andrews said, "I've been delegated by the North Area Planning Group this evening to speak in their behalf. What we're here this evening for is to give you our interpretation and elaboration on the Draft Land Use Element that you are now undergoing public hearings on. We have given you a letter requesting some minor modifications to the text and the Land Use Plan. Basically, I'd like to go through very quickly the diagram on my right. As you're aware we've been, for quite some time now, going trough this process. We're five land owners from the north which call themselves the North Area Planning Group that have been working on this for quite some time. The Land Use Diagram, I feel, is very responsive and reflects, we feel, almost completely the Land Use Diagram you're holding the public hearings on. It's a very comprehensive planning effort for this stage of the General Plan. Much more so than generally indicates. Some of the points that we wanted to try to stress is that we have attempted as much as possible to tie the new community into the existing community through the transportation corridors, the open space connections,

pedestrian and bikeway connections. One of the changes we're reflecting in the letter we sent to you is a reduction in the size of the park facilities, from that which is shown, in the Draft General Plan to an acreage in excess of 60 acres, that's still slightly less than what's proposed. It contains all of the facilities that we feel than the City has requested with even more space that is required to accommodate those. We have moved the intensive high volume recreational area, the baseball fields, soccer fields to the lake park and the more central location of the development adjacent to the proposed 30 acre school site, which either would be a high school or a secondary school, depending on what the School District finally decides to do. We've also located the parks as much as possible in areas where they have joint use with the proposed school sites. On the Camray property on the lower left hand corner is adjacent to the elementary school site. As I indicated earlier, the park is located adjacent to the future high school site, or whatever site that is ultimately used for. The flood control facilities proposed by the Flood Master Plan Study, we basically approve, we think there are some areas that from a cost standpoint can be approved, we also are proposing that the flood way connecting the lake park to, going as far as Grant Street on our plan, would ultimately go to Putah Creek, that it be a landscaped pedestrian bicycle pathway system and floodway landscaped that would be a connector all the way from Putah Creek and up to the lake park and ultimately to the high school site. At a later date we will give you the cost figures on the flood control facilities. We're in basic agreement with the Master Plan Study and how to accomplish it. We're in significant disagreement as to the cost associated with accomplishing that. We think it is much less expensive than the plan had indicated. Some of the key components of the plan that we wanted to emphasize are the pedestrian/bicycle accesses that are provided on Grant Street, the floodway through the lake park and also an area of disagreement with the General Plan that we feel most strongly about is Road 33, in our plan consistently from many years ago, we feel that it should be a dedicated pedestrian/bicycle pathway system that would connect the floodway plan on the east all the way through to the school site on the west."

Charles Linthicum, of Candiotti Homes, said, "My role this evening is just to give a little background on our company. We are considered in some circles a large builder. We have produced and sold over 6,000 homes in the past 14 years. I say that to evidence our stability. We're in Santa Rosa. We own the majority of the property that's contained in the North Area Plan, we have 296 acres, a comprisement of the two most northern upper portions of the plan. We're very excited about the plan, it's a doable plan. We feel once it's examined in light of the letter that's been

provided to you, you can surely conclude that all the elements that the City has been looking for, as we've interpreted it, are contained in this plan. A number of elements are shown on a different exhibit, I'll defer that in the interest of time. Some of the key elements that Frank hit on, of course, a pedestrian/bicycle system which would occupy the alignment as shown for Road 33 has a potential for, not only schools and parks, but various elements east and west throughout the community. It would serve as an adhesion, simply to join the new communities together instead of separating it, as a road would do if produced in that area. We have shown on this diagram an elementary school site revised diagram that you can see has been modified to accommodate a 30 acre site for a high school. We have asked in the last presentation that I made to the Council that you share some of those common facilities with other properties in the area. There's a table on page 11 of the letter that Mr. Lando produced which gives you a comparison of what your current Land Use Plan projects for our property which is about 36 percent development and the remaining 67 percent for public facilities or other non-profit development uses. Our modified plan, the one that we're requesting that you accept, does turret something in excess of that 36 percent. It does, again, accommodate all public facilities. One thing that we do include on a map in your letter, is the elementary school site moved to the south where it's shown on the southeastern corner of the property. We request it be located south continuous to Road 33. The lake that you see on our plan would also act as a detention element in case of a 100 year flood through that area. Diagrammatically on the right side you see the flood control suggested solution that we've incorporated with a depressed center area that could carry the projected flows from a hundred year storm rather than having the large detention basin as is projected in the CH2M Hill Plan. Sewers and other public facilities we all agree need to be in place and on schedule and aligned being consistent to development progression. Thank you."

Phil Ferrari, of Camary Development said, "We have the 21 acres which is the colored, southwest portion of the diagram. Camray is a Sacramento based builder. We've been in business since 1971 and have built about 5,000 homes in that time frame. We've been active in Yolo County and produced about 300 homes in Woodland and a small project here in Winters, some years ago, of 83 units. We are proposing a diversity of products given the amount of acreage involved. The lot sizing and street patterns cut the project up into almost village size of about 100 to 105 units a piece. The lot would convey from a small project of 4,500 foot patio homes up to 8,500 and 9,000 foot lots up in the northwest side of our property for much larger homes. We would propose to produce anything from 1200 feet housing up to nearly 3,000 feet and do it

over a period of years as the development progressed. We're very excited about going forward, if you have any questions about any specifics of our building programs I'd be happy to answer them."

Don Moreal, representing the Archer Moreal Property, said, "We represent the 63 acre parcel formerly known as the McClish Property. I won't get into a lot of redundancy and repetitiveness as far as our project is concerned. I think the key is n our property is a couple of alternatives which are noted o , jes 12 and 13 of the letter that was sent to you as to where a commercial center may go. Which side of the loop road it may go on the ultimate plan as opposed to what was suggested in the General Plan. I think it's outlined very clearly as to why you may want to consider that. I don't want to take up any more of your time. If you have questions later, please ask. Thank you."

Virgil Smith said, "I own the 10 acres with Ann Fagen who grew up here in Winters and lives in Dixon now. Basically what we want to do is have a site that's compatible to the houses south of our project with the new houses coming in We hope to put up 1,700 to 1,800 square foot size homes."

Vince Schwent said, "I'm Vince Schwent representing the partnership that owns the property out behind the Chevron Station. Our group is a non-residential group in Winters where our interest is the highway commercial properties. What we've prepared here on this chart is the property behind the Chevron Station and the neighboring property, Pete Mass' property, right next to ours. We've been working closely with Pete over the years and plan to develop our property jointly. What we're proposing to you tonight is that the property along the existing Frontage Road be all used for highway commercial uses as well as the strip along the front of Grant. We're proposing uses such as fast food places, motels, any retail uses that cater to the motoring public, gas stations, coffee shops, things like that. We have an offer on a motel now. We think this proposal will eliminate any back area you see in the back of Pete Mass' property, the grey buildings would be light industrial so there would be a mixture of highway commercial sites, that are best suited for highway commercial, and those with the best visibility and the best value for that and light industrial parcels for the rear. This would provide some small industrial space that's badly needed in the City of Winters. Right now there's no place for a new business to locate, especially one that needs to rent space or doesn't need a huge facility, we would propose to be putting some buildings in there. As for the highway service commercial, we think this is not only the most desirable location, therefore giving property the best value and the highest tax revenue to the City. In the enclosed letter from the group

7c 7d

there's some comparisons taken from the City of Dixon, comparing highway service commercial property valuations to industrial property and where highway service commercial is feasible, such as locations like this the tax revenues are drastically higher both from property taxes and of course from sales taxes to the City. We'd hope to see you take that into account, also because of the higher values much more money can be spent on landscaping. It's intended that all of these properties have joint landscaping guidelines set out so that they present an attractive entrance to the City, also a more balanced entrance. Right now there's sort of an unbalanced situation. The current General Plan has only 300 feet of highway commercial on the north side of Grant and 1,600 feet of highway commercial on the south side of Grant. That's probably A, not economic and B, it also seems to be a very unbalanced entrance to the City. Those are our concerns, simply that the area of it is most desirable to highway commercial along the frontage road, and with the understanding that the areas farther up on Grant be available to develop as a light industrial park. If you have any questions, I'd be happy to answer them. Thank you."

Robert Lando said, "I would like to discuss briefly a couple more of the issues contained in my letter dated November 26, 1991. First concerns the General Plans definition of residential and high density versus multi-family housing. During most of the hearings that both the Planning Commission and City Council had on the General Plan, the goal for low cost housing or more high density housing was expressed as high density as opposed to multi-family. This has some significance to the current Draft General Plan which says that it is the goal of the City that 25 percent of the housing be multi-family. Your General Plan Background Document defines multi-family housing as being a unit shared by three or more families. We think that if the City of Winters is to maintain its current character, it will be very difficult for it to do that with 25 percent of its new housing in affordable apartments, triplexes or more. We suggest that you go back to the old definition which was simply that anything in your medium high residential density would qualify for the purpose of the 25 percent designation. We had suggested some language in a letter which would accomplish that goal by including lots of 4,500 square feet or less within the definition of multi-family housing. Another issue that we are concerned about is the question of sewage treatment. We think that it would be in the best interest of the City to consider maintaining its current level of treatment and taking the effluent as opposed to increasing the level of treatment with an entirely new plan, either at the current location or at a new one. It would cost about one tenth as much money possibly to dig the well and water landscaping or a golf course than it would be to decrease the

level of treatment for that purpose. One other significant issue that was touched on which I think should be given very careful thought has to do with the Drainage Master Plan. The current Master Plan calls for a 300 acre retention base north of the SOI. We do not think that would be necessary. We think that by increasing the run off of the ditch to Putah Creek, which is shown in the Master Plan, from a capacity of 2,000 cubic feet per second to a capacity of 3,500 cubic feet per second, you will be able to almost entirely avoid any kind of flood basin north of town. The two hundred foot landscaped linear park will easily accommodate either size drainage channel. What would result would be an enormous savings in cost, and would eliminate a great deal of administrative hassle in condemning either the fee or easements relating to the inundation north of town. I would be pleased to answer any questions."

Helmut Sommer said, "Showing you here the missing link of the North Area Plan, we're controlling 130 acres at the northwest area of this plan. We are offering a 20 acre parcel to connect the park site for a future golf course. We are offering approximately 5,000 square foot lots, about 7 acres of apartment site, which is approximately 140 apartments, and some 6,000 square foot lots. To the right of the golf course would be 8,000 square foot lots, to the left we would offer 10,000 square foot lots. The very large lots would be something we would want to develop and sell to individuals who would want to build a house out there. We have a mix between multi-family and single family. There's only one issue that I want to address, this is the drainage fee. At the present calculated drainage fee for an apartment is a maximum 8,000 dollars per unit. At this rate the development fee for parks without schools would be close to 17,000 dollars and I can assure you that figure, you wouldn't see any apartments in Winters. Thank you."

Debbie Hunter said, "I'm curious about the lake and the detention area. I would like to know that if it is the City's responsibility to maintain the water quality of that lake?"

Frank Andrews said, "We anticipate through previous discussions with the City that most of the public facilities in the area of new development will be in a maintenance district that would be just like any other park facility, that park would be maintained whether it remains district or the City itself."

Gerry Lund asked, "Is it possible to have a small map of that in the paper or somewhere where we could see it better than we can from here?"

Joann Larkey said, "I'm here to represent the interest of historic

7e 7f

141

preservation. I had been asked to give a presentation to the PAC committee in 1989 when deliberations for the General Plan began. I made the point then that I felt that the historic preservation element that was excluded in the 1985-86 General Plan. I heard nothing from the City on when this was going to be discussed and I wrote a letter in November of 1990 expressing my concern and offering to help in any discussion. Since this never has come up, I hope I'm not the lone voice speaking for historic preservation because when I finally did get to look at the Draft General Plan EIR, I find there is no historic preservation element. I've drafted a letter that expresses my concern and I'm circulating it to other people and I'm hoping perhaps they will join me in that. The City previously recognized the importance of historic resources by forming a landmark advisory committee as early as 1974. In 1982 they commissioned a survey of historic buildings, then they enacted a Historic Preservation Ordinance in 1985, that included a very comprehensive historic preservation element in the General Plan of 1985-86. It's therefore with some dismay that in the Draft General Plan and the Environment Report that the preservation element has been relegated to item D under Chapter 13 entitled Other Considerations. In other words it's low on the totem pole. The natural resources and the archeological resources appear to have been shortened in all the documents. There are however, a number of oversights and errors in referring to historical and cultural resources. Most Winters citizens recognize the importance of architecturally significant residential and business buildings to the entire communities quality of life and to the overall economy of the downtown business district because of their attraction to tourists. We know more about historical resources now than we did in 1983 when the historical resources report was submitted. There are some errors in history that I think need to be corrected. Some of them are simply typos. What concerns me most is Item 6 in the Background Report under resources and, listed also under recreational resources in chapter 7, it says the City of Winters maintains several historical resources. I would submit that the City has more than several historical resources. The survey of 1983 researched seventy-nine of these historic resources fourteen of which are potentially eligible for the National Register of Historic Places. There is a map in there that does note a historic building but it does not locate the historic district that the City designated. No mention is made of the Yolo County Historical Resources Survey of 1986 which identified an additional 29 historic buildings in the rural area of Winters. I think some of those might be impacted upon further expansion of the City and that should at least be noted. The Executive Summary of the Background Report sets out some minimal goals and policies regarding development of the cultural center and the preservation of Winters' historical heritage. This is the section where it seems to me

where some of the details go, such as in the previous General Plan, could be included. Most notably there is no mention of the Historic Preservation Ordinance which the City passed in 1985. That ordinance established a Historic Preservation Commission and procedures for designating and protecting historical landmarks and Historical Districts. Not only did the Land Use Element show that there is a historical district, but there's no mention on the fact that there is in place an ordinance that has ongoing historical preservation programs for the City of Winters and that seems to be a major oversight."

Councilman Curry said, "The General Plan should not override or supersede an ordinance that's in place, correct?"

Jim Moose, Legal Counsel from Remy & Thomas, said, "The General Plan is the so called constitution for land use. If you want to override ordinances through the General Plan you can do it. If you intended to supersede existing ordinances there wouldn't be a necessary conclusion that you intended to. But in the hierarchy of things the General Plan is the very top. If you were to adopt General Plan policies that contradicted earlier ordinances, the inferences would be that you intended to supersede them. If your General Plan is silent on issues that are in place, as regards policies, there would be no necessary inference that you intended to supersede them. The short answer is you could use this as a vehicle to change ordinances, you would then have to take further actions and form new ordinances to be consistent with the Plan, but you don't need to do that. If you don't want to, you don't have to."

Dr. Mike Roberts, Superintendent of Winters Joint Unified School District, said, "As you know you assigned a subcommittee to meet with the School District. We have done that on three occasions for a total of about seven hours worth of meetings. I want to thank Marion Cantor, Bob Chapman and Bill Pfanner for being part of that. We think we have arrived at language that is acceptable to the School District and within the legal limits of the City. The final draft of that is still in the lawyers hands, getting some final wording changes. We should have that to you in writing by Monday, hopefully. We have sharpened our pencils and gone back to consultants on the cost per unit on school housing. We will share that number with you shortly, after we go through the board on that. I want to thank you, I appreciate your cooperation and I look for further cooperation on this matter. Thank you."

2 Phil Snow said, "I'm a part of the Parks and Community Service Commission. The Commission is recommending the following changes to the policy statements in the public review draft of the General

Plan Policy Documents. We'd like to take Land Use and change a word to make it more meaningful or strengthen the word. The City shall link the rate the rate of growth in Winters to the provision of adequate services and infrastructure, including schools. We'd like to include, the City shall link the rate of growth and annexation in Winters to the provision of adequate services. Any statement of the EIR does not support this statement. Instead it indicates that we currently have inadequate services and that we continue to grow with inadequate levels of service. To enforce policy I.A.3., we'll have to restrict our rate of growth significantly in order to provide adequate services. If you move on to Section 5, Recreation and Cultural Resources, we'd like to address V.A.I., "The City shall establish a standard of five acres of developed park land (combined neighborhood and community) per 1,000 residents." We'd like to change it to, the City shall establish a standard of five to ten acres of developed park. The EIR addresses this issue from the stand point of the Quimby Act which states, that existing parks that we have, we cannot allow any more from 1.7 to 3 acres. They will give us a max at three and we'd like to base this on what the City has as recommended back prior to the 30 acre parcel which we stated we'd like to use in the form of recreation. Probably, the only reason it hasn't been done is because we had inadequate funds to build a recreational complex. We'd like to include those acres which would bring us up somewhere between 7.4 acres. We'd like to have you take this into consideration at this time. Going from V.A.2., "The City shall require a standard of five acres per 1,000 residents." We'd like to change this to, "This new development shall be required to meet." The key words in there are to meet. To this end, the City shall require all new development to dedicate land, dedicate improvements, pay in-lieu fees, or a combination of these determined acceptable by the City, to the maximum extent authorized by law. Golf course development and creek setbacks shall not be counted toward meeting the park dedication requirements. We'd like to have you insert that word. Requirements. V.A.6., we'd like to address this issue from the standpoint, the City develop a 30 plus or minus acre community ball complex. The key word we'd like to insert is Winters. This should include lighted baseball and soccer fields, concession facilities, and rest rooms. Deleting "the north part of". V.A.10., we have in here "The City shall" we're deleting the word explore to read "the City shall encourage development of recreational facilities along Putah Creek near the Community Center. Facilities to be considered include a swimming area, picnic area, and interpretative center." The EIR does not address this issue of a community center."

3

4

Joyce Snyder said, "I'm a member of the Winters Parks and Community Services Commission. I'd like to address the Council members and

5

Commission members on the need for adequate park acreage for the future of Winters. The National Parks and Recreational Society recommendation that community parks at 6.2 to 10.5 acres of developed parks per 1,000 population. Currently Winters has 1.2 acres of developed parks per 1,000. The EIR states that this is substandard. The Winters Parks and Community Services Commission has requested the allocation of 92 acres of park land, which would bring us up to 7.4 acres per 1,000 based on the 12,500 population. In the EIR the various parks analyzed offer a total of between 18 and 45 acres of park land at 1.73 acres per 1,000 population. Developers and the EIR Consultants have said that because Winters only has a current developed park acreage of 1.2 acres per 1,000, which they admit is substandard, under the Quimby Act we can only ask for an additional 3 acres per 1,000 for new development. In the Draft General Plan alternative I. developers are only offered 2.5 acres per 1,000 new residents. This only provides 1.86 acres per 1,000 residents for a total population of 12,500. Developers and EIR Consultants are basing park land ratios only on the population. Does this mean that since we are beginning at substandard levels we continue to stay there while we let developers come in and build? Do we have any interests as a community in deriving any benefits from this future growth? In the EIR on page 248, the NAS Plan offers that a thirty acre park is not considered a significant negative impact. Only because we are already considered at substandard levels. This assumption is clearly unsupportive of our communities needs. Regarding park maintenance, figures generated by our financial consultants, project a cost of 10,500 dollars per acre of park maintenance. The consultants projected the annual maintenance cost of 23.7 new acres at about 250,000 dollars. These figures are exorbitant and exaggerated for the following reasons. We must consider at long distance scales, although we are currently maintaining about 7.5 acres of parks, we still have the costs of administration, equipment, supplies, salaries, including benefits, that don't necessarily increase with direct proportion to park acreage. I did some checking at nearby communities and they have much lower maintenance costs. Vacaville is 6,000 dollars per acre, Davis, $7,000 per acre, Dixon $6,500 per acre. The Winters School District has approximately 45 acres of field and playground space to maintain. According to Gloria Hahn, who's the Director of Business Services, last years total maintenance cost per acre averaged out to about $1593 dollars. She said this was larger than usual because they had to purchase a new large mower. If our larger parks and schools are adjoining, as Parks and Community Services Commission has recommended, maintenance costs could be reduced. Please make Parks and Community Services recommendations a high priority for our community as you finalize this plan. I've enclosed a copy of these recommendations of our immediate current

needs, which I think you've already seen. A recent census said 34% of California households have children under 18. In Winters that's 51%. Please remember this when you review the Policy Document and finalize the General Plan. Please explore all options and funding measures that are available. Remember that we are already operating at low standards regarding developed park space. Usage of our playing field and facilities is already stretched to the maximum. We must provide a good quality of life for our citizens and maintain our community pride and character. If we are unable to provide recreation space for our citizens of Winters, especially our children, we will all pay dearly in the end."

Bobbie Greenwood said, "I'm going to, as a Parks and Community Services Commission Member, address joint use of our facilities tonight. The Parks and Community Services Commission supports the philosophy of shared park and recreation facilities with school sites and their facilities. These are the reasons why we do: It enhances the preservation of a close community atmosphere by ensuring working relationships between the School District and the City in the development and maintenance of all schools and recreational facilities. The entire community would have a mutual ownership and respect for recreational and school facilities. Shared facilities would mean less acreage needed for each, shared funding for development costs, and shared maintenance costs of completed facilities. Do we need or can we afford two new pools, two new gymnasiums, twice as many playing fields, tennis courts, art facilities and so on? We must consider the level of all services for families in Winters. If 51% of the households in Winters have children, then our School District, Parks and Community Services Commission and City are jointly responsible for providing the services needed for these children. Adequate schools, park space, playing fields and facilities for day care. In conclusion, we are trying to devise a plan which will be more affordable and one which can hopefully ensure the development of adequate and quality schools and recreation facilities to accommodate future growth as it is happening and not ten years after it has happened. When John and I came to Winters in 1951 there were no park. The present City Park was a war housing development. In 1953 a group of volunteers, with Felicia Diaz as Chairman, put in the existing park. A few years later, the Little League park was developed, also with volunteers. At that time, there were 1,500 people living in Winters. Thirty-eight years later, our park system has grown to include, the two and a half undeveloped Dry Creek Park and the undeveloped Rotary Park and the Community Center. Our population is now at 4,500. The magnificent playground which was added to our City Park is a tribute to the caring and concerned group of volunteers who provided our children with a special place in our otherwise barren recreational

144

7k

facilities. The point I would like to make is that school facilities and the Citys' use of these school properties has saved us. I have seen the summer swim team grow from 15 swimmers in it's beginning to over 200 last summer. Of course using the high school pool, which is now being held together with tape. I have seen constant use of the elementary school and the middle school for baseball and soccer. The high school gymnasium is used for young peoples basketball programs and adult recreational programs. The football field was used as an adult baseball field and is still being used for teenage baseball programs. The tennis courts have been used for years by the recreation department. As the high school tennis courts being the only ones we have. Dating back to the days when Phil Snow and Liz Coman taught tennis to our young people. Now all of these facilities are maxed out and I hope that you will remember this in making your recommendations. We need to think not only of joint use of our facilities but we need areas for our children to play safely and conveniently and without having to be constantly transported to some park way up there. We need areas where neighborhoods may come together in pleasant and safe surroundings. Thank you."

Liz Coman said, "I'm also speaking on behalf of parks and recreation. I have a personal philosophy regarding change and it's that you can't avoid it, you can't deny it, so you need to embrace it. I want to caution you and everyone that during this embracing of change we don't wake up to find that we're the victims of a rape. The high school site should be 40 acres, lot sizes of 4500 square feet are postage stamp size. That means we are crowding people into small areas. Parks and Community Services are inadequate and substandard even the EIR realizes this. We often hear that if it ain't broke don't fix it, well, it seems to me the opposite of that should be true also. If it is broken then it needs to be repaired. In terms of the number of acres for parks that is not being considered in the Draft General Plan and the EIR. I would like to say that it is broke so let's repair it, let's make sure that we have adequate park lands for not just our children but for our community at large, for everyone, from infants to elderly. Latch key programs for our children are desperately needed. We must consider the level of service that we can provide. I want to say that the City and School District have been able to work together to continue to provide a high level of education that we have now. The way that occurred was through public meetings and I think the same thing can happen with the Draft General Plan and EIR. I think that if we work together to maintain the quality of life we have here we will ensure, even with this change that's going to occur, and that we can embrace that our quality of life will still have special and unique characteristics that we really truly love about Winters. Thank you."

6

71

Linda Mariani said, "To my knowledge in these public hearings not one person has spoken to the City Council about accepted requests for recreational facilities or school facilities except for the developers. Many people have asked how can the City of Winters afford the infrastructure that we need to improve and insure the quality of life for all of our citizens. Therefore the issue is not that the City of Winters will need adequate school and recreational facilities, the issue is how can we afford these facilities and still provide affordable housing units. There's been a lot of criticism about what the process of writing a new General Plan has cost us. It was not the City Council's or City Staff's idea to develop the north area having to then commit City funds for this process. It was a necessity forced upon the City by plans for projected growth. It was to protect the City of Winters from making the same mistakes that so many communities have made throughout our state. How can anyone even suggest that 1.86 acres per 1,000 people is enough park space. Our youth soccer organization has grown from 70 to over 500 children in the last 8 years. In the fall, drive by the middle school or Waggoner after school or anytime on Saturday and see the number of children involved from ages 5 through 18. The Little League Baseball and softball programs have increased even more also involving children 5 through 18. Little League volunteers built two new playing fields on school property this year to accommodate games played every week night and all day Saturday in spring. Youth basketball has shared the high school gym for all day Saturday games in the winter involving boys and girls in grades 5th through 8th. Swim team practice is over 200 children ages 4 through 18 every morning at the high school pool during the summer and competes on Saturdays. We have men's basketball, tennis lessons, adult softball, adult volleyball, etc. The facilities that these programs use are almost maxed out now with our slow growth population of 4,600 and these facilities are maintained. Look at what our community has done, mostly on a volunteer basis, for recreational programs to give our youth something to do after school and on weekends instead of hanging around street corners in black jacket gangs. It's the City's responsibility to help provide facilities needed so that these programs can continue. There were also people opposed to the building of this Community Center and thought that the Fire Department facility was perfectly adequate. At the time they might have been right, but today it's at maximum usage. Besides the usual weddings, parties, fund raising and holiday events, etc. our senior citizens now have a place to meet. Many children are involved in after school arts and crafts programs, and Winters now has a fully developed theater group that we are all very proud of and that few communities our size could ever imagine having. We must commend that people that have the foresight to envision the necessity for this type of facility at a

time when it seemed an extravagance. We can't look at today and say that what we have is enough let alone that is too much. We must be able to meet the needs of the recreational programs as we grow or we will lose them due to the lack of park space and indoor facilities. So, what have the financial reports shown us that we can't afford? It shows that we must spend 34 million dollars to mitigate flooding and drainage problems so the developers can build in certain parts of the north area. If we then tacked on the cost of recreational and school facilities that we need, we can no longer offer affordable housing in Winters. If we asked who would want to pay 20,000 or more for a house in Winters than in another City. The question should be, who would want to buy a house in Winters if there children would be attending substandard and overcrowded schools or if they had no where else to play but next to a mosquito infested lake or a 200 foot aqueduct for their first ten years of residency. The need for new recreational and school facilities is not going to go away. If the adequate funding is not available for the development of recreational facilities that we need as we grow, we will all have to pay for it eventually or forever exist at a substandard level. What the financial report proves is not that we can't afford to develop in Winters, but that we can't afford to develop in certain areas in Winters as proposed, if we're not going to jeopardize these things that I'm talking about. We must not even consider spending 34 million dollars on flood control and storm drainage. We must not risk having substandard recreational and school facilities. Haven't the developers been listening to us for the past three years? Have they done anything to change and modify their plans so that Winters can afford adequate facilities? In closing, it says that the 1.6 acres of park land, the EIR states that it will have no significant impact, it also does not include any indoor recreational facilities at all. I think that everyone needs to look at that. It will in fact have a negative significant impact. I would like all of you to please revise the General Plan to protect this from happening. Thank you." 7

Mary Stephens said, "Thank you for the opportunity to review the Draft General Plan Policy Document, Background Report and Environmental Impact Report. I am concerned that library service for Winters is not addressed in either the Policy Document or the Environmental Impact Report. Thus, I have outlined my recommendations to ensure adequate library services for Winters, assuming a 2010 population of 12,500. I would recommend that in the Policy Document Section IV, the Section of Public Facilities and Services, there be a Goal "to maintain a high level of library services for all Winters' residents. Under policies, "The City shall assist the County in locating and reserving an appropriate site for an expanded Winters Library. A 25,000 square foot site 8

7.m

7.

was recommended for the 6,250 square foot building which would be sized to serve a population of 12,500. That the City assist the County in financing such a building. The City assist the County in seeking sufficient operating funds to support an adequate library collection, staff and hours of public service, including more evenings, Saturdays and possible Sunday afternoons. I also recommend for the Environmental Impact Report to include in Section VII, Other Facilities and Services, the language that "the increase in population planned by 2010 will have a significant impact on library services in Winters, specifically facility size, the book and material collection, staffing and related support costs. If these costs are not mitigated, existing residents will be penalized by a reduction in the current level of library services. I have a letter that has included in it background information about the current level of service, our standards, and what would be the proposed level to meet the standards in the year 2010 in the 12,500 population. Thank you."

Charlie Martin said, "I think you all have done a fine job and I think you ought to be warm enough because you're taking enough heat. One thing I would like to talk about now is a couple of properties that I just got the zoning map on a couple of days ago. A piece of property I would like to talk to you about is the property at the end of Highway 128 across from the storage sheds. Four and a half acres of commercial has been zoned planned residential and now the City has it projected as "quasi public", but we'd have to maintain that. I don't think that's a real great thing. I think that it be maintained as planned residential or residential, medium density. There's a couple other places that I'm just commenting on. I live on Apricot next to the walnut orchard which is really nice. It's the nicest thing going for me, as far as that goes. Under the plan I see that you have the back part of it as park, about 1 acre. That's fine with me, I'd love to see it like that. What about Mr. Valadez? Ninety years old. I wonder if he knows anything about that. I wonder if he's even been informed. I wonder what he would have to say about that? How will he be reimbursed for that? Or will he be reimbursed? Isabel Gallesgo's property was also planned residential, which in the old days that meant 11 to 16 units per acre. I think that would go up to twenty units per acre now. I wonder if the people know about it? I'm just making these comments, I wonder how people can be informed like that? I think they should."

Jimou Freidman said, "I have a local business in Winters, a new business. I come to speak to you tonight about my ag location, I'm working with horses. If you could all just stand up for about eight seconds, center yourself on your feet and sit down. Please, I'd like to invoke a spirit of community. I need your attention,

I need your efforts. I come in front of you to speak about animals today. The occupants of a ranch are available to me for very little money and I'd like to open the opportunity of ownership up to the community. The main animal I'm speaking about is a classic, black Arabian stallion named Shiek Alahiem. The animals have been offered to me as a barrelled deal and for very little money. The two mares that come with the stallion are worth about a quarter of a million dollars where they are today. I didn't wake you up for nothing, this is a money making opportunity. What I need your help with, if not the adequate funds to do it immediately, is the support in developing a cogent business plan to be presented of the community. To fund this, which over a twenty year time line can create an unbelievable amount of money and will have to do much with community spirit. Goals and Policies, Policy I.A.1. the City shall seek to preserve Winters traditional, small town qualities and agricultural heritage while increasing its residential and employment base. In section V.B.4., the City shall support the development of an equestrian facility on the City's old landfill site or some other location in the general vicinity. I understand that about one third of that landfill site could very easily be cleared with the equipment that the town has to set up what is a part of this barrel deal, providing an arena and covers for the animals and stalls all in steel pipe. The horse is unique in the world, in that he is a rare born creature. His father was the highest paid stallion in the world. He is a rare born, blue-black Arabian stallion. I think unit plans could be adapted in the school systems to include some of the animal husbandry; I intend to go on taking care of the animals myself but anybody who fits with the program, I'd welcome input from anybody and everybody, as I'm requesting assistance. What makes him royal and special is that he bears the mark of Alah, which to the Arabic people is very, very significant. This is mentioned in their oral tradition as well as in their holy books. Their black shiek rode off into battle and was killed and so was his horse, the black horse. Somehow, miraculously, through the breed lines this mark of Alah has appeared. In conclusion, the value of any offspring of this stallion would be three time the value of what I would pay for these three animals. I'd like to pass among you this picture and if you can come to me individually with whatever business planning that can help me bring a cogent presentation to business members of the community, I'd like to make this opportunity available for Winters before it disappears like sand through fingers."

Gerry Lund said, "Douglas Duncan said, "The purpose of the EIR is to provide information, to give quality to the decision-making process in the formation of the General Plan." With this in mind I have focused on the major policy decision of the General Plan, "The City shall seek to preserve Winters' traditional small town

146

70 7P

qualities and agricultural heritage, while increasing its residential and employment base." The last time I addressed you I pointed out the negative impacts of the General Plan which were described by the EIR and the conclusion that the General Plan will have a significant adverse effect on the small town flavor of Winters and its agricultural heritage in spite of its stated policies. Even though later, the EIR states "the impact on the small town character would not be significant and the agricultural heritage will be protected." Why? Because of the major policy I have quoted. This is a common technique of the EIR. We realize that the EIR attempts to be flexible, but we believe that it is not sufficient to rely on a stated policy, no matter how well meaning. for example, the existing General Plan of 1986 has some great goals and objectives, such as "treating the entry corridors to Winters as important gateways to Winters and Lake Berryessa, placing emphasis on urban design, architecture and landscaping." I ask you, the next time you drive down Highway 128 toward Railroad Avenue ask yourself if this goal has been properly followed. The policy was fine, but that is not enough. In the case of the effects on town character and agricultural heritage, I would like to request more on the EIR. One, we need more analysis of the physical impact of the changes in the General Plan on the existing conditions here. Two, the EIR needs to be more specific in providing mitigation measures for these adverse effects, not relying on a stated policy. The EIR needs to tell us how this policy will be carried out and who will supervise the implementation. So far I have concluded that the Draft General Plan will not protect the Winters quality of life, but we need to consider our second goal, the need for economic growth. After carefully reading the EIR on fiscal financial considerations, I noted that there is nothing there to give rise for hopes for strong economic health to justify this destruction of what we have now in Winters. Since then the financial documents have been released. By now all of us, including the developers, must know the financial aspects of the General Plan are also disastrous. First, there's almost a million dollar negative balance of the General Fund of the City of Winters by the year 2010. The EIR considers this to be a majpr effect. Second, the non-competitive fee for the new houses sounds unreal to me. Winters City Impact Fees, over $12,000 per house. Storm system, $10-15,000 a house. School fees, over $13,000. Total of 35-40 thousand dollars depending on which part of the flood plain your house is located in. A medium density house will cost more than $200,000. The Financial Planning Report tries to present methods of financing such costs, including assessments, bonds, and special taxes. It's obvious that these costs must be lowered, and changes in the General Plan must be made. Thirty-nine million dollars is a forbidding cost for flood control. One logical way of lowering the cost of development fees is to move the major part of

development outside the flood area into another area. All of the fees are too high in comparison to surrounding areas and must be lowered if we are serious about development. I have concluded that the General Plan meets neither of our major goals, economic health or our quality of life. Changes must be made in the General Plan, following some important principles endorsed by PAC, the Planning Commission, and the City Council. It's the responsibility of the developers to show us how they will improve the quality of our lives. So far they have not done this satisfactorily. I haven't been able to study that map yet. Developers should pay for the facilities and services their projects require. Because of the high costs, there is a search for financial support from the existing community. While you are making changes in the General Plan, the following are some of the characteristics I would like to see included. A town character that would be distinctly different from other towns with its own unique identity. A good balance of jobs to housing, minimizing Winters role as a bedroom community. A unique central business district, made up of specialty shops. Some special amenities, like a golf course, a cultural center. Fewer and narrower streets, avoiding four lane highways. Well, we have to look forward to more than the necessary sewers, schools, and flood control. I would like to see an artists' concept of the General Plan so that we can picture what our new town will look like in the future. As you make the necessary changes in the General Plan, please keep our major goals in mind so that we plan a community that encourages people to say, "Now that's a place I'd like to live in." I have great confidence in all of you that you will do just that."

Steve Wilce said, "Good evening. I'm speaking to you as a subcommittee of the General Plan/EIR work group. I'm speaking to you on the Flood Control/Drainage section of the Draft General Plan. Our general comment is that the three alternatives studied in depth in the Storm Drainage Master Plan are too similar and too narrow in scope to allow the City the informed choice of flood control solutions. The data base which defines and quantifies the flooding problem appears to be adequate but the solutions derived from it show a consistent lack of creative interaction between City government and the engineering staff. The cost of the proposed system far outweighs its benefits, and cripples the Citys expansion with abnormally high fees. Some developer fees, such as those which support schools and parks can be sold to perspective home buyers, because many people want to move to a community with good services. No such mitigation is possible with flood control. The effect of high fees on commercial property is a corrosive loss of tax base. We've heard people talk tonight about possible reduction of flood control costs, in the Financing Plan, Section VI, gives us a reduced cost approach to flood control that includes eliminating

contingency fees and property cost reduction through area developer trading. It brings the flood control fees down by 34 percent. It does not include, nor does the main financing plan include, all of the possible costs that could be put toward those flood control fees. Thirty-four percent reduction still is a very expensive plan. In consistency with City policy, Policy VI.6. states that the open space preserve shall, to the maximum extent possible, be designed to function as a part of the City's flood control and waste water distress district. This policy was not considered when the system was designed. The preferred alternative, envisions a mile long, 100 foot wide canal connecting the northern storm water pump to Putah Creek and bisecting the western portion of the town. A similar canal was a proposed part of the NAS development scheme, and rejected by the Plan Advisory Committee for its high maintenance costs, ineffective land use, and unmitigable and inviting ugliness. Policy VIII.A.7. states that the City shall establish design guidelines for new development along Highway 128, reflecting its designation as a City highway. A weedy, chain fence canal, will hardly fit such guidelines. The Financing Plan for the canal, includes a new bridge on Highway 128 but neglects to fund the other two bridges that would be necessary. Under existing conditions, the water shed, west of the City, is drained by a dry slough. Only in flood conditions, does the slough overtop, and flood water flows southward. Proposed alternatives, to deprive the slough of all rainfall for this water shed in both normal and flood conditions, with possible loss of ground water and wildlife habitat. This flow, plus that from the northern storm water pond is diverted into Putah Creek at a maximum rate of 2000 cubic feet per second, possibly 3500 cubic feet per second, by the 100 foot or possibly 200 foot wide canal. The City might be liable for an increased risk of flooding downstream, thus by restructuring the flow patterns in the area. Proposals create environmental impacts from both too much and too little life. The key to low cost flood control is allowing the existing flow patterns to operate, which also provides minimum environmental impact. What is the purpose of this exercise? All of this moving around, rerouting and expense? Nowhere in all of the General Plan documents is the FAMA flood plan overlaid with a land use map. So, I did that. Inside the flood plane, in the land use we have 361 building units representing a projected population of 933 people. That is all the housing that's in that flood plain. It can easily be relocated. Narrow approach to flood control came to the City with the old Martin Cappard plan, and it's been here ever since. I've recommended before that this flood plan be placed in the study zone, and I do so again. Also, several suggested directions for low impact resolution on the flooding problem will be included in the appendix of the EIR which the study group will submit written comments. Thank you."

Peter Hunter said, "Tonight I'd like to address the issue of the Circulation in specific reference to street design and layout. A recurring theme in the policy document states that "a small town character of Winters should be maintained." I'd like to point out that all elements of the General Plan, including Circulation, need to actively contribute to maintaining the character of the town you so righteously promote. However, the Circulation element of the Policy Document is well meaning, but very vague on the subject of town character. The Draft Land Use Diagram is at odds with the Policy Document, and the EIR Document is completely silent. The proposed Circulation Master Plan does not promote interconnecting street design. I'd like to point out that there are two general types of street design found in communities. One's called conventional street design and one is called interconnective network paths. Old Winters is a classic example of interconnective network paths, as many small, narrow streets promote multiple route choices, slower traffic speeds and visual diversity. Many professionals will argue that this is a major deterrent of town character. Conventional street design is typified by suburban communities in which there are definite hierarchies of roadways. There are freeways, arterial, primary and secondary collectors and finally local streets. Their really main purpose is to get cars to the main collector, not to try to tie neighborhoods together and build a sense of community. The Circulation Master Plan is a blueprint of conventional street design that consists of sculptured thoroughfares at a highway design level. The streets are wide, difficult for pedestrians to cross, and visually monotonous. We have arbors and collectors and signalized intersections. What's especially disturbing about all this is the EIR is silent about the conflict. We have policies that talk about grid systems, policy III.A.10. and policies that say "the City shall encourage the use of existing Winters neighborhoods, including the grid street system as a model for planning and designing new neighborhoods." That's policy VIII.C.2. Yet we have a Circulation Master Plan that proposes something quite different and the EIR says that's okay, there's no impact. Something about this has got to change. We have some specific recommendations. I would like to point out that when we talk about interconnective streets, it does not mean straight, linear streets. You can have curved streets, but the idea is that a person living in any one place has multiple choices about how to get to another place. They're not funneled through one entry point to a subdivision. We think that there is really only one four lane road that is potentially needed in Winters, and that's Highway 128 between Highway 505 and Railroad. I think everything else, if the street design was tuned a bit, could be dealt with simply by two way streets. By changing some of the street layouts in the Draft Master Plan, the City could easily end up with three, nearly equally spaced, east-west routes about a mile

apart. One would be Grant Avenue, another choice would be, taking Niemann Street and extending it to Railroad to where it would eventually join up with the Main Street extension. I need to say that County Road 33 should be taken out of a highway designation, it's an ideal pedestrian route. I think we can grow and keep our character and our heritage in this town but we can't be vague about the implementation, about how that's going to happen. The Draft General Plan and the Circulation Plan, need to reconcile their differences. If they don't do that then the EIR has got to address the disparity between those two and propose mitigations for the inevitable conflicts. Thank you."

Debbie Hunter said, "At UC Davis, I work as a water quality chemist. I do not claim to be an expert on waste water but we share similar concerns. When I was reading the Sewer Master Plan, there was something that kept bothering me and that was the fact that the consulting company suggested that the sewer treatment plant be moved to a new location, which is northeast of Railroad Avenue, where in its current position is in the northwest of the City. What bothered me was that the consulting company was asking the City to purchase land that was outside the 20 year urban limit line that was in a flood plain. While the consulting company did make provisions for flood control around that facility, it still bothered me. I couldn't figure out why we were really moving the facility at all when the land that we own now seems to be adequate and it's also on high ground. There were five reasons listed in the Sewer System Master Plan, Page 30, why they thought the facility should be moved. One, was the odor. The next one was the noise, and the third one was the aesthetics of living in a residential house and living in the proximity of the sewer treatment plant. The fourth reason was that the current storage pond, located up gradian from the City's domestic water supply, and the fifth reason was cost. I'd like to talk a little bit about each of these five reasons and, with keeping in mind what our committee proposes is that the sewer plant should be kept in it's current location. First of all, if the new treatment facility is built, and it's secondary treatment, the odor and the noise associated with that plant may not be a problem. A secondary treatment plant exists on UC Davis campus and it's right up wind of Putah Creek Lodge. I really have never noticed either the odor or the noise from the neighboring sewer plants. I believe that could be mitigated fairly easily. Now the aesthetics of living next to a sewer treatment plant, I think that could be handled also, actually in very inventive ways. Often, communities have created artificial wetlands. CH2M Hill has been active in proposing this in some of their other community developments, but they didn't propose it for this community. Where artificial wetlands can be created this will actually serve the function of cleaning up some

of the effluent from the sewer treatment plant, the secondary plant. If the water flows into the wetlands then the algae and the plants take up the nutrients, the phosphates, the nitrates and it makes the environment unsuitable for pathogenic and aerobic bacteria which is in the effluent. With an artificial wetlands, you would be getting something that was aesthetically pleasing, a wildlife habitat and something that's functional for water quality, that it improved the water quality at a very cheap price. The fourth reason that they said the facility should be moved is because the current storage ponds are located up gradian from the City's domestic water supply, implying that there's a possibility of ground water contamination. This might be a problem, even now. There's not been enough baseline data, there's not been enough ground water monitoring to know if right now we have a problem with ground water contamination. We also don't have enough information to know the groundwater profile if you move the sewer treatment facility to the proposed site, that it still is not going to affect it. The last thing that I would like to point out is cost. The consultants state that moving the facility to the new location is cost effective. I challenge that, in the cost associated with moving the facility means that you also have to close the old facility. You have to keep the insurance, the liability on that property and, if you're going to sell it, you're going to have to make it marketable. In order to make it marketable you're going to have to clean it up. Right now it's a hazardous waste site."

Michael Barbour said, "I'm a resident of Winters and I happen to earn a living being a biologist in Davis. I'd like to talk about the natural resources part of the EIR. With what we've been hearing about potential problems of sewage and transportation, recreation, maybe it seems exotic or material to talk about natural resources. I still happen to think that despite our technology, we don't control the environment, the environment still controls us. The ecological health of that environment depends on the presence of some very healthy, vigorous, natural ecosystems. In the Winters area, these natural ecosystems are, for the most part, on the endangered list throughout California, because of low elevations, these vegetation types have been impacted by human development so they have altered or fragmented or in some cases completely been replaced with urban or agricultural systems. I'd like to suggest, philosophically, that responsible development might require three things in the EIR and General Plan. Those three things are first of all, that the natural ecosystems that exist in an area to be developed be identified, that means assessing their status, that means understanding their environmental requirements to maintain themselves. A second aspect of responsible development might be to develop a structure for mitigation, a budget for mitigation and to identify where the sources for funds must come from and, what

149

7v 7v

amounts we're talking about, over what period of time. Sometimes these natural systems will have to be impacted, they simply can't be avoided and built around. Finally, I'm suggesting that responsible development should also face up to the fact that mitigation, which is often called for, is technically, more often than not, feasible. The science of ecology hasn't come to the point where we can always recreate, restore or enhance a wetland, an intermittent slough, a cliff edge or a Swainson Hawk habitat. So, in general, I'm saying that the EIR does not give you these three things. That is, it doesn't do well identifying the natural ecosystems in the area. It does not construct the mitigation budget and, it relies rather too heavily, on restoration types of mitigation for solving the impact problems. Let me just give you two examples. I'm disappointed with the lack of baseline data on endangered species and habitats that was presented in the EIR. Instead of baseline data, the EIR calls for future baseline studies on such habitats as wetlands and certain endangered species such as the Swainson Hawk, species of salamander or burrowing owl. It points out that we don't really know if some of these species occur in the area or what their population sizes are. The duration of these studies, their intensity, who's going to do them, who's going to pay for them, how much they might cost are not addressed. Let me just give you one example about how it might be difficult to survey the Swainson Hawk. The Swainson Hawk nesting sites are easy to see, but it also has a very expansive foraging area. The foraging area is visited periodically, episodically. We have a very short assessment period, it isn't likely that we're going to identify all of the Swainson Hawk habitat or just on that particular day, a portion of the area that's visited by that bird. Wetlands are a protected habitat and yet the EIR does not give us a consistent definition. Wetlands, it points out, have different agencies, different definitions and the EIR doesn't resolve this. Who is going to resolve this. There's no budget built in for a specialist. The mitigation, again, is requested on a one to one basis for loss of wetland, but technically how does one replace an intermittent slough or an intermittent wetlands. We have some unusual wetlands in this area. Again, the Swainson Hawk, it recommends restoration enhancement, while Swainson Hawk requires adult mature trees, it requires a complete under story that's well enough to develop to support the kinds of small animals that the Hawk feeds on. These are not trivial matters, it's not a simple thing to restore or create some of these habitats. Thank you."

150

Mary Helen Sceger said, "I'm here to give you one more thing to think about and that's air quality. Air effects the quality of our lives. The twenty year study released October 24, 1991, shows people living in smoggy areas are more likely to get cancer, asthma, bronchitis and chronic lung disease. Women were 37 percent

15

more likely to develop cancer than women living in clean air regions. The California Clean Air Act referred to in the General Plan allowed the planners to look at transportation, land use and air quality coherently. It requires City progress for clean air standards at 5 percent this year. Thirty-five percent by the year 1977. Winters General Plan and EIR admit transportation will be the most significant contribution to those projects. I have a few recommendations to the EIR consultants. Do some additional traffic studies on another day. June 21st was chosen. A day that school was not in. On a Sunday would also be good for monitoring lake traffic. It might be necessary to solidify the commitment to bus systems and ride sharing. Buses to Solano County as well as Yolo County locations. Parking areas for ride sharing designated in the plan along Highway 128 near 505 may be necessary. It might be possible to combine commuter parking with other parking facilities. Landscaping of parking lots would provide shade and decrease CO_2. Resident caretakers could provide security and maintenance. If bike lockers, which are more secure that bike racks, were included that could also improve air quality. If attractive bus shelters, turnouts and passenger benches are provided perhaps more people would go for ride sharing or bus usage. Another thought I had was to put some real time and effort into the job/housing ratio in Winters. If more people can work here, there will be less commuting and less air pollution. If it's possible to seek clean industries and appropriate commercial development, that would be good too. I think we need to strengthen our commitment to affordable housing. Make sure it's part of a plan that does take place. Match our housing to employment needs. In the EIR and the General Plan, potential conflicts between new development and existing agriculture is addressed. I believe the right to farm ordinance proposed needs to be in place before development begins. Winters area fruit and nut orchards are producers of oxygen. Producing the agricultural base in this community will be helpful with air quality concerns. Good generation plans are being built elsewhere to utilize agricultural waste products, reducing waste products and creating electricity. Including large shade trees and conifers in parks, open space, private homes and public places like parking lots, will help mitigate air quality degradation. One weakness in the General Plan and the EIR concerning air quality may be in the housing issue. The General Plan does say to encourage energy efficiency in housing. The EIR's only air quality mitigation is regards dust abatement during construction, a temporary situation. Other suggestions I have are insisting on disincentives for developers wishing to build fireplaces. If home owners want good heat, there's new, efficient, catalytic equipped stoves or fire place inserts. Another idea I have is establishing a demonstration project allowing builders recognition and reduced fees for model homes that showcase energy efficient technologies.

7w 7x

I believe solar power is an appropriate technology for this climate. Let's build for the year 2010 and not for 1956. Thank you."

Craig McNamara said, "My overwhelming concern of the Draft EIR is that it seems to be justification for the proposed General Plan. Time and time again, the EIR states that implementation of the General Plan will not have a significant impact because of the proposed policies. I'm not sure that this is the proper approach for this EIR to take. I think for the citizens of Winters, the issue is the impact of change which will occur as a result of implementation of the General Plan compared to existing conditions. The reality is that the EIR simply does not do what it states in the introduction. What the EIR does is repeat the proposed policies of the General Plan and then simply state that because of the policies, the impacts will not be significant. There is no examination of the implications of the policies of the reality of the implementation or how policies will be implemented. The EIR simply assumes that because a policy is well meaning everything will be okay. For example, the Land Use and Housing Section, discusses the issue of town character on Page 67. Compared to existing conditions, implementation of the General Plan will "result in a substantial expansion of physical, social, economic cultural, and institutional development in Winters." Compared to existing conditions the extent and character of development encouraged by the General Plan would clearly result in a significant, adverse impact. I do not need to explain to you how our town is going to change and why this is a significant impact. But, you might want to review Appendix G, the State CEQA Guidelines, which gives examples of significant impacts and one of the examples is "disrupt or divide the physical arrangement of an established community." The EIR, however, states that the impact of the town character would not be significant as stated on Page 68. The authors of the EIR base this finding on the "fact" that one of the policies of the plan promotes the preservation of Winters small town qualities and agricultural heritage while increasing its level of residential and employment development. While the policy is nice the reality is that the physical development that would occur as a result of the implementation of the General Plan would significantly change the character of Winters. Good intentions of General Plan authors do not mitigate impacts. The EIR needs to analyze the impact of the physical development which would occur as a result of the plan and compare that physical development against existing conditions. The Section on Housing Mixture and Affordability on Page 62 is another example of a basic failing of the EIR. The EIR concludes that implementation of the General Plan will not have a significant impact on the affordability of housing in Winters. Other than

making some wild assumptions, the EIR provides no evidence that the housing which would be constructed as a result of the General Plan will, in effect, be affordable to low or moderate income families. The issue for Winters may better be stated as follows: Will people who work in Winters, the fire fighters, the teachers, the policemen and women and the farmers to be able to afford to live in Winters, while the goal of the City of Winters, I believe, should be that housing affordable to all persons who work in the City shall be available in the City of Winters. This means that the EIR should examine the incomes of Winters households and match these incomes with realistic house prices in order to determine if housing affordable to the workers of Winters will in fact be available. I also want to discuss the issue of cumulative effects and impacts. The EIR provides only a cursory overview of cumulative impacts on Page 225. There have been a lot of mitigation over the issue of cumulative impacts. The City Council should be guided by the concept that a legally adequate cumulative impacts analysis is an analysis of a particular project viewed over time and in conjunction with other related past, present, and recently foreseeable projects. Does not Los Lomas fall into this category? Shouldn't it be mentioned for its potential cumulative impact by the EIR? I appreciate this opportunity to comment on the EIR and look forward to working with the City Council to ensure that future growth in Winters is beneficial to the citizens and the City. Thank you."

Barbara Reynolds said, "Our EIR work group was involved in the cultural and historical aesthetics of Winters. We had some concerns. We did feel the Draft General Plan does have some policies to preserve architectural and the native American heritage of the City. It has policies concerning historic preservation of historic structures. Our group recommends that the EIR policies and mitigation measures for archeological, historical rehabilitation and preservation need appropriate field surveys for archeological sites. There's only been five percent surveyed. Appropriate historical societies should be called upon to supervise the policies with the support and encouragement of the City Council. There's so much talk about the parks, as we went through the EIR and the General Plan, there's talk and talk about parks. We do need parks, that's true. But, not quite as many parks as they talked about. A very important part, is the cultural for Winters. Have a cultural center with facilities for community theater, drama, talent shows, and music and dance programs. We need a natural museum and definitely a library. A really nice library. I know in Palm Desert my grandfather and my uncle got together people in the community to raise the funds to build a very wonderful library there. I think Winters deserves the same for its' children and its' people. Focus on art. Art galleries,

public art for local artists. There's so much in that area. The architecture, visual considerations in architecture. The City of Winters and Yolo County, we need to protect and conserve the environmental features and scenic quality in Winters. Perhaps having the architecture on 128 to be similar to the downtown area with the Victorian style. The historical sites and buildings, carry out that type of architecture. Maybe variations of colonial revival style, late Queen Anne and so forth. Also a craftsman style, return to the natural materials and themes. I think our main focus in our work group, our goal, was to maintain the character of this town. We do have a choice as to what it is. Do we want just houses and tracts. We could turn it into a tourist town. Our town offers a lot and we could build on that and make it very interesting to tourists that are on their way to the Napa Valley area."

Valerie Whitworth said, "I'm a citizen of Winters and I've been working with the Dry Creek Citizens Group and the EIR General Plan work group. Liz, when she talked about the recreation program, stated that we should embrace change but avoid rape. I'd like to suggest that we should also get to know the partner we've been long in bed with. That partner being the surrounding and the existing environment. The EIR states that mitigation measures will be taken to compensate for wildlife habitat and natural environments that are destroyed by development. The idea sounds good until basic problems are unveiled. Mitigation assumes detailed surveys of wildlife and vegetation. It assumes figures such as seasonal amounts of flow, depths of flow, amount of silt carried, radiant measures and appropriate hydrology studies that are available for both Dry and Putah Creek. Mitigation assumes explicit definitions of such terms as wetlands, however, these figures, surveys, and definitions have not been done. They do not exist. There are no such numbers or descriptions in existence, or the ones that are there are inadequate and have not been done over a period of time that allows us a true picture. Mitigation measures, if they are required, thus can never be delineated as deficient or sufficient since there's nothing to compare the future change to. We do not know the present figures. The Dry Creek Citizens Group and the EIR Study Group ask that baseline measures be established before further changes take place. The last two years we've been asking that the City direct such figures to be determined. The Dry Creek Group has solicited $50,000 worth of professional expertise, and such professionals in town as biologists, botanists and engineers in order to secure a matching $85,000 of funds to address the problems behind the houses in the Dry Creek area and to establish a wildlife preserve habitat there. We will resubmit this proposal in January to the Department of Water Resources and if the City supports us appropriately, we have a good chance at success. We

18

continue in our efforts to urge the City to examine and know scientifically what habitat ecosystems will be displaced and what these ecosystems contain. We must continually ask through this process if private profit is worth the destruction or displacement of each habitat. Part of only 2 percent of such area is left in the State. If this environment is managed properly, it can become an enhancement to the property values and it can become an enhancement to the quality of life. We could be the envy of every town in the area. We must have baseline figures, however, to know where we stand. They must be collected and established before further development and that must be explicit in the Environmental Impact Statements and the General Plan. We must ask that be done. Further more, the new development that takes place, must pay for these studies as part of the mitigation measures and this must be specifically stated in the appropriate documents. Further, without these baseline studies mitigation measures will be a hollow promise. Without development paying for sound mitigation measures, we will bear costs for what will amount to our own rate. Thank you for your attention in this matter."

Mike McCoy said, "I think I can sum up the feelings of the EIR Work Group rather quickly and succinctly. Suggesting one chance to start. Right now the policy I.A.1. says the City will seek to preserve Winters traditional small town qualities and agricultural heritage while increasing its residential and employment base. We ask not that you seek to do this, we ask that you will preserve Winters traditional small town qualities and agricultural heritage while increasing its residential and employment base. This choice of language makes all the difference. It is the difference between a slippery word that you can slide off of five years from now when you don't feel quite as committed for a lax moment. The difference between saying it will take a General Plan amendment and a meeting of all these people again before we can change that concept. I'd rather see it that way. Three weeks ago, at the beginning of this hearing, I stepped up to this microphone and I said that I thought the General Plan was a good outline of the topics that we needed to consider to assure ourselves that the benefits of development would outweigh the costs of development. I was right about the plan being a good outline. In fact, it was such a good outline, that the citizens who have reviewed the plan, have used the outline to write a book. Before you get too chagrined about reading another book, I'll tell you it's a good book. It's a book filled with dedication and commitment to seeing growth produce benefits for the City of Winters. You have heard a sample of the contents of the book tonight. It embodies concerns about flood control, the cost of flood control, and the need to extensively study flood control options. It examines the provisions of streets and sewers, and the opportunity of reducing the cost of impacts and establishing

19

7aa 76b

adequate circulation and sanitation. It makes suggestions regarding the protection of our natural resources, the provisions of parks and open space, and the preservation of our town character. It explores and recommends the tools and mechanisms that are needed to design a pedestrian oriented community and to ensure the jobs/housing balance. This book goes beyond the brief comments that we've been able to make in the limited time allowed us at public hearings. It is carefully tied to the specific points in the Draft General Plan and EIR, and it makes specific recommendations. It is written in fulfillment of your request that we put the majority of our comments in writing. To complete this process, we ask that you read what we have written. Do not just turn it over to a consultant for response, but consider it as the advise of your friends and neighbors. The deliberations you have ahead of you are challenging and serious. Though the comment period is over, we hope that you will continue to hear our voices. You are now in a position to demand that the benefits envisioned for the community, from growth, actually come true. Please use your authority wisely, and ensure that what is good about this vision, becomes a reality and that the negative impacts ahead are fully recognized and responsibly mitigated. Thank you all very much. I'm so proud to be associated with all of the people that have given their hearts to this project."

Clay Johnson said, "I live on Anderson Avenue. I have a small, but specific concern I'd like to point out to you. I'm loosely representing concerned residents of Anderson Avenue and surrounding streets. In the General Plan Policy and the EIR, Anderson Avenue is regarded as a secondary collector street. The existing part of Anderson Avenue is in no way adequate to take a secondary collector street load of 3,100 cars per day. One of the primary reasons why this is too much traffic, is that because of the school being on the street, there will always be school kids going up and down the street. I watch them every morning. There's a lot of them, and there will not be any less. Right now the street is 48 feet wide. In these documents for a secondary collector they're suggesting 74 feet. There's quite a difference, and the difference is in pedestrian and bike paths. This is what kids need to travel on. I would strongly urge you to reconsider having this be a secondary collector. I think it would be much wiser to push that secondary collector load onto Niemann, which isn't a completed street. It can be widened to adequate safety standards to take those loads. Anderson Avenue is a local street and should remain so for all the kids walking up and down the street. I have a petition with 71 names on it from the submitting residents and a letter that I'll deliver to Perry tomorrow morning. Thank you."

City Clerk Mills read a letter from Jiley Romney, 307 Anderson

Ave., into the record. "Dear City Council members. In regards to the proposed expansion of Anderson Avenue, I feel there are some concerns that need to be addressed. If Anderson is expanded on the west this will substantially increase daily traffic going to and from the existing middle school. I would like to know how the traffic coming from the west will turn around to go home? The obvious thought would be that they would turn down Hemenway and return. This, unfortunately, will not be the case. They will U-turn at the widest possible spot. Considering that Anderson is only 47 feet wide, their choices will be the intersection of Anderson and Apricot or Anderson and Hill Place. The School District is considering turning the middle school into an elementary school. If this comes to be it will make this situation even worse. Many, many more children are driven to elementary school than to the middle school. This would cause far too great a danger to the children who would be walking to school. I feel the Anderson Area is a nice residential area, not able to handle such a drastic change of environment. I don't feel Anderson should be a major connector to the loop road, it is just too dangerous to the neighboring children and the children who walk from the downtown area."

Matt Guthrie said, "I'm here because my firm is helping Hort VandenBerghe. We've been working on this plan in coordination to the General Plan through it's various changes that occur. We have developed a plan, that used as a model, the existing Winters neighborhood. Intricate pattern of streets, central park, open space and a real potential to live and work in the same community, the opportunity to cut down shopping out of town. We have a variety of housing sizes, secondary residential units, duplexes, single family homes and lot sizes varying from 6,000 square feet to 3,000 square feet. It's close to downtown, people who live there can walk downtown, patronize downtown stores. Tonight as I hear the many comments, I'm really proud that we've been able to incorporate those into this plan. One of the things that I want to bring to your attention, and I hope you received my letter of December 2,1991, is that the General Plan in it's goals states these things that we're accomplishing. The commercial land use designations seem to fall short. I feel the City in areas where property has good exposure to Highway 128 can attract the kind of desirable office and commercial uses that you want. This should mean that we have land use designations which will allow us to react quickly to those when they come up. Truly fixed land designations so that we can get the kind of character on Highway 128 that we desire. We're suggesting that the 128 exposure on this property have a community commercial land use designation. In order to truly provide the opportunity to provide retail office or mixed use."

7cc 7dd

153

Dna Hoover said, "In light of this past presentation, I have little more to add, other than the fact that as a builder I am very skeptical that affordable housing can be built with such added taxes and the flood control development fees associated with that. I'm really excited about seeing the blue prints. I think they must incorporate some very revolutionary ideas of architecture if they're going to comply with affordable housing."

Paul Pedroia said, "I've had a chance to scan the General Plan Policy Document. It appears you've put a lot of work into it. My concern as a retired resident in Winters, is the amount of assessment tax if the builders and contractors are not able to come up with the fee structure to support the plan. I just ran through some calculations real quickly. Looking at a twenty year growth span, of about 475 people per year. Starting at the year 1990 at 4,500 population, 2,300 residents, and 241 businesses. What I'm getting at, is I had a chance to look at a lot of communities before I came back to Yolo County and settle. When I did come back, in 1990 I was able to afford it. As a tax payer, I'm looking at $1,563 a year. If we take it a little further and take it out to the year 2007 that means that the second half of that tax bond, that assessment is going to be another $58,000,000. The first 10 years has not been paid off. We're looking at 3 percent ratio on a 10 year bond. The second portion of that has not been paid off, we're looking at another annual fee to me. That totals out, in my life time, of somewhere around $2,660 that I have to look forward to, to continue living in Winters. I'm presently paying $1,800 a year in taxes. That's one reason I chose Winters, I could afford it. If someone doesn't specifically really look into these things, and it goes back to the resident tax payer, this is how I have to look at things and I think other people, if we can't come up with someone to help us out with these other fee structures. I had a chance, in my 26 years that I spent in the Bay Area before I retired, over in the Freemont area to look at some growth problems they had when they merged Freemont, Niles, Warm Springs, any of those areas. They did answer long range plans to bring in some major industries. I look at those types of things as helping out the individual tax payer. Thank you."

Edwin Lemert said, "I live at 416 Russell, in a house reputedly to be 100 years old. Originally, it was very attractive to me. In the past two years, it has become less attractive. I think in terms of quality of life, it's depreciated considerably. I refer mainly to the problem of traffic control. I was very much enlightened tonight by what Peter Hunter had to say, indicating that the problem Winters faces with continued suburban development is more or less a conflict as far as traffic control created by the feeding of the large number of automobiles from suburbs which have

brought curbed streets into old town streets, which are laid out in the grid area. Which are narrow and not designed to carry the heavy traffic which will occur. I would expect that in Winters, there probably will be a replication of what's happened in Davis, a lot of East Bay cities which they had small towns with large suburban developments. In these old towns, streets are over crowded, over parked and above all over driven. The problem I'm concerned with, is the over driven part, because on my street the automobiles that come by there go very, very fast. I'd make the judgement that 50 percent of them exceed the speed limit by at least 15 to 20 miles an hour. Ten percent of them drive anywhere from 50 to 55 miles an hour. This is a residential area. Generally I find that the risk of living in that area has gone up. There are small children living in the area. There's school boys that dart around the street on their bicycles, there are cats and dogs all over the streets. There is a distinct possiblity that cars are driven by intoxicated drivers and can crash into houses. I don't know how to explain this exactly, except that there has been a big development to the west. Also, take the connecting streets of that development to 128 and large numbers of commuters may be using this as a cut off on their way over to Vacaville and Fairfield. I became so concerned that I went down to see the Police and I suggested to them that they bring a blue and white car out and park it in front of my house to maybe cool off some of the drivers. The policeman I talked to said that no, they couldn't to that, they don't have enough staff anywhere to do that. This is a real concern I have. Namely, do we have any traffic control in Winters? I've seen people going down Railroad Avenue obviously going far over the 25 mile per hour speed limit. I think that the police have simply abandoned that particular service. The question I'm really concerned with, as beautiful as all these developments look like and I'm not opposed to development as such. I'm just wondering whether it's wise for a community to take on a development here, when they can't even provide the basic service of traffic control."

David Jones said, "I'm an attorney for Legal Services of Northern California, here in Yolo County. This evening I'm representing low and very low income residents of the City of Winters to convey to you their concerns about the impacts of the General Plan availability of affordable housing in this community. Before I begin, the definition of affordable housing for low income households is housing that costs now more than 30 pe[illegible] of their income. Low income households are those that make [illegible] more than $31,000. The housing elements of the documents has a shortage for this type of housing in your community, some 50 percent of your low income houses don't have affordable housing. The vacancy rate is extremely low only 3.7 percent, some 12 percent of the households

7ee 7ff

are over crowded. It's thus with some concern that we looked at the proposed land use element of the General Plan. The Government Code provides that land use element has to identify adequate sites and adequate densities to meet the needs of adequate housing for all income groups in the community. Based on our review of the Land Use element, we've come to the conclusion that there is not a significant amount of higher density designated land to meet the needs of very low and low income households. In particular the EIR concedes that very low income housing needs will not be met. The EIR also relies on the assumption that medium higher density designated land will meet the needs of low income households for affordable housing. We can find no support in the EIR for this assumption, and in fact, the State Department of Housing and Community Development, in reviewing other housing elements and land use documents in this county, has taken the position that densities as high as 25 units per acre are required to provide affordable housing. Therefore, we urge you to increase the higher density designations in this document. In addition, we're concerned about the language policy that limits multi-family development to 25 percent of the total housing stock. Again, we believe that policy is inconsistent with your obligation under State Law to provide adequate sites. We urge you to increase the percentage of multi-family designated land, at least to the level of 40 percent. Particularly when given the projected new construction need from the Sacramento Area Council of Governments, some 50 percent of your new construction, will have to be for very low and low income households. It just doesn't make sense, to us at any rate, that you would limit yourself to only 25 percent of the stock being multi-family. It's only in the multi-family stock that you're going to achieve the densities that are necessary to provide affordable housing. We've provided you with a letter that outlines in more detail these concerns. As well, we've proposed some additional housing element policies. I'd like to echo the comments of some of the previous speakers. We're concerned that the EIR has not adequately addressed or analyzed the mitigation measures that are proposed in this housing element program. We've provided for your consideration, additional housing element programs. The first of those would require that relocation systems be provided for tenants who are displaced as a result of Code enforcement activities. We recognize that Winters has a large stock of substandard housing. There is some indication in the Housing Element Document, that there might be aggressive Code enforcement policies. We urge you to consider a program that will illicit relocation costs upon the owners whose fault it is that the housing has become substandard in the first instance. Second policy is a policy that would require that certain percentages of all new development would contain affordable housing. This particular policy has been adopted with success in Woodland, Davis, Sacramento

and West Sacramento and is now considering a variant of it. In this way you'd ensure that some percentage of all new development has affordable housing for very low, low income households. The policy we propose would provide a density bonus to the developer to offset the additional costs that they incur by reserving some of the units for affordable housing costs. Last two programs, one would be an established affordable housing trust fund. Based on a fee of new commercial and industrial development. The fee can be calibrated in such fashion so that it doesn't serve as a disincentive to that new development. It's an important mechanism to mitigate the increased demands for affordable housing created by such development. Such development often requires low income workers, who need housing in your community. The fourth policy we propose is that of a fee waiver. It's apparent in even a cursory review of the General Plan documents and EIR, that this communities looking at a very high level of fees to support the improvements and infrastructure needed to support the development that's planned. We encourage you to consider and adopt a fee waiver for units that will be reserved for very low and low income households that will be permanently affordable. There's no chance that you're providing a wind fall to the developer of the units. These would be units that would be controlled in such fashion so that they would be permanently affordable over time so that you wouldn't be giving someone a fee waiver, they would turn around and sell the unit at market price to obtain accruable windfall. We are prepared to answer any questions you have about those policies. We urge you to consider them quite seriously, because based on the policies contained in the element at this point in time, we are truly concerned, as are our clients, about the ability of the community to provide for the need of its very low and low income residents. We urge you, as you move forward with this planning process, not to leave those residents. Thank you for your time and indulgence this evening."

Councilman Curry said, "It's not clear to me who you represent. The letter says that you represent very low income residents of the City of Winters. Who is retaining you?"

David Jones said, "We've been retained by a number of individials. My organization represents individual low income residents. We are Federally funded and our representation is solely limited to people who meet certain income eligibility guidelines. We're not allowed to represent anyone outside of those guidelines."

Councilman Curry asked, "These are all citizens of Winters?"

David Jones said, "That's correct. We're a non-profit organization. Our jurisdiction covers Yolo County."

799 7hh

PH (D)

23

Suzanne Grisset said, "As a resident of Winters and a professional archeologist I have some comments on the Draft EIR section dealing with other issues namely Section D, Cultural Resources. The EIR states that the potential for an impact on the cultural resources will be less than significant. I wish to take exception to this. I couldn't find any indication that there was an archeologist consulted or used for the preparation of the EIR. It seems that what they did was contact the Northwest Information Center. Which maintains a record of all archeological sites that have been reported. As the EIR states, there are very few reported, just three large village sites, located along Putah Creek. Most of the area in Winters has never been examined so we don't really know what the archeological resources are. In fact, those that are reported along Putah Creek, basically recorded in a one day visit by anthropologists from UC Berkley around the turn of the century. He went around to all the local land owners that recorded the lake sites. Which are very evident, they usually appear on the surface, you see fire cracked rock, obsidian, shell beats, they're very noticeable. In addition to Yolo County, and other areas of the County, we know that there are significant buried sites. They often occur four to six feet below ground surface. They're located along sloughs and marshy areas. They often are cemeteries. We found them over near the Yolo County landfill, we're working on such a deposit in Vacaville right now. The policy that's been presented in the Draft EIR recommends that the City send to the Northwest Information Center any project that proposed near Putah Creek or Dry Creek. Again, that's just restricting it to lake sites. It leaves it sort of free floating, who would decide whether any of their surveys should be conducted along with the other project areas. My recommendation would be that the entire area should at least be examined and field surveyed. In addition, if any project at the time that they applied for a permit for developing proposes to do excavations in excess of six feet. That they also be required to have an archeologist monitor it at the time of excavation for what would probably be more economically feasible for the developer to avoid stopping construction in case a discovery of skeletal remains. They in fact have some sort of subsurface testing done before they go ahead and do that, they will be restricted to the area that's going to be excavated. They often times require to do soil compaction tests, they're already drilling into the site area to comply with other regulations for the permit process. My consideration is that there are not only prehistoric archeological sites, which date back at least 4000 years. They're probably located in the area that's subject to flooding and who knows what the original topography was, especially with the drainage coming out of the hills in route to the east flood plan rivers. There has to be sites out there and they just have not been addressed in the EIR. I hope that the City would adopt some

PH (D)

kind of policy that would assess, and protect and mitigate these resources before they are damaged to infrastructure. It can be very costly to the developer because if there's native American remains, the Native American Heritage Commission is called, and assigned. That person can designate how they want those resources to be treated. Often times it requires either extensive relocation or complete design reengineering of the project, so it can be very costly later on. I think it would be economically feasible to do it before hand. Thank you."

City Clerk Mills read into the record a letter from New Life Family Church, signed by Reverend Michael Farias, addressed to Commissioners, Council Members and Planners. "In your efforts to provide a General Plan that will best meet the needs in the future of Winters, there is concern that a vital institution to any community is not being considered. I speak of the church. While land use provisions are being considered for schools, parks, and public service entities it appears that land use designations to permit our right to religious freedom, worship and education has been overlooked. Question. Has this been overlooked? If so, why? I understand that a church is allowed to operate in any land use zoning; i.e. commercial, industrial, R-1. While in theory this would seem to be very accommodating to the religious institution, in practice it is not, but is in fact very restrictive. Just this year three cases can be cited where the Church, wishing to exercise it's right to religious freedom and provide for the needy was denied that right due to land use designations. The Church of Christ at Fourth and Russell was restricted in the use of it's facility to expand a school. The Ministerial Association needing a facility to operate the Food Closet is having difficulty getting the necessary permission using the vacant St. Anthony Center at Third and Abbey. New Life Family Church at Fourth and Edwards was denied the right to facilitate Winters Christian Academy. These uses were hindered or denied because either the Planning Commission, the City Council or the neighbors were unwilling to allow such use. We have seen that conditional use permits do not provide for the church but do indeed restrict the church. Furthermore it has been noticed that on the proposed General Plan map that some churches are zoned "Public Quasi Public" but not all of them. Questions. Why some and not all? It this by design or is it an oversight? Does each church have choice; to be zoned "Public Quasi Public" or to remain under their current zoning? What will this new zoning mean to the churches? Is it preapproved use or is it a permitted use? How does the proposed General Plan provide for the right to exercise religious freedom and for the establishment of religious institutions? Will there be land use set aside by developers specifically for this purpose? In all the considerations for the future of our City, please consider the

7ii 7jj

church. It began with a voice crying in the wilderness. Don't let Winters become a wilderness without a voice."

Chairman Cantor opened public hearing at 10:25 p.m.

Councilman Curry said, "Since I noticed that the Chairman of the Parks and Community Services Commission is still here. I wondered if you might be able to confirm the issues from this Commission on the General Plan goals. My concern is that, if you have it written down that's fine, but if not, I'd like to ask the Chair if you'd allow him to continue the recommendations from his committee."

Phil Snow said, "They're written down. I could get that to you tonight if you'd like."

Mike McCoy said, "I have a question. Given the schedule, given the time table for the submission of written material does the Planning Commission plan to review the written material in its deliberations the recommendations that the City has?"

Chairman Cantor said, "Yes. The Planning Commission has copies of all the written materials. We will begin deliberations on Tuesday, and we'll also decide on Tuesday, how long that period will be. It may be different than what was said."

Chairman Cantor closed the public hearing at 10:26 p.m.

Councilman Pfanner made a motion to adjourn the meeting. Seconded by Councilman Curry. Motion carried.

J. Robert Chapman, MAYOR

ATTEST:

Nancy G. Mills, CITY CLERK

(This page has been purposely left blank.)

7kk

(This page has been purposely left blank.)

RESPONSES TO COMMENTS

(This page has been purposely left blank.)

Comment PH (A)-3 (HUNTER): DEIR, Page S-1

"The Draft EIR is basically lacking in specificity and in many of our minds there's some question to whether or not it even meets the basic legal requirements of an EIR. I was astounded when I sat down and read the executive summary and item after item said no mitigation was necessary. I couldn't believe what I was reading. But this slight of hand was accomplished by referring back to the Policy Document and stating well the City said it was going to adopt a policy to avoid an impact and so therefore, no mitigation is necessary. Mitigation measures must be discussed in the EIR, if the project by itself would have significant impacts.

"So there's a question here about what is a significant impact. These come out of the California Environmental Quality Act Guidelines and I just want to point out four of these. They say if the project has any of these items that a significant impact exists. Item A is conflict adopting (sic) [with adopted] *environmental plans or goals of the community where it's located. B is if it has a substantial demonstrable negative aesthetic effect and that is again if it's turning our town into something which it historically has not been. K, if it induces a substantial growth or concentration of population. Clearly if we are going from 4,000 people to 12,000 people that's a substantial growth and deserves some sort of significant impact discussion. Item L, causes an increase in traffic which is substantial in relation to the existing traffic load capacity of the street system. I'll wait and refer until later, and also item E, disrupted by fiscal* (sic) [physical] *arrangements in an established community. Very specific things. Many of these things are going to be happening to our community, and the EIR document should be discussing them as significant impacts and discussing specific mitigation measures for them.*

"Just to prove this, in another document which is referring back to guidelines "The EIR must have mitigation measures for each significant environmental impact discussing whether the effect you can avoid substantially lessened, and discussing side effects." None of this has happened in the EIR. All that has happened is a reference made back to the Policy Document stating that if the City Council adopts a certain policy that there will be no mitigation necessary. It is very clear what is adequate and what is inadequate wording. Inadequate treatment of mitigation measures includes words like consult with, submit for review, coordinate with, study further or encourage. How many of the policies that are in our policy document use exactly those words. That's not legally acceptable in an EIR mitigation. I want to briefly go over some of the wording in Traffic/Circulation, we heard some of the wording earlier in the Schools element. The City shall work with CalTrans, shall explore feasibility. All these things, very vague wording. We need to get alot more specificity in the Draft EIR and the General Plan."

Response ES-1

Comment acknowledged. The Draft EIR was prepared as a "Program EIR" for the Draft General Plan. and as indicated on pages 2 and 3 of the DEIR, it contains a less detailed assessment of impacts than would be provided by an EIR on a specific development project, in accordance with CEQA Guidelines Section 15146 (b). Because the specific details of development which may occur over the next twenty years consistent with the General Plan cannot presently be known with certainty, a high degree of "specificity" may not be appropriate and is not required in an EIR prepared for a General Plan. The term "General Plan" is meant to refer to a community's long-term general principles, policies and objectives for its development and environment, to which the City must commit itself to upholding throughout its lifetime (in the present case, 20 years). The adoption of a General Plan does not preclude further evaluation and environmental analysis of specific projects anticipated to occur under the aegis of the General Plan. Hence the DEIR examines the effects of the Draft General Plan in broad terms, rather than specific project-by-project details.

The policies of the Draft General Plan, such as the promotion of traditional small town qualities, which the DEIR refer to as having the effect of preventing or avoiding significant environmental impacts are not mitigation measures as defined by CEQA, but are integral components of the Draft General Plan which would become the adopted policy of the City of Winters upon its adoption. All subsequent public and private actions which would affect Winters' development must conform to these policies. The DEIR assumes that all policies are effectively implemented, rather than on an irregular, inconsistent basis, and that the wording of these policies is fully adequate to provide the City with the authority to pursue a range of options to achieve the stated goals or objectives. If the Draft General Plan policies were <u>not</u> fully implemented, additional environmental review of the modified General Plan policies and implementation programs would be necessary to assess how effective such changes would be in preventing adverse environmental effects which may be associated with growth in the Winters area. The actual effectiveness of any General Plan policy or implementation program, as well as mitigation measures identified in an EIR, rests in the hands of those members of the Planning Commission and the City Council who will determine what actions to take following adoption of the General Plan and the EIR.

In instances where significant adverse impacts would occur following implementation of the Draft General Plan, measures have been identified in the DEIR to mitigate those impacts. CEQA does not establish a "legal standard" for mitigation measures identified in an EIR, but requires that they be feasible and potentially effective in avoiding or reducing significant impacts. The DEIR did not, as Mr. Hunter may be suggesting, declare that any impact was significant, and then define the Draft General Plan policies as a form of mitigation. The form of analysis used in the DEIR indicated the probable effects of development, and public projects enabled by adoption of the Draft General

Plan, and then evaluated the combined effect of such development and projects in the context of the General Plan policies and programs to determine overall impacts.

With regard to how significant environmental impacts were defined, the same "items" listed in Appendix H of the CEQA Guidelines referred to by Mr. Hunter, were considered in the DEIR, though the conclusions reached by Mr. Hunter are dissimilar from those of the DEIR authors. The Draft General Plan would not conflict with the adopted environmental plans or goals of Winters, because the Plan itself is intended to revise, update and replace adopted environmental plans as represented by the current General Plan, as authorized by State Planning law.

"Substantial, demonstrable negative aesthetic effects" is a criterion which is by its nature subjective. However, change and growth, occurring steadily and according to specific guidelines, would not necessarily have negative aesthetic effects, and could be interpreted by others as an indication of vitality. The rate of growth enabled by the Draft General Plan, as discussed in the Executive Summary (page S-2), and later in Chapter III, Land Use and Housing (pages 58-60), is generally consistent with established, historic growth rates in Winters, and as a result the Draft General Plan is not viewed as inducing substantial growth.

Substantial increases in traffic in relation to existing roadway capacity is considered to be avoided principally by improvements in the roadway network which the General Plan would implement through the Circulation Master Plan.

(This page has been purposely left blank.)

Comment PH (B)-4 (DUNCAN): DEIR, Pages 2-3

"EIR Consultant Duncan was asked a question of (sic) [by] *a member of the audience that was inaudible.* [his reply:] *'This was covered in the introduction, and reference to that is in the central paragraph on Page 3. It essentially says that the EIR assumes the subsequent specific development project will conform and be consistent to* (sic) [with] *the provisions of the Draft General Plan. To the extent that they deviate from that or to the extent that they contain some specialized characteristics or detail not addressed in here, it could require some subsequent environmental analysis. Each of them would go through a process of preparation of an Initial Study to determine just exactly what kind of approach should be taken to satisfy the requirements of CEQA, and it might be determined that they were consistent with the EIR, consistent with the General Plan and do not require any additional analysis and the negative declaration could be issued. On the other hand, it could be determined that where the roadway systems differ, or the design is somehow different, or their* (sic) [they're] *to have an on sight* (sic) [on-site] *wastewater disposal, that requires its own separate analysis and the preparation perhaps in the EIR is an addendum to this EIR or some other approach.'*

"Mr. McCoy asked, 'Does it have the possibility of standing as the final document of some projects within the Sphere of Influence?'

"General Plan Project Manager Mintier answered, 'I think the answer is yes for some projects, but I can't define what projects we're talking about. The determination of which projects of which this may serve as an adequate EIR would have to be determined through and Initial Study. I think that however that the notion that no further EIR is going to be required in this City for the next five years is one that we ought to correct right now. Subsequent EIR's will be required and this will depend on the Initial Study. At the very least we would expect the General Plan EIR to be able to serve us for subsequent environmental analysis. So that perhaps there are cumulative effects that would have to be rehashed in a project level EIR because they've been adequate when dealt with in the General Plan.'"

Response 1-1

The inaudible question was concerned with how the EIR will be applied if individual development projects are proposed that are different from the Land Use diagram in the Draft General Plan, and what the limitations will be for the EIR as an environmental review document for the purposes of approving individual development projects. The response from Mr. Duncan is correct in that the General Plan assumes that subsequent specific development projects will conform to the provisions of the General Plan, and that if such development projects do not conform to those provisions, or introduce specific

characteristics not considered in the EIR, they may require subsequent environmental analysis. If the lead agency, in this case the City of Winters, finds that the specific project would have new environmental effects which were not examined in the EIR, or new mitigation measures would be needed to avoid the significant impacts, it will be necessary for an Initial Study to be prepared to evaluate the importance or significance of such changes. The Initial Study will also determine the type of environmental review or EIR, among a variety described in the CEQA Guidelines (Sections 15160-15164), and would identify the individual project's consistency with the EIR and the General Plan. While it is possible that the EIR prepared for the Draft General Plan could provide an adequate level of environmental review for some projects, many other projects would be expected to require additional environmental review. If the lead agency finds that there are no substantial changes in the environmental conditions, the proposed development project (or other public or private action) conforms to the provisions of the General Plan, incorporates any relevant mitigation measures identified in the EIR, and as a result has no other significant environmental impacts, then no additional environmental review will be necessary (CEQA Guidelines, Sections 15162 and 15168(c)). However, the likelihood of meeting all these criteria is expected to be limited for the major features of the General Plan, such as large subdivisions or substantial infrastructure improvements.

Mr. Mintier is also correct that some Subsequent EIRs will be required, and that it is premature to define what specific projects may be served by the EIR. The importance of the EIR in defining cumulative effects of overall development in the city is also correct.

Comment PH (B)-7 (BREWER):DEIR, Pages 2-3

"Commissioner Brewer asked, 'Who established the thresholds?'

"EIR Consultant Duncan said, 'The thresholds in many instances are judgmental, and that is why we're involved in this Catch 22 situation of not being conclusionary and yet having to state in some fashion whether an impact is significant and if it is significant what the mitigation is to reduce it to less than significant. In some cases there (sic) *not capable of quantitative analysis. It is a qualitative kind of issue and I should say right now that probably the public review process on the EIR is intended to provide opportunities for people to say not only if this is the case, that the EIR is inadequate because it doesn't give us the information or it is not complete because it didn't deal with vector control, or something, but that you disagree with the determinations that are stated in the EIR. Something that is indicated as not being significant ought to be stated as significant. There are a variety of ways in which comments can be elicited in the EIR.'*

"Chairman Cantor said, 'I think the reference to what Commissioner Brewer is talking about, what is the threshold level, that would be significant or not significant, comes up in the Policy Document and the EIR Page 150. In the Policy Document the policy is that the City shall ensure for (sic) [through] *a combination of development fees and other funding*

mechanisms that new development pay for their share of cost in developing. I don't know where those standards are that prescribe what that level will be.'

"General Plan Project Manager Mintier said, 'In that case there is a standard and it is LOS C which is stated on the same page. The first policy under transportation in the General Plan. In the case of traffic there is a separate standard, element (sic) [LOS] *C. We don't have comparable standards for performance of sewer systems, water systems. I guess we do in the case of drainage, because we have 100 year flood protection. We don't have the equivalent of an LOS standard, level of service standard for each one of the facilities. If we did, of course, that would be very convenient because that would be the threshold of significance. People can debate whether it should be LOS P* (sic) [B] *or LOS C, or whether or not in fact an LOS standard is the appropriate measure of significance.'*

"EIR Consultant Duncan said, 'The reference to the EIR is in the Fiscal Public Financing Consideration Section, and the more refined, or perfected document are not here today. I know that there are likely to be some considerations given to discuss, in terms of some of the financing and fiscal effects of certain provisions in the General Plan, that relate to open space and parks, in terms of ongoing costs, as a fairly substantial burden. What we have been able to do in the EIR is to say, the policies that are expressed in the Draft General Plan and which are related to the provisions of the individual master plans and the implementation spelled out in the fiscal and financing document appear to provide appropriate mitigation and are feasible, and therefore the impact is not significant. It's a general level of analysis and there is a certain amount of faith involved in making that determination.'

"Chairman Cantor said, 'My comment is the feasible part of that, whether or not it is economically feasible to carry out the policy. I don't see that part and can't make the connection.'

"General Plan Project Manager Mintier said, 'In the documents that you will be receiving on Tuesday will answer that question. The engineering in most cases tells us whether it is physically feasible. Most of this is institutionally feasible, because we either have the City or other public agencies that can participate and accomplish that. These other documents will tell us the financial feasibility.'

Response 1-2

Mr. Duncan is correct that in several instances the thresholds of significance are defined by qualitative judgment, when quantitative analysis is not feasible. While this is true of some identified impacts, the majority of determinations of significance in the EIR utilize state law, established criteria or policies of state, regional or county agencies, or clear and substantial evidence presented in the EIR that significant environmental impacts would result. In the example of the air quality analysis, specific values were identified above

which a specific impact is regarded as "significant". More subjective assessment is necessary for such issues as urban design, town character and visual impacts. Other potential impacts were identified as "significant" based on CEQA Guidelines (Appendix G), or the professional judgment of those who prepared the DEIR. However, as Mr. Duncan pointed out, the public review process does allow an opportunity for the rationale of each determination of significance to be considered by the public, as well as the thresholds or criteria employed in the Draft EIR. Mr. Mintier is also correct in his explanation that the General Plan presents some standards, such as traffic levels of service (LOS) objectives which should not be exceeded by development occurring in the city, and that the public review period allows for debate on the validity of a given threshold of significance. It should be pointed out that it would be inappropriate for a General Plan to establish thresholds of significance for an environmental review document, particularly if those thresholds were to be applied to the General Plan itself. Thresholds, to the greatest extent possible, should be derived from state law, established criteria or policies of state, regional or county agencies, or clear and substantial evidence presented by the preparers of the EIR, as was intended by the General Plan Draft EIR.

Mitigation measures identified in the DEIR are all considered to be feasible, although some may be more feasible than others, given existing economic, social and political conditions. The remainder of the comments by Chairman Cantor concern the Financing Plan of the General Plan program, and do not pertain to the EIR itself.

Comment C.McN-1; & Comment PH (D)-16 (MCNAMARA): DEIR, Pages 2-5

"I have read the Draft EIR on the City of Winters General Plan prepared by Duncan & Jones. My overriding concern with the Draft EIR is that it seems to be justification for the proposed General Plan. Time and time again the EIR states that implementation of the General Plan will not have a significant impact because of the proposed policies.

"In the Introduction (page 4) it states that impacts are first analyzed in terms of the effects of development, without the mitigating effects of the proposed policies and programs of the Plan, and then within the context of those policies and programs, in order to evaluate both the physical development implications of the Plan, and the capability of the Plan for minimizing environmental impacts of such development.

"I am not sure that this is the proper approach for this EIR to take. I think for the citizens of Winters, the issue is the impact of change which will occur as a result of the implementation of the General Plan compared to existing conditions.

"Also, the reality is that the EIR simply does not do what it states in the introduction cited above. What the EIR does is to repeat the proposed policies of the General Plan and then simply state that because of the policies, the impacts will not be significant. There is no examination of the implications of the policies, of the reality of implementation, how

policies will be implemented, etc. The EIR simply assumes that because a policy is well meaning, everything will be ok.

"For example, the Land Use and Housing section discusses the issue of Town Character (page 67). As discussed on page 67, compared to existing conditions implementation of the General Plan 'would result in a substantial expansion in the physical, social, economic, cultural and institutional development in Winters.' Compared to existing conditions, the extent and character of development encouraged by the General Plan would clearly result in a significant adverse impact. I do not need to explain to you how our town is going to change and why this is a significant impact, but you might want to review Appendix G of the State CEQA Guidelines, which gives examples of significant impacts and one of the examples is 'disrupt or divide the physical arrangement of an established community.'

"The EIR, however, states that the impact on Town Character would not be significant (page 68). The authors of the EIR base this finding on the 'fact' that one of the policies of the plan (I.A.1.) promotes the preservation of Winters' small town qualities and agricultural heritage, while increasing its level of residential and employment development. While the policy is nice, the reality is that the physical development which would occur as a result of implementation of the General Plan would significantly change the character of Winters. Good intentions of the General Plan authors do not mitigate impacts!

The EIR needs to analyze the impact of the physical development which would occur as a result of the Plan and compare that physical development against existing conditions."

Response 1-3

Comment acknowledged. The DEIR evaluates the environmental impacts which would be associated with the adoption of the Draft General Plan, and the DEIR assumes that the policies of the Draft General Plan would be implemented as an integral part of the physical development which the Land Use Diagram would enable to occur. The DEIR was not prepared to "justify" the Draft General Plan, and does not advocate either the adoption or the rejection of the Draft General Plan. By law, all development which takes place within a jurisdiction must be fully consistent with that jurisdiction's adopted General Plan. While some of the policies presented in the Draft General Plan use language that may provide for some degree of flexibility in decision-making, once those policies are adopted, no development can legally be permitted which is not consistent with those policies, except through adoption of a General Plan Amendment. These requirements and assumptions provide the basis for determinations in the DEIR indicating whether or not the potential impacts which could be associated with future development in Winters would be significant or not significant, and whether or not mitigation is required. The EIR must evaluate the effects of the General Plan as completely implemented, rather than its possible effects without adoption and application of its policies.

The methodology of the DEIR has been to characterize the effects of projected physical development, and to determine overall impacts within the context of implemented Draft General Plan policies. Speculation on the effectiveness of the implementation of each General Plan policy is inappropriate for an EIR. In addition, the EIR should not make a judgment on the content of a policy as being merely "well-meaning," or on the intentions of the General Plan authors. Where an impact has been defined as "less than significant," it does not suggest that there is no impact or concern, but that the threshold of significance that has been defined is not exceeded. Thresholds have been defined for each impact, and though in some cases reasonable people may differ as to the definition of what a "significant" or "less than significant" impact is, the majority of thresholds are based on established criteria (see Response 1-2 above).

In the example cited by the commentor regarding the indication in the EIR that the General Plan would "result in substantial expansion of physical, social, economic, cultural, and institutional development," the EIR authors did not define this as an adverse impact due to a combination of policies in the General Plan and the consistency of projected growth with established, historic rates of growth. The DEIR indicated (pages 67-68) what characteristics of Winters could potentially be lost as a result of development defined by the General Plan, and considered them in context with the multiple policies directed at preserving Winters' small town qualities and agricultural heritage in the General Plan, and determined the impact to be less than significant. The DEIR also assumes that growth and change does not necessarily mean environmental degradation, and that General Plan policies promoting growth are meant to be beneficial, not harmful.

The CEQA Guidelines' suggestion in Appendix G that a project that would "disrupt or divide the physical arrangement of an established community" would have a significant impact on the environment is assumed to pertain to a major construction project involving numerous physical obstacles to movement (such as a new highway or railway line). For some persons, it is accepted that an increase in traffic could have such a disruptive effect or impact. One of the purposes of the comment period following issuance of the Draft EIR, is to elicit comments from the public regarding such determinations of significant impact, such as the commentors' views. Additional policies may be incorporated into the General Plan to accommodate these concerns, or additional mitigation measures may be added to the EIR prior to its adoption. At the present time, however, the General Plan is considered to have sufficient safeguards against development which is disruptive, divisive or would demonstrably cause harm to the small town or agriculture-related qualities of Winters.

The elimination of Draft General Plan policies which may be considered as "good intentions" but not actually capable of implementation would change the character of the Draft General Plan and, by extension, the analysis of the environmental impacts which would be associated with the adoption of the Draft General Plan. Because the Draft General Plan provides the basis for the environmental analysis presented in the DEIR, modification of the Draft General Plan would also be expected to result in modifications of the Environmental Impact Report.

Comment J.McN-1:DEIR, Pages 2-3

"While reviewing the Policy Document of the Draft General Plan, I am reminded of all the time and all the thoughtful and innovative ideas that have been generated by our community members, city officials and city staff over the last three years. Many people have worked together to envision and plan for our town's future, while proudly trying to preserve our heritage and community character. I think the majority of the statements in the Policy Document are good and have been put there to protect us from the unsightly suburban sprawl our neighboring communities have unfortunately experienced.

However, I believe that the various plans analyzed in the EIR document, frequently undermine the Policy document and in many cases are antithetical."

Response 1-4

Comment acknowledged. The DEIR was prepared to evaluate the environmental impacts which could be associated with the adoption and implementation of the Draft General Plan, including its component elements and policies, and attempts to identify, to the extent possible, the interrelationships between these elements and policies. Given the complexity of the Draft General Plan, tension among its component elements and policies is inevitable. Consistent with the EIR's role as an informational document, the task of the EIR is not to reconcile these tensions, but simply to describe them. The Draft EIR performs this function.

Comment PH (A)-6 (COMAN): DEIR, Pages 2-3

"What I want to say is that tonight there are many people here that are here simply to urge you to tighten up the language of the Draft EIR and the Draft General Plan. It's imperative that specific language be inserted into those plans to preserve this aspect of our sense of community in Winters and I urge you to please tighten the language."

Response 1-5

Comment acknowledged. Although the DEIR evaluates the environmental impacts which could be associated with the adoption and implementation of the Draft General Plan, it is not a part of the Draft General Plan. The DEIR is designed to provide those who will be making decisions related to the modification and possible future adoption of the Draft General Plan with sufficient information to understand the probable nature of the environmental impacts which would be associated with the implementation of the Draft General Plan as written. If the language used in the policies of the Draft General Plan is modified (or "tightened") prior to adoption, there may be a related effect on the environmental impacts which may be associated with the implementation of the modified Draft General Plan.

Comment PH (A)-7 (HUNTER): DEIR, Pages 2-3

"So I really urge all of you, who get a chance to look at the assumptions behind what your (sic) *reading. I think we'll come out of this with a much better General Plan, much better EIR than we have right now. Thank you."*

Response 1-6

Comment acknowledged. Unlike a General Plan, an EIR is not developed as a policy document which will guide the long-term development of a community. Rather, an EIR is prepared solely to evaluate environmental impacts associated with a proposed "project" so that decision-makers and the public can take these impacts into account when considering what action to take on that "project". The Winters General Plan program is intended to lead to the adoption of a new General Plan which will best meet the needs of Winters. As part of the General Plan program, an EIR which evaluates the environmental impacts of the proposed General Plan must be prepared and certified as adequate by the City of Winters before any action can be taken to either adopt or reject the proposed General Plan. If the EIR is certified as adequate, efforts to make the EIR "better" are not necessary. If the EIR is not certified as adequate, additional environmental evaluation would be necessary to develop an adequate EIR on the proposed General Plan prior to any action to adopt it or reject it.

Comment PH (B)-8 (FRIDAE): DEIR, Pages 4-5

"Mayor Pro Tem Fridae said, 'You said it is not under your purview to set policies, because this determination is set by the Council or Planning Commission. There is a fundamental flaw in identifying environmental impact significant. The level of significance is fundamentally flawed, because you based the mitigation on policies that are set in the policy statements, because the policy statements are often general and loose, like will endeavor to promote, or cooperate or encourage. The self mitigating ability of the General Plan and Policy Statement, where are they if the type of determination that this is, in certain areas, fundamentally flawed, where are we in this whole process.'

"General Plan Project Manager Mintier said, 'The issue here is trying to produce a good and adequate General Plan. The objective is not to produce a good and adequate EIR. We want that, but we want that because it helps us make decisions on the General Plan Policy Document. That is really the fundamental issue and I want to be sure that everyone understands my bias here, because there is a real obsession with satisfying the requirements of CEQA, extensive (sic) [exclusive] *of making sound and intelligent decisions. I want to make sure that the focus is on the Policy Document which is the top of the pyramid of all these documents. That is the most important document. One of the things you will find out as you go through this is that it needs to balance the specificity and certainty. There are a lot of statements in the General Plan in absolute terms you will find*

that you can do nothing that is consistent with the General Plan, because you have no flexibility to trade off one value against another. If they are absolute you'll have no choice and will not be approving any projects in the City in years until you provide some flexibility. I'm not counseling that you make everything very loose and ambiguous. There is a balancing act and I think that during the public debate and during the Planning Commission and City Council deliberations on how you state certain policies. For instance you can say traffic conditions in the City shall not exceed LOS C, period. You cannot really control them. If there is a big celebration up at Lake Berryessa and cars come streaming through your town, you have violated your policy. You could say at some time in the future if traffic conditions don't maintain LOS C percentages you can allow no new development. You will have to be in search for the appropriate approach to mitigating what you see as the undesirable impacts, and this is more art than science, because what you are trying to do again, is provide certainty and not flexibility. This is what public policy making is all about. (The Remainder of Tape 2 was Inaudible)"

Response 1-7

The comments are acknowledged. The DEIR evaluates the environmental impacts which would be associated with the adoption and implementation of the Draft General Plan. Because the Draft General Plan, as written, provides the basis for the environmental analysis presented in the DEIR, the language used in the Draft General Plan policies in large part determines the nature of the environmental impacts which would be associated with the implementation of these policies. Changes in the language used in the Draft General Plan which would make the policy statements more specific or "tighter" would be expected to modify the environmental impacts associated with implementation of these policies, which could require additional environmental review.

Mr. Mintier is correct in saying that the most important objective of the General Plan process is the quality and adequacy of the General Plan, and that it is undesirable to be obsessively cautious in preparing the EIR to the exclusion of care in making good General Plan decisions. The importance of counterbalancing specificity and certainty with the flexibility of "looser" policies that utilize words such as "endeavor," "promote," "encourage," or "cooperate," is also recognized as appropriate for a General Plan. Although the EIR does make determinations that some impacts are less than significant because of related General Plan policies, some of which are general in nature, such as "seek to preserve...traditional small town qualities..." (Policy I.A.1), the DEIR assumes that such policies will be effectively applied in specific situations when such abstract qualities are clearly threatened.

Comment MARIANI-1: DEIR, Pages 8-9

"There has been a lot of criticism about what the process of writing a new General Plan has cost us. It was not the City Council's or the City Staff's idea to develop the north area

having to then commit city funds for this process. It was a necessity forced upon us by a plan for projected growth. It was to protect the City of Winters from making the same mistakes that so many communities have made throughout our state. We must look at what the EIR and Financial report have proven to us - if we interpret and use that information correctly, it was money well spent."

Response 1-8

Comment acknowledged. The EIR is not intended to serve the function of defining the necessity of any action (e.g., the preparation of a revised General Plan) by a public body such as the City of Winters. The EIR does, however, as Ms. Mariani acknowledges, serve to provide information for making decisions.

Comment PH (B)-5 (PFANNER): DEIR, Page 8-9

"Councilman Pfanner asked, 'There have been recent laws getting fairly specific about mitigation monitoring, have the courts ruled on program EIR's such as this that are broad brushed, long range, conceptual, where it is difficult to get into specific mitigation measures. Has there been any court action or directives in terms of mitigation language or program documents?'

"EIR Consultant Duncan said, 'I'm not personally aware of any court related determinations that relate to mitigation monitoring applied to a program type EIR. I did not get into mitigation monitoring reporting program requirements that might be attached to this. They are not contained in this EIR. There is a certain kind of philosophy that I have that some other practitioner might not have, and they might do things differently, but my sense is that while the decision making process could possibly benefit in the deliberative stages from some sort of outlying (sic) [outline of] *mitigation monitoring programs so that the Planning Commission and City Council can see kinds of implications involved. I believe that it is more proficient* (sic) [efficient] *perhaps to let the deliberations go forward and then to shape the mitigation monitoring reporting program on the basis of the direction that will be coming out of the deliberations. I think that program is required to be fairly specific and it really should be geared to the decisions that are being formulated.'*

"Councilman Pfanner said, 'To be a little more specific here, mitigation monitoring programs are not supposed to say a future study will be done to look at the impact of additional runoff in Putah Creek. That would not be an acceptable mitigation measure, but yet because we don't have those studies we don't know what those impacts are and we are making decisions that are saying well the mitigation is, study that issue at some time in the future. How does that work in terms of a General Plan document where you can't answer all the big picture questions?'

"EIR Consultant Duncan said, 'The way in which we have prepared mitigation monitoring programs, they are directed towards spelling out who has the responsibility, what they are going to do, when they are going to do it, and how the results are going to be made public and available for review. The performance measures that are going to be used to demonstrate the impacts that the mitigation was intended to achieve, have in fact been mitigated, but I think there is a different level for this type of a program EIR. It can't be determined that the developer does not take out more than 15,000 cubic feet, or does not put in more than 15,000 cubic feet of fill, and that is going to be achieved by someone standing at the gate and making sure that it will be handled correctly.'"

Response 1-9

The comments in the discussion are acknowledged. Mr Duncan is correct that there have been no major court determinations as to the specific language requirements of a mitigation monitoring and reporting program for a program-type EIR. Although an outline of the mitigation monitoring and reporting program could assist in deliberations, as Mr. Duncan points out, it is more important at the present stage to achieve resolution on the General Plan program and what significant impacts its implementation will result in. The mitigation measures identified in the EIR (as well as the policies and implementation programs in the General Plan) are assumed to be feasible and effective for reducing or avoiding significant environmental impacts, but the exact implementation procedure, such as who is responsible and how it would be validated, is not required to be established within an EIR. The level of detail which an EIR should use in defining mitigation measures should be adequate to determine its feasibility and effectiveness. The same level of detail is appropriate for a General Plan implementation program.

With regard to the adoption of a mitigation monitoring program which specifies future study, there is no legal precedent. However, a mitigation measure within an EIR requiring a future study intended to reach determinations of significant impact, is not acceptable (Sundstrom v. County of Mendocino [1st Dist. 1988] 202 Cal.App.3d 296, 307), because it precludes informed decision-making. The DEIR provides general indications of the significant impacts which are likely to result from implementation of the General Plan, and whether or not they can be avoided or reduced by identified mitigation measures, and provides a level of information which is adequate for decision-making on the General Plan program. The EIR, as a "first-tier" EIR, may not necessarily define conclusively the environmental impacts of individual elements of the General Plan program, but can identify procedures, such as the preparation of focussed studies, which may reasonably be expected to make a fuller determination of environmental impact. The EIR provides indications of probable environmental impacts in each instance, and the availability of feasible mitigation measures to prevent or avoid significant impacts, and therefore provides a general level of information for effective decision-making. As stated previously (see Response 1-1 above), subsequent project proposals will be subject to environmental review (including but not limited to initial studies, mitigated negative declarations and supplemental or subsequent

EIRs). Additional review will provide more detailed information and may potentially result in the institution of new mitigation monitoring programs or amendment of ongoing programs.

Comment PH (B)-6 (PFANNER): DEIR, Pages 8-9

"Councilman Pfanner said: 'We are going to be asked to make some big decisions on some major unknown issues, and the level of discomfort I have is how much security do we have in our decision that the mitigation will happen. Do we need to add language that says, there will be a future study of increased runoff into Putah Creek and if there is any adverse impact, then this shall not proceed?'

"EIR Consultant Duncan said, 'I think that is within your purview as a result of the public expression, a particular concern in a particular area. It may be possible to fine tune both the Public Works Master Plan in particular, or the Draft General Plan and to incorporate those kinds of revised and refined provisions in the Final EIR.'

"Lotchi (sic) [Civil Engineering Consultant Lachi Morse[1]] *said, 'That was our thinking on that particular issue, but that if the study came back, and it did not show adverse impacts that the plan would be altered so that there would not be any adverse impacts. Something would be done.'*

"General Plan Project Manager Mintier said, 'When we applied CEQA to the General Plan we find different results than when we apply it to individual projects. In many ways CEQA is not well adapted to statutory language to General Plans. When you are dealing with an individual development project and some physical improvements it doesn't in itself have a policy component. When you assess an individual development project, you would say, let's look at the map and the physical improvements and these are the impacts. What do you do to mitigate the impacts, you add conditions of approval. That translates into a mitigation monitoring program. When you are looking at a General Plan it's heavily problematic, and you're looking primarily at the map in terms of your impact assessment, you start with an analysis of what fiscal (sic) [physical] *impacts are from your land use plan.'"*

Response 1-10

The comments contained in the discussion are acknowledged. The certainty that specific mitigation measures will be implemented is a function of the certification of the EIR in combination with the adoption of a mitigation monitoring and reporting program.

---

1 The Public Hearing transcriptionist erroneously referred to Ms. Morse as "Lotchi" or as "Lotchi Morris" and without reference to her consultant role as provided for other consultants and participants. All subsequent references to "Lotchi" are revised appropriately.

In regard to mitigation actions that are dependent upon results of future studies, these are associated with the implementation of Public Works Master Plans, and are fully expected to require additional environmental review. In addition, as pointed out by Ms. Morse, the master plan incorporate precautions to avoid significant environmental impacts. The EIR, in tandem with the implementation measures of the Master Plans, provide reasonable measures to ensure that specific projects do not have significant environmental impacts which have not been anticipated, or for which there is no opportunity for environmental analysis and appropriate decision-making.

Mr. Duncan is correct in advising Councilman Pfanner as to the Council's opportunity to incorporate additional provisions to reflect public concerns in revisions to the Public Works Master Plan and the Draft General Plan. Impacts which were determined to be significant in the DEIR may be avoided by adoption of additional provisions in the General Plan (see the **Errata and Revisions** section at the beginning of this Response-to-Comments document). Such changes are incorporated into the Final EIR in this Response-to-Comments document (see for example Chapter V, Infrastructure Services and Facilities: Responses, for discussion of Putah Creek drainage impacts). Mr. Mintier is also correct in that the evaluation of impacts of the adoption and implementation of a General Plan program is problematic in comparison to evaluating individual projects, and that a broadly-defined policy component such as a land use plan does not have impacts closely equivalent to an actual physical improvement. The implementation of the EIR-based mitigation monitoring and reporting program is assumed to be adopted together with the adoption of the General Plan, and to be coordinated with the General Plan's implementation procedures, including new ordinances, regulations, and in some instances, the mandated preparation of focused studies to determine the character of specific projects, such as public works master plan improvements to storm drainage.

(This page has been purposely left blank.)

II. DESCRIPTION OF THE PROJECT: RESPONSES

No comments were received related to this chapter of the Draft EIR.

(This page has been purposely left blank.)

III. LAND USE AND HOUSING: RESPONSES

Comment SEEGER-1: DEIR, Page 50

"Currently, Winter's (sic) *'industry' is agriculture. EIR authors wear rose-colored glasses regarding the state of farm worker housing. EIR does not address the true situation: that adequate migrant housing and low cost homes for local farmworkers are not available in the Winters area."*

Response 3-1

Comment acknowledged. The effects of the DGP on the affordability of housing is a social and economic issue, and as such, are not considered as significant impacts on the environment (CEQA Guidelines, 15131 (a)). See E&R page 9. The Draft EIR indicated that most farm workers are housed in facilities located on or near their employers' fields, and that more detailed information on the population of farm workers in Winters is not available. The Draft General Plan recognizes that in most respects, farmworkers must compete for the limited supply of lower-cost housing in Winters (Ref. 48, page II-14). The EIR authors would not dispute that adequate migrant farmworker housing or housing affordable to local farmworkers may indeed be unavailable in the Winters area. However the Draft EIR was prepared to evaluate the environmental effects of the Draft General Plan, which includes Policies and Programs directed at providing low-income housing, including housing targeted for migrant or other farmworkers. Assuming the effective implementation of the Draft General Plan, as the EIR must assume, housing conditions for migrant or other farmworkers will be improved compared with current conditions. CEQA does not require an EIR to address pre-existing problems which the Project (in this case, the Draft General Plan) would not exacerbate, or potential results (i.e., loss of adequate farmworker housing) which are contrary to the intention of the Project.

Comment SEEGER-2: DEIR, Page 50

"EIR Reference P. 50. Yolo County has a large population of farmworkers and seasonal migrant workers, most of whom are housed in facilities located on or near their employer's farm fields.

"Recommendation: Get up to speed on reality. The real situation is that many on-site facilities have been removed or not used in recent years. The Department of Housing and Community Development states that there are currently 984 labor camps state-wide, with permits, and 3,425 camps listed as inactive. In 1990, there were 2300 violations citéd in the legal camps. This does not include people who must live outside the available camps, who end up sleeping in fields, cars, or if they are lucky, crowded in the homes of family or friends.

"The California Legislature, under new provisions of the Employee Housing Act, recently passed harsh new penalties for health and safety violations on farm labor housing which will go into effect January 1st. More farmers state-wide will close their facilities rather than risk violations and penalties. Meeting the General Plan Goal will require some concrete data on the existing need for housing as well as projections for the next twenty years. A commitment to meeting the GP Goal needs to be outlined by the EIR consultants, and carried out by City Staff and City Council members and Planning Commission members."

Response 3-2

Comment acknowledged. See Response 3-1 above. The "concrete data" regarding the existing need for farmworker housing in Winters has not been collected, and the future need for such housing has not been projected. It is not the function of an EIR to "outline" a "commitment" to meeting a goal stated in the Draft General Plan, but rather to evaluate the environmental impacts which may be associated with the implementation of policies designed to further the attainment of those goals, and to provide mitigation for impacts that are found to be significant. The Draft EIR addresses the effects of the DGP, and not the effects of state legislation which addresses a specific subject area on a statewide basis, such as the Employee Housing Act referred to in the comment.

Comment WEIRW-1: DEIR, Pages 56-69

"The EIR, in its Land Use and Housing section, makes the preposterous claim that, because of the mere existence of generally well meaning policies in the Draft General Plan, Winter's small town qualities and pedestrian-oriented downtown will be retained. There is no examination of the implications of these policies, their consistency with other General Plan policies, the reality of their implementation, measures to ascertain there (sic) *effectiveness or contingency plans should they fail in meeting their objectives."*

Response 3-3

Comment acknowledged. See Responses 1-3 and 1-4 above. The Draft EIR evaluates the environmental impacts which would be associated with the adoption and implementation of the Draft General Plan, and the evaluation assumes that the expressed policies of the DGP will be effectively implemented. The degree to which these policies would or would not actually be implemented, or the degree of success each policy may have in achieving its objective, is recognized as being subject to some speculation; however, the DEIR can not address an unlimited number of scenarios regarding the policies which might be effectively implemented and those which might not be effectively implemented. Questions regarding the "reality" of policy implementation are an essential part of the process of preparing and adopting a General Plan, but are outside the scope of an EIR, except to the extent of clearly impractical or infeasible policies.

However, the stated policies of the Draft General Plan are determined to represent generally practical guidelines for development of the city of Winters. The criteria for determining whether significant effects on such characteristics, such as the city's small town qualities or pedestrian-oriented downtown, due to growth or other environmental changes are subject to debate. It is the view of the EIR authors that growth on the scale enabled by the DGP, in the context of its policies, is not likely to result in substantial, detrimental effects on those characteristics. Because the effects were determined to be less than significant, no mitigation measures, or "contingency plans" are necessary.

Comment LAFCO-3: DEIR, Pages 57-58

"In the response to the Notice of preparation I mentioned that the proposed General Plan boundaries differed from the Sphere of Influence boundaries only at the interchange of I-505. The Sphere boundary excluded the territory east of I-505 in the interchange. The Winters Sphere of Influence states that the establishment of Interstate 505 as the eastern city limit represents an appropriate physical boundary for the future city limit. Since the inclusion of the roadway and interchange would not represent parcels that can be developed, LAFCO would not be concerned with amending the sphere of influence to include this territory. However, I would like to mention that once the area is identified in the General Plan it becomes a green light to developers. If the east side of I-505 is in the general plan boundary the pressure to develop east of the highway may be greater than if the boundary was on the west side of the highway, or down the centerline."

Response 3-4

Comment acknowledged. In response to the Notice of Preparation (see DEIR Appendix A), LAFCO stated that "The Sphere boundary excluded the territory east of I-505 in the interchange. LAFCO sees I-505 as a natural geographical boundary for the limits of the City of Winters. LAFCO policy would direct urban development to the west and north of the current city limits." The Draft EIR evaluated the Draft General Plan with regard to growth and boundaries in Chapter III, Land Use and Housing, and determined that sufficient policy provisions were incorporated to prevent urban development outside the proposed Urban Limit Line defined by the Land Use Diagram.

The DGP has been revised as the Final General Plan (FGP) to include Policy I.A.11. directing the City to "strenuously oppose any unincorporated highway-related commercial or urban development in Yolo or Solano County, with the exception of agricultural industrial uses, within one mile of the City's Urban Limit line." The addition of this policy statement provides a stronger basis for the determination of the EIR that the DGP contains sufficient policy provisions to prevent urban development outside the Urban Limit Line.

Comment J McN-3: DEIR, Pages 57-58

"Land Use Element

"Policy I.A.3. *The City shall link the rate of growth in Winters to the provision of adequate services and infrastructure, including schools. The City shall, through specific plans and/or planned unit development plans for major projects, ensure that growth occurs in an orderly fashion and in pace with the expansion of public facilities.*

"The EIR does not support this statement. Instead, it indicates that we currently have inadequate services and that we continue to grow with inadequate levels of service. To enforce Policy I.A.3., we will have to restrict our rate of growth significantly, in order to provide adequate services."

Response 3-5

Comment acknowledged. Although the DEIR indicates that the level of services may not currently be adequate in some cases (e.g., areas where the existing storm drainage system does not prevent flooding), it does not suggest that Winters will grow without correcting these inadequacies. The DEIR was not prepared to "support" the Draft General Plan, but to evaluate the environmental impacts which would be associated with the adoption and implementation of the Plan as written. The adoption and implementation of Policy I.A.3. would ensure that growth does not exceed service capabilities, since it would be linked to the provision of an adequate level of service. In areas where an adequate level of service cannot be attained, growth would not be permitted to occur under this policy. This does not mean, however, that no growth can take place anywhere in the Winters area until all portions of the planning area are provided with an adequate level of all services, so growth could still occur within Winters under this policy. Restricting the growth rate in Winters would not necessarily bring levels of service which are currently inadequate up to adequate levels.

The DGP has been revised as the FGP to include Policy I.A.4. directing the City to prepare and adopt a program specifically to control the rate of growth with respect to the provision of infrastructure and public services, including schools. A policy (I.A.5.) has also been added that restricts the City from approving new development unless the capacity of the needed public services and facilities, including school facilities, is sufficient, or a mechanism that ensures the needed facilities will be available in a timely fashion is in place. These modifications do not alter the determination in the DEIR that the DGP includes adequate policy provisions to prevent population growth from outpacing the need for essential public infrastructure, facilities and services.

Comment PH (D)-20 (JONES): DEIR, Pages 62-66

"In particular the EIR concedes that very low income housing needs will not be met. The EIR also relies on the assumption that medium higher density designated land will meet the needs of low income households for affordable housing. We can find no support in the EIR for this assumption, and in fact, the State Department of Housing and Community Development, in reviewing other housing elements and land use documents in this county, has taken the position that densities as high as 25 units per acre are required to provide affordable housing. Therefore, we urge you to increase the higher density designations in this document."

Response 3-6

Comment acknowledged. The effects of the DGP on the affordability of housing is a social and economic issue, and as such, are not considered as significant impacts on the environment (CEQA Guidelines, 15131 (a)). See E&R page 9. However, the Draft EIR evaluated such effects in order to assist in the decision-making process of preparing and approving the City's General Plan. The DEIR did not indicate that the housing needs of very low income households would not be met as a result of adoption of the DGP, although it acknowledges that the land use designations and provisions of the DGP alone would not be sufficient to provide housing for very low income households. An aggressive program of housing subsidies and incentives was indicated to be necessary to accompany the land use designations, in order for the City to meet its "fair share" of regional housing need as defined by SACOG.

The DEIR may have overstated the conclusion that "enough land has been designated at sufficiently high density to accommodate housing for low income households," as it cannot be predicted with reliable certainty that housing affordable to low or very low income households would be built on land designated for moderately higher densities. However, depending upon the type of construction (i.e., manufactured vs. custom-built), the density provisions can reasonably be said to "accommodate" or provide opportunities to develop housing affordable to low income households. The DEIR determined that with lower land costs in Winters, townhomes and manufactured homes on minimum lots, which would be typical of the MHR land use designation, could sell or rent at prices affordable to low income households. The DEIR should have indicated that the density provisions alone could not guarantee that housing affordable to low income households would result from adoption of the DGP, and that housing subsidies and incentives would also be likely to be necessary to meet the City's housing objectives. See E&R page 13-14.

The assumption in the DEIR that the land use designation of medium high density would provide opportunities in the marketplace for housing affordable to low income (but not very-low income) households was acknowledged as hypothetical, but was considered

reasonable as the basis for making an initial evaluation of the DGP housing policies with regard to regional housing needs. The DEIR cannot directly modify the Draft General Plan, such as increasing the density of residential designations, but where environmental impacts are determined to be significant, the DEIR should identify mitigation measures that may be adopted in conjunction with the DGP. However, the DEIR determined that no significant impacts on the affordability of housing would result from adoption of DGP, and thus no mitigation measures appeared to be necessary.

The DGP has been revised as the FGP, which includes an implementation program (II.1.) directing the City to create an Affordable Housing Commission to advise the City on housing policy, implementation and the use of Redevelopment Agency "set-aside" funds for housing. Another policy (II.A.8.) has been added that requires all residential development plans involving more than 50 dwelling units shall be submitted to the Affordable Housing Commission for review, and such proposals shall be encouraged by the Commission to qualify for density bonus provisions as provided by state law. An Implementation Program (II.8.) has been added directing the City to revise its Zoning Ordinance to provide for the inclusion of homeless shelters and transitional housing as permitted uses in selected land use districts, subject to Conditional Land Use permit control. In addition, Implementation Programs have been added directing the City to establish a housing trust fund, and to develop a fee deferral program to assist in developing housing affordable to very low and low-income households. These changes enhance the DEIR determination that adoption of the DGP would not have significant impacts on the affordability of housing.

Comment PH (D)-21 (JONES): DEIR, Pages 62-66

"We're concerned that the EIR has not adequately addressed or analyzed the mitigation measures that are proposed in this housing element program."

Response 3-7

Comment acknowledged. See Responses 3-3 and 3-6 above. The Housing section of the DGP does not identify mitigation measures, nor does the DEIR identify the policies of the DGP as mitigation measures.

Comment PH (D)-22 (JONES): DEIR, Pages 62-66

"It's apparent in even a cursory review of the General Plan documents and EIR, that this communities (sic) [community is] *looking at a very high level of fees to support the improvements and infrastructure needed to support the development that's planned. We*

encourage you to consider and adopt a fee waiver for units that will be reserved for very low and low income households that will be permanently affordable. There's no chance that you're providing a windfall to the developer of the units. These would be units that would be controlled in such fashion so that they would be permanently affordable over time so that you wouldn't be giving someone a fee waiver, they would turn around and sell the unit at market price to obtain acruable (sic) *windfall."*

Response 3-8

Comment acknowledged. No fee waiver provisions were included in the Draft General Plan, which was the basis for the environmental analysis presented in the DEIR.

See FGP Implementation Program II.15. directing the City to develop a fee deferral program. This change does not alter the determination in the DEIR that the DGP provides sufficient measures to ensure that housing affordable to low and very low income households will be developed.

Comment LSNC-1: DEIR, Pages 62-66

"The DEIR indicates that the draft land use diagram provides for 78.2 acres and 27.8 acres of vacant land designated at medium higher residential density (MHR) and higher residential (HR) density. DEIR p. 25. According to the DEIR, this will result in the development of 600 units in areas designated MHR and 430 units in areas designated HR, between 1991 - 2010.

"The DEIR then assumes, without analyzing whether the vacant sites are indeed developable and without analyzing whether the absence of needed infrastructure and services may constrain development, that 150 units could be developed by the year 1996 on MHR designated land, and 110 units on HR designated land.

"The DEIR then goes on to assume, without any supporting evidence, that 50% of medium high density units and 60% of high density units will be affordable to low income households. As well, the DEIR assumes 20% of units built on HR designated land will be affordable to very low income households. Even with these assumptions, the DEIR is forced to conclude that there is insufficient land at very high densities to accommodate the City's need for very low income housing (DEIR, p.65.)

"We disagree with the assumption that 50% of the units developed on medium higher density designated land will be affordable to low income households. There is no evidence in the DEIR and Draft General Plan to support this assumption. The MHR

designation only provides for up to 10 units per acre. The State Department of Housing and Community Development has taken the position that density of 25 units per acre is required to facilitate affordability for very low and low income households.

"The Draft General Plan does not provide sufficient sites at sufficient densities to ensure that the housing needs of very low and low income persons are met. The failure to meet these needs is a significant impact which is not mitigated by the programs contained in the Draft Housing Element. The programs identified in that document rely largely on external forces to address the City's housing needs, and provide no assurance that those needs will indeed be met. Moreover, the DEIR fails to analyze the feasibility of those programs in meeting the identified need, before relying on them as mitigation measures (DEIR, p. 65.)

"In order to ensure that there are adequate sites at sufficient densities to provide housing for very low and low income households, we urge the City to designate additional acreage as High density Residential. Only at this density is it reasonable to assume that housing affordable to low income households might be produced. This alone will not suffice, but coupled with a program requiring all new development to contain affordable housing (see below), the City may be able to meet its new construction need.

"The problem of providing land at sufficiently high densities to meet the City's housing needs is further exacerbated by Land Use Policy I.C.2, which calls for 75% of all new units to be single family and only 25% multifamily. As the DEIR and General Plan concede, single family units will in all likelihood only be affordable to moderate and above moderate households. Thus, even though almost 50% of the new construction need is for housing affordable to low and very low income households, only 25% of the new units will have any chance of being affordable to those families. The DEIR fails to adequately address the potentially significant adverse impact of this policy."

Response 3-9

Comment acknowledged. See Response 3-6 and 3-7 above. The effects of the DGP on the affordability of housing is a social and economic issue, and as such, are not considered as significant impacts on the environment (CEQA Guidelines, 15131 (a)). See E&R page 9. The Draft EIR assumes that all the vacant sites identified for the MHR and HR land use designation are suitable for development, and that the need for infrastructure and services will not prevent these sites from being developed as projected. Infrastructure and service-provision constraints apply in generally equal terms to all residential land use designations, as well as to the potential for commercial, industrial or other development.

The DEIR determined that the amount of acreage designated for HR would not by itself accommodate the need identified by SACOG for housing affordable to very-low income

households, and that an aggressive program of housing subsidies and incentives would be necessary. The DEIR determined that the DGP provided sufficient policy direction for the City to carry out such an aggressive program. See Response 3-6 above for discussion of affordability assumptions. The policies and programs of the DGP do not mitigate impacts defined by the DEIR. The DEIR indicates that the DGP policies and programs will serve to meet the objectives defined by SACOG for affordable housing, and that no significant impact will result, or mitigation measures would be necessary.

The preferences of the community for residential densities under 20 units per acre has been incorporated into the DGP, and it is assumed that higher densities would have adverse community response. Similarly, the proportion of single family to multiple family dwelling units is the preference of the community, and a higher proportion of multiple family units would be considered inconsistent with the small town character of Winters.

The DGP Policy which calls for the City to seek an overall mixture of 75 percent single family and 25 percent multiple family dwelling units is intended to promote the construction of multiple family housing, as opposed to allowing the marketplace to determine the availability of housing types. Although the objective of 25 percent multiple family housing stock is intended to promote affordable housing, it is not assumed, nor would it be desirable to assume, that housing affordable to low and very-low income households would be provided exclusively by multiple family housing. Instead, housing programs and other provisions (such as for manufactured homes) are incorporated into the DGP in order to make single family homes available and affordable to lower income households. In addition, the number of residential units which are expected to be developed as projected by the Draft General Plan would exceed the regional housing need as determined by SACOG (521, Ref. E in DEIR), assuming that 25 percent of all units, or 755 dwelling units, are built by July of 1996. As stated in the DEIR (page 65), the land designated at higher densities is sufficient to accommodate the needs of low income households, although a more aggressive program of subsidies and incentives would be required for households with very low incomes.

The Land Use Diagram of the DGP has been revised in the FGP (see Errata and Revisions, Figure 4 (REVISED) and Figure 5 (REVISED)), which provides for the designation of 76.7 acres as Medium High Density Residential (MHR), and 23.0 acres for High Density Residential (HR). The projected total number of dwelling units in these categories is revised to 585 units in MHR, and 477 units in HR. The change in MHR units is considered to be marginal and inconsequential for the purpose of the EIR analysis, while the change in HR is somewhat more substantial (50 additional units projected).

These changes result in a very minor decrease in the MHR units projected to be built by 1996 which would be affordable to low income households (from 75 to 74), and small to slight increases in the projection of HR units which would be affordable to low and very-low income households (from 66 to 72 for low income households, and from 22 to 24 units for very-low income households) (also see Errata and Revisions, Figure 4 (REVISED) and Figure 5 (REVISED)). These changes do not affect the determination in the DEIR that adequate land has been designated at sufficiently high densities for low income households, and that an aggressive program of housing subsidies and incentives would be required for the City to meet the SACOG objectives for housing affordable to very-low income households.

Comment LSNC-2: DEIR, Pages 62-66

"The policies contained in the Housing Element rely largely on third parties or external forces to ensure that housing is produced. The DEIR provides no analysis of the feasibility of these policies as mitigation measures, but to the extent that the Housing Element relies largely on private market forces and third parties to meet the City's housing needs, those needs are likely to remain unmet."

Response 3-10

Comment acknowledged. See Responses 3-6 and 3-7 above. The effects of the DGP kon the affordability of housing is a social and economic issue, and as such, are not considered as significant impacts on the environment (CEQA Guidelines, 15131 (a)). See E&R page 9. Measures which have been identified in the DEIR as ways to mitigate environmental impacts are all considered to be feasible, although some may be more feasible than others. The Draft General Plan and the DEIR were prepared within the context of the existing market economy, and with the understanding that the vast majority of housing which will be built in the Winters area will be developed in response to "market forces". Despite policies stated in the Draft General Plan, in the absence of alternative sources of funding to provide housing there is no realistic way for the City of Winters to "ensure" that housing (and particularly housing for very low- and low-income households) will be produced, especially in circumstances where "market forces" result in conditions which may make it unprofitable for private developers to build new homes.

The policies and implementation programs in the Draft General Plan provide incentives for the development of affordable housing in Winters, provide areas suitable for such development within the planning area, and commit the City to make an effort to obtain funds to support such development. However, the availability of funds to support the development of affordable housing, and the interest of developers in producing such

housing (either on a non-profit or for-profit basis) remain the critical factors which will determine whether affordable housing is actually constructed in Winters or not. Taken together, the policies and implementation programs of the Draft General Plan can not "ensure" that affordable housing units will, in fact, be built. Also see E&R pages 9-14.

Comment C.McN-2: DEIR, Pages 62-66

"The section on Housing Mixture and Affordability (page 62) is another example of a basic failing of the EIR. The EIR concludes that implementation of the General Plan will not have a significant impact on the affordability of housing in Winters (page 66). Again, this conclusion is based on the finding that Implementation Programs of the Housing Element identifies the means by which the City will meet its objectives for housing (page 65). Housing programs are nice; the reality is that very few cities actually implement such programs. What evidence is there that the City of Winters will carry out the specific housing programs discussed in the General Plan?

"This entire section (pages 62 to 66) makes all kinds of assumptions as to why the City will be able to meet its 'fair share' of regional housing need. The basic assumption seems to be that by building at higher densities, this promotes affordable housing. Although on page 62 the EIR states that 'no direct relationship between density and affordability can be established' it then goes on to base the rest of the analysis on the assumption that 'housing development occurring at higher densities is ordinarily less expensive per unit and more affordable to lower income households' (page 62).

"Other than making some wild assumptions, the EIR provides no evidence that the housing which would be constructed as a result of General Plan will, in fact, be affordable to very low, low, and moderate income families. The issue for Winters may better be stated as follows: will people who work in Winters (the fire fighters, teachers, police men and women, farmers) afford to live in Winters? The goal of the City of Winters (I believe) should be that housing affordable to all persons who work in the City, shall be available in the City of Winters. This means that the EIR should examine the incomes of Winters households and match these incomes with realistic house prices, in order to determine if housing affordable to the workers in Winters will, in fact, be available."

Response 3-11

Comment acknowledged. See Responses 1-3, 3-3, 3-6, 3-7, 3-9 and 3-10 above. The effects of the DGP on the affordability of housing is a social and economic issue, and as such, are not considered as significant impacts on the environment (CEQA Guidelines, 15131 (a)). See E&R page 9. The DEIR assumes that the DGP will be fully implemented, and that there are no serious or insurmountable obstacles to the actual implementation of the policies and programs of the DGP. There is no "evidence" that

the y of Winters will or will not fully implement the policies presented in the DGP. However, state planning law requires that each city act in accordance with its adopted General Plan.

See Response 3-6 above for a discussion of affordability assumptions. The provision of land designated at higher densities is intended to promote more affordable housing by reducing the costs of land, infrastructure and services, but is only a single component in the overall policies and programs of the DGP to minimize housing costs, and to enable the City to meet its regional "fair share" objectives, as defined by the Sacramento Area Council of Governments (SACOG). Providing for increased residential density cannot guarantee more affordable housing, due to factors not under local governmental control, but it provides opportunities for more affordable housing. Conversely, lower residential densities may not necessarily raise home prices, depending on the price of land or the type of dwelling units constructed (i.e., manufactured vs. custom-built).

Thus it is not possible to provide "evidence," or determine with certainty that the mix of housing types projected to be built will actually be constructed, or that they will be affordable to very low, low or moderate income households. The need for affordable housing in Winters was determined in SACOG's Regional Housing Needs Plan (Ref. E in the DEIR), which utilized available U.S. Census information (1980) on Winters' household incomes, and which projected those incomes to 2010. The DEIR discussed current home prices and estimated household incomes in the very low and low income categories. The DEIR determined that the DGP contains adequate provisions for meeting the SACOG objectives, including both its land use designations and the policies of the Housing section of the DGP.

Comment WEIRW-4: DEIR, Pages 66-67

"The EIR contends that the existence of the loop road will mitigate any potential impact to the 'urban form' of Winters. No mention is made of General Plan Policies which call for interconnected streets or the use of Winter's older sections as a model for new development and no consideration is given to the development of an 'urban form' supportive of the stated goals relative to a pedestrian oriented environment."

Response 3-12

Comment acknowledged. The DEIR did not intend to suggest that the proposed loop road would "mitigate" impacts on Winters' urban form. The DEIR considered the criteria for adverse effects on urban form on page 66, such as access, separation of incompatible uses, and provision of appropriate land uses. On the basis of these criteria, The DEIR determined that the adoption and implementation of the Draft General Plan would, in overall terms, represent changes that are "less than significant", and would not require mitigation.

The DGP has been modified as the FGP to incorporate the principles of "interconnected network paths," as a policy for emphasizing local street access from primary and secondary collectors, as well as multiple local street access points in all future development (Policy III.A.9.). This change does not alter the determination in the DEIR that the effect of the proposed circulation system on Winter's urban form would be less than significant.

Comment WEIRW-8: DEIR, Pages 66-68

"[We recommend the General Plan be modified as follows:] *1. Identify and map the "pedestrian realms" of the city. (for example see appendix "Alternate Concept Maps" at the end of this document* [see page 91 in "Comments Received" section]*) 2. Modify land use to place neighborhood commercial uses at the center of each "pedestrain* (sic) *oriented neighborhood" in the city and increase residential densities to an average of 8 Dwelling units per acre within each pedestrian oriented neighborhood (with the possible exception of the CBD). 3. Modify the definition of "Neighborhood Commercial" to specifically allow for small office uses. Allow FAR to go to .65 to intensify use and increase pedestrian activity. 4. If the above recommendations are not incorporated into the General Plan, then the EIR must not rely on the General Plan's provision of a pedestrain* (sic) *community as a mitigation to traffic and air problems since without these measures no pedestrian community will exist. The EIR then, in order to be adequate, must make a more complete study of mitigations for air quality and traffic impacts."*

Response 3-13

Comment acknowledged. The DEIR did not make a determination that policies in the DGP promoting the pedestrian orientation of the Central Business District would mitigate traffic or air quality impacts. The policies of the DGP were formulated to provide direction for the city's development, and the purpose of the DEIR is to determine the significant environmental impacts of the DGP and propose mitigation measures where necessary. The DEIR does not define the policies of the DGP as mitigation measures, but instead considers them as characteristics which will or will not have significant environmental impacts. For discussion of the ability of pedestrian-related measures to reduce traffic or air quality problems, see the respective chapters of this Response-to-Comments document (IV, Transportation and Circulation, and XII, Air Quality).

The DGP has been modified as the FGP to include policies emphasizing pedestrian-orientation as a principle for future development (Policies I.A.8, III.A.2, III.A.10, and III.G.1). These changes do not alter the determination in the DEIR that the DGP would not have a significant impact on town character. See Chapter XII, Air Quality for discussion of how these changes may alter determinations in the DEIR regarding significant air quality impacts.

Comment WEIRW-25: DEIR, Pages 66-67

"Despite CEQA's clear definition of significant impact as 'disrupt or divide the physical arrangement of an established community', and a Circulation Master Plan that divides both old and new neighborhoods with 'medianized' streets, the EIR steadfastly maintains there is no impact and no conflict with proposed policies."

Response 3-14

Comment acknowledged. See Responses 1-3 and 3-13 above. The DEIR did not identify streets as capable of disrupting or dividing the physical arrangement of Winters simply because they incorporated a landscaped median in some cases. While it may be true that streets which incorporate landscaped medians may take additional time to cross in relation to streets without such medians, the medians in and of themselves were not regarded as significantly dividing or disrupting either existing or future neighborhoods in Winters. The criterion of disruption or division of the physical arrangement of a community, suggested in the CEQA Guidelines as an example of a significant impact (the criterion is not a fixed rule), is considered to apply to much more substantive obstructions to access, such as street closures for a new freeway or multi-block-sized structure.

Comment WEIRW-26: DEIR, Pages 66-67

"An alternatives analysis would have shown that there are a number of alternate configurations possible [to substitute for the loop road], *many of which are more in line with policy statements seeking harmony with existing street design, pedestrian friendliness, and inter-connected neighborhoods. Furthermore, other alternatives could be far less expensive than the proposed loop road by providing the same or better connectivity with fewer new road miles."*

Response 3-15

Comment acknowledged. The DEIR evaluates a total of six alternatives which were defined by the City of Winters (see DEIR, Chapter XV). However, as indicated on page 227, many other alternatives could be hypothesized which were not evaluated in the DEIR.

Comment WEIRW-27: DEIR, Pages 66-67

"The Draft EIR provides no discussion of 'over specification' [or the unnecessary designation of secondary collector routes in the Circulation Master Plan which "artificially, and incorrectly, inflate the cost of providing a good transportation infrastructure"], *even where it relates to the economic impact of proposed improvements on the City."*

Response 3-16

Comment acknowledged. The designation of secondary collector routes in the Circulation Master Plan was intended to identify appropriate routes to serve specific, limited circulation functions, and a framework which is valuable for future planning and land use approval decisions. These designations, and the associated improvement program for specific streets, are considered to represent necessary alterations in the circulation network to meet the objectives of the Draft General Plan, and meet recognized standards for circulation system design. The economic impact of such designations and improvements is intended to be beneficial, rather than to "artificially inflate" the expense of improving the overall transportation system. The economic effects of the DGP and the related Master Plans was discussed in the DEIR in Chapter VIII, but no significant environmental impacts for the purposes of CEQA were identified. See also E&R pages 4,7 and 57.

Comment WEIRW-28: DEIR, Pages 66-67

"3. Left turn lanes. The city should adopt the following policy that will insure current and future residents will not be denied access to their local street based on the direction they are traveling: 'The City shall insure that direct access to all local streets from primary and secondary collectors is maintained.' (Note that this does allow left turn restrictions on 4-lane arterials (Hwy 128). However, the impact of left-turn prohibitions must be discussed in the EIR.)"

Response 3-17

Comment acknowledged. See Response 3-12 above. The DEIR did not address potential impacts on access within the city as a result of the potential necessity for left-

turn prohibitions at selected intersections, as there was no policy in the DGP indicating such prohi tions would be either common or th- exception. The proposed street cross-sections, incorporated into the Transportation anc Circulation section of the DGP and the Circulation Master Plan, indicated medians for traffic islands and left-turn lanes on primary collectors would enable unrestricted access to local streets. Traffic volume levels on secondary collectors would not, as a general principle, require left-turn restrictions. If a policy were adopted indicating substantial use of left-turn prohibition subsequent environmental evaluation would be expected to be necessary to determine .. such restrictions would create significant adverse impacts. Left turn restrictions on arterial routes between appropriately spaced collector routes is considered to be potentially necessary from a traffic flow and safety standpoint.

Comment WEIRW-29: DEIR, Pages 66-67

"4. Median Strips. The City should acknowledge the adverse impact that median strips have on neighborhood cohesiveness and adopt the following policy to avoid the impact: 'The City will insure that street design is consistent with the pedestrian nature of the community. Median dividers on collector streets are to be discouraged. Streets should not be used as separators of neighborhoods.' If such a policy is not adopted, then the impact on neighborhood pedestrian access by collectors must be addressed and mitigated in the EIR."

Response 3-18

Comment acknowledged. See Response 3-14 above. The use of landscaped medians on collector streets was not identified as a significant adverse impact in the DEIR.

Comment WEIRW-5: DEIR, Pages 67-68

"The EIR asserts Winters town character and pedestrian orientation would be preserved because of the existence of General Plan policies stating a desire to retain a small town character and because the city proposes to retain Ag Site and open a farmers market. Vague General Plan policies are assumed to mitigate the stated potential impact, that the small-town quality of Winters 'could be largely eliminated in the character of new development.' This is as close as the EIR comes to adequately commenting on the kinds of aesthetic features that are required for the support of pedestrian activity. Because the General Plan's statements of intention are expected to mitigate this impact no further detailed mitigation is proposed."

Response 3-19

Comment acknowledged. See Responses 1-3, 3-3, 3-7, 3-11 and 3-13 above. The DEIR determined that moderate growth consistent with past decades, and Winters' size relative to other cities in the area, combined with the Draft General Plan's emphasis on lower density development, agriculture-related activities and preservation of the downtown area, would counteract the negative effects of growth such as traffic, changes in the scale and character of development, and isolation of city residents from agricultural activities. In overall terms, the DGP is expected to preserve the city's relatively low traffic volumes, the small, low density central business district, and its moderate to low density residential neighborhoods. The DEIR indicates that the impact of future development on the town character of Winters would be "less than significant" and thus no mitigation would be necessary. The Draft General Plan policies would not mitigate, in the sense defined by CEQA, the effects of growth, but instead are an integral part of the Project evaluated in the DEIR.

Comment WEIRW-11: DEIR. Pages 67-68

"The EIR says, 'The moderate-density qualities of the small-town, characterized by a high proportion of smaller residential lot sizes interspersed with larger lots, could be eliminated in the character of new development.' It sites (sic) *general plan policy I.A.1. as the reason that this potential impact will not occur. I.A.1 says, 'The City shall seek to preserve Winters' traditional...' You be the judge."*

Response 3-20

Comment acknowledged. See Response 3-19 above. The DEIR evaluates the environmental impacts which would be associated with the adoption and implementation of the Draft General Plan. Draft General Plan Policy I.A.1. states that the City shall seek to preserve Winters' traditional small-town qualities and agricultural heritage, while increasing its residential and employment base. The DEIR indicates, on page 67, that (in the absence of Draft General Plan policies) the moderate-density qualities of the small town, characterized by a high proportion of smaller residential lot sizes interspersed with larger lots, could be largely eliminated in the character of new development. The size and arrangement of lots within Winters represent only two factors among many which may be related to perceptions regarding "small-town character". With the implementation of Draft General Plan Policy I.A.1., the City would be empowered to preserve traditional small-town qualities (including the future mix and arrangement of lot sizes in the various portions of the planning area) to the extent that this can be balanced with this Policy's other focus, increasing the City's residential and employment base.

Comment WEIRW-17: DEIR, Pages 67-68

"The EIR refers to General Plan policies which address the maintenance of the historic character of the CBD in its contention that the impacts of development on town character would not be significant."

Response 3-21

Comment acknowledged. See Responses 3-19 and 3-20 above.

Comment WEIRW-20: DEIR, Pages 67-68

"If the General Plan does not address this historic [moderate-density] *quality* [of "smaller residential lot sizes interspersed with larger lots"] *which is mentioned in the EIR then the EIR should recommend some predictably effective mitigation to preserve this value besides its reliance on the General Plan Policy that 'seek(s) to preserve'* [Winters' small town qualities]."

Response 3-22

Comment acknowledged. See Responses 3-19 and 3-20 above. The DEIR did not consider the character of intermixed lot sizes to represent a potentially significant impact by itself, but only as one aspect of the change which growth related to the adoption and implementation of the DGP could introduce.

Comment WEIRW-22: DEIR, Pages 67-68

"The Draft EIR contains no discussion of the potential impacts of the Circulation Master Plan on the character of the town."

Response 3-23

Comment acknowledged. See Responses 3-12 and 3-13 above. The DEIR did not specifically address the impacts of the Circulation Master Plan (or the Water System Plan, the Sewer System Plan, the Storm Drainage Plan and the Financial Plan) related to "town character" on pages 67 and 68, but addressed the impacts of the Draft General Plan as a whole. However, on pages 66 and 67, several impacts associated with the implementation of the Circulation Master Plan are discussed within the context of "urban form" which may relate to individual perceptions regarding the character of Winters. Within the criteria of significant, adverse effects on urban form, the circulation system defined by the DGP (as well as by the CMP) was determined to have less than significant impacts.

Comment PH (A)-2 (MCCOY): DEIR, Pages 67-68

"There's no reason this Plan and this EIR could not be modified to enable, even require, the kind of development that is consistent with Winters' past but significantly grave detail and resolve is needed from you now."

Response 3-24

Comment acknowledged. See Responses 3-19 and 3-20 above. There is indeed no reason why (aside from additional time, effort and expense which would be involved) the Draft General Plan could not be modified to "require" the kind of development that is consistent with the traditional character of Winters. Additional, more detailed policies enabling or requiring specific kinds of development may be helpful in achieving the goals of the community. The DEIR has determined that the development which would be associated with the adoption and implementation of the Draft General Plan would not represent a significant departure or inconsistency with Winters' past development pattern. Shifting toward more rigid policies may enable Winters to meet certain desired objectives (e.g., maintenance of "small town qualities"), but could also limit the City's flexibility to promote the other objective (increase the residential and employment base). In general, it is more appropriate to evaluate and modify the character and appearance of new development at the time of specific project review.

Comment PH (D)-19 (MCCOY): DEIR, Pages 67-68

"Mike McCoy said, 'I think I can sum up the feelings of the EIR Work Group rather quickly and succinctly. Suggesting one chance to start. Right now the policy I.A.1. says the City shall seek to preserve Winters traditional small town qualities and agricultural heritage while increasing its residential and employment base. We ask not that you seek to do this, we ask that you will preserve Winters traditional small town qualities and agricultural heritage while increasing its residential and employment base. This choice of language makes all the difference. It is the difference between a slippery word that you can slide off of five years from now when you don't feel quite as committed for a lax moment. The difference between saying it will take a General Plan amendment and a meeting of all these people again before we can change that concept. I'd rather see it that way.

"Three weeks ago, at the beginning of this hearing, I stepped up to the microphone and I said that I thought the General Plan was a good outline of the topics that we needed to consider to assure ourselves that the benefits of development would outweigh the costs of development. I was right about the plan being a good outline. In fact, it was such a good outline, that the citizens who have reviewed the plan have used the outline to write a book. Before you get too chagrined about reading another book, I'll tell you it's a good book. It's a book filled with dedication and commitment to seeing growth produce

benefits for the City of Winters. - You have heard a sample of the contents here tonight. It embodies concerns about flood control, the cost of flood control, and the need to extensively study flood control options. It examines the provisions of streets and sewers, and the opportunity of reducing the cost of impacts and establishing adequate circulation and sanitation. It makes suggestions regarding the protection of our natural resources, the provisions of parks and open space, and the preservation of our town character. It explores and recommends the tools and mechanisms that are needed to design a pedestrian oriented community and to ensure the jobs/housing balance. This book goes beyond the brief comments that we've been able to make in the limited time allowed us at public hearings. It is carefully tied to the specific points in the Draft General Plan and EIR, and it makes specific recommendations. It is written in fulfillment of your request that we put the majority of our comments in writing.

"To complete this process, we ask that you read what we have written. Do not just turn it over to a consultant for response, but consider it as the advise (sic) *of your friends and neighbors. The deliberations you have ahead of you are challenging and serious. Though the comment period is over, we hope that you will continue to hear our voices. You are now in a position to demand that the benefits envisioned for the community, from growth, actually come true. Please use your authority wisely, and ensure that what is good about this vision, becomes a reality and that the negative impacts ahead are fully recognized and responsibly mitigated. Thank you all very much. I'm so proud to be associated with all of the people that have given their hearts to this project.'"*

Response 3-25

Comment acknowledged. The language of Draft General Plan Policy I.A.3. could be modified to more strongly state that Winters shall preserve Winters traditional small town qualities and agricultural heritage while increasing its residential and employment base. Because the DEIR evaluates the environmental impacts which would be associated with the adoption and implementation of the Draft General Plan, any changes in the text of the Draft General Plan policies would be expected to require additional environmental review.

Comment PH (C)-4 (LUND): DEIR, Pages 67-68

"Larry Mentier (sic) *said, 'The objective is to produce a good and adequate General Plan not a good and adequate EIR.' Douglas Duncan said, 'The purpose of the EIR is to provide information to give quality to the decisionmaking process in the formation of the General Plan.' With this in mind, I will focus my comments on how well the Draft General Plan meets our goals and why the General Plan needs revisions. After reading the Policy Document, the Background Document, and the Draft EIR, I felt pretty negative about growth and development. Even though it is difficult to define, surely by now we know what we have in Winters and what we are about to lose forever. For some*

time we have realized that Winters will have to grow if we are going to survive economically. So our first goal was economic improvement through development. Second, if growth was the inevitable way to economic health, then we wanted to make sure that development paid for the required facilities and services. But we wanted more. We wanted to protect the quality of life we have.

"Listen to the comments made by those involved in this process. Bill Cody said, 'The Winters way of life is being threatened. We are trying to see if we can do something about it.' George said, 'I challenge anyone to tell us how development improves the quality of life.' Frank said, 'I will continue to promote that "something special" for Winters, so we don't end up another nothing special suburbia.' The Consultant finally said, 'It is the responsibility of the Developer to show you how they will improve the quality of life for Winters.'

"So we add the goal of maintaining or improving the 'quality of life' we now have to the goal of economic improvement. The major policy decision of the Draft General Plan says that 'The City shall seek to preserve Winters traditional small town qualities and agricultural heritage, while increasing its residential and employment base.' I am aware that there will be some positive aspects to growth. A new town is twice the size of the Winters we have now. Go through the EIR very carefully and note all the negative impacts, you'll see that the increased traffic alone will cause significant destruction to the quality of life we now have, changing our small town character and the rural atmosphere. The result will be increased congestion, noise, a decrease in the quality of our air. We will lose the pleasing visual aspects of our town. Highway 128 will lose the views of the Vacaville Mountains, the orchards, the fields we have associated with the entry to Winters, to be replaced by commercial industries with only landscaping as a mitigation. Think of the years of construction noises, confusion, dust, trucks while storm drains, schools, central business restoration and houses are being built. How about an increase in violent crime? The EIR does not mention this issue.

"The EIR concludes the Draft General Plan will have a significant impact on the small town flavor of Winters. A substantial change in the scale and size of the City would not appear to promote the preservation of the identity, integrity, or uniqueness of the existing small town character.' Loss of Winters agricultural heritage will have a significant impact on the quality and character of life for Winters residents. Development would eventually result in conflicts between town and farm. In spite of all this page 67 of the EIR concludes, the impact of small town character would not be significant. And agricultural heritage will be protected. Why? Because the Draft General Plan has all these policies that say so. Are these policies going to protect the quality of life? Or should we look for stronger mitigation measures from the EIR. I think we need to continue along those lines.

"We began on the road to development because of the economic needs, I urge everybody to read carefully the EIR on the fiscal-public financing considerations. There is nothing there to give rise to any strong hope for economic health that will justify this destruction of what Winters is now. I know you have important decisions to make. I know you're under tremendous pressure to end the moratorium and finalize the General Plan, but the important point is not how fast, but how good your decisions are. In fact, the process may be as important as the end product. [Even] *If that process involves full participation by as many people as you can get. If we can work together to reach a consensus of what kind of City we want, we may have developed a new sense of community. If we build it right, we will attract people who live here who share our views of what makes up the quality of life we want for Winters."*

Response 3-26

Comment acknowledged. See Response 1-7 above for a comparison of the objectives and purposes to be served by the General Plan on one hand and the EIR on the other.

Although an increase in violent crime could be associated with population growth, such an effect is outside the usual scope of concern of an EIR. Socio-economic issues, such as criminal behavior, may be addressed in an EIR, but may not be identified as significant impacts on the environment (CEQA Guidelines 15131(a)).

The DEIR concluded that the DGP would not have a significant impact on the small town flavor of Winters. See Responses 3-19 and 3-20 above. The substantial change in the scale and size of the city would occur in relatively small increments over the life of the DGP (20 years), and as stated in the DEIR, "would not appear to promote the preservation of the identity, integrity, or uniqueness of the existing small-town character. However, the DGP provides policies which will retain the essential features of Winters' small-town character, and thus no significant impact, or mitigation measure was identified.

Comment LUND-1 & PH (D)-10 (LUND): DEIR, Pages 67-68

"Douglas Duncan said, 'The purpose of the EIR is to provide information to give quality to the decision-making process in the formation of the General Plan.' With this in mind I focused on the major policy decision of the General Plan contained in Policy I.A.1. in the Policy Document. 'The City shall seek to preserve Winters' traditional small town qualities and agricultural heritage, while increasing its residential and employment base.' The last time I addressed you I pointed out the negative impacts of the General Plan which were described in the EIR and the conclusion of the EIR that the General Plan will have a 'significant adverse effect' on the small town flavor of Winters and its agricultural heritage (page 67) in spite of its stated policies. But later the EIR states 'The impact on the small town charcter (sic) *would NOT be significant' and 'The*

agricultural heritage will be protected.' Why? Because of the major policy I have quoted. This is a common technique of the EIR.

"We realize that the EIR attempts to be flexible, but we believe that it is not sufficient to rely on a stated policy, no matter how well meaning. For example, the exiting General Plan of 1986 has some great goals and objectives, such as 1. 'providing for cultural, creative, and educational enrichment' 2. 'promoting employment opportunities' 3. 'treating the entry corridors to Winters as important Gateways to Winters and Lake Berryessa, placing emphasis on urban design, architecture and landscaping.' The next time you drive down Highway 128 toward Railroad Avenue, ask yourself is this goal has been followed. The policy was fine, but that was not enough. In the case of the effects on Town Character and Agricultural heritage, we would request more from the EIR (pages 67-68) 1. We need more analysis of the physical impact of the changes in the General Plan on existing conditions. 2. The EIR needs to be more specific in providing mitigation measures for these adverse effects, not relying on a stated policy. 3. The EIR needs to tells us HOW this policy will be carried out and WHO will supervise the implementation."

Response 3-27

Comment acknowledged. Mitigation measures are required in instances where a significant adverse impact is identified in the DEIR. In cases where the DEIR identified a potentially significant impact which would be reduced to a level of "less than significant" through the adoption and implementation of the Draft General Plan provisions, it is not necessary to define additional mitigation measures which would reduce the level of that impact still further. The DEIR identifies mitigation measures for significant adverse impacts which would remain after the implementation of Draft General Plan policies, but because the DEIR is an informational (rather than policy) document, the implementation of these mitigation measures is the responsibility of the agency which approves the "project" (in this case, the City of Winters).

Comment PH (C)-8 (HUNTER): DEIR, Pages 67-68

"Peter Hunter said, 'I'd like to make a suggestion to the Council and Planning Commission that right after the Pledge of Allegiance, they ought to follow that by restating this policy out loud. The City of Winters will seek to preserve Winters traditional small town qualities and agricultural heritage by increasing its residential point (sic) *base. I think every now and then you have to ground yourself and think about what's the underlying goal. To say it out loud and to feel it, it just does something to you, and I think that's important to remind yourself. I'm overwhelmed by all of this. I've been delving into this EIR, all the Master Plans and I've just immersed myself. I get confused, sometimes I get frustrated and I just don't see a way out of this. I'm thinking there's got to be a better way. Right now, I don't know. I can't stand up here and say*

this is a better way, I don't have an idea. But I'm struck by the gentleman that spoke here on Saturday. Sometimes it takes the wisdom of someone like that to say hey wait a minute, let's stand back and look at what we're doing here.'"

Response 3-28

Comment acknowledged. See Response 3-25 above. The primary purpose of the DEIR is to enable those who read it to review the environmental impacts which would be associated with the adoption and implementation of the Draft General Plan. This information is designed to aid decision-makers in taking the appropriate action on the Draft General Plan, based on their consideration of a wide range of factors, including environmental impacts.

Comment YOLO (A)-1: DEIR, Pages 68-69

"The E.I.R. has identified the loss of open space/agricultural land as significant. The document clearly specifies that the ag land loss represents an unavoidable, adverse cumulative impact that cannot be mitigated. The approach that the General Plan identifies, and the EIR reviews is sound. The proposal to direct growth to less prime agricultural land seems appropriate.

"A review of the counties (sic) *proposed Farmland Conservation Ordinance (see Attachment 2) could provide additional support to the city's approach for protecting the prime agricultural lands in the area. Some of the proposals within the draft ordinance may be viable for the city to implement in an attempt to, at least partially, mitigate the loss of the agricultural lands identified for development. These mitigations might also apply to minimizing the impacts of development on adjacent actively cultivated land. The County's recently adopted Right to Farm Ordinance (see Attachment 3) might also provide mitigation measures for the City of Winters."*

Response 3-29

Comment acknowledged. The proposed Farmland Conservation Ordinance, and the adopted Right to Farm Ordinance could provide additional guidance to the City in implementing the DGP policies with regard to minimizing potential impacts on agriculture. See Chapter XIII, Other Considerations, for a discussion of how these measures might be adopted as mitigation measures.

Comment LAFCO-1: DEIR, Pages 68-69

"The E.I.R. correctly identifies that the loss of open space/agricultural land is significant and represents an unavoidable, adverse, cumulative impact that cannot be mitigated. The approach that the General Plan E.I.R. takes concerning future development on

agricultural land is admirable. LAFCO would like to see urban uses directed to less prime agricultural land. The transfer of development rights and purchase of conservation easements identified in the E.I.R. are mitigation measures that will not eliminate the loss of prime agricultural land next to the city boundary. They will, however, will (sic) *attempt to preserve other viable agricultural land from future growth pressure impacts by proposed development."*

Response 3-30

Comment acknowledged. See Response 3-29 above, and Chapter XIII, Other Considerations, for a discussion of policies for preserving agricultural land in the area surrounding the city.

(This page has purposely been left blank.)

IV. TRANSPORTATION AND CIRCULATION: RESPONSES

Comment YCTA-1: DEIR, Page 73

"From the perspective of the Transit Authority, we have several concerns about the Draft EIR. Firstly, in the description of the current transit service, reference is made to the 'Hemenway loop'. This section of the service route was discontinued because the ridership was low, and the other transit users desired a more direct route to Davis."

Response 4-1

Comment acknowledged. The description of transit service in Winters in the Draft EIR is outdated. Service on the Hemenway loop has been abandoned due to lack of demand, and currently only four trips in each direction between Winters and Davis are scheduled on weekdays.

Comment YCTA-2: DEIR, Pages 81-94

"Secondly, if it is assumed that the commute to jobs outside of Winters will remain at 54%, clearly there will be more demand for commute transit service, since the same proportion of the larger population will be commuters going to Davis, and perhaps connecting to West Sacramento, Sacramento and Woodland."

Response 4-2

Comment acknowledged. Future growth as projected in the Draft General Plan would lead to increase of at least 225 percent in the demand for transit services, based on projected overall tripmaking. Actual future patronage would depend on the ability of local and regional transit agencies to provide effective commute service for the increased population.

Comment YCTA-3: DEIR, Pages 81-94

"Finally, while the current status of public transit was described, there was no exploration of the probable impacts on transit due to the increased growth. Significantly, there may be a slowing of traffic flow on Grant Ave. between Railroad and the Main Street loop due to increased trips, increased traffic signals (which could slow traffic if the cross traffic flow increases) and retaining this section as two lane."

Response 4-3

Comment acknowledged. As stated above (Response 4-2), growth is expected to result in a substantial increase in transit demand, which would be expected to require expanded transit services. The Draft General Plan incorporates several policies directed towards improving transit services, including compliance with and implementation of the Yolo County Congestion Management Plan (III.A.9) and its various components (including "Public Transit Standards"). The Transportation and Circulation section of the DGP includes a Goal which directs the City to promote transit systems (III.B.), and a policy to work with the YCTA in maintaining and expanding transit service (III.B.1). Increased population and corresponding traffic growth would cause marginally slower travel speeds for transit vehicles as well as automobiles along Highway 128/Grant Avenue where the two-lane cross section is planned to be retained. Although travel speeds may be slowed somewhat under certain circumstances, these conditions would not be likely to negatively impact transit patronage.

The DGP has been revised as the Final General Plan (FGP) to incorporate a new policy to consider assessing development fees for increased transit services (III.B.2.), and a new Implementation Program (III.6.) directing the City to conduct a transit improvement study to identify areas in the city needing new and expanded transit services. The Natural Resources section of the FGP has been supplemented with Policy VI.E.11., requiring all new industrial and commercial development proposals which generate over 500 trips per day to develop an air quality mitigation plan demonstrating how the proposed use would acheive a 25 percent reduction in the number of trips that would typically be projected for such development, using site and land use planning, carpooling, van pooling, transit incentives, etc. The Final General Plan also directs the City to maintain Level of Service C a the objective for all parts of the City, including the intersection of Grant and Railroad Avenues (previously specified in the DGP with an LOS D as an exception). These additional policies and programs, combined with those of the DGP, are expected to provide a substantial policy framework for accommodating increased transit demand. However, these changes do not modify the determination of the EIR that neither the DGP nor the proposed DFGP would result in significant adverse congestion. The determination of the FEIR is that the FGP incorporates policies, which, if effectively implemented, **would avoid a significant impact on the provision of transit services.**

Comment WEIRW-81: DEIR, Pages 81-94

"The EIR notes existing transit services in its background to transportation and circulation impacts. It makes no mention of the impact of growth on the existing transit system and offers no advice for a future transit system."

Response 4-4

Comment acknowledged. See Response 4-3 above. As a Program EIR on a General Plan, the Draft EIR is less specific than would be the case with a Project EIR, and would not necessarily address the specific configuration or criteria for a transit system, or to "offer advice" on a transit system which is assumed will be improved to meet demand. Policies in the DGP (and as revised in the Final General Plan) which direct the City to maintain and expand bus service, for example, are considered sufficient on the policy level to maintain an adequate transit system in Winters.

Comment WEIRW-2 DEIR, Pages 81-94

"The EIR comment on Transportation and Circulation focuses, as do most engineering studies, on the degree to which the circulation element satisfies the desire to have vehicles move with an uninterrupted flow. However worthy a goal that might be it is unacceptable to consider vehicular flow as the only impact of circulation planning. No review is given to pedestrian impacts of circulation plan standards.

Response 4-5

Comment acknowledged. Chapter IV of the Draft EIR, Transportation and Circulation, considered vehicular flow as the principal concern in the evaluation of the proposed DGP, due to the importance of the circulation system in meeting acceptable standards of access, both for the public and for emergency vehicles. The DGP provides policies and guidelines for meeting those standards, and in addition, incorporates policies promoting bicycle and pedestrian routes (Goal III.G and related policies). The Circulation Master Plan also includes standards for the provision of pedestrian and bicycle facilities with all roadway classifications. Because of these provisions, the EIR authors determined that new facilities would be adequate for ordinary pedestrian circulation requirements. Criteria for evaluating the impacts on pedestrian circulation would typically be limited to considering if sidewalks and pathways are provided, if they are safely separated from traffic, especially at higher traffic volume levels and speeds, and if adequate provisions for safe street crossings are provided. In each of these respects, the DGP includes adequate policy guidance for the development and improvement of the circulation system, for both vehicles and pedestrians.

The DGP has been revised as the FGP with a policy directing that street design should promote pedestrian and bicycle travel, and emphasize safety over travel speed and capacity (III.A.10.).

Comment PH (D)-13 (HUNTER): DEIR, Pages 81-94

"Peter Hunter said, 'Tonight I'd like to address the issue of the Circulation in specific reference to street design and layout. A recurring theme in the policy document states that "a small town character of Winters should be maintained." I'd like to point out that all elements of the General Plan, including Circulation, need to actively contribute to maintaining the character of the town you so righteously promote. However, the Circulation element of the Policy Document is well meaning, but very vague on the subject of town character. The Draft Land Use Diagram is at odds with the Policy Document, and the EIR Document is completely silent. The proposed Circulation Master Plan does not promote interconnecting street design. I'd like to point out that there are two general types of street design found in communities. One's called conventional street design and one is called interconnective network paths. Old Winters is a classic example of interconnective network paths, as many small, narrow streets promote multiple route choices, slower traffic speeds and visual diversity. Many professionals will argue that this is a major deterrent of town character. Conventional street design is typified by suburban communities in which there are definite hierarchies of roadways. There are freeways, arterial, primary and secondary collectors and finally local streets. Their really main purpose is to get cars to the main collector, not to try to tie neighborhoods together and build a sense of community.

"The Circulation Master Plan is a blueprint of conventional street design that consists of sculptured thoroughfares at a highway design level. The streets are wide, difficult for pedestrians to cross, and visually monotonous. We have arbors and collectors and signalized intersections. What's especially disturbing about all this is the EIR is silent about the conflict. We have policies that talk about grid systems, policy III.A.10. and policies that say "the City shall encourage the use of existing Winters neighborhoods, including the grid street system as a model for designing new neighborhoods." That's policy VIII.C.2. Yet we have a Circulation Master Plan that proposes something quite different and the EIR says that's okay, there's no impact. Something about this has got to change.

"We have some specific recommendations. I would like to point out that when we talk about interconnective streets, it does not mean straight, linear streets. You can have curved streets, but the idea is that a person living in any one place has multiple choices about how to get to another place. They're not funneled through one entry point to a subdivision.

"We think that there is really only one four lane road that is potentially needed in Winters, and that's Highway 128 between Highway 505 and Railroad. I think everything else, if the street design was tuned a bit, could be dealt with simply by two way [lane] *streets. By changing some of the street layouts in the Draft Master Plan, the City could easily end up with three, nearly equally spaced, east-west routes about a mile*

apart. One would be Grant Avenue, another choice would be, taking Niemann Street and extending it to Railroad to where it would eventually join up with the Main Street extension. I need to say that County Road 33 should be taken out of a highway designation, it's an ideal pedestrian route. I think we can grow and keep our character and our heritage in this town but we can't be vague about the implementation, about how that's going to happen. The Draft General Plan and the Circulation Plan, need to reconcile their differences. If they don't do that then the EIR has got to address the disparity between those two and propose mitigations for the inevitable conflicts. Thank you.'"

Response 4-6

Comment acknowledged. The comment does not provide sufficiently clear indication of conflicts between the General Plan and the Circulation Master Plan, or substantial evidence that the Policies and Programs of either document would have adverse effects on the environment, or would have "inevitable conflicts." The qualities of Winters' small town character was addressed principally in Chapter III, Land Use and Housing, and the Policies of the Draft General Plan were considered to be sufficient to maintain those qualities in essence. The use of Winters' traditional grid street pattern, within the context of a hierarchy of collector streets and arterials, is considered to be a practical and effective configuration for the circulation needs of the public. Policy VIII.C.2 concerns the design of new residential neighborhoods, and does not address the layout of the overall system illustrated in the Circulation Plan Diagram. The Circulation Master Plan was intended to provide a circulation system which would accommodate future traffic growth for new developments while minimizing impacts on neighborhoods.

The DGP has been modified as the FGP to incorporate the concepts presented of "interconnective network paths," specifically to "ensure that direct access to all local streets from primary and secondary collectors is maintained." (III.A.9.). In addition, the street standards in Part I of the FGP reflect narrower and more flexible cross-sections, particularly for secondary collectors and local streets.

Comment WEIRW-9: DEIR, Pages 81-94

"*6. Ammend* (sic) [DGP Policy] *II.A.17* [which directs the City to "promote the development of second story residential uses over commercial and office uses in the Central Business District, Neighborhood Commercial and Community Commercial designations."] *to read "The city shall require the development of second story residential uses over commercial and office uses in the Central Business District, neighborhood commercial and community commercial designations at least to the extent*

that it is needed to achieve neighborhood densities consistent with standards for pedestrian and transit success.

"7. Local Street maximum cross sections will be 30 feet curb to curb with parking on both sides. Smaller curb to curb dimensions, down to a minimum of 25 feet curb to curb both sides parking. Planter strips with a minimum width of 3 feet and sidewalks with a minimum of 3 feet will be provided on both sides of all local streets.

"8. Modify General Plan policy III A.2 sentence #3 to read, "The City may allow other deviations from these standards if the City determines that safe and adequate public (sic) *access and circulation, including pedestrian convenience, are preserved by such deviations.*

"9. Create a General Plan policy requiring curb radii to match design speed and intention of the road system. Specifically prohibit curb radii of more than 10 feet in local neighborhoods, commercial centers and the Central Business District.

"10. Delete the words "where feasible" from III.A.4 [which specifies that "Neighborhood streets shall be designed, where feasible, to discourage unsafe traffic speeds."]. *All neighborhood streets should be designed to discourage unsafe traffic speeds.*

"11. If the above recommendations are not incorporated into the General Plan then the EIR must not rely on the General Plan's provision of a pedestrian (sic) *community as a mitigation to traffic and air problems since without these measures only a limited and partially functional pedestrian community will exist. The EIR then, in order to be adequate, must make a more complete study of mitigations for air quality and traffic impacts."*

Response 4-7

Comment acknowledged. The Draft EIR does not rely on the General Plan to "mitigate" traffic and air problems. The DEIR determined that traffic "problems" such as congestion, excessive delays and unsafe conditions would not result primarily due to a combination of circulation system design and secondarily through General Plan policies directed at minimizing automobile use. See Response 12-3 in Chapter XII of the Response to Comments for discussion of air quality with regard to policies of the DGP promoting non-automobile modes of transportation.

The DGP has been revised as the FGP to incorporate in part the recommendations of the commentor, including item 8 (added phrase "including pedestrian convenience" to Policy III.A.2.), item 9 (added sentence "The City shall encourage the use of curb corner radii that slow traffic turning movements and minimize pedestrian crosswalk lengths, but are consistent with fire truck turning needs." Policy III.A.12.), and item 10 ("where feasible" deleted from Policy III.A.11.). In addition, related to item 7, new cross-sections have been defined for all roadways, specifying that local streets should have a total right-of-way of between 32 and 50 feet, with optional parking, and between 4 and 6 feet provided for sidewalks and optional landscaped areas. However, the alternative standards for smaller curb-to-curb distances suggested in the comment would not provide adequate clearance for safe vehicle operation. A requirement for second story residential uses as suggested by item 6 was not incorporated.

The provisions of the FGP for "pedestrian community" characteristics (i.e., pedestrian access, higher densities and mixed uses) are considered to be as complete as possible while still providing the public with preferred standards for vehicular mobility, lower densities, and exclusive land use designations. These characteristics of pedestrian access are also considered to provide the maximum feasible measures to reduce automobile use from the standpoint of air quality considerations. The evaluation of potential traffic impacts is considered to be adequate, and the changes represented by the FGP do not change the determination of the EIR that the Draft General Plan would not have significant impacts of unacceptable congestion.

Comment WEIRW-24: DEIR, Pages 81-94

"The Draft EIR offers no discussion on how local streets interact with the arteries, primary and secondary collectors depicted in the Circulation Master Plan (CMP). Currently, there are no turning impediments on any existing streets. If the CMP intends to restrict access to collectors and arteries (especially along Grant) this represents a significant impact and must be discussed as such."

Response 4-8

The Circulation Master Plan calls for medians along Grant Avenue and elsewhere to restrict access to driveways, not to streets. Left turn lanes will be provided at each intersection with Grant Avenue. As such, this policy would not impact collectors and arteries.

Comment WEIRW-23: DEIR, Pages 81-94

"The Draft EIR contains no discussion of alternative street designs. The Draft EIR presumes that the Circulation Master Plan satisfies the policies. The Draft EIR contains no discussion of the impact of increased traffic on existing local streets."

Response 4-9

Comment acknowledged. See Response 4-5 above. As a "first-tier" EIR on the Draft General Plan, the Draft EIR is more general than a Project EIR and as a result does not address alternative street designs, or effects on existing local streets as critic : environmental considerations. Because the Circulation Master Plan was prepared as a means of implementing the Goals and Policies of the Draft General Plan, it is necessary for the Circulation Master Plan to conform to the Draft General Plan. The comment does not identify specific instances of where the Circulation Master Plan is perceived to fail to serve the policies of the Draft General Plan.

The DGP has been modified as the FGP to provide new cross-sections for streets and roads, as well as guidance on the use of local streets (Part I of the FGP). The Circulation Master Plan defines a program of new and modified streets which is intended to minimize the increase of traffic on local neighborhood streets, while optimizing the use of existing collectors and arterials.

Comment JOHNSON-1: DEIR, Pages 81-94

"In both the General Plan Policy Document and the General Plan EIR, Anderson Ave. is viewed as a secondary collector street and is furthermore shown as extending to the east through existing industrial buildings and residential apartments to extend to Walnut Lane. The Policy Document goes on to state that secondary collectors shall have a right of way width of 74 ft. Here lies a problem.

"The existing Anderson Ave. right of way is 48 ft. wide, 65% of the safe width recomended (sic) *for a collector street. To widen Anderson Ave. is impractical due to the existing houses built to existing setbacks. The existing paved surface is 2 ft. less than the recommended paving and leaves only 4 ft. for sidewalk on each side as opposed to the 8 ft. wide meandering ped/bike path within a 16 ft. wide easement as shown in Fig. I-2 of the Policy Document.*

"This lack of width of Anderson Ave. is very important in considering the specific use of this street. Anderson Ave. is, and will be, the primary pedestrian and bike thoroughfare for the students of the middle school every morning and afternoon. The projected traffic

of 3100 cars per day cited in Fig. 21 of the General Plan EIR is completely inconsistent with the safe transportation of school children on foot and bicycles.

"My recommendations are: To classify existing Anderson Ave. as a neighborhood street, not as a secondary collector; To extend Nieman Street to Walnut Lane (and possibly the Main Street ring road) to pick up the east-west traffic as Nieman can be built to adequate width; Do not extend Anderson Ave. to the east as this will only overload vehicle traffic on a street that middle school students use; To extend Anderson Ave. to the west to connect with the Main Street ring road, as shown in the EIR. This portion of Anderson Ave. can and should be built to secondary collector cross section."

Response 4-10

Comment acknowledged.

The DGP has been modified as the FGP to show Anderson Avenue entirely removed from designation as a secondary collector, and as a result, will not be altered, except to be extended to the west to the Main Street arterial as a local street. With the designation of Anderson Avenue as a local street, there is no need to designate or construct the western extension as a secondary collector. Niemann Street has not been identified for any alteration. This change does not modify the determination in the EIR that the DGP would not result in adverse, significant congestion.

Comment CALTRANS-1: DEIR, Pages 81-94

"To carry the projected traffic volumes on Route 128 west of Railroad Street, this section of roadway would need to be widened to at least provide left-turn lanes. Widening of the road in this area may not be feasible due to the impacts on adjacent properties. The assumptions made in assessing the future Level of Service should be discussed in the Final Environmental Impact Report (FEIR)."

Response 4-11

Comment acknowledged. See Response 4-8 above. Left turn lanes were assumed on Highway 128 west of Railroad Street. The City can provide future Level of Service calculation sheets documenting geometric assumptions if specifically requested.

Comment CALTRANS-2: DEIR, Pages 81-94

"In addition to analyzing the future signalized intersections shown in Figure 18, the intersections of Morgan, Dutton, and Hemenway Street, and Valley Oak Drive, with Highway 128 should be addressed. Caltrans would like to review the back-up analysis sheets and assumed intersection geometrics for all Highway 128 intersections. We support the eliminations of the Walnut Lane connection to Grant Street. The realignment of County Road 90, as indicated in Figure 18, should provide at least 800' of spacing from the southbound ramp intersection."

Response 4-12

Comment acknowledged. The additional intersections suggested by this comment were not among the key streets included in the scope of work for the original traffic studies performed as part of this process. Addressing the future LOS at these intersections would require additional work, including the collection of new traffic count data.

As noted in Response 4-11, above, LOS calculation sheets, including documentation of assumed geometrics, can be provided by the City if specifically requested.

The requirement by Caltrans for a minimum 800' spacing between County Road 90 and the I-505 southbound ramps is acknowledged. The Draft General Plan Land Use Diagram shows the proposed realignment of CR 90 and its intersection with Highway 128 will be approximately 950 feet distant from the southbound ramp of I-505.

Comment CALTRANS-3: DEIR, Pages 81-94

"If four through lanes are not planned for Highway 128 from Railroad Street west to the Main Street intersection, it does not appear necessary to provide four through lanes west of this segment. The need for this westerly four lane portion should be explained in the FEIR."

Response 4-13

Comment acknowledged. A two-lane cross-section would suffice for Highway 128 west of Main Street (west loop), provided that left-turn lanes are provided at intersections. This configuration would provide for better continuity with the segment east of Main Street than would a full four-lane cross-section.

Comment WEIRW-79: DEIR, Pages 99-101

"The Water System Master Plan (WSMP) adequately reviews plans for three levels of water conservation. However, the strongest level of conservation will not mitigate the anticipated water budget deficit in 2010."

Response 5-1

Comment acknowledged. There is no water deficit projected for the year 2010. However, due to the way the water budget was presented in the Water Master Plan, this fact was not clear. The water budget table is revised in the Draft Final Water System Master Plan to present the budget more clearly. In the event of a declining groundwater table, the City will adopt either the "Aggressive" or "Maximum" water conservation program, as defined in the WSMP.

The DGP has been modified as the Final General Plan (FGP) with supplemental policies directing the City to adopt the "moderate" water conservation program defined in the WSMP, and to monitor water usage bi-annually to assess the effectiveness of the program and the potential need to adopt the "agressive" or "maximum" programs (IV.B.11). This change does not alter the determination in the DEIR that there would not be a significant impact due to an inadequate water supply.

Comment PH (B)-1 (HUNTER): DEIR, Pages 99-101

"Debbie Hunter indicated, 'There is one page in the EIR which also says that if we notice a decrease in the ground water level that an aggressive plan for the aggressive level would be suggested, at that point you have a 30% [(29%)] *savings in water. What I found in the Water Master Plan, Ground Water Study is that the aggressive program only saves you 17% but the maximum program is only 29%.'*

[Civil Engineering Consultant Morse] *said, 'There is a problem with the nomenclature there. The aggressive that the EIR is referring to is being more aggressive in what you are doing now. We happen to have that same name actually in the water conservation program and it was a middle of the road approach that saves 17% and the names for the most aggressive was the maximum program. What we do mean is to go to the maximum program which we term aggressive and we do need to change that language so it is more clear.'"*

Response 5-2

Comment acknowledged. Ms. Morse is correct that the term "aggressive" as used in the Ground Water Study was describing strong water conservation measures in general, rather than the specific "Aggressive" program described in the Urban Water Management Plan section of the WSMP. The UWMP section Draft Final WSMP has been revised to refer to the "maximum" program, which would have an estimated 29 percent savings in water use. The DEIR was incorrect in describing the "Aggressive" Program as having a 29 percent savings. See Errata, pages E&R-18, and Response 5-1 above.

Comment WEIRW-80: DEIR, Page 100

"The EIR has a very general discussion about minimizing disturbance to wetlands, hence preserving groundwater recharge and purification areas. The SSMP alludes to groundwater monitoring wells near the Sewer Treatment Facility. Both discussions are vague and inadequate."

Response 5-3

Comment acknowledged. Wetlands issues are addressed in Chapter IX of the Draft EIR. There is a possibility of groundwater contamination from the wastewater treatment ponds. The ponds were designed to percolate a certain amount of wastewater into surrounding soils, without contaminating local groundwater supplies. The Regional Water Quality Control Board (RWQCB) has required the City to install monitoring wells near the wastewater treatment facility in order to determine if the ponds are operating as designed. One monitoring well is now in place so that monitoring of the groundwater can begin. If the groundwater is being adversely impacted by the wastewater treatment ponds, then the RWQCB will require that the situation be remedied. This may include measures such as lining the ponds.

Relocation of the sewer treatment facility to the proposed lower elevation site would reduce, but not eliminate, the risk of groundwater contamination, since the number of domestic wells located downgradient from the ponds would be reduced.

The DGP has been modified as the FGP with supplemental policies directing the City to monitor groundwater levels, and to participate in an areawide groundwater management study (IV.B.10). In addition, the creation and/or maintenance of wetlands in summer months is identified as among the possible uses for treated effluent of the potential new sewage treatment plant. As discussed above in Response 5-3, monitoring and reporting procedures required by the RWQCB would ensure that water quality does not deteriorate and result in significant water quality impacts.

Comment PH (C)-1 (HUNTER): DEIR, Pages 103-105

"Debbie Hunter said, 'I have some concerns about the Sewer Master Plan. In the EIR on page 104 it says that the existing sewer facilities can accommodate a plan growth of Winters until the population reaches 5,800, if we do some repairs and some additions to the current facility it will be able to be on line to a population of 6,600. At that time a new sewer facility must be on line so that the current facility isn't overloaded. My concern is that with the population estimates that I've seen, we will probably reach the 6,600 by about 3 years from this date. That means that a new facility has to be on line at that time. My concern is that it may not happen, that the new facility may not be ready and be on line. Perhaps, it's been taken care of in these financial documents, but I'm suggesting with policy statement in Section 2-24, it now reads IV.C.2. "The City shall ensure the provision of adequate sewer service to all new developments in the City by adhering to the following schedule. When the flow rate has reached 80% of the facilities (sic) capacity, the funding sources for the new facility must be identified and the environmental review initiated. When the flow rate has reached 90% of the capacity, the construction of the new facility must begin. When capacity is attained, the new facility must be on line." If this policy is not implemented then the impact must be addressed and mitigated in the EIR.'"

Response 5-4

Comment acknowledged. The concern that the new wastewater treatment plant be online before the existing facility reaches capacity is justified, and the following schedule has been proposed to accomplish this:

April 1992:	Following adoption of the General Plan, identify funding sources and begin pre-design work on the new wastewater treatment facility, starting the EIR process as soon as pre-design work has been completed.
May 1992 - January 1993:	Concurrently proceed with design documents and the EIR process.
February 1993:	Certify EIR and acquire property for the facility.
June 1993:	Complete property acquisition and advertise for construction bids.
August 1993:	Begin construction.
April 1995:	Startup.

If the schedule is delayed, or if capacity is reached sooner than anticipated, then the City can decide to delay development in order to match capacity conditions. Once capacity is reached, development must stop until the new wastewater treatment facility is online. There is no mitigation for exceeding wastewater treatment capacity, and this will not be permitted by the RWQCB.

> The DPG has been revised as the FG: nanging Policy IV.C.3 to bypass the feasibility aspect of the study for the ne: :eatment plant. This change does not affect the determination in the DEIR that the Sewer Master Plan would avoid significant impacts on the existing sewage treatment plant.

Comment WEIRW-38: DEIR, Pages 103-105

"There is no reference to relocation in the EIR document. However, the SSMP recommends the relocation of the new treatment facility with an evaluation and cost analysis between four alternatives."

Response 5-5

Comment acknowledged. It is not necessary to duplicate information in the DEIR which is referenced in the various Master Plans. The relocation of the wastewater treatment facility would be addressed separately in a project-specific environmental document, which would be required regardless of the location of the future wastewater treatment facility. In addition, for the purposes of the General Plan EIR, precise location of such a facility is not an essential consideration.

Comment WEIRW-39: DEIR, Pages 103-105

"The potential noise, odor and aesthetics of a new secondary treatment plant at the current site can be mitigated. Relocation of the treatment facility does not necessarily reduce the risk of groundwater contamination. Furthermore, the costs associated with the decommissioning of the current site have not been considered. In addition to the liability insurance of the property, the city must conduct a hazardous waste analysis of the storage ponds. The heavy metals and bacterial pathogens in the sludge create a hazardous waste situation. This must be mitigated before the land can be marketable."

Response 5-6

Comment acknowledged. Potential noise, odor and aesthetic concerns can be mitigated most of the time at the existing wastewater treatment facility site. However, it will result in a more costly facility because of the proximity to residential units. A wastewater

treatment facility is generally incompatible with residential zoning. The potential will always exist for problems between the facility and local residents because all treatment plants have operational upsets from time to time.

Relocation of the facility to the proposed lower elevation site would reduce, but not eliminate, the risk of groundwater contamination, since the number of domestic wells located downgradient from the ponds would be reduced.

The problems associated with decommissioning the existing wastewater treatment facility would be considered when the project-specific environmental study for the new wastewater treatment facility is begun. This study would encompass sludge analysis to determine if the sludge could be used as a soil amendment (i.e., for the proposed golf course) or if it would need to be landfilled. Proper disposal of the sludge would fall under the jurisdiction of the RWQCB. The pond embankments could then be regraded. The study would also provide an appraisal of the land and a determination of the best possible uses. See also Response 5-6 above.

Comment WEIRW-40: DEIR, Pages 103-105

"The EIR states on page 104 that when the capacity of the current sewer facility is reached that a conversion to a new secondary level treatment facility will be made. Once again, there are no specific plans or time tables for this conversion."

Response 5-7

Comment acknowledged. See Response 5-4, above.

Comment WEIRW-41: DEIR, Pages 103-105

"The EIR document does not discuss specific reuses of reclaimed water. However, the SSMP examines four alternatives for effluent reuse: 1) agricultural irrigation, 2) landscape irrigation, 3) recreational lake discharge, and 4) surface water discharge."

Response 5-8

Comment acknowledged. See Response 5-3 above (specifically the box regarding changes to the DGP). The proposed wastewater treatment facility would conform to Final General Plan policy IV.C.3., which states that the effluent should be reused for crop or golf course irrigation in the summer and discharged to Putah Creek in the winter. Specific reuse options would be addressed in the project-specific environmental document which would have to be prepared for the proposed wastewater treatment facility.

Comment WEIRW-42: DEIR, Pages 103-105

"2. Remediation. If the wastewater treatment plant is relocated, then the EIR must include a discussion of the remediation measures and costs required to decommission the existing facility."

Response 5-9

Comment acknowledged. See Response 5-6, above.

Comment WEIRW-43: DEIR, Pages 103-105

"3. Phasing. A policy should be added to the general plan which states: 'The City shall ensure the provision of adequate sewer service to all new development in the city by adhering to the following schedule: (a) When the flow rate has reached 80% of the current facility capacity the funding sources for the new treatment plant must be identified and the environmental review initiated; (b) when the flow rate has reached 90% of the capacity, construction of the new facility must begin; (c) when capacity is reached, the new facility must be on-line. If the above policy is not implemented in the General Plan, then the impact of inadequate wastewater treatment facilities must be addressed and mitigated in the EIR."

Response 5-10

Comment acknowledged. See Response 5-4, above.

Comment LANDO (D)-1: DEIR, Page 105

"Although CH2M Hill [(the firm which prepared the Storm Drainage Master Plan and the evaluation of the Master Plan in the Draft EIR)] *is in accord with Vail Engineering* [(a firm associated with the commentor)] *on the physical feasibility of this approach* [of increasing the capacity of the Northern Stormwater Diversion Channel in order to eliminate the need for the Northern Stormwater Detention Pond], *it* [(CH2M Hill)] *feels that the capacity of Putah Creek, especially downstream, needs to be studied prior to implementing such a solution. However, it is our opinion that with the combination of the very large capacity of Putah Creek, together with the flood detention capacity created by Montecello Dam, the odds of a slightly increased flow from Winters creating a significant effect downstream are minimal. According to the Draft EIR, Putah Creek has the capacity 'to contain the 500 year flood within* [it's] *banks' (Page 105, Section C.1.). It should be noted that the great majority of water from Chikahominy* (sic) *Slough flowing into the SOI in the 100 year flood would end up in Putah Creek under any circumstances."*

Response 5-11

Comment acknowledged. The Flood Hazard Analysis Study that was conducted in 1976 by the SCS stated that Putah Creek has the capacity to contain the 500-year flood within its highest banks. However, this study was conducted only in the immediate area of Winters, and did not look at conditions on Putah Creek downstream of I-505, which are unknown. A study of Putah Creek must be conducted prior to determining the specific project which will be implemented to mitigate the flood plain problem.

It should also be noted that the majority of water from Chickahominy Slough which flows into the 20-year sphere of influence is retained in the flood plain until it reaches the elevation necessary to overtop Grant Avenue. When the flows exceed the elevation of Grant Avenue, flows in excess of the flood plain capacity flow into Putah Creek. All remaining water is retained on the north side of Grant Avenue in the flood plain and is evaporated or percolated back into the soil.

The DGP has been revised as the FGP with changes to Policy IV.D.4, such that the Northern Stormwater Detention Pond is abandoned as a specific component of the Storm Drainage Master Plan. The City is directed to cooperate with property owners and the Yolo County Flood Control and Water Conservation District to undertake a feasibility and design study for a comprehensive solution to the flooding problem associated with Chickahominy and Moody Sloughs. Specific features of the solution may include diversion to Putah Creek, diversion under I-505, detention ponds, elevated building pads and structural flood proofing, as deemed effective and cost-effective. All proposed development affected by or potentially contributing to the 100-year flooding problem would be required to participate in the financing of the flood control system as a condition of any development entitlement approval. The FGP also provides a Land Use policy (I.A.9) to designate a Flood Overlay Area, as shown in **Figure 4B** (see page E&R-53 of the FEIR) in the northern area of the city, in which no new development may occur until the study has been completed and a fee schedule or financing program, involving all properties affected by and contributing to 100-year flooding, has been adopted.

This change does not modify the determination in the EIR that the Final General Plan provides policies and procedures for preventing significant flood hazards in the city and in the surrounding region.

Comment PH (D)-12 (WILCE): DEIR, Pages 107-113

"Steve Wilce said, 'Good evening. I'm speaking to you as a subcommittee of the General Plan/EIR work group. I'm speaking to you on the Flood Control/Drainage section of the Draft general Plan. Our general comment is that the three alternatives studied in depth in the Storm Drainage Master Plan are too similar and too narrow in scope to allow the City to make an informed choice of flood control solutions. The data base which defines and quantifies the flooding problems appears to be adequate but the solutions derived from it show a consistent lack of creative interaction between City government and the engineering staff. The cost of the proposed system far outweighs its benefits, and cripples the City's expansion with abnormally high fees. Some developer fees, such as those which support schools and parks can be sold to prospective home buyers, because many people want to move to a community with good services. No such mitigation is possible with flood control. The effect of high fees on commercial property is a corrosive loss of tax base. We've heard people talk tonight about possible reduction of flood control costs, in the Financing Plan, Section VI, gives us a reduced cost approach to flood control that includes eliminating contingency fees and property cost reduction through area developer trading. It brings the flood control fees down by 34 percent. It does not include, nor does the main financing plan include, all of the possible costs that could be put toward those flood control fees. Thirty-four percent reduction still is a very expensive plan.

"In consistency (sic) *with City policy, Policy VI.6. states that the open space preserve shall, to the maximum extent possible, be designed to function as a part of the City's flood control and waste water distress district. This policy was not considered when the system was designed. The preferred alternative, envisions a mile long, 100 foot wide canal connecting the northern storm water pump to Putah Creek and bisecting the western portion of the town. A similar canal was proposed as part of the NAS*[P] *development scheme [see Ref. 33, DEIR], and rejected by the Plan Advisory Committee for its high maintenance costs, ineffective land use, and unmitigable and inviting ugliness. Policy VIII.A.7. states that the City shall establish design guidelines for new development along Highway 128, reflecting its designation as a City highway. A weedy, chain fence canal will hardly fit such guidelines. The Financing Plan calls for the canal, includes a new bridge on Highway 128 but neglects to fund the other two bridges that would be necessary.*

"Under existing conditions, the water shed, west of the City, is drained by a dry slough. Only in flood conditions, does this slough overtop, and flood water flows southward. Proposed alternatives, to deprive the slough of all rainwater for this water shed in both normal and flood conditions, with the possible loss of groundwater and wildlife habitat. This flow, plus that from the northern storm water pond is diverted into Putah Creek at a maximum rate of 2000 cubic feet per second, possibly 3500 cubic feet per second, by the 100 foot or possibly 200 foot wide canal. The City might also be liable for an increased

risk of flooding downstream, thus by restructuring the flow pattern in the area. Proposals create environmental impacts from both too much and too little life,

"The key to low cost flood control is allowing the existing flow patterns to operate, which also provides minimum environmental impact. What is the purpose of this exercise? All of this moving around, rerouting and expense? Nowhere in all of the General Plan documents is the FAMA (sic) [FEMA] *flood plan overlaid with a land use map. So I did that. Inside the flood plane* (sic), *in the land use we have 361 building units representing a projected population of 933 people. That is all the housing that's in that flood plain. It can easily be relocated. Narrow approach to flood control came to the City with the old Martin Cappard* (sic) [Carpenter, (See Ref. 33 in DEIR)] *plan, and it's been here ever since. I've recommended before that this flood plan* (sic) *be placed in the study zone, and I do so again. Also, several suggested directions for low impact resolution on the flooding problem will be included in the appendix of the EIR which the study group will submit written comments. Thank you.'"*

Response 5-12

Comment acknowledged. See Response 5-11 above. The open space area was designated after the Storm Drainage Master Plan was completed. The Storm Drainage Master Plan describes a solution to eliminate flooding within the 20-year sphere of influence (SOI). Through the public hearing process, a number of alternative proposals have been advanced to reduce the costs or to improve the aesthetics of the drainage system. These need to be studied for workability, environmental impact and cost before a project is selected for implementation. In the interim, the Storm Drainage Master Plan shows solutions and their estimated costs for several drainage systems that are needed to control flooding to enable the implementation of the Final General Plan.

Three additional bridges need to be funded for new streets to cross the proposed northern stormwater pond outfall. These streets are extensions of County Road 32A, County Road 33 and East Baker Street. These could be funded as in-tract development costs as proposed for the new two-lane streets.

Laying the FEMA flood plain map over the land use map may indicate that 361 housing units are proposed within the flood zone. It should also be noted that all of the light and heavy industrial, and some highway service and commercial areas, are located in the flood zone. While 361 housing units may be able to be relocated, the City should also consider the impact to industrial and commercial areas which, if developed, would contribute to infrastructure fees and provide tax revenues. The possibility of flooding of the existing development would also be eliminated with the implementation of the Storm Drainage Master Plan.

Comment PH (A)-5 (WILCE): DEIR, Pages 107-113

"The Draft EIR Storm Drainage Treatment analyzes in detail three different alternatives for solving the Northern area flooding problem. The least expensive of these alternatives comes at a price tag of 40 million dollars. The issue here tonight, discussion of the School District, is infrastructure cost for new schools. The School District's going to be hard put to find adequate infrastructure and the City's ready to spend 40 million to fix these storm drains. The EIR also recognizes that this is not the only method that might be used to mitigate this problem. In the draft EIR statement on page 29.2 (sic) *where it discusses alternative states, the compact plan and storm drainage. The storm drainage system can be substantially altered using this alternative. The northern storm water retention pond and Winters retention pond can both be eliminated. In order to eliminate these facilities, business industrial parks in the Northern portion of the loop road need to be elevated about one foot above the one hundred year flood plains. The policies and implementation project can be changed to reflect an elimination of ponds and the addition of elevated business parks and industrial infrastructure. The impact of this alternative is less than alternative one due to not building two ponds. The impact repeating alternative without that which is environmentally significant, but there's a financial significance, this is very important and essential. I feel a weakness in the EIR Storm Drainage Master Plan. The only alternatives considered are those alternatives that completely protected the line within the 20 year established byline, even though the City Council has set aside some open space uses in there that might have been used. I feel the EIR Storm Drainage Master Plan will need to be evaluated."*

Response 5-13

Comment acknowledged. See Response 5-11 above. Of the $39 million proposed for storm drainage, $21 million is for flood control (i.e., the two ponds and outfall channel, etc.), and $18 million is for storm drainage piping, including fixing pipe in the existing portion of the City. In discussing flood control options, the $21 million would be a high estimate, which could be compared with an estimate prepared by developers of approximately $15 million, achieved by eliminating contingencies and by developer land trading. Although an estimate of how much it would cost to raise building pads above the flood plain has not been prepared, it may be almost as expensive as the $15 million estimate, based on the following:

1. Raised building pads in the flood plain would result in water flowing toward the existing parts of the City and raising the flood level in the rest of the flood plain, since the storage area of the flood plain would be reduced. The City, as local administrator of the flood plain, cannot allow a project which causes increased damages upstream or downstream of a project. Therefore, a channel or pipeline would still need to be built to carry stormwater to Putah Creek, and a small dike

(or perhaps and elevated roadway) would most likely be needed to protect development to the west of the loop road. Modifications may also be needed downstream on Putah Creek to protect against increased flows.

2. A detailed study of the flood plain within the 20-year sphere of influence would need to be conducted in order to determine the exact elevation, limits of flooding and the storage capacity of the flood plain. This analysis was not needed for the Storm Drainage Master Plan because the intent of the Plan was to protect all land within the 20-year sphere of influence by eliminating the flood plain.

3. The amount of earthmoving necessary to raise building pads, elevate the loop road and build a channel or pipeline, and the costs of an additional flood plain study may not reduce costs significantly from the option of building the proposed improvements. (This assumes that the comparison is with the developers suggested cost estimate, which effectively eliminates land acquisition costs.)

It should not be assumed that the alternative of raising building pads above the flood plain substantially reduces flood control costs until a detailed cost analysis is made.

It is correct that all the alternatives looked at in detail protect all of the land within the 20-year sphere of influence. The alternative of using open space instead of the northern stormwater pond for detention may not result in a cost savings to flood control due to the land in the open space being valued at almost three times the value of land to the north of the 20-year line. However, if the open space land is to be purchased by the City for parks and recreation or for some other use, and then used for storm drainage, then the apparent flood control costs would decrease. Cost savings would depend on whether the City purchases the open space for other purposes or not.

Comment PH (B)-2 (MCCOY): DEIR, Pages 107-113

"Mr. McCoy said, 'The General Plan Policy Document states that discharges into Putah Creek will comply with both State and Federal Guidelines and the EIR says that the storm plan is self mitigating. If it is truly self mitigating how does the General Plan Policy propose to monitor the problem of water being discharged into Putah Creek?'"

Response 5-14

Comment acknowledged. Treated wastewater and storm drainage flows would be discharged into Putah Creek. Treated wastewater would be discharged under an NPDES permit that would include a monitoring program overseen by the RWQCB. Storm drainage flows are not required to be monitored by any city with a population under 100,000 (However, this requirement may change in the future.). Currently, cities which

are required to monitor storm drainage flows are only required to gather background data. There are no other requirements at this time.

Impacts of increased flood flows on Putah Creek have not yet been assessed. The study to assess impacts has been recommended in the Storm Drainage Master Plan, and must be completed prior to obtaining a flood plain map revision from FEMA (and possibly prior to obtaining Corps of Engineers and Fish and Game permits) before construction could begin. Also, a project-specific environmental study must be completed before the construction of drainage improvements.

Comment PH (B)-3 (MCCOY): DEIR, Pages 107-113

"Another follow up question to that is on wetlands, if any delineation was proposed or conducted or whether you consulted regards to the status of the lands that are being looked at in the northeast section?

[Civil Engineering Consultant Morse] *answered, 'The Moody Slough area is considered to be a wetland.'*

"City Manager Beck said, 'The Corps of Engineers was sent the entire documents, in fact they were sent all plans, because they are one of the responding agencies that we have asked to respond to the EIR. They were given the EIR on all master plans and documents.'

"[Civil Engineering Consultant Morse] *said, 'One thing we were looking at was making sure that we didn't alter the flows downstream of Moody Slough, so that the wetlands that are there and downstream continue to be there, Part of what's here would be regulation structure to make sure that water was not just bypassing Moody Slough. It would continue like it is.'*

"City Engineer Jackson stated, 'The City would have to purchase property for the detention basin and property for the channel to come down. In the development of this, this channel could be widened to a wider channel, 200 feet instead of 100 feet, and it could be used for detention in addition to area here, which would reduce this area. Those kinds of things can be played off against each other.'"

Response 5-15

Comment acknowledged. Wetlands issues related to the lands to be developed were considered in the Storm Drainage Master Plan, and additional quantification for mitigation will be developed at the time preliminary design and environmental study of the specific project are prepared.

Comment WEIRW-35: DEIR, Pages 107-113

"The engineering survey calls for a subsequent EIR but assumes downstream flooding is the only risk. It does not consider downstream water loss."

Response 5-16

Comment acknowledged. The problem of downstream water loss to Moody Slough could be resolved by routing the detention pond outfall northward to the northern stormwater pond. This change would route all flows to Moody Slough. Only flood flows in excess of Moody Slough's capacity would be diverted to Putah Creek. This would greatly benefit properties downstream of Moody Slough. See also Response 5-11 above.

Comment WEIRW-36: DEIR, Pages 107-113

"3. Study Area. The City might consider putting the floodplain into a special study area. However, given sufficient political will and consistent leadership, it is feasible that a revised stormwater pan (sic) *could be ready to include in the final general plan in the Spring of 1992. We do not feel that these changes, moving in the direction of dramatically lower environmental impacts, would necessitate recirculation of the EIR."*

Response 5-17

Comment acknowledged. See Response 5-11 above.

Comment WEIRW-37: DEIR, Pages 107-113

"4. Downstream water loss. In order to be adequate, the EIR must address downstream water loss in Moody Slough resulting from the diversion of the natural flow of Moody Slough to Putah Creek."

Response 5-18

Comment acknowledged. See Response 5-16, and secondarily 5-11, above.

Comment LANDO (B)-2: DEIR, Pages 107-113

"The Drainage Master Plan provides for dealing with these rare floods with a combination of a large detention basin north of the SOI, and a 2,000 cubic feet per second channel connecting the detention basin to Putah Creek. The Winters Group has suggested as an alternative to constructing a north area detention basin, that the channel to Putah Creek be increased to 3,500 c.f.p.s. This would eliminate, or at least

greatly reduce the need to detain any water north of the SOI. In addition, with regard to the great majority of land owned by our members, any flooding in the 100 year storm would be very shallow. This means that the flooding problem could be solved by raising building pads as little as a foot above current elevations. This is a very common approach to dealing with 100 flood plain problems, which are extremely common in flat areas in California. This approach is alluded to on Page 109 of the Environmental Impact Report."

Response 5-19

Comment acknowledged. See Response 5-11 above. The suggestion that the northern pond be eliminated and the channel to Putah Creek be enlarged needs additional information before it can be adequately evaluated. The impact to Putah Creek must be determined, a plan to maintain historical flows in Moody Slough must be provided, and a detailed cost estimate must be given for comparison with the existing proposal.

See Response 5-13, above, for a discussion of raising building pads within the flood plain.

Mitigation measures will be needed for construction within the 100-year flood zone. There is more than one solution that would mitigate construction within the flood zone. The Storm Drainage Master Plan presents three alternatives and their costs. Mitigation measures would include a specific project, environmental document and a study of the downstream capacity of Putah Creek. Adoption of the Final General Plan should not preclude the use of other alternatives to resolving flood plain issues.

VI. EMERGENCY FACILITIES AND SERVICES: RESPONSES

No comments were received related to this chapter of the Draft EIR.

(This page has been purposely left blank)

Comment J.McN-2: DEIR, Pages 123-127

"FACTS:

"1- We currently have 1.2 acres of developed parkland for 1000 people. The EIR recognizes this amount as SUBSTANDARD.

"2- The recommendation of the National Parks and Recreation Society for neighborhood and community parks is to provide 6.25-10.5 acres of developed parks/1000 people.

"3- The Winters Parks and Community Services Commission requested the allocation of 92 acres of parkland which would bring us up to 7.4 A/1000 population (based on 12,500 total population).

"4- In the Policy Document, V.A.1 recommends 5A developed parkland per 1000 population.

"5- In the EIR, the various plans analyzed offer a total of between 18-45 acres of parkland.

PLAN	TOTAL POPULATION	PARKLAND ACREAGE	# ACRES 1000 POP.	COMMENTS
A-Alternative 1:	12,500	23.2	1.86	
B-Alternative 2:	14,000	23.2	1.66	
C-Alternative 3:	15,000	30 A	2	
D-Alternative 4:	15,000	45 A	3 A[cres]	No land is designated
E-Alternative 5:	11,000	18.7	1.7	
F-Alternative 6:	12,500	23.2	1.86	

"PROBLEMS:

"1- Developers and EIR consultants have told us that because Winters only has a current developed park acreage of 1.2 A/1,000. (which they admit is substandard), under the Quimby Act we can only ask for an additional 3 acres/1,000 in new development.

"2- In the Draft General Plan (Alternative I), developers are only offering 2.4 A/1,000 new residents. This only provides 1.86 acres per 1,000 residents for a total population of 12,500.

"3- Developers and EIR consultants are basing parkland ratios only on new population.

"QUESTION #1: Given the fact that we are beginning at substandard levels, do we allow developers to come in to build, yet continue to keep us at substandard levels? Is this what we want? Do we have any interest as a community in deriving any benefits from this future growth?

"QUESTION #2: In the EIR, on page 248, the NAS plan offer of 30 acres of park is not considered a significant negative impact only because we are already existing at a substandard level. This assumption is clearly unsupportive of our community's needs.

Response 7-1

Comment acknowledged. The DEIR indicates that the Draft General Plan (Alternative I) proposes a total of about 84.5 acres of major new parks, as well as five mini-parks totalling approximately 7.5 additional acres. This would represent a total area of 92 acres of parkland, identical to that requested by the Parks and Community Services Commission, with a ratio of about 7.4 acres per 1,000 persons at the anticipated buildout of the DGP in 2010. The DEIR also indicated, on page 126, that due to the provisions of the Quimby Act, and based upon the existing ratio of about 1.3 acres of developed parkland per 1,000 city residents, the City would be limited in the acreage per 1,000 population it could require developers to dedicate and improve (or to make payment in-lieu of such dedications). The DEIR determined that the dedication requirements, as a strategy for increasing the ratio of parkland to city residents, could be relied upon for obtaining only a small proportion of the planned 92 acres of improved parkland, and that this would result in an overall ratio of 2.4 acres per 1,000 residents of the entire city at buildout.

Subsequent to preparation of the Draft EIR, it has been determined that the City's current inventory of publicly-owned land designated for public parks and recreation facilities includes 30 acres of undeveloped land (the City's former landfill site), and that the current ratio would be correctly stated as 7.7 acres of designated parkland per 1,000 residents, based on a total of 35.9 acres, and a population of 4,639 (U.S. Census, 1990). This figure does not include the acreage of public school facilities which are used for the recreational needs of city residents, estimated at one-quarter of the total Winters Joint Unified School District (WJUSD) properties, (about 17.4 acres of the 69.5 acres in non-administrative use). Combining the estimated acreage of school facilities in use as recreational facilities with currently developed parkland, the ratio is about 5.0 acres per 1,000 residents (see Errata and Revisions, page E&R-21).

Although the DEIR was incomplete in its assessment of currently designated parkland (developed and undeveloped), the information or "facts" presented in the comment associating specific parkland acreages with each of the Alternatives is misleading and partly erroneous. The discussion of the issue on page 137 of the DEIR, in the discussion of Fiscal/Public Financing Considerations, may have contributed to some confusion by

using slightly different population data from that referred to on page 126, and by indicating that the Quimby Act would limit the City to obtaining only 23.2 acres of parkland using dedication requirements for new development. In addition, the Summary of Development Assumptions, Figure 35 in the DEIR, which was used exclusively for the fiscal analysis section of the DEIR, and not for any other purposes, was not fully indicated as being a tabulation ONLY of new development which would be added to the city, in order to examine the fiscal impacts of the proposed DGP. Thus the comment that the EIR consultants based parkland ratios only on new residents, in this context, is essentially correct, although it was appropriate in this instance to do so. The assumption that only 3 additional acres of parkland would be added per 1,000 new city residents was an appropriate one for examining both the best- and worst-case scenarios. From a fiscal standpoint, as indicated on page 148 of the DEIR, a ratio of 3 acres per 1,000 residents is a "best-case" scenario, while a ratio of 7.4 acres per 1,000 residents, as represented by the objective of 92 acres for the total projected population of 12,500, is a "worst-case" scenario. Based on the revised inventory of designated parkland described above, the determination of the FEIR is that the City will, under the Quimby Act, be enabled to obtain parkland dedications, improvements or payments in-lieu of dedications or improvements, based on 5 acres per 1,000 new residents generated by each residential development project.

The table in the above comment uses the Figure 35 projections for parkland which new development would be expected to generate, but the calculation of acres per 1,000 residents does not include the existing 5.9 acres of parkland, or the 30 acres of designated parkland represented by the landfill (see above) which, combined with the parkland acreage projected to result from new development, would result in the following ratios of total parkland to total population for each alternative at buildout, assuming a 1991 population of 4,778 (Ref. 8 in the DEIR): Alt. I - 5.95; Alt. II - 5.85; Alt. III - 5.79; Alt. IV - 5.79; Alt. V - 6.81; Alt. VI - 5.95.

Under the Quimby Act, communities are able to require new residential development to provide parkland dedications or payment in lieu of dedications as a way to provide adequate parkland for new residents, but limits the requirements to a maximum basis of 5 acres per 1,000 residents generated by the proposed development. This prevents communities from taking advantage of new residents by forcing them to pay exclusively for the community's objectives for improved park and recreation facilities. This does not mean that the ratio of parkland to residents can not be increased through other means, however. Such an increase can be made through the purchase of additional land for parks at the expense of existing residents, using funding mechanisms independent of Quimby Act parkland dedication requirements or fees. Simply stated, the Quimby Act can be used to provide new parkland as the number of new residential units increases, but it cannot directly increase the existing ratio to more than 5 acres per 1,000 residents. If existing residents wish to improve this ratio, they must be prepared to pay the costs of acquiring new parkland themselves, since they cannot legally force new residents to pay these costs under the provisions of the Quimby Act.

In light of the Quimby Act restrictions, it is clear that the objective of 7.4 acres of parkland per 1,000 residents must be borne in part by existing residents themselves, and not exclusively by new residents. However, an influx of new residents would result in the dedication of parkland which would be added to the current inventory, which could be utilized by existing residents and new residents alike, and which would in fact increase the ratio of park acreage to total residents, and thus would not promote the status quo of a "substandard" ratio. This could be considered by those who would like to see additional parkland in Winters as one possible benefit of growth.

The DEIR does not suggest that "developers are only offering 2.4 A/1,000 new residents" and does not address or define the proposals of developers (with the possible exception of Alternative III, the North Area Specific Plan), but instead defines the degree to which the City may require land dedications, parkland improvements, payments or a combination of these exactions, for the purpose of expanding its park system. Developers will be required to provide, through some combination of these means, a maximum of 5 acres of improved parkland per 1,000 residents projected to be generated by their developments, and cannot "offer" fewer acres per 1,000 residents. The NASP development proposal incorporated into Alternative III identified a total of 42 acres for parks (not including the lake) in the northern area of the city (see page 248 of the DEIR), not 30 acres, which is the number of acres which would be required at a minimum for all new development in the city as a whole under Alternative III, if the City were limited under the Quimby Act to 3 acres per 1,000 as the basis for its dedication requirements. The provision of parks under Alternative III, with the revised calculation of designated parkland as described above, would result in a higher ratio of parkland to residents, and as a result would not have a significant impact of reducing the ratio of parkland to residents.

The DEIR recognizes that the current ratio is between 1.2 and 1.3 acres of developed parkland per 1,000 residents, but also indicates that the Draft General Plan would establish a standard of 5 acres of developed parkland for each 1,000 residents (Policy V.A.1). The emphasis on the Quimby Act as a controlling factor in providing new parkland is unnecessary, however, and it should be recognized that DGP Policy V.A.1 would be used by the City in evaluating development proposals., By adopting this Policy, the City could not approve development, or proceed with implementation of the DGP, if the ratio objective can not be achieved by combining developer exactions with the City's own efforts to obtain other funds for acquiring and developing parkland.

The DGP has been revised as the Final General Plan (FGP) such that the Policy V.A.1 standard of five acres per 1,000 residents is replaced with an overall goal of seven acres of developed parkland per 1,000 residents. Policy V.A.2, while restated, is unchanged in its substance of requiring, to the extent authorized by law, new residential development to include dedications or equivalent payments on the basis of a standard of five acres per 1,000 projected residents. In addition, Policy V.A.2 is changed to require new development to include funding for park maintenance through a landscaping and lighting district or other suitable mechanism. These changes do not modify the determination of the EIR that the impact of development as defined by the Draft General Plan would not have a significant impact on existing or projected demand for parks and recreation.

Comment J.McN-4: DEIR, Pages 123-127

"Recreation and Cultural Resources

"Policy V.A.1. The City shall establish a standard of five acres of developed parkland (combined neighborhood and community) per 1,000 residents.

"As discussed, there are major discrepancies between this policy, what Parks and Community Services has recommended and what is being offered by any of the alternative plans analyzed in the EIR."

Response 7-2

Comment acknowledged. See Response 7-1 above

Comment PH (C)-6 (MCNAMARA): DEIR, Pages 123-127

"I think the majority of the statements in the Policy Document are good and put there to protect us from the unsightly suburban sprawl our neighboring communities have experienced. However, I believe the various plans reviewed in the EIR document frequently undermine the Policy Document and in many cases are empathetical (sic) [antithetical]. *I would like to discuss the problems and contradictions in the Land Use, Circulation and Housing elements, but instead I'm going to focus on Parks and Recreation. I'd like to begin with two key questions. We're considering spending over 14 million dollars to mitigate flooding and drainage problems so that developers can come in and build homes. This amount of money is so high and will increase fees so much that we've been told that we can't expect to ask for too many additional fees which might improve the quality of the whole community. Will we have to cut corners on the*

schools, parks and other public services so that we can provide affordable housing? How many of use would truly benefit from this growth? How many of us will be adversely impacted? Can you ensure an improved quality of life for all citizens, or will we be forced to compromise our services because of funding shortages? These are all factors that I ask you to weigh in your equation.

"My second question is, what priority will parks have in the final plan? The recent census indicates that 37% of the households in California have children under the age of 18. In Winters, 51% of the households have children. Therefore, when considering factors which grant quality of life, we need to consider our level of services to families in this town. Right now, our level of services for families is substandard and it says so in the EIR. Our schools are overcrowded, we have no after school latch key program and there's no State funding in sight to provide one. We're struggling for adequate facilities to keep our current recreation programs going. We've outgrown our Community Center, and we're completely out of space to provide any additional recreational programs that have been requested by our citizens. We currently have 1.2 acres of developed parkland per 1,000 citizens that we have in this town. With so many single and dual income working families, many of our children are home alone or wandering around town and this effects (sic) *everybody. This puts our kids at risk. The only thing that's keeping them afloat, I think, is the fact that we have a small, close knit community and a very caring school system with great teachers and staff. By adding 3,000 more families to this town without adequate facilities for recreation, we will lose not only our community character but our sense and pride and caring for our kids.*

"Now the School Board is discussing the possibility of year round education, which with our current population would have up to 200 school age children out of school for three weeks at a time without care and without adequate recreation programs all year round. Every three weeks a new batch of 200 kids would be out. So, the School Board and State advisors on year round education have all state (sic) *that the key to the success of year round education is to work very closely with the Recreation Department. But our Recreation Department is operating on a shoestring budget, constantly looking for sites, gym space, field space and funding. May I remind you that in our recommendations, we use the recommendation of the National Parks and Recreation Society for neighborhood and community parks, which was to provide 6 to 10 acres of park land per 1,000 people. Again, we currently have 1.2 acres of developed parkland per 1,000 people which, as I said, is substandard. The Parks and Community Services Commission requested the allocation of 92 acres of parkland which would bring us up to about 7.5 acres per 1,000 based on a 12,500 population. I urge you to make parks and recreation facilities a high priority for our community as you finalize the Plan. Look at the immediate needs listed by the Parks and Community Services Commission, whether we need to tighten the language, negotiate through annexation process, increase developer fees or form assessment districts. Please explore all the options to provide our families with adequate recreation opportunities."*

Response 7-3

Comment acknowledged. See Response 7-1 above, and Response 5-11 in Chapter V of the Response to Comments section.

In order to provide a high proportion of affordable housing, a trade-off of lower standards for schools, parks and other public services may be necessary. However, there appears to be a consensus that existing conditions in all these respects are not acceptable, and that growth of a certain character will improve these aspects of the city, though perhaps not as easily as would be desirable. Some affordable housing will be developed, and public facilities and services, including schools and parks, will be improved and expanded, though not without a struggle and concentrated effort by the City and the community. Growth will not occur without adequate facilities for recreation, or other necessary public services, as it is widely acknowledged that adding 3,000 families to the city without improvements in such services would indeed damage the community character. The DEIR indicates that schools and parks will be added to the city as development occurs. The EIR cannot address the issue of which public facilities or services will have the highest priority in the final, adopted General Plan.

Real benefits from growth can be obtained by everyone in the community, including both existing and new residents, if a dynamic equilibrium can be maintained in the development process between encouraging growth, and extracting community benefits from the direct beneficiaries of growth (i.e., developers and potential new residents). The process of distributing the benefits of growth to the community is the essence of a General Plan, as well as to minimize any adverse impact of growth on the community, or its constituent individuals and environment. However, no General Plan, or EIR, can guarantee that growth or change will improve the quality of life in a given community, equally distribute community benefits, improve services or protect the environment. However, these documents can direct the community to a basic understanding of what, where, when and how growth or change should occur, who is or should be responsible for those decisions, and if possible, why change should be considered.

Comment SNYDER-1 & PH (D)-5 (SNYDER): DEIR, Pages 123-127

"The National Parks and Recreation Society recommendation for neighborhood and community parks is 6.25-10.5 acres of developed parks per 1000 population. Currently, Winters has 1.2 acres of developed parks per 1000. The EIR states that this is substandard.

"The Winters Parks and Community Services Commission has requested the allocation of 92 acres of parkland which would bring us up to 7.4 acres per 1000 (based on 12,500 total population.)

"i :e EIR, the various plans analyzed offer a total of between 18-45 acres of parkland (. 3 acres per 1000 population.)

"Developers and EIR consultants have said that because Winters only has a current developed park acreage of 1.2 acres/1000 (which they admit is substandard), under the Quimby Act we can only ask for an additional 3 acres/1000 in new development. (City staff has informed us that there are ways to get around the Quimby Act.)

"In the Draft General Plan (Alternative 1), developers are only offering 2.4 acres/1000 new residents. This only provides 1.86 acres per 1000 residents for a total population of 12,500. Developers and EIR consultants are basing parkland ratios only on new population.

"Does this mean that, since we are beginning at substandard levels, we continue to stay there while we allow developers to come in and build? Do we have any interests as a community in deriving any benefits from this future growth?"

Response 7-4

Comment acknowledged. See Response 7-1 above.

Comment PH (D)-7 (MARIANI): DEIR, Pages 123-127

"In closing, it says that the 1.6 acres of park land, the EIR states that it will have no significant impact, it also does not include any indoor recreational facilities at all. I think that everyone needs to look at that. It will in fact have a negative significant impact. I would like all of you to please revise the General Plan to protect this from happening. Thank you."

Response 7-5

Comment acknowledged. See Response 7-1 above. It is unknown where the commentor's reference to "1.6 acres of park land" is derived from, as this figure was not used in conjunction with the analysis of parks and recreation facilities. Indoor recreational facilities proposed by the DGP are listed in the DEIR on page 124. Development of the facilities identified in the DGP will avoid a significant impact on the provision of parks and recreation facilities to Winters' residents.

Comment MARIANI-2: DEIR, Pages 123-127

"How can anyone even suggest that 1.86 acres per 1,000 people is enough park space. Our youth soccer program has grown from 70 to over 500 children in the last 8 years. In the fall, drive by the Middle School or Waggoner after school or anytime on

Saturdays to see the numbers of children involved from ages 5-18. The Little League baseball and softball programs have increased even more also involving children ages 5-18. Little league volunteers built 2 new playing fields this season on school property to accommodate games played every week night and all day Saturday in the spring. Youth basketball must share the High School gym for all the Saturday games in the winter involving boys and girls in grades 5th-8th. Swim team practices over 200 children ages 4-18 every morning at the High School pool during the summer and competes on Saturdays. Men's basketball, tennis lessons, adult softball, adult volleyball, etc. The facilities that these programs use are almost maxed out now with a slow growth population of 4600. And, these facilities ARE maintained. When discussing the EIR's existing ratio of 1.3 acres per 1000 present residents, we should include the amount of school acreage and indoor facilities that we use for community recreational programs. This should give us a significant increase in our present amount of parkland used and could be legitimized by our Joint Use Agreement between the city and the school district to argue against the restrictions that the EIR is imposing upon us because of the Quimby Act (in addition to the old General Plan's designation of the 30 acre dumpsite for recreational facilities.)"

Response 7-6

Comment acknowledged. See Response 7-1 above (the DEIR makes no suggestion that a ratio of 1.86 acres per 1,000 residents is adequate, or would be associated with new development defined by the DGP). It may indeed be possible to incorporate school facilities, or previously designated parkland in identifying the existing ratio of parkland to residents, as the basis for determining under the Quimby Act the amount of parkland which new development can be asked to provide through dedication or fees in lieu of dedication. The DEIR does not establish restrictions on the amount of parkland which Winters residents may wish to obtain., but it does describe the limitations established by state law for obtaining community benefits such as parks from new residents and developers serving those new residents.

Comment MARIANI-3: DEIR, Pages 123-127

"Haven't the developers been listening to us for the last three years? Have they done anything to change or modify their plans so that Winters can afford adequate recreational facilities or throughout the process have they only continued to try to convince us that what they had planned for us 3 years ago is all that we need and all that we can expect. Again, the EIR and Alternative Plans give us at most 1.86 acres of parkland per 1000 people with no indoor recreational facilities even mentioned stating that this will have no significant impact. We must not believe this - if we allow that to happen, it will be a major significant impact. We must also explore all of the other funding sources available that the city staff is looking into and of course, fully support the design of shared recreational and school facilities. We need these facilities and we

can maintain them. Send the NASP planners back to their drafting tables and make sure that the new General Plan protects the City and Citizens of Winters from any and all significant impacts that new development will have on our community."

Response 7-7

Comment acknowledged. See Responses 7-1 (the DEIR makes no suggestion that a ratio of 1.86 acres per 1,000 residents is adequate, or would be associated with new development defined by the DGP), 7-3 and 7-5 above. The DEIR evaluates the environmental impacts which would be associated with the adoption and implementation of the Draft General Plan, and although the NASP is evaluated in Chapter XV as the "North Area Specific Plan/Existing General Plan", the major focus of the DEIR is the Draft General Plan and not the NASP. It is not the aim of the General Plan process or the EIR to "send the NASP planners back to their drafting tables," as the current project under evaluation is the DGP (and the proposed Draft Final General Plan), which is being prepared for the City of Winters, not the proponents of the NASP. The General Plan and the EIR cannot guarantee that new development will have no significant impacts, and it recognizes that certain impacts on the environment are unavoidable.

Comment PH (D)-6 (COMAN): DEIR, Pages 123-127

"Liz Coman said, 'I'm also speaking on behalf of parks and recreation. I have a personal philosophy regarding change and it's that you can't avoid it, you can't deny it, so you need to embrace it. I want to caution you and everyone that during this embracing of change we don't wake up to find that we're the victims of a rape. The high school site should be 40 acres, lot sizes of 4500 square feet are postage stamp size. That means we are crowding people into small areas. Parks and Community Services are inadequate and substandard even the EIR realizes this. We often hear that if it ain't broke don't fix it, well it seems to me the opposite of that should be true also. If it is broken then it needs to be repaired. In terms of the number of acres for parks that is not being considered in the Draft General Plan and the EIR. I would like to say that it is broke so let's repair it, let's make sure that we have adequate park lands for not just our children but for our community at large, for everyone, from infants to elderly. Latch key programs for our children are desperately needed. We must consider the level of service that we can provide. I want to say that the City and School District have been able to work together to continue to provide a high level of education that we have now. The way that occurred was through public meetings and I think the same thing can happen with the Draft General Plan and EIR. I think that if we work together to maintain the quality of life we have here we will ensure, even with this change that's going to occur, and that we can embrace that our quality of life will still have special and unique characteristics that we really and truly love about Winters. Thank you.'"

Response 7-8

Comment acknowledged. See Responses 7-1, 7-3 and 7-7 above.

Comment PH (D)-2 (SNOW): DEIR, Pages 123-127

"Phil Snow said, 'I'm a part of the Parks and Community Service Commission. The Commission is recommending the following changes to the policy statements in the public review draft of the General Plan Policy Documents. We'd like to take Land Use and change a word to make it more meaningful of strengthen the word. The City shall link the rate the rate of growth in Winters to the provision of adequate services and infrastructure, including schools. We'd like to include, the City shall link the rate of growth and annexation in Winters to the provision of adequate services. Any statement of the EIR does not support this statement. Instead it indicates that we currently have inadequate services and that we will continue to grow with inadequate levels of service. To enforce policy I.A.3., we'll have to restrict our rate of growth significantly in order to provide adequate services."

Response 7-9

Comment acknowledged. See Response 3-5 in Chapter III of the Response to Comments section of the FEIR.

Comment PH (D)-3 (SNOW): DEIR, Pages 123-127

"If you move on to Section 5, Recreation and Cultural Resources, we'd like to address V.A.1., 'The City shall establish a standard of five acres of developed park land (combined neighborhood and community) per 1,000 residents.' We'd like to change it to, the City shall establish a standard of five to ten acres of developed park. The EIR addresses this issue from the stand point of the Quimby Act which states, that the existing parks that we have, we cannot allow any more from 1.7 to 3 acres. They will give us a max at three and we'd like to base this on what the City has as recommended back prior to the 30 acre parcel which we stated we'd like to use in the form of recreation. Probably, the only reason it hasn't been done is because we had inadequate funds to build a recreation complex. We'd like to include those acres which would bring us up somewhere between (sic) [around] *7.4 acres."*

Response 7-10

Comment acknowledged. See Responses 7-1 (including the box text regarding the Final General Plan) and 7-6 above.

Comment PH (D)-4 (SNOW): DEIR, Page 124

"V.A.10., we have in here 'The City shall' we're deleting the word explore to read 'the City shall encourage development of recreational facilities along Putah Creek near the Community Center. Facilities to be considered include a swimming area, picnic area, and interpretative center.' The EIR does not address this issue of a community center."

Response 7-11

Comment acknowledged. See Response 7-5 above. It was not necessary for the DEIR to specifically address the issue of the recreational facilities along Putah Creek near the Community Center, because such facilities would contribute to the recreational and park resources, and would not have a significant impact on the environment (Policy VI.D.2 directs the City to minimize riparian habitat impacts in the placement of creek-side recreational facilities).

The DGP has been revised as the FGP such that Policy V.A.11 directs the City to encourage (not 'explore') development of recreational facilities along Putah Creek near the Community Center, but no longer specifies the types of facilities to be considered at this location. These changes do not modify the determination of the EIR that the Draft General Plan would not have a significant impact on existing or projected demand for parks and recreation.

Comment LANDO (B)-1: DEIR, Page 129

"The need to separate school children from traffic is underscored in the School Facility Element of the Environmental Impact Report at Page 129:

"Although Winters is a relatively compact small town which would normally be suitable for walking, sidewalks exist only in limited areas for school children to walk safely to schools, which increases the need for school bus services.'

"These policies and goals [in the Draft General Plan emphasizing pedestrian circulation] *all indicate the need for the establishment of a strong circulation element which excludes motor vehicles from some transportation routes.*

"The proposed pedestrian pathway [recommended by the commentor, and corresponding to the east-to-west pathway route shown on page 230 of the DEIR, and which is identified in the DGP as the alignment for an extended and upgraded County Road 33 functioning as a primary collector] *is located at the boarder* (sic) *of the North Area and*

the existing city, and can be used by residents of both. Because of its central location, many children will be able to use it for a substantial portion of their walk to school.

"The dedicated pedestrian and bicycle pathway would have benefits in addition to the actual movement of pedestrian traffic on it. If Road 33 is built, it will be a collector street which physically separates the new North Area development from the existing City. A pedestrian pathway will have much less of a physical and psychological effect as a separator between the two areas. Road 33, if constructed for automobile traffic, would also have the effect of severing the Ag School site from the proposed new site for the high school.

"This issue goes to a concern expressed by many residents of Winters that whatever development occurs, it be done in a way that preserves the City's sense of community and small town atmosphere and that new development be part of the City, not just another suburb. A landscaped pedestrian right-of-way running the width of the town, and facilitating foot traffic to its parks, schools and business district would not only help achieve this goal in a physical way, but would serve as a symbol of the community's commitment to real alternatives to auto traffic and of its commitment to actually providing pedestrian oriented amenities which will cause people to want to walk and ride bikes between places within the community. We request the City Council and the Planning Commission adopt the pedestrian pathway proposed by the Winters Group."

Response 7-12

Comment acknowledged. See Response 4-7 in Chapter IV of the Response to Comments section of the FEIR. The Draft General Plan's proposed bike and pedestrian pathway network is discussed in the DEIR on page 132, where it is indicated that new sidewalks and other bike and pedestrian pathways will be developed, which would serve the local access needs of school children.

Comment PH (A)-1 (ROBERTS): DEIR, Pages 130-133

"In the EIR, there's some typographical [errors] *and some specificity which should become more generic, but basically we really contest and ask how the EIR can say that no mitigation measures are necessary when this* [Draft General Plan] *document lacks the language to mitigate growth on the School District. Mitigation needs to be necessary, language needs to be changed in this* [DGP] *document."*

Response 7-13

Comment acknowledged. See Responses ES-1, 1-3, 1-4, 3-3 in previous chapters of the Response to Comments for discussion of the methodology of the EIR and the need to assume that policies stated in the Draft General Plan will be effectively carried out.

Although the City of Winters can assist the Winters Joint Unified School District in efforts to ensure that adequate educational facilities are available, the ultimate responsibility for providing these facilities rests with the School District and not the City of Winters. Policies within the Draft General Plan would enable the City of Winters to cooperate with the School District in facility planning, and would ensure that those proposing new development have entered into negotiations with the School District for the purposes of mitigating school-related impacts. The policies in the Draft General Plan, assuming its effective implementation, would ensure that school-related impacts which result from proposed development would be mitigated to the fullest extent allowed by law.

The DGP has been modified as the FGP with modified policies addressing the provision of public schools (Goal IV.H. and related Policies). Policy IV.H.6 has been replaced by the condition that the "City shall not approve any development entitlements, including building permits for new residences, unless a mechanism to mitigate school impacts...has been approved," such as land dedication, development fees, assessment districts or other financial arrangements. In addition, Implementation Programs have been added that direct the City to prepare and adopt an ordinance for mitigating school facility impacts, specifying the types of measures which would be required. Prior to adoption of this ordinance, the City is directed to negotiate a memorandum of understanding with the School District "to address levels of service needed by local schools, implementation of General Plan school facilities policies, and the School District's responsibilities with regard to providing the necessary legal and factual support for such school facilities." Finally, Implementation Program IV.14. calls on the City to "adopt a legislative mechanism, such as an overlay zoning district, to ensure that development projects which are currently within the city limits will contribute the necessary school impact mitigation fees or provide alternative mitigation measures necessary to provide adequate school facilities."

These alterations in policies and programs do not change the determination in the DEIR that the Draft General Plan provides sufficient policies to prevent development from occuring under conditions of inadequate school sites or facilities. However, these policy and program changes appear to substantially strengthen the City's ability to make new residential development contingent upon effective means of procuring land and facilities for schools. The Implementation Program discussing the legislative mechanism to ensure mitigation of school related impacts should be changed to apply to subsequent annexations to the city as well as to areas within the current city limits.

Comment WJUSD (B)-1: DEIR, Pages 130-133

"In an abbreviated, summary fashion, the EIR falsely concludes that the draft General Plan and the modified, draft General Plan provide a process to 'ensure ' adequate mitigation of development impacts on school district facilities. There are no guarantees in the current provisions of the General Plan, nor are there guarantees in the proposed revisions to the draft General Plan as prepared by the committee to ensure that the impacts of all new development upon School District facilities will be adequately mitigated. Therefore, we request that the EIR be modified to accurately state that the draft General Plan and the modified draft General Plan do not ensure the existence of a process which will fully mitigate the impacts of new development upon the facilities of the School District."

Response 7-14

Comment acknowledged. See Response 7-13 above. The policies stated in the Draft General Plan do not necessarily "guarantee" that the impacts of all new development upon School District facilities would be adequately mitigated, but the DEIR indicates that if these policies are adopted (by the City of Winters and effectively implemented (by the City of Winters and the Winters Joint Unified School District), potential impacts on School District facilities would be avoided. In the absence of a reliable funding source to provide the resources necessary to fully meet the needs of school districts locally and state-wide, no such absolute "guarantee" is possible. However, the City can institute procedures, as it does in the DGP (and in the FGP) to condition growth, to the extent allowed by state law, on the provision of adequate educational facilities.

Comment PH (A)-4 (BEATON): DEIR, Pages 130-133

""The following language was omitted from the final draft of the General Plan. [:"]*The developer shall obtain written certification from the District,* [that] *the developer has mitigated the school related impact of this project satisfactory to the District and City. The methods under which the school related impacts are to be mitigated include, but are not limited to, those methods set forth in Government Code Section 65995 and other Government Code sections. This conditions shall not be construed as a limitation on the District*['s] *or the City*['s] *towards* (sic) [choice of] *legal mitigation alternatives.*["] *We the parents, grandparents, teachers and school administrators wish to ask that* (sic) *the Environmental Impact Report Consultants the following questions, why was this paragraph omitted, by whom was this paragraph omitted and when in the EIR process was it omitted? We strongly recommend that this paragraph be reinstated as is, into the adopted General Plan, and we trust that this will happen. We intend to see that this will happen. Thank you."*

Response 7-15

Comment acknowledged. The paragraph in question was part of the Administrative Review Draft of the General Plan Policy Document, which was prepared in August of 1991 by the General Plan consultants for review by the Planning Commission, the City Council and for consultant and staff use during preparation of the Environmental Impact Report. During review of this Administrative Review Draft General Plan, the paragraph in question was modified so that it would be in compliance with state law with regard to actions which a city may take to ensure the adequate financing of school facilities. The omission of the subject paragraph was not a part of the process of preparing an EIR. Neither the Administrative Review Draft General Plan or the Administrative Draft EIR were intended for public comment, but only those documents published on October 21, 199 incorporating the phrase "Public Review Draft" in their respective titles.

Comment LANDO (A)-1: DEIR, Pages 130-133

"In addition, as we discussed, I have several comments to the Environmental Impact Report. As I indicated, these comments do not go to the quality of the document, which I believe on the whole is good, but rather to request some minor amendments, which if made, make the document more defensible. You indicated that on the same day that we are to meet with the representatives of the School District we could have a meeting with the EIR Consultant, to discuss these comments."

Response 7-16

Comment acknowledged.

Comment WJUSD (A)-1: DEIR, Page 133

"10. Finally, the district challenges the EIR finding on page 133 that 'No mitigation measures are necessary' when the draft General Plan does not presently contain policies that would allow the city to provide mitigation measures for the impact of growth on the School District."

Response 7-17

Comment acknowledged. See Response 7-13 above.

Comment PH (D)-8 (STEPHENS): DEIR, Pages 130-133

"Mary Stephens said, 'Thank you for the opportunity to review the Draft General Plan Policy Document, Background Report and Environmental Impact Report. I am concerned that library service for Winters is not addressed in either the Policy Document or the Environmental Impact Report.'"

Response 7-18

Comment acknowledged. The DEIR did not evaluate the impacts which adoption and implementation of the Draft General Plan would have on library service in Winters, since these were not considered environmental impacts within the scope of the DEIR, and were not addressed by the DGP. Library services are provided in the Winters area by Yolo County, and are not the direct responsibility of the City of Winters. However, it is acknowledged that if library services do not expand to keep pace with increased demand as a result of an expanded population, it would represent a potentially significant impact on Winters' public facilities, such as its present library facility. The lack of policies in the DGP addressing library services indicates that the DGP could have a significant impact on library services. In order to mitigate the potential impact, the DGP should be modified to include a specific goal and related policies directing the City to actively support the expansion and operation of library services in Winters. The DGP should also serve to ensure that adequate funding is available for needed expansion of existing facilities, construction of new facilities, and their effective operation, as determined in cooperation with the County library district. Such policies would avoid the potential significant impact on library services.

The DGP has been modified as the FGP to include a new Goal (IV.I.) and related Policies (IV.I.1. and IV.I.2.), directing the City to maintain a high level of library services in Winters, by assisting the County in obtaining a site and funding for construction of a new branch library, as well as sufficient operating funds. The addition of this policy to the DGP would avoid a potential significant impact on public library services in Winters, and thus the determination in Response 7-18 of the FEIR that a significant impact would result does not apply to the Final General Plan (FGP).

Comment PH (D)-9 (STEPHENS): DEIR, Pages 130-133

"I also recommend for the Environmental Impact Report to include in Section VII, Other Facilities and Services, the language that 'the increase in population planned by 2010 will have a significant impact on library services in Winters, specifically facility size, the book and material collection, staffing and related support costs. If these costs are not

mitigated, existing residents will be penalized by a reduction in the current level of library services. I have a letter that has included in it background information about the current level of service, our standards, and what would be the proposed level to meet the standards in the year 2010 in the 12,500 population. Thank you."

Response 7-19

Comment acknowledged. See Response 7-18 above. Significant impacts on public libraries, with related effects on both existing and future residents, could result from a substantial growth in the local population and a failure to maintain adequate facility sizes, book and material collections, staffing and related operating costs.

Comment LIBRARY-1: DEIR, Pages 130-133

"The increase in population planned by 2010 will have a significant impact on library services in Winters, specifically facility size, the book and material collection, staffing and related support costs. If these costs are not mitigated, existing residents will be penalized by a reduction in the current level of library services."

Response 7-20

Comment acknowledged. See Responses 7-18 and 7-19 above.

VIII. FISCAL/PUBLIC FINANCING CONSIDERATIONS: RESPONSES

Comment PH (D)-11 (LUND): DEIR, Pages 135-153

"After carefully reading the EIR on fiscal financial considerations, I noted that there is nothing there to give rise for hopes for strong economic health to justify this destruction of what we have now in Winters. Since then the financial documents have been released. By now all of us, including the developers, must know the financial aspects of the General Plan are also disastrous. First, there's almost a million dollar negative balance of the General Fund of the City of Winters by the year 2010. The EIR considers this to be a major effect. Second, the non-competitive fees for new houses sounds unreal to me. Winters City Impact Fees, over $12,000 per house. Storm system, $10-15,000 a house. School fees, over $13,000. Total of 35-40 thousand dollars depending on which part of the flood plain your house is located in. A medium density house will cost more than $200,000. The Financial Planning Report tries to present methods of financing such costs, including assessments, bonds and special taxes. It's obvious that these costs must be lowered, and changes in the General Plan must be made. Thirty-nine million dollars is a forbidding cost for flood control. One logical way of lowering the cost of development fees is to move the major part of development outside the flood area into another area. All of the fees are too high in comparison to surrounding areas and must be lowered if we are serious about development."

Response 8-1

Comment acknowledged. The DEIR does state that for the proposed project there would be a negative annual fiscal balance of about one million dollars at buildout (Year 2010), if public services were provided at the levels of service or standards proposed under the Draft General Plan. In reality, if the City cannot fund these increased service standards, services will continue to be provided at their current level, which in some cases are below the proposed standards.

The fees required for public facilities and infrastructure improvements under the Draft General Plan would be high relative to other surrounding communities, as indicated in the DEIR.

The DGP has been modified as the Final General Plan, and a revised Financing Plan will be prepared following adoption of the FGP to reflect those changes. Due to changes from the DGP to the FGP, it is expected that the Financing Plan will result in lower costs and development fees. The Financing Plan will be updated annually to ensure fiscal responsibility.

Comment LUND-2: DEIR, Pages 135-153

"So far I hu concluded tha: the L aft General Plan will not protect the Winters quality of life, but we need to consider our second goal, the need for economic growth. I asked you to read carefully the EIR on Fiscal-Financial Considerations, noting that there is NOTHING there to give rise to hopes for economic growth to justify this destruction of what we have now in Winters. Since then the Financial documents have been released. By now all of us, including the Developers, must know the financial aspects of the General Plan are also disastrous."

Response 8-2

The comments express an opinion regarding the DGP which the EIR cannot address. The section of the DEIR referred to was not intended to provide the basis for "hopes for economic growth" or to "justify" any course of action.

Comment PH (C)-2 (KILKENNY): DEIR, Page 136

"In the General Plan Environmental Impact Report, prepared by Duncan and Jones and Associates, on page 136, it states that Winters is forecast to have a total of 3,000 employees by the year 2010 of which 695 would be in retail industry with a balance of 2,035 (sic) [2,305] *employed in other industries. Which was assumed for the purpose of this analysis that the majority of this new space would be industrial space. An average of 400 square feet per employee was applied to the projected 2,305 employees which equals approximately 1.3 million square feet of space. If this statement is in fact true, has the City set aside enough acreage to handle this industrial growth?"*

Response 8-3

See Errata and Revisions, page E&R-24. A typographical error in the DEIR indicated that the average non-retail ("other") employee requires a work space of 400 square feet, which should have read 450 square feet. The DEIR also indicated that Winters is forecast by the Sacramento Area Council of Governments (SACOG) to have a total of 2,305 non-retail employees, which would require 1.03 million square feet of office or industrial space. The commentor (or the transcriber) appears to have misquoted the DEIR by indicating a figure of 1.3 million square feet.

The DEIR assumes that the majority of the non-retail employees (i.e., 2,035) at 2010 would utilize space that is more like industrial "office-flex" or "R&D-flex" space than traditional office space. This is not meant to imply that all of Winters employment growth would be in industrial employment. Most non-retail employees would be accommodated in the Office, Business Park, Light Industrial and Heavy ndustrial land use designations. The Draft General Plan Land Use Diagram, summarized in tabular

form in **Figure 5** of the DEIR, indicated that a total of 147.2 acres are designated for these land uses. In addition, a substantial number of non-retail employees may be accommodated in the CBD designation (53.7 acres), such as office workers, although the proportion is difficult to predict. By comparison, the 1.03 million square feet of floor area in structures to house non-retail employees, requires a minimum of 59.1 acres in total land area, including consideration of the maximum allowable site coverage by buildings of 40 percent (Floor Area Ratio (FAR) of .40), to provide parking, landscaping and meet other requirements. Therefore the Draft General Plan clearly provides ample acreage to accommodate the employment forecasts for the city. A surplus of about 88 acres of potential non-residential and non-retail space is designated on the DGP land use diagram over and above the area likely to be absorbed by the year 2010.

The DEIR considers the projection of employment growth for the City of Winters because it was believed that the proposed project included more land designated for non-residential or employment-generating uses than would be likely to occur before the year 2010. This is an important consideration from a fiscal standpoint. It is more prudent to forecast revenues and costs from the amount of non-residential land that is likely to be absorbed within the analysis period than for the total amount of land designated, when that amount is unlikely to be absorbed. This assumption is a "worst-case" assumption that is required for environmental analysis. Whereas for most environmental analysis the highest amount of growth is analyzed as "worst-case", for fiscal analysis it is more important to analyze the lowest amount of growth that is expected to occur.

The DGP has been revised as the Final General Plan with a modified Land Use Diagram (see Errata and Revisions, **Figure 4 (REVISED)**), resulting in changed acreages and land use designations. The Business Park designation has been replaced by Planned Commercial/Business (PC/B), which is expected to accommodate a substantial amount of retail uses. For the purpose of this analysis, it is assumed that 50 percent of the acreage designated as PC/B would consist of non-retail uses. The FGP designates a total of 110.4 acres in the combined Office, PC/B, LI and HI designations, which is 57.5 acres greater than projected to be necessary to accommodate relatively conservative employment forecasts for the city.

Comment WDCOC-1: DEIR, Page 136

"7) The draft EIR on page 136 states that Winters is forecast to have a total of 3,000 employees by 2010 of which 695 would be in retail industry with the balance of 2,305 employed in other industries. It was assumed by the EIR analyst that the majority of this new space would be industrial. An average of 400 square feet per employee was applied to the projected 2,305 employees, equaling an approximate 1.03 million employee square feet. The Chamber agrees with the basic premise and requests that land use and

zoning for Winters realistically reflect a majority of 1.03 million employee square feet of industrial and commercial space. This would mean considerably more land than is currently identified in the Draft General Plan for industry and commerce, since space would also be needed for parking, landscaping, roadways, etc."

Response 8-4

Comment acknowledged. See Response 8-3 above.

Comment YOLO (A)-2: DEIR, Pages 135-153

"The Draft E.I.R. identifies public expenditures for ongoing city services at buildout. However, just as increased population will impact the services provided by the city, county services will also be impacted by growth in the City of Winters.

As we outlined in our comment on the Notice of Preparation, the County has adopted Ordinance No. 1119, the County Facilities Authorization and Fee Ordinance. This fee is levied both in unincorporated and incorporated Yolo County. This fee is meant to compensate for construction of additional public service facilities required because of new development.

It is important to the County and for the City's final decision, that the impact on County services be identified in the draft General Plan EIR. The impact on County services are (sic) *as vital to the residents of Winters as the impact on the City services. The City General Plan EIR should take into account the impact the proposed population expansion will have on County services."*

Response 8-5

The Financing Plan prepared for the Draft General Plan include analysis of the County of Yolo's Community Facility Impact Fee. This impact fee is discussed on page 55 of the Financing Plan, and included in the comparison of fees to selling prices on page 63 and 64.

Draft General Plan Alternative I would generate about $3.2 million in impact fee revenue for the County. Other Alternatives would generate from about $2.7 million in fee revenue under Alternative V to as much as $3.8 million under Alternative III. This revenue would be used to cover the cost of providing additional County community facilities required by the increased population under each Alternative. Table 14 shows the estimate of County impact fee revenue by land use for each Alternative, and Note 10 shows the assumptions and rates used in the calculations. Both Table 14 and Note 10 are provided in **Appendix B** (Yolo County Fiscal Impact Model) of the FEIR.

An analysis of the fiscal impact on the County of Yolo has been prepared by Economic and Planning Systems, Inc. based on net County cost per capita figures developed by EPS for another project in Yolo County. These net County cost figures by department are provided in **FEIR Figure 1**. These costs are net of all revenue the County expects to receive which would cover expenditures in each department. Thus, the net costs shown in **FEIR Figure 1** are costs that would have to be funded with the discretionary revenues the County expects to receive from the project area at 2010.

These net County costs assume a total population of 148,000 and are based on the adopted 1991/1992 Fiscal Year County Budget. All costs and revenues are in constant 1992 dollars. Public protection costs do not include sheriff patrol, boat patrol, management, and other sheriff services that would be provided by the Winters Police Department. The net County cost for public protection is $80.30 per capita. All other cost factors used include each department's total expenditures divided by total population. In reality, actual costs per capita may be somewhat lower as the County experiences some economies of scale as with General Government. Households that would be able to afford new housing in Winters are unlikely to have the propensity to require public assistance at the same rate as current County residents, given the expected cost of new housing. Despite this fact, for this analysis it is assumed the current net cost per capita will continue

The total per capita net County cost for projected growth in Winters, for all services, would be about $205. With a total net increase in population of 7,722, total county expenditures would be about $1.58 million per year at 2010.

Yolo County would receive about 24 percent of the property tax revenue generated by the proposed project and alternatives. The County would also receive a percentage of the tax increment revenue generated by the proposed Winters Redevelopment Area (assuming the plan is implemented). Although the actual pass-through agreement has not been negotiated with the County, this analysis assumes that the County would receive 80 percent of the normal 24 percent the County would receive. Thus, it is assumed that the County would only give the City the 20 percent housing set aside amount. The County would also receive property transfer tax revenues and motor vehicle in-lieu fees from the State. **FEIR Figure 2** shows the estimated discretionary revenues the County could expect to receive under each of the project Alternatives. Under Alternative I, the County would receive about $1.7 million in discretionary revenues.

FEIR Figure 3 shows the net fiscal balance for the County at 2010 for all Alternatives. As shown, the expected revenues generated by new development would cover the required public service costs for all Alternatives. The net fiscal balance for the County would be positive by about $130,000 under Alternative I.

FEIR Figure 1

YOLO COUNTY NET COSTS
Alternative I - Draft General Plan
(in constant 1992 dollars)
General Plan EIR
City of Winters, California

Budget Item	Estimating Procedure	Budget Multiplier (1)	Estimated Net Costs at 2010
General Government	Net County Cost per Capita	$69.06	$533,281
Public Protection	Net County Cost per Capita (2)	$80.30	$620,077
Community Development	Net County Cost per Capita	$4.15	$32,046
Health and Sanitation	Net County Cost per Capita	$17.87	$137,992
Public Assistance	Net County Cost per Capita	$31.76	$245,251
Education	Net County Cost per Capita	$1.34	$10,347
Recreation	Net County Cost per Capita	$1.18	$9,112
Total County Expenditures		$205.66	$1,588,107

(1) Based on Yolo County Adopted Budget for Fiscal Year 1991/1992 and County population of 148,000.
(2) Does not include Sherriff management, arson investigation, boat patrol, patrol, and training.

Sources: Yolo County 1991/1992 Adopted Budget; Economic and Planning Systems, Inc.

FEIR Figure 2

SUMMARY OF YOLO COUNTY DISCRETIONARY REVENUES

All Alternatives (in constant 1992 dollars)
General Plan EIR
City of Winters, California

Alternative	Property Tax Revenues	Tax Increment From RDA (1)	Property Transfer Tax Revenues	Motor Vehicle In-Lieu Fees (2)	Total Estimate Revenue
Alternative I Draft General Plan	$1,149,177	$199,872	$53,625	$315,047	$1,717,72
Alternative II Modified DGP	$1,388,403	$199,872	$62,693	$376,245	$2,027,2
Alternative III North Area Specific Plan	$1,677,203	$199,872	$76,430	$417,044	$2,370,5
Alternative IV Existing General Plan	$1,601,732	$199,872	$72,694	$417,044	$2,291,3
Alternative V Reduced Urbanization	$1,047,864	$199,872	$50,982	$253,849	$1,552,5
Alternative VI Compact Plan	$663,726	$564,480	$52,580	$315,047	$1,595

(1) Assumes County would receive 80% of their 24% of the tax increment generated by the City's proposed Redevelopment Area. The actual pass through agreement has yet to be negotiated between the City and the County.

(2) Based on current County per capita revenue of $40.80.

Sources: Yolo County 1991/1992 Adopted Budget; Economic and Planning Systems, Inc.

FEIR Figure 3

YOLO COUNTY NET FISCAL BALANCE
All Alternatives (in constant 1992 dollars)
General Plan EIR
City of Winters, California

Alternative	Estimated Revenues at 2010	Estimated Expenditures at 2010	Net Fiscal Balance at 2010
Alternative I Draft General Plan	$1,717,721	$1,588,107	$129,615
Alternative II Modified DGP	$2,027,214	$1,896,597	$130,617
Alternative III North Area Specific Plan	$2,370,549	$2,102,257	$268,292
Alternative IV Existing General Plan	$2,291,342	$2,102,257	$189,085
Alternative V Reduced Urbanization	$1,552,567	$1,279,617	$272,951
Alternative VI Compact Plan	$1,595,833	$1,588,107	$7,726

Source: Economic and Planning Systems, Inc.

As shown in Figure FEIR 3, under Alternative VI, the Compact Plan, the net fiscal impact would be neutral. For all Alternatives, there would be sufficient revenues to cover the net County costs associated with expected population growth under the Draft General Plan at 2010.

Comment LAFCO-4: DEIR, Pages 135-153

"With growth comes considerations of urban services. The Draft E.I.R. identifies a projected excess of expenditure over revenue for public expenditures for ongoing service at buildout. The Draft E.I.R. addresses methods to overcome the shortfall. It also acknowledges that if there is a delay in the ability to raise the public service standards the City Council should adopt a general plan with a smaller net new population. Before annexation of any of the land within the proposed General Plan area could take place LAFCO would be required to evaluate whether the City has the means to provide the necessary service to the annexing territory."

Response 8-6

Comment acknowledged.

Comment YOLO (B)-2: DEIR, Pages 135-153

"The north and west expansion of the City of Winters designated General Plan Area, and the subsequent introduction of urban uses, presents potential financial and allocation impacts on public services provided by the County of Yolo to residents and employees who live and/or work within the City of Winters and the unincorporated area. Yolo County, like many other counties in the state, is in a financial crisis due to increased state mandates and decreased revenues.

"The Yolo County Board of Supervisors on April 30, 1991, adopted ordinance No. 119, the County Facilities Authorization and Fee, effective August 1, 1991. The ordinance establishes the levying of an impact fee within both the unincorporated are of the county and the incorporated cities, as a means of providing compensation to the county for the construction of additional public services facilities (i.e., social services, health services, law enforcement, etc.) required to serve new development."

Response 8-7

Comment acknowledged. See Response 8-5, above.

(This page has been purposely left blank.)

IX. BIOTIC CONSIDERATIONS: RESPONSES

Comment WEIRW-46: DEIR, Page 156

"California Department of Fish and Game (CDFG) and Army Corps of Engineers (ACE) definitions of wetlands are given, but which one will be adopted for Winters?"

Response 9-1

Comment acknowledged. As indicated on page 156 of the DEIR, both the U.S. Army Corps of Engineers and the California Department of Fish and Game have jurisdiction over wetlands in California. The City of Winters currently does not have a wetlands-related preservation ordinance (although the Draft General Plan includes policies to protect wetlands), and so does not currently have jurisdiction over local wetlands beyond that provided by existing land use regulations generally. Even if the City were to adopt a wetlands-related preservation ordinance, both the Corps of Engineers and the Department of Fish and Game would still retain jurisdiction over local wetlands, based on the definitions of "wetlands" currently in use by those agencies. It should be noted that the definition of "wetlands" and policies related to wetlands are currently being reviewed by the federal government.

Comment WEIRW-47: DEIR, Page 156

"Many Winters wetlands are seasonal or episodic (not wet every year); thus do not meet the ACE 3-way definition. What wetland areas will be designated in Winters? Why are wetlands not mapped in the EIR? Dry Creek should qualify as a wetland."

Response 9-2

Comment acknowledged. See Response 9-1 above. The DEIR identifies the Putah and Dry Creek corridors as the major wetland features within the City. Detailed wetland delineations would still be required during the review of individual development proposals, with site-specific mitigation provided as required by jurisdictional agencies. The U.S. Army Corps of Engineers and the California Department of Fish and Game may determine that all or part of Dry Creek qualifies as wetlands, using the criteria which they currently apply in defining "wetlands".

Comment WEIRW-48: DEIR, Page 156

"'Potential wetlands ... include ... a large depression northwest of the cemetery which is subject to short periods of ponding...'. The cemetery depression contains water for several months -- a significant period rather than a 'short' one. This wetland will be

destroyed by development. Its contributions to the Dry Creek aquifer need definition and study."

Response 9-3

Comment acknowledged. As indicated in Responses 9-1 and 9-2, above, the Draft EIR does not provide a formal delineation of wetlands within the Winters Planning Area. In the event that development is proposed in the vicinity of the "large depression northwest of the cemetery" (or anywhere else within the Planning Area), a delineation of any on-site wetland areas will be required as part of the environmental review associated with each project. If wetlands are identified using the criteria established by the Corps of Engineers or the Department of Fish and Game, site-specific mitigation measures to protect these areas or recreate wetland values elsewhere will be required by these agencies as a condition of permit approval.

The DGP has been revised as the FGP to incorporate additional policies which further specify the mitigation measures which will be required for public or private development projects which may have adverse impacts on wetlands (see E&R pages 26-27). These modifications provide the same mitigating effect as Mitigation Measures 9.2A and 9.2B, and therefore the measures are eliminated from the EIR, but the strategies identified in 9.2B are retained as guidelines for policy implementation. The need for project site-specific delineations of wetlands, however, is not changed.

Policy VI.D.5 in the FGP requires that modifications of creeks or channels and other wetland features (such as bridge crossings, flood control improvements, or culverting) shall be designed to minimize disturbance to areas of dense riparian and marshland cover consistent with policies contained in the Natural Resources section of the General Plan. Any proposed channel modifications shall be coordinated with representatives of the CDFG and Corps to ensure that the concerns and possible requirements of both agencies can be easily incorporated into specific development plans during the initial phase of project design. Policies VI.D.4-7 and other related policies, as defined in the FGP, provide procedures for preventing or minimizing disturbance of wetland vegetation as a result of flood control or drainage improvement projects.

Comment WEIRW-63: DEIR, Page 156

"3. Wetland definition. The EIR should state explicitly how wetlands are defined in the document."

Response 9-4

Comment acknowledged. See Response 9-1 above.

Comment WEIRW-64: DEIR, Page 156

"4. Wetland maps. The EIR should provide a map of wetlands for the general area or provide a mitigation budget for its preparation."

Response 9-5

Comment acknowledged. As indicated in Response 9-2, above, although a preliminary map of local wetland features would be useful, formal delineation of wetland areas would still be required as part of the environmental review for proposed development projects within the Winters Planning Area. The preparation of a detailed map of wetlands located within the Winters planning area was not included within the scope of the EIR study. Given adequate funding and staff, such a map could be prepared at any time, although the responsibility for making formal delineations of wetland areas would still rest with the U.S. Army Corps of Engineers, and would generally take place only as development proposals for individual parcels are brought forward.

Comment WEIRW-65: DEIR, Page 156

"5. Specialist. If the EIR does not map wetlands, the EIR should propose a specialist for wetland determination."

Response 9-6

Comment acknowledged. As indicated in Response 9-2, above, the formal delineation of wetlands would be required as part of the environmental review for projects proposed within the Winters Planning Area. Although the employment of a "specialist" for the purposes of determining which portions of the Planning Area are (in that specialist's estimation) "wetlands" might yield information which would be of interest, such efforts would in no way substitute for the formal delineation of wetlands conducted by the Corps of Engineers and the Department of Fish and Game, which would still be required regardless of whether such a specialist had been employed or not.

Comment WEIRW-52: DEIR, Page 159

"Vague statements about the possible presence of burrowing owls and mountain plovers in the area. Are these birds present or not? If so, as potentially listable species, the EIR should present mitigation details."

Response 9-7

Comment acknowledged. An extensive field reconnaissance survey would be required to determine with some degree of certainty whether or not special-status taxa (e.g. the burrowing owl and mountain plover) are, in fact, present within the Winters Planning Area. In the absence of such a survey, the DEIR indicates that several special-status taxa may be present witnin the Planning Area. As development proposals are submitted, the City can require prospective developers to survey their properties for the presence of special-status taxa as part of the subsequent environmental review process. If the presence of special-status taxa is confirmed through such surveys, then appropriate mitigation measures should be implemented as a condition of project approval.

The DGP has been revised as the FGP to incorporate supplemental policies, which could potentially avoid the significant impact on special status plant identified in the Draft EIR as Impact 9.2 (re-numbered as 9.1; see page E&R-27 of the FEIR). Policy VI.C.1 requires that prior to approval of public or private development projects in areas containing or adjacent to areas containing large trees, riparian vegetation, or other significant wildlife habitat, the project area and its environs shall be field surveyed by a qualified biologist for the presence of special-status plant and animal taxa. This modification provides the same mitigating effect as Mitigation Measures 9.3A and 9.3D on pages 165 and 167, respectively, of the DEIR, and the Mitigation Measures are therefore eliminated (see E&R-page 26-29), although additional guidelines for policy implementation are retained from 9.3D.

In addition, the FGP directs the City to work with surrounding jurisdictions and state and federal agencies in developing a regional Habitat Management Plan to provide baseline data on special status plant and animal taxa in the Winters area (Policy VI.C.4 and Implementation Program VI.4), including Swainson hawk and the valley elderberry longhorn beetle (VELB). Proponents of development projects may be required to enter into an agreement with the City to ensure that such projects will be subject to a fee ordinance consistent with the regional Habitat Management Plan (VI.C.5). This modification of the DGP as the FGP provides the same mitigating effect as Mitigation Measure 9.3B on page 165 of the DEIR, and the measure is therefore eliminated from the EIR (see E&R page 28). However, the EIR indicates that significant impacts would be likely to occur with adoption and implementation of the Final General Plan and should be considered to be cumulatively significant, until a Habitat Management Plan is adopted and implemented.

The FGP would require that where potential impacts on special status are unavoidable, mitigation shall be based on a policy of no net loss of habitat value, and incorporate, as deemed appropriate by the City, the guidelines of the USFWS and the DDFG. This modification provides the same mitigating effect as Mitigation Measure 9.3C on page 166 of the DEIR, and therefore the measure is eliminated from the EIR (see E&R page 28), although additional guidelines for policy implementation are retained.

Comment WEIRW-53: DEIR, Page 160

"'... no detailed studies have been conducted to confirm the presence or absence of this subspecies.' [of salamander]. *Again, how can we proceed without this information? Preservation of upland habitat is vital for the survival of this animal."*

Response 9-8

Comment acknowledged. As indicated in response 9-7, above, the City can require prospective developers to survey their properties for the presence of special-status taxa (including the California tiger salamander) as part of the environmental review process. If such surveys indicate that habitat critical to the continued survival of special-status taxa is threatened by proposed development, then the City can act either to limit such development or to allow such development to proceed only after adverse impacts identified during the environmental review process have been effectively mitigated.

Comment WEIRW-58: DEIR, Page 161

"The EIR projects minimal impacts to Dry Creek as the result of watershed development; it implies that erosion has been caused by recent riprap work upstream. Dry Creek erosion has been significant for the past 20 years according to local residents, preceding recent development."

Response 9-9

Comment acknowledged. The DEIR evaluates existing conditions within the Winters Planning Area as a starting point for the evaluation. The DEIR indicates on page 161 that anticipated development under the Draft General Plan would increase existing 10-year flood flows by an estimated 4 percent along Putah Creek and 3.4 percent along Dry Creek, and that changes of this magnitude would not be considered significant. While it may be true that past development has increased the 10-year flood flows in these two channels, and that the development anticipated under the Draft General Plan would

increase these flows still further, the increase of 3.4 and 4 percent over current flood flows which would result directly from the adoption and implementation of the Draft General Plan is not, in itself, considered to be a significant impact.

Comment WEIRW-75: DEIR, Page 161

"16. Cumulative effects. The EIR should conclude that any increase to runoff in the [Dry Creek] *channel (e.g., the projected 3.4%) will have significant impacts because of cumulative effects on top of existing problems."*

Response 9-10

Comment acknowledged. See response 9-9 above. A cumulative analysis would require knowledge of additional urban development in the area which drains to these creeks and channels, and no such urban development has been defined at the present time other than that defined by the Draft General Plan.

Comment WEIRW-59: DEIR, Pages 161-162

"Blanket proposals for 50-100 foot setbacks, recreational trails, complex teams to determine erosion control techniques. Setbacks could be narrower once slope stabilization is achieved. Trails can be very inappropriate along bank and cliff edges. There is no reference to plans by local citizens (eg. Dry Creek Citizens Group) already developed to accomplish innovative erosion control using state funds from the Urban Streams Program."

Response 9-11

Comment acknowledged. As indicated in the Draft EIR, the DGP includes policies which would establish setbacks from Putah Creek and Dry Creek (VI.D.1.), and would preserve the Putah Creek and Dry Creek corridors in their natural states as much as possible, except for recreational trails and recreational uses along Putah Creek in the downtown area (VI.D.2.). In all instances, though, public access and recreational facilities "shall not eliminate or degrade riparian habitat values," which would prevent trails along bank or cliff edges from causing adverse erosion effects. Furthermore, the City is directed to work with Yolo and Solano Counties, the CDFG, U.S. Army Corps of Engineers and the Putah Creek Council in developing guidelines for erosion control, emphasizing revegetation, or suitable plantings to screen slope stabilization measures that require the use of cribs, gabions, and rock or wire mattresses (VI.D.7). See also E&R page 26 in the FEIR.

The FGP has been modified from the DGP to include additional policies which require the City to develop a program for habitat management within the Putah Creek and Dry Creek corridors (VI.D.3.); to require any upstream development that creates potential erosion impacts on Dry Creek and Putah Creek to adopt all feasible measures to mitigate such impacts (VI.D.4.); that any modifications to creek/channel and other wetland features be designed to minimize disturbance to areas of dense riparian and marshlands cover (VI.D.5.); to seek state grant funding for revegetation, habitat preservation and erosion control in the Putah Creek and Dry Creek corridors (VI.D.6.); to establish guidelines for erosion control measures along Putah Creek as well as Dry Creek (VI.D.7.); and to prohibit brush clearing, mowing of natural vegetation, fire breaks, or similar activities along Putah Creek and Dry Creek unless a demonstrated need exists to protect the public health, safety, or welfare (VI.D.8.).

Comment WEIRW-76: DEIR, Pages 161-162

"18. Expand section. The EIR should expand this section to include ongoing activity and its impact on the GP process."

Response 9-12

Comment acknowledged. See Response 9-11 above.

Comment WEIRW-77: DEIR, Pages 161-162

"20. Interdependence. The EIR should explicitly recognize the interdependence of one part of Dry Creek on another. North area development should be explicitly examined relative to its potential impact on increased water flows into Dry Creek and the subsequent erosion impacts resulting from those flows."

Response 9-13

Comment acknowledged. See Response 9-11 above. As with all natural waterways, water in Dry Creek flows from a point of higher elevation to a point of lower elevation, so in some respects, what happens in the higher elevations of the waterway can be expected to have an impact on flows further downstream. As development proposals come before the City, an evaluation of downstream impacts can be required as part of the environmental review process for each individual project.

Comment PH (D)-18 (WHITWORTH): DEIR. Pages 161-162

"Valerie Whitworth said, 'I'm a citizen of Winters and I've been working with the Dry Creek Citizens Group and the EIR General Plan work group. Liz, when she talked about the recreation program, stated that we should embrace change but avoid rape. I'd like to suggest that we should also get to know the partner we've been long in bed with. The partner being the surrounding and the existing environment. The EIR states that mitigation measures will be taken to compensate for wildlife habitat and natural environments that are destroyed by development. The idea sounds good until basic problems are unveiled. Mitigation assumes detailed surveys of wildlife and vegetation. It assumes figures such as seasonal amounts of flow, depths of flow, amount of silt carried, radiant measures and appropriate hydrology studies that are available for both Dry and Putah Creek. Mitigation assumes explicit definitions of such terms as wetlands, however, these figures, surveys, and definitions have not been done. They do not exist. There are no such numbers or descriptions in existence, or the ones that are are inadequate and have not been done over a period of time that allows us a true picture.

"Mitigation measures, if they are required, thus can never be delineated as deficient or sufficient since there's nothing to compare the future change to. We do not know the present figures. The Dry Creek Citizens Group and the EIR Study Group ask that the baseline measures be established before further change takes place. The last two years we've been asking that the City direct such figures to be determined. The Dry Creek Group has solicited $50,000 worth of professional expertise, and such professionals in town as biologists, botanists and engineers in order to secure a matching $85,000 of funds to address the problems behind the houses in the Dry Creek area and to establish a wildlife preserve habitat there. We will resubmit this proposal in January to the Department of Water resources and if the City supports us appropriately, we have a good chance at success.

"We continue in our efforts to urge the City to examine and know scientifically what habitat ecosystems will be displaced and what these ecosystems contain. We must continually ask through this process if private profit is worth the destruction of displacement of each habitat. Part of only 2 percent of such area is left in the State. If this environment is managed properly, it can become an enhancement to the quality of life. We could be the envy of every town in the area. We must have baseline figures, however, to know where we stand. They must be collected and established before further development and that must be explicit in the Environmental Impact Statements and the General Plan. We must ask that be done. Further more, the new development that takes place, must pay for these studies as part of the mitigation measures and this must be specifically stated in the appropriate documents, Further, without these baseline studies mitigation measures will be a hollow promise. Without development paying for sound mitigation measures, we will bear the costs for what will amount to our own rate. Thank you for your attention in this matter.'"

Response 9-14

Comment acknowledged. See Response 9-7 above. The baseline studies described in the above comment would undoubtedly provide a clearer understanding of the current environmental characteristics of the Winters Planning Area than currently exists. In the absence of such studies, however, the City of Winters may require on-site investigations of the existing environment as part of the environmental review process for proposed development projects. This can provide much of the information discussed above on a parcel-by-parcel basis, and although this would not be as useful as having baseline environmental information for the entire Planning Area, it would be sufficient to enable the City to determine whether or not to allow development projects which may jeopardize the environmental characteristics of sites where development is proposed to proceed. The costs of such studies would be recovered from the development proponents as part of the costs associated with the environmental review process which may ultimately be borne by any future users of the proposed development site.

The DGP has been modified as the FGP to change Policy VI.C.4., which in the DGP directed the City to work towards the development of a Habitat Management Plan for the region. The change in the FGP specifies that such a plan would provide baseline data for the Winters area on special-status taxa.

Comment WEIRW-66: DEIR, Page 162

"6. Guidance. The EIR should give guidance for the specialist. (specifics?)"

Response 9-15

Comment acknowledged. As indicated in Response 9-6, above, while the employment of a specialist for the purposes of determining the extent of wetlands within the Winters Planning Area could result in information of interest regarding that specialist's ideas about what areas are or are not wetlands, as development projects are proposed, the U.S. Army Corps of Engineers and the California Department of Fish and Game will make formal delineation of wetlands. The EIR does not attempt to "give guidance" to these agencies (or any "specialist") in their delineations of wetlands.

Comment WEIRW-50: DEIR, Pages 163-164

"Mitigation apparently shall include 'restoration and enhancement of nesting and foraging habitat', for Swainson's Hawk. An example of wishful thinking when it comes to promoting mitigation. How does one enhance hundreds of habitat acres: plant

mature trees as nest sites? restore ground cover for rodent prey? The re-creation of damaged ecosystems is not trivial."

Response 9-16

Comment acknowledged. See Response 9-7 above. Appendix D of the DEIR contains the Mitigation Guidelines for Swainson's Hawk in the Central Valley of California, prepared by the California Department of Fish and Game. These guidelines were developed to provide lead agencies (such as the City of Winters) and project sponsors with an interim framework for developing adequate measures to mitigate the loss of habitat until a comprehensive Swainson Hawk Habitat Resource Plan is completed by the California Department of Fish and Game. The Department's mitigation goal is no net loss of breeding or foraging habitat, not the recreation of damaged ecosystems. As indicated on page 166 of the DEIR, development anticipated under the Draft General Plan would have a cumulatively significant and unavoidable adverse impact on the habitat of Swainson's hawk, even with the implementation of a Swainson's Hawk Habitat Resource Plan or (for individual projects), Swainson's Hawk Mitigation Plans, as proposed.

Comment WEIRW-51: DEIR, Pages 163-164

"...additional studies would be necessary to conclusively determine whether a number of taxa of special concern occur in the area and may be affected by future development.' Which species need study? Who would the EIR nominate to study them? For what period of time? Who pays? Why didn't the EIR conduct these studies as part of the EIR process?"

Response 9-17

Comment acknowledged. A comprehensive evaluation of habitat characteristics within the Winters Planning Area was not within the scope of the EIR, which was prepared at a "first-tier" (rather than a "project") level of detail to evaluate the environmental impacts associated with the adoption and implementation of the Draft General Plan. As individual development projects within the Planning Area are proposed, the City of Winters can require additional studies to determine whether special-status taxa are present on those parcels proposed for development as part of the environmental review process. The DEIR indicates those special-status taxa which may be found within the Planning Area, which can provide a focus or starting point for such studies. Such studies would be conducted as part of the environmental review for the proposed development, and the costs would be passed along to the potential developer and, ultimately, to those who would use the land in the future. The appropriate time frame for such studies would have to be determined by the City of Winters on a case-by-case basis, to ensure that such studies provide an accurate representation of the special-status taxa which actually use

the proposed development site at different times of the year. The DEIR does not "nominate" candidates for any of the tasks associated with the implementation of identified mitigation measures. Also see Response 9-7 and 9-14 above.

Comment WEIRW-49: DEIR, Page 165

"'Where wetland features are present ... appropriate mitigation will be required.' Why have those wetlands not been identified at this time? The EIR proposes that a qualified biologist be retained to conduct wildlife studies. How will the process of wetland survey/search occur? What are the mitigation provisions in Section 404 of the Clean Water Act and Sections 1601-6 of the CDFG code?

Response 9-18

Comment acknowledged. As indicated in Response 9-2, above, the formal delineation of wetlands would be required during the environmental review process for proposed development projects, and would be made by the U.S. Army Corps of Engineers and the California Department of Fish and Game using the criteria established for this purpose. Appropriate mitigation measures for impacts on wetlands which would result from proposed development would be determined by the Corps of Engineers (using provisions of Section 404 of the Clean Water Act as the basis for establishing such requirements prior to awarding a permit for the proposed project to proceed), and by the Department of Fish and Game (using provisions from Section 1601-6 of the CDFG Code as the basis for establishing such requirements prior to awarding a permit for the proposed project to proceed). Mitigation measures under these Sections are basically designed to limit development so that no net loss of wetlands (or wetland values) will result from proposed projects. State and federal law call for project-by-project determination of mitigation measures, and potential mitigation measures which may be required may vary substantially from project to project.

Comment WEIRW-54: DEIR, Pages 164-167

"The EIR calls for future biotic surveys by a biologist who may find taxa of concern other than those already identified. How long should this survey go on for? If a survey is too brief, it may miss an animal which uses the area as part of an extended forage area rather than as a central area near a nest - yet the forage area is important and should remain intact."

Response 9-19

Comment acknowledged. As indicated in Response 9-17, above, the City of Winters can require future surveys as part of the environmental review process for proposed development projects. The City would determine the time period over which the

required studies would be conducted, to ensure that any special-status taxa which may use a proposed ... velopment site for only a portion of the year may be identified.

Comment WEIRW-69: DEIR, Pages 164-167

"9. Survey methodology. The EIR should be more explicit about expectations and operational methods for these later surveys."

Response 9-20

Comment acknowledged. The character and methods of future surveys will have to be determined by the City of Winters as development projects are proposed, since requirements may vary from one proposal to another.

Comment WEIRW-72: DEIR, Pages 164-167

"13. Explicit methods. The EIR should explicitly stat (sic) *the methods to be used to reclaim wetlands, or, refrain from describing this option as viable."*

Response 9-21

Comment acknowledged. Because the EIR evaluates the environmental impacts which would be associated with the adoption and implementation of the Draft General Plan at a "program" (rather than "project") level, and because the wetlands-related mitigation requirements which may be established by the U.S. Army Corps of Engineers or the California Department of Fish and Game may vary from one proposed project to another, the DEIR does not address the specific mitigation measures which may be required to protect wetlands within the Winters Planning Area. This does not necessarily mean that efforts to protect or reclaim wetlands in Winters would not be "viable", as there are numerous instances where wetland-related projects which have been developed under permits issued by the Corps of Engineers or the Department of Fish and Game have successfully protected or reclaimed wetland areas.

Comment WEIRW-60: DEIR, Page 165

"The EIR lists examples of channel stabilization and mitigation. Another technique could be cutting back the top of the bank to create a gentler slope and strengthening the base with a toe or wired rock; then planting the bank with native climbers (eg. blackberries, grape, pipevine). This technique has been proposed by the Dry Creek Citizens Group with Winters and the Urban Streams Program. Finally, downstream erosion may result from upstream inputs or inappropriate stabilization activities."

Response 9-22

Comment acknowledged. See Response 9-11 above.

Comment WEIRW-67: DEIR, Page 165

"7. Provision list. The EIR should add the list of mitigation provisions found in Section 404 of the Clean Water Act and sections 1601-6 of the CDFG code."

Response 9-23

Comment acknowledged. Section 404 of the Clean Water Act and Section 1601-6 of the CDFG Code do not list specific mitigation measures, but establish policies to protect or restore wetland areas. The U.S. Army Corps of Engineers and the California Department of Fish and Game generally require projects to demonstrate that project implementation would result in no net loss of wetlands (or wetland values), and may deny permits for projects which are not consistent with the policy.

Comment WEIRW-73: DEIR, Page 165

"14. The EIR should address ways of improving connections between the small acreage of existing wetlands."

Response 9-24

Comment acknowledged. Although the Draft General Plan includes policies intended to protect wetland areas, it does not address the issue of connecting existing wetland areas. In some instances, small areas of wetlands may exist in isolation from other wetlands within the planning area, and the implementation of the Draft General Plan may result in the elimination of small wetland areas. If specific wetlands are delineated through the permitting process defined by the Draft General Plan, the U.S. Army Corps of Engineers or CDFG, appropriate mitigation will be required, which may include replacement or preservation of wetland areas.

Comment WEIRW-55: DEIR, Page 166

"The EIR calls for plantings of elderberry, to serve as a beetle habitat. Elderberry is not genetically homogeneous throughout its range, and the beetle may be genetically variable in a parallel fashion."

Response 9-25

Comment acknowledged.

Comment WEIRW-70: DEIR, Page 166

"11. Local stock. Plantings of elderberry should be made from local (foothill coast range) seed or stock."

Response 9-26

Comment acknowledged.

Comment WEIRW-57: DEIR, Pages 161-167

"The EIR here and elsewhere puts great reliance on replacement of impacted habitat by creation of (sic) *enhancement of habitat elsewhere (eg, 3:1).* [T]*he technical ability of landuse* (sic) *managers and ecologists to successfully create wetlands is limited. Fragmentation of wetlands has been a recurring theme in this century, much to the detriment of biotic diversity."*

Response 9-27

Comment acknowledged. As indicated on page 160 of the DEIR, the U.S. Fish and Wildlife Service generally requires that any existing stands of elderberry which are potentially suitable habitat for the Valley elderberry longhorn beetle be protected, transplanted, or replaced at ratios from 3:1 to 5:1. The creation of wetland areas to replace wetlands which would be lost as a result of development is also a possible mitigation which may be authorized by the Corps of Engineers and the Department of Fish and Game. The creation of wetlands has proven problematic, but there are instances where it has been successfully achieved. Specific wetland mitigation efforts would vary from project to project, depending on the habitat values and hydrologic scheme associated with each site. The Draft General Plan states that the City shall ensure that there is no net loss of riparian or wetland habitat acreage and value, and that where habitat loss is unavoidable, the City shall require replacement on at least a 1:1 basis (Policy VI.C.2). This policy provides reasonable assurance that wetland habitat shall be maintained. However, it should be recognized that it is not possible to guarantee successful wetlands protection, but only to make every feasible effort.

The DGP has been modified as the FGP to include Policy VI.D.5, which would enable the City to require developers to coordinate appropriate wetland mitigation measures required under Section 404 of the Clean Water Act and Sections 1601-1606 of the CDFG Code prior to the approval of specific development plans on parcels with wetland features.

Comment WEIRW-61: DEIR, Pages 164-167

"(Protection of habitats) General discussion only, Lacks specificity of mitigation measures."

Response 9-28

Comment acknowledged. See Response 9-4, 9-11 and others above. The EIR evaluates the environmental impacts associated with the adoption and implementation of the Draft General Plan at a "first-tier" (rather than a "project") level, and does not address specific mitigation measures which would be associated with potential development projects which may be proposed within the framework of the Draft General Plan. During the environmental review process for each individual project, specific impacts would be identified along with mitigation measures intended to reduce or eliminate those impacts.

Comment WEIRW-68: DEIR, Pages 165-167

"8. Mitigation sites. The EIR should propose mitigation only for habitats which are known to be capable of management. (See 'Explicit Methods' recommendation above.)"

Response 9-29

Comment acknowledged. The DEIR does not identify "habitats which are known to be capable of management", since it has been prepared to evaluate the impacts which would be associated with the adoption and implementation of the Draft General Plan. Any identification of "habitats which are known to be capable of management" would require site-specific evaluation at the "project" level, which was not within the scope of the EIR.

Comment YOLO (B)-3: DEIR, Pages 161-167

"The north and west expansion of the City of Winters designated General Plan area presents habitat and forging (sic) *concerns. Failure to address the CESA or the requirements of the Department of Fish & Game could result in long time delays, legal action and/or fines on development projects.*

"The incorporated cities and the county have formed an ad hoc committee to prepare a regional habitat conservation plan (HCP). The purpose of the plan is to develop habitat mitigation measures as required by the California Endangered Species Act (CESA) for the preservation of endangered or threatened species within the county. A regional program will provide for planned development within the jurisdictions to continue in a manner that is sensitive to the preservation of the species habitat and foraging areas, and adequately address issues presented by the state Department of Fish & Game. The

City of Winters long-term commitment in the establishment of an regional habitat conservation plan is of major importance to all jurisdictions within the county and towards the future physical development of the City."

Response 9-30

Comment acknowledged. The DEIR indicates that the development anticipated under the Draft General Plan would have a significant impact on special-status taxa, and would require the implementation of regional habitat mitigation plans (DEIR, page 164). As noted in the comment, the failure of developers to comply with the provisions of the California Endangered Species Act (CESA) or other requirements established by the Department of Fish and Game could result in project delays, legal action, and/or fines. The Draft General Plan includes a policy that the City of Winters shall support and participate in the development of a regional *Habitat Management Plan*, is intended to demonstrate the City's long-term commitment to this objective (VI.C.4).

Comment WEIRW-56: DEIR, Pages 166-167

"The EIR suggests that nest trees should be cut down after raptor fledgling (sic) *is complete. However, Swainson's hawk nest in the same place year after year."*

Response 9-31

Comment acknowledged. The DEIR states on page 167: "Representatives of the CDFG and USFWS shall be consulted to determine whether the nest tree or burrow shall be protected and a permanent buffer established to ensure future use or whether the nest site may be destroyed once the young have fledged in late June or early July." If it is determined by CDFG and USFWS that a particular tree provides a nesting place for Swainson's hawk year after year, that consideration would be weighed with other factors in reaching any decision about whether to establish a permanent buffer or whether to permit a such a tree to be removed after the young have fledged.

Comment WEIRW-71: DEIR, Pages 166-167

"12. Nesting trees. The EIR should be modified to include the statement that identified nesting trees for Swainson's Hawk should be retained."

Response 9-32

Comment acknowledged. As indicated in Response 9-31, above, the decision on whether to permit a tree which provides a nesting place for Swainson's hawk after the young have fledged or whether to establish a permanent buffer around such a tree rests

with the CDFG or the USFWS. Also indicated in Response 9-31, above, after consultation with representatives of the CDFG and USFWS, the City would have to decide whether a nest tree or burrow shall be protected and a permanent buffer established to ensure future use, or whether the nest tree or burrow may be destroyed once the youbg have fledged in late June or early July.

Comment PH (D)-14 (BARBOUR): DEIR, Pages 161-167

"Michael Barbour said, 'I'm a resident of Winters and I happen to earn a living being a biologist in Davis. I'd like to talk about the natural resources part of the EIR. With what we've been hearing about potential problems of sewage and transportation, recreation, maybe it seems exotic or material to talk about natural resources. I still happen to think that despite our technology, we don't control the environment, the environment still controls us. The ecological health of that environment depends on the presence of some very healthy, vigorous natural ecosystems. In the Winters area, these natural ecosystems are, for the most part, on the endangered list throughout California, because of low elevations, these vegetation types have been impacted by human development so they have been altered or fragmented or in some.cases completely been replaced with urban or agricultural systems.

"I'd like to suggest, philosophically, that responsible development might require three things in the EIR and General Plan. Those three things are first of all, that the natural ecosystems that exist in the area to be developed be identified, that means assessing their status, that means understanding their environmental requirements to maintain themselves. A second aspect of responsible development might be to develop a structure for mitigation, a budget for mitigation and to identify where the sources for funds must come from and, what amounts we're talking about, over what period of time. Sometimes these natural systems will have to be impacted, they simply can't be avoided and built around. Finally, I'm suggesting that responsible development should also face up to the fact that mitigation, which is often called for, is technically, more often than not, [not] *feasible. The science of ecology hasn't come to the point where we can always recreate, restore or enhance a wetland, and intermittent slough, a cliff edge or a Swainson Hawk habitat.*

"So, in general, I'm saying that the EIR does not give you these three things. That is, it doesn't do well identifying the natural ecosystems in the area. It does not construct the mitigation budget and, it relies rather too heavily, on restoration types of mitigation for solving the impact problems. Let me just give you two examples. I'm disappointed with the lack of baseline data on endangered species and habitats that was presented in the EIR. Instead of baseline data, the EIR calls for future baseline studies on such habitats as wetlands and certain endangered species such as the Swainson Hawk, species of salamander or burrowing owl. It points out that we don't really know if some of these

species occur in the area or what their population sizes are. The duration of these studies, their intensity, who's going to do them, who's going to pay for them, how much they might cost are not addressed.

"Let me give you one example about how it might be difficult to survey the Swainson Hawk. The Swainson Hawk nesting sites are easy to see, but it also has a very expansive foraging area. The foraging area is visited periodically, episodically. We have a very short assessment period, it isn't likely that we're going to identify all of the Swainson Hawk habitat or just on that particular day, a portion of the area that's visited by that bird. Wetlands are a protected habitat and yet the EIR does not give us a consistent definition. Wetlands, it points out, have different agencies, different definitions and the EIR doesn't resolve this. Who is going to resolve this. There's no budget built in for a specialist. The mitigation, again, is requested on a one to one basis for loss of wetland, but technically how does one replace an intermittent slough or an intermittent wetlands. We have some unusual wetlands in this area. Again, the Swainson Hawk requires adult mature trees, it requires a complete under story that's well enough to develop to support the kinds of small animals that the Hawk feeds on. These are not trivial matters, it's not a simple thing to restore or create some of these habitats. Thank you.'"

Response 9-33

Comment acknowledged. See Responses 9-2, 9-6, 9-7, 9-14, 9-16, 9-17, 9-20, 9-21, 9-28 and 9-29, above.

Comment WEIRW-44: DEIR, Pages 161-167

"DISCUSSION: Many vegetation types unique to California and to the nation are located at low elevations, near population centers, where human activities have degraded them, fragmented them, or completely replaced them with agricultural or urban settings. The ecological health of any region depends on the existence of vigorous natural ecosystems. Responsible development requires General Plans and EIRs which identify these ecosystems -- location, status, environmental requirements -- so that they may be properly avoided and buffered from proposed development. Responsible development also must create the economic support for mitigation of those ecosystems that will be unavoidably degraded. Finally, responsible development must confront the fact that mitigation is not necessarily achievable. The re-creation of many habitats and plant communities somewhere new, away form (sic) *the development areas, is difficult. Consequently, repeated calls for mitigation in a General Plan or EIR as compensation for development is misleading."*

Response 9-34

Comment acknowledged. The mitigation measures identified in the DEIR are designed to minimize or avoid the environmental impacts which may be associated with the adoption and implementation of the Draft General Plan. They are all regarded as "feasible", although some may be more feasible than other, given local social, economic and political concerns. While the recreation of wetlands and habitat areas has proven problematic, examples of mitigation programs which have successfully met the requirements established by permitting agencies can be found, and such efforts, while frequently difficult and expensive, are not necessarily impossible. The DEIR does not indicate that the implementation of all mitigation measures identified will mean retaining the existing environmental character of Winters in perpetuity. Rather, the DEIR states that the implementation of the identified mitigation measures would, with the exception of impacts on Swainson's hawk habitat, reduce the environmental impacts associated with the adoption and implementation of the Draft General Plan to a level that is "less than significant".

Comment WEIRW-74: DEIR, Page 167

"15. Environmental Center. Both the GP and EIR should recommend establishment of a riparian Environmental Center. This recommendation is synonymous with the recommendation in the Cultural Element."

Response 9-35

Comment acknowledged. The establishment of an environmental center was not identified as a policy within the Draft General Plan, and the lack of an environmental center was not regarded by the DEIR as a significant adverse impact which would be associated with the adoption and implementation of the Draft General Plan.

(this page has been left purposely blank)

X. GEOLOGY, SOILS, SEISMICITY AND HYDROGEOLOGY: RESPONSES

Comment CDOC-1: "DEIR, Pages 169-178

"Presently, there are four abandoned wells within the project boundaries. Also, the proposed project is located partially within the administrative boundaries of the Pleasant Creek Gas Field.

"If any structure is to be located over or in the proximity of a previously abandoned well, there is the possibility that the well may need to be plugged and abandoned to current Division specifications. Section 3208.1 of the Public Resources Code authorizes the State Oil and Gas Supervisor to order the reabandonment of any previously abandoned well when construction of any structure over or in the proximity of the well could result in a hazard. The cost of reabandonment operations is the responsibility of the owner of the property upon which the structure will be located.

"Under Section 3208.1 of the Public Resources Code, the reabandonment responsibilities of the owner/developer of a property upon which a structure will be located need extend no further than the property boundaries. However, if a well requiring reabandonment is on an adjacent property and near the common property line, the Division recommends that the structure be set back sufficiently to allow future access to the well.

"Furthermore, if any abandoned or unrecorded wells are uncovered or damaged during excavation or grading, remedial plugging operations may be required. If such damage occurs, the Division's district office must be contacted to obtain information on the requirements for and approval to perform remedial operations.

"Although the possibility for future problems from gas wells that have been plugged and abandoned or reabandoned to the Division's current specifications are remote, we, nevertheless, suggest a diligent effort be made to avoid building over any abandoned well. If construction over an abandoned well is unavoidable, we suggest that an adequate gas venting system be placed over the well.

"Prior to commencing operations, the project applicant should consult with the Division of Oil and Gas district office in Woodland for information on the wells located in the project area.

"The Division is mandated by Section 3106 of the Public Resources Code (PRC) to supervise the drilling, operation, maintenance, and abandonment of wells for the purpose of preventing: (1) damage to life, health, property, and natural resources; (2) damage to underground and surface waters suitable for irrigation or domestic use; (3) loss of oil, gas, or reservoir energy and, (4) damage to oil and gas deposits by

infiltrating water or other causes. Furthermore, the PRC vests in the State Oil and Gas Supervisor the authority to regulate the manner of drilling, operation, maintenance, and abandonment of oil and gas wells so as to conserve, protect, and prevent waste of these resources, while at the same time encouraging operators to apply viable programs for the purposes of increasing the ultimate recovery of oil and gas."

Response 10-1

Comment acknowledged. The requirements of the Division of Oil and Gas as spelled out above are recognized and incorporated into the EIR by reference. The known location of abandoned gas wells should be provided to all affected properties within the Urban Limit Line, and any public or private construction project should conform to the procedures specified by Public Resources Code Section 3208.1. The risk of upset or unsafe venting of gas from abandoned wells should be considered as a potential hazard, but which is considered to be less than significant. This determination is due to the environmental review process by which major projects would be reviewed by the Division of Oil and Gas, and the generally remote potential (as recognized by the above comment) of future problems related to previously plugged or abandoned gas wells.

The DGP has been revised as the FGP to incorporate Policy VII.C.8. to promote compliance with state law regarding the abandonment of gas wells. A new Implementation Program (VII.8.) is proposed to request information on non-producing gas wells in Winters from the State Division of Oil and Gas, and to provide such information to affected properties. This additional policy does not modify the determination in the FEIR that the Draft General Plan would not have a significant risk of upset due to abandoned gas wells. However, it does provide increased assurance that an upset or unsafe venting of gas would be avoided.

XI. NOISE CONSIDERATIONS: RESPONSES

Comment PH (B)-9 (HUNTER): DEIR, Page 192

"Peter Hunter said, 'This is not related to schools or water. It's something I've been thinking about and I wanted to make sure it gets into the record. It deals with the EIR on page 192 under Noise Considerations. It's the recommendation of 11.1.C., it says 'Sound walls shall be required for protection of noise sensitive receptors where noise levels cannot be mitigated through open space and buffer zones.' I would like to see that struck. Anyone who has driven through Woodland recently, Dixon's the same way, development after development has ten foot sound walls. They're the ugliest thing you'd ever imagine. I think that we just simply ought to require the sound problem to be mitigated to open space or set backs or something, but I don't want to see sound walls in Winters.'"

Response 11-1

Comment acknowledged. The construction of sound walls, in those circumstances where noise sensitive receptors could not be adequately protected through the use of open space and buffers, would be effective in mitigating the impact of noise related to future development to a level of "less than significant". However, there may be aesthetic objections to the use of sound walls which would have to be addressed on a project-by-project basis when decision-makers are considering whether to approve a proposed project with soundwalls or disapprove a project that features sound walls which may be considered to be out of character with Winters' small town qualities.

The DGP has been revised as the FGP to incorporate into Policy VII.E.10 a criteria that sound walls shall only be used as a last resort. This change does not modify the determination in the DEIR that the Draft General Plan would not have a significant impact on the town character of Winters.

(This page has been purposely left blank.)

XII. AIR QUALITY: RESPONSES

Comment YSAPCD-1: DEIR, Pages 197-203

"The Y/S APCD agrees with the findings of the DEIR that the air quality impacts of the General Plan would be significant. The District also agrees with the DEIR that only the impacts from project construction would be mitigated to a less-than-significant impact."

Response 12-1

Comment acknowledged.

Comment WEIRW-3: DEIR, Page 201

"It should be noted that the EIR cites the Draft General Plan's pedestrian oriented policies as a reason for concluding that the project would avoid a significant impact on local carbon monoxide concentration."

Response 12-2

Comment acknowledged. All measures which would tend to reduce congestion and/or reduce automobile volumes would reduce the potential for local carbon monoxide air quality problems. Physical improvements, such as road or intersection widenings, tend to reduce congestion without changing traffic volumes, while reduction of trips would both reduce traffic volumes and reduce congestion. The Draft General Plan contains several goals and policies concerning the "promotion of non-auto travel," and pedestrian-oriented development patterns, which would have a positive effect on local carbon monoxide concentrations. However, the prevention of a significant local carbon monoxide impact is the result of the projected intersection levels of service, and the combined policies of the DGP, such as improving the jobs-housing balance, and promoting ridesharing and public transit.

Comment WEIRW-84: DEIR, Page 204-205

"Regional air quality impacts are serious health impacts to every man, woman and child in Winters and the surrounding area. To suggest a few minor mitigations of questionable merit and to leave the subject saying that these mitigations will not reduce cumulative air impacts to below a level of significance is inadequate. Significant reductions in emissions are available through significant mitigations that comprehensively act to reduce pollution. Pedestrian orientation, land use, appropriate densities and mandated significantly higher jobs/housing balances can act together to achieve better air quality. These options must be clearly embraced by the General Plan or defined in the EIR."

Response 12-3

Comment acknowledged. The DEIR acknowledges that the growth accommodated by the General Plan alternatives would have a significant impact on regional air quality, since the air quality standards are not currently met in the region and the continued growth of Winters and other communities would add to the pollution burden. Air quality in the Yolo-Solano Air Pollution Control District has been generally improving over the last 15 to 20 years as a result of increasingly stringent controls on stationary sources (factories, refineries, etc.), area sources (agricultural burning, etc.) and mobile sources (automobiles, trucks, trains, etc.). The great impediment to attainment of the air quality standards in the region is population growth.

The DEIR identified a mitigation measure (12.3), which if adopted would require the preparation of an air quality mitigation plan for all new developments projected to generate more than 200 trips per day. The mitigation plan would be required to demonstrate how a 25 percent reduction in trips would be achieved by use of site and land use planning (such as a high degree of pedestrian orientation, or appropriate land use mixtures and densities), transportation measures (e.g., carpooling, van pooling, transit incentives), as well as by other possible methods, which could include provisions concerning the city's jobs/housing balance. This measure represents a major divergence from current practice, and would, if enacted and enforced, be one of the most stringent air quality mitigation requirements to be adopted by any city in California. Experience in other cities in California shows that reductions of this magnitude are not easily attained, particularly in a relatively small city such as Winters with minimal transit alternatives. The mitigation measure also specifies that where the trip reduction objective cannot be met, funding of equivalent off-site improvements which benefit air quality is required.

Reductions of 90 percent or more in regional emissions would be needed to reduce the impacts of development to a "less than significant" level. The means available to influence people's decisions regarding transportation mode choices cannot, at this time, accomplish this goal. Until the gasoline-powered automobile is replaced as the primary transportation mode, the effects of projected growth in Winters (and the region as a whole) will remain significant and unavoidable.

The DEIR analysis of air quality impacts determined that consistent implementation of certain policies of the DGP, including policies promoting non-automobile modes of transportation, would lessen local carbon monoxide impacts to a level that is less than significant, and reduce regional air pollution by 5 to 10 percent, though not avoiding a significant regional impact. Although more severe requirements and restrictions on the use of automobiles may have the potential of further reducing air quality impacts, such controls would probably be unacceptable to most persons, particularly to the extent necessary to reduce regional emissions to a less than significant level.

The DGP has been revised as the FGP to include Policy VI.E.11. which would require those proposing new industrial and commercial developments within the city projected which are to generate more than 500 trips per day to develop air quality mitigation plans prior to the granting of development entitlements. These plans shall include an analysis of how the project would achieve a 25 percent reduction in the number of trips that would typically be projected for such development, through site and land use planning and transportation systems management measures. This policy also specifies that where the trip reduction objective cannot be met, funding of equivalent off-site improvements which benefit air quality is required, as deemed appropriate by the City. This addition to the DGP would not change the determination of the EIR (the combined DEIR and this FEIR document) that the proposed General Plan (including both the DGP and the FGP) would result in significant regional, cumulative air quality impacts, although aggressive policies are defined which may greatly reduce these impacts in comparison to unmitigated conditions. This addition eliminates the need for Mitigation Measure **12.3**.

Comment PH (D)-15 (SEEGER): DEIR, Pages 204-205

"Mary Helen Seeger said, 'I'm here to give you one more thing to think about and that's air quality. Air effects (sic) the quality of our lives. The twenty year study released October 24, 1991 shows people living in smoggy areas are more likely to get cancer, asthma, bronchitis and chronic lung disease. Women were 37 percent more likely to develop cancer than women living in clean air regions. The California Clean Air Act referred to in the General Plan allowed the planners to look at transportation, land use and air quality coherently. It requires City progress for clean air standards at 5 percent this year. Thirty-five percent by the year 1977. Winters General Plan and EIR admit transportation will be the most significant contribution to those projects.

"I have a few recommendations to the EIR consultants. Do some additional traffic studies on another day. June 21st was chosen. A day that school was not in. On a Sunday would also be good for monitoring lake traffic. It might be necessary to solidify the commitment to bus systems and ride sharing. Buses to Solano County as well as Yolo County locations. Parking areas for ride sharing designated in the plan along Highway 128 near 505 may be necessary. It might be possible to combine commuter parking with other parking facilities. Landscaping of parking lots would provide shade and decrease CO2. Resident caretakers could provide security and maintenance. If bike lockers, which are more secure that (sic) bike racks, were included that could also improve air quality. If attractive bus shelters, turnouts and passenger benches are provided perhaps more people would go for ride sharing and bus usage.

"Another thought I had was to put some real time and effort into the jobs/housing ratio in Winters. If more people can work here, there will be less commuting and less air pollution. If it's possible to seek clean industries and appropriate commercial development, that would be good too. I think we need to strengthen our commitment to affordable housing. Make sure it's part of a plan that does take place. Match our housing to employment needs.

"In the EIR and General Plan, potential conflicts between new development and existing agriculture is addressed. I believe the right to farm ordinance proposed needs to be in place before development begins. Winters area fruit and nut orchards are producers of oxygen. Producing the agricultural base in this community will be helpful with air quality concerns. Good generation plants are being built elsewhere to utilize agricultural waste products, reducing waste products and creating electricity. Including large shade trees and conifers in parks, open space, private homes and public places like parking lots, will help mitigate air quality degradation.

"One weakness in the General Plan and EIR concerning air quality may be in the housing issue. The General Plan does say to encourage energy efficiency in housing. The EIR's only air quality mitigation is regards dust abatement during construction, a temporary situation. Other suggestions I have are insisting on disincentives for developers wishing to build fireplaces. If home owners want good heat, there's new, efficient catalytic equipped stoves and fireplace inserts. Another idea I have is establishing a demonstration project allowing builders recognition and reduced fees for model homes that showcase energy efficient technologies. I believe solar power is an appropriate technology for this climate. Let's build for the year 2010 and not for 1956. Thank you.'"

Response 12-4

Comment acknowledged. See Comment 12-3 above. Transit incentives, carpooling and van pooling, Park-and-Ride lots, bicycle amenities, and other inducements to non-auto travel are the types of measures envisioned in Mitigation Measure 12.3 on page 205 of the DEIR.

Jobs/housing balance to reduce travel (and ultimately improve air quality) are goals of the Land Use Element and Transportation and Circulation Element of the Draft General Plan.

Energy efficiency for residences would be an appropriate means of reducing air emissions from space heating and fireplaces or woodstoves in new residences. This goal could be incorporated into the overall goal of reducing emissions by allowing high-efficiency homes a credit toward attaining the 25 percent vehicular emissions reduction described in Mitigation Measure 12.3.

Fireplace emissions can be reduced by limiting the number of fireplaces per home or requiring the installation of EPA-approved woodstoves. It would appear that an ordinance would be required to enforce this rule, although developers might voluntarily utilize these measures if a credit is allowed toward the basic 25 percent reduction goal.

The DGP has been revised as the FGP to include Policy VI.E.10. directing the City to contribute to the enhancement of air quality through the planting and preservation of trees.

Comment WEIRW-82: DEIR, Page 205

"The EIR provides for financial contributions to transit as a possible 'off-site' air quality mitigation for developments (producing 200 or more trips) that cannot reduce their trips by 25% through site planning, mixed land uses and/or TDM measures. The formula for computing the value of off-site mitigations is unclear. The mitigation measure has no attached monitoring plan."

Response 12-5

Comment acknowledged. The enforcement of Mitigation Measure 12.3 in the DEIR would require the development of a specific ordinance. The DEIR was prepared as a "first-tier" evaluation of the environmental impacts which would be associated with the adoption and implementation of the Draft General Plan, and specification of the details of such an ordinance is neither possible or appropriate in this document. Presumably, a standard method of calculation of trip generation would be specified, and a requirement made for post-project surveys of efficiency. Appropriate monitoring agencies would be the City of Winters Planning Department or, perhaps, the Yolo-Solano Air Pollution Control District. Also see Comment 12-3 above.

Comment WEIRW-83: DEIR, Page 205

"The EIR requires a report on measures for projects that generate more than 200 trips per day. If the report does not identify measures which result in a reduction of 25% of the originally forecast trips then 'off-site' mitigations will have to be used. Forecasting techniques for the report and measurement for reductions are not specified. All parties should be very wary of claims regarding the possibilities and performances of TSM measures other than mixed use site planning or jobs housing balance. While useful, TSM measures, such as ride sharing rarely achieve anywhere near a 25% reduction in forecast reduction in forecast trips and providing park and ride facilities off-site for other car pooling systems that aren't working doesn't help much either. Careful

monitoring and contingency planning will be required to gain any effect from this proposed mitigation."

Response 12-6

Comment acknowledged. See Response 12-5 above. The point regarding claims of effectiveness is well-taken, since actual trip reductions seldom approach theoretical trip reductions. For this reason, the specification of the methodology for developing a plan is critical, and post-project monitoring should be required, with the provision for enforcement of additional measures should actual reductions fall short of the goal. Also see Comment 12-3 above.

Comment WEIRW-85: DEIR, Page 205

"2. *The EIR should specify requirements for measuring trips and recognizing trip reductions proposed by sites generating more than 200 trips per day. The EIR should also specify criteria for evaluating and accepting plans for off-site mitigation when it is needed by developments unable to reduce their trip generation through site planning. The EIR should also suggest a measurement and monitoring technique to determine if on-site and off-site mitigations are meeting their trip reduction goals."*

Response 12-7

Comment acknowledged. See Response 12-5, above. The specification of methods, assumptions and monitoring requirements would presumably be made during the development of the ordinance language. The mitigation measure identified on page 205 of the DEIR does not speculate as to what these parameters might be, but would commit the City of Winters to the development and adoption of such an ordinance. Also see Comment 12-3 above.

XIII. OTHER CONSIDERATIONS: RESPONSES

Comment WEIRW-6: DEIR, Pages 207-210

"The EIR, after discussing views of the mountains, fields and the historic downtown concludes that 'The Draft General Plan policies would avoid significant impacts on the scenic and visual resources of the city resulting from development under Alternatives I and II.' This is patently untrue. It is obvious, on the face of the land use map, that there will be a significant visual impact from development. The General Plan policies referred to may or may not mitigate some of that effect. The truth is that Winters' residents will pay a price for development. The EIR should address that candidly and let the citizens decide if the potential rewards are worth the price."

Response 13-1

Comment acknowledged. The DEIR identified criteria by which significant visual effects of development associated with the Draft General Plan could be judged, such as elimination or obstruction of major visual resources, particularly if no appropriate alternate or replacement of those resources were to be provided. The DEIR indicated that development outside the context of the policies of the DGP could be potentially significant, and acknowledged that development associated with the DGP is likely to result in substantial changes over time in the visual character of the city. However, the DEIR determined that the DGP, defined partly by its policies and partly by its Land Use Diagram, would provide substantial new visual amenities and resources, which would compensate for the potential loss of views. The DEIR does not indicate that the visual character of the Winters area would not be changed as a result of development envisioned in the Draft General Plan, only that policies incorporated within the DGP would moderate these changes, and that the impact would be considered "less than significant". In addition, there were no projects associated with the DGP which the DEIR identified as having "a substantial, demonstrable negative aesthetic effect" (CEQA Guidelines, Appendix G, "Impacts Normally Deemed Significant").

Although the visual character of the community is likely to undergo some changes in the future (with or without development envisioned in the Draft General Plan), with the implementation of the policies identified in the Draft General Plan, potential visual impacts associated with future development would be reduced to a less than significant level,

The DGP has been modified as the FGP to incorporate an additional Implementation Program that "Community Design Guidelines" shall be prepared and adopted by the City to implement the urban design principles defined by the policies of the proposed General Plan (VIII.4.). In addition, the Land Use Diagram has been modified to designate all of the frontage of Grant Avenue/Highway 128 for a combination of Highway Service Commercial, Central Business District, and new land use designations, Planned Commmercial, and Planned Commercial/Business Park. As a result of this change in the Land Use Diagram, the description in the DEIR on page 208 of a potentially valuable view of the mountain range from Grant Avenue for a distance of about 500 feet, related to an area designated for open space, bordered by land in a residential designation, is not an accurate description of the revised FGP.

The addition of the new Implementation Program does not change the determination in the DEIR that the Draft General Plan would not have a significant impact on the city's visual resources. However, the change in the land use designations along Grant Avenue/Highway 128 underscore the importance of preparing design guidelines with exceptional standards for this scenic corridor, as addressed in policy VIII.A.7 of the DGP (and the subsequent FGP). The suggestion in the DEIR for substantial buffer zones/setbacks, incorporating the scenic corridor bicycle path, and a "gateway" monument (which is not a mitigation measure for the purposes of CEQA), stands as a recommendation for design criteria in the proposed Scenic Highway design guidelines.

Comment WEIRW-7: DEIR, Pages 207-210

"No consideration is given to the visual experience of the pedestrian realm."

Response 13-2

Comment acknowledged. See Response 13-2 above. Although "the visual experience of the pedestrian realm" is not addressed directly in the DEIR, it is likely that pedestrians would be exposed to all of the same visual elements discussed on pages 207-209 of the DEIR. The DEIR evaluates the environmental impacts which would be associated with the Draft General Plan, and effects on the "visual experience of the pedestrian realm" would not ordinarily represent a significant environmental impact, particularly within a "first tier" EIR on a General Plan, which is necessarily less specific than an EIR on a specific project proposal. Such criteria could possibly be considered at the time specific projects are proposed in Winters following adoption of the proposed General Plan.

Comment WEIRW-10: DEIR, Pages 207-210

"20. The EIR inaccurately says that impacts on the visual resources of the City are mitigated by the General Plan. If the General Plan is not ammended (sic) *to more fully assure mitigation of visual resources then the EIR, in order to be adequate, must more fully consider the extent to which current policies are likely to be executed and to be successful if executed as constitued* (sic)*."*

Response 13-3

Comment acknowledged. See Response 13-1 above, and Response 1-3 in Chapter I of the Response to Comments section of the FEIR. If the Draft General Plan is modified, the impact of the modified document may have to be reassessed to determine if significant visual and scenic impacts would still be avoided.

Comment WEIRW-12: DEIR, Pages 207-210

"The EIR repeatedly acknowledges the modification and loss of views throughout the city as a result of development. It does not seek to mitigate these acknowledged impacts of development but rather says that these impacts will be mitigated by General Plan policies that start off with language like 'The City shall seek to preserve...', 'The City shall promote...', 'The City shall endeavor...' Those don't sound much like mitigations."

Response 13-4

Comment acknowledged. See Response 13-1 above. The DEIR indicates that there could be potential visual and scenic impacts associated with development in the Winters area, but that the DGP provides policies to avoid significant impacts. The DEIR does not recognize the acknowledged changes in visual characteristics as significant, and thus it was not necessary for the DEIR to identify mitigation measures. The DEIR does not identify the policies of the DGP as mitigations as defined by CEQA, but rather as integral components of the Draft General Plan.

Comment WEIRW-13: DEIR, Pages 207-210

"No mention is made of the aesthetic element of street design or scale."

Response 13-5

Comment acknowledged. See Response 13-2 above.

Comment WEIRW-14: DEIR, Pages 207-210

"The maintenance and planting of street trees as cited in the General Plan is referred to as partially mitigating the visual impacts of the project."

Response 13-6

Comment acknowledged. See Response 13-4 above. The DEIR did not identify policies of the DGP as mitigation of visual impacts.

Comment WEIRW-16: DEIR, Pages 207-210

"No comment relative to the visual impact of parking lots on community character. The EIR does not discuss this issue."

Response 13-7

Comment acknowledged. See Response 13-2 above. The DEIR evaluates the environmental impacts which would be associated with the Draft General Plan, and the "visual impact of parking lots on community character" would not ordinarily represent a significant environmental impact, particularly within a "first-tier" EIR on a General Plan, which is necessarily less specific than an EIR on a specific project proposal. Such criteria could possibly be considered at the time specific projects are proposed in Winters following adoption of the proposed General Plan. The DGP policy promoting the placement of parking lots behind buildings, out of view of the street was considered as one among the various policies serving to assure the maintenance of the city's aesthetic qualities.

Comment WEIRW-18: DEIR, Pages 207-210

"The EIR does not discuss the impact of commercial and residential building design outside of the CBD. It maintains that the General Plan Policy I.A.1, which says that the City will 'seek to preserve Winters' small-town qualities...', will mitigate the visual considerations of future development."

Response 13-8

Comment acknowledged. See Responses 13-1 and 13-2 above. The DEIR does not identify the policies of the DGP as mitigations of significant visual or other impacts, but as integral components of the proposed Project (the Draft General Plan).

Comment WEIRW-19: DEIR, Pages 207-210

"The EIR does not comment on the potential impact of blighted properties."

Response 13-9

Comment acknowledged. The DEIR evaluates the environmental impacts which would be associated with the adoption and implementation of the DGP, and does not address the continuation of a pre-existing condition, such as properties which may be identified as blighted. The DEIR recognizes on page 209 that the DGP includes policies focusing on restoration of existing buildings and converting industrial buildings to other commercial uses.

Future development within Winters would be subject to the policies and implementation programs in the General Plan, land use regulations associated with the Zoning Ordinance, and construction regulations associated with the Building Code. Strict application of these regulations, during and after the construction of any new structures associated with future development, would be expected to prevent properties which would be developed under the Draft General Plan from becoming blighted.

Comment WEIRW-21: DEIR, Pages 207-210

"6. II.B.5. should read, 'The city shall require the abatement of unsafe, unhealtfull (sic) *or visually blighted properties requiring owners to promptly comply to correct deficiencies. If this is not done then the EIR must examine the potential effects of blighted buildings."*

Response 13-10

Comment acknowledged. See Response 13-9 above. If the Draft General Plan is modified, additional environmental analysis could be required to determine the potential environmental impacts which may be associated with such modifications.

Comment WEIRW-15: DEIR, Pages 210-211

"Street lights are discussed [in the Draft EIR] *only as they effect* (sic) *the night sky clarity* [and not how standard street lights conflict with the human scale of the street]."

Response 13-11

Comment acknowledged. See Response 13-2 above. The DEIR did not address the aesthetic, or urban design aspects of street lights. While the addition of street lights could change the visual appearance of local streetscapes, this change would not be

considered a significant adverse impact, although the City of Winters may wish to exercise some control over the design of street lights to achieve a streetscape which is aesthetically acceptable to local residents. This type of provision would more appropriately relate to a specific design-oriented plan than to a General Plan.

Comment YOLO (B)-1: DEIR, Page 212

"As noted in Land Use Policy No. 6 of the Yolo County General Plan and referenced on page 212 of the draft environmental impact report (EIR). It is the policy of the county to protect and conserve the agricultural lands within the county.

"The draft EIR has identified the loss and conversion of agricultural land to urban uses as a significant and unavoidable impact of urban expansion of the city. The document's presentation of the impacts, the County's General Plan policies, and the city's approach to limit this impact in conjunction with being fundamentally consistent with the county's General Plan is appropriate.

"The north and west expansion of the City of Winters designated General Plan area, and the subsequent introduction of urban uses adjacent to longstanding agricultural areas presents then potential of conflict between agricultural and nonagricultural land uses. Where non-agricultural land uses, especially residential development, extend into agricultural lands or located in the vicinity of agricultural lands, agricultural operations may be the subject of nuisance complaints. Such complaints may cause the curtailment of agricultural operations and discourage investments for the improvement of agricultural land. This is detrimental to the economic viability of the agricultural industry of the County.

"On December 3, 1991 the Yolo County Board of Supervisors adopted the Right-to-Farm Ordinance. It is the purpose and intent of the county's Right-to-Farm Ordinance to prevent the loss to the County of its agricultural resources by limiting the circumstances under which agricultural operations may be considered a nuisance.

"The Yolo County Board of Supervisors have provided consensus approval for the development of an (sic) *Conservation Easement Ordinance. The purpose of this ordinance is to supplement the agricultural land conservation policies contained in the Yolo County General Plan with a program designed to permanently protect agricultural land for agricultural uses. This ordinance involves the creation of a deed restriction on farmland which precludes its use for development or for non-agricultural purposes. Title to the land itself remains in private ownership, subject* [to] *a conservation easement - a deed restriction which prevents the conversion of farmland to non-agricultural uses. The program provides for compensation to landowners in exchange for the voluntary grant of an conservation easement.*

"[The last sentence in] *Paragraph 2 on page 212 should read: 'The remainder of the land which is potentially useful for farming is categorized as "Farmlands of Local Importance" as summarized from the "Advisory Guidelines for the Farmlands Mapping and Monitoring Program". The map referred to in this paragraph was produced by the state and not by the county. The Board of Supervisors established the "Blue Ribbon Committee" which among other things is to define what is to be considered prime and non-prime agricultural property in the county. The eventual adopted county definition may be different from the City's definition of "prime" land.'"*

Response 13-12

Comment acknowledged. The DEIR recognizes the potential for conflicts between agricultural and non-agricultural uses, and notes that the DGP directs the City to adopt a right-to-farm ordinance, and to provide a buffer between such uses. Specific objectives for buffer areas were identified as Mitigation Measure 12.2 in the DEIR on page 204 in Chapter XII., Air Quality, such that buffer sizes should be determined based on the type of agricultural activities involved, and that larger buffers should be required for more intensive activities, including aerial spraying. Specific guidelines for the width, uses and other features of buffers are to be prepared by the City to be used in the review of subdivision proposals.

The proposed Yolo County Farmland Conservation Ordinance (or Conservation Easement Ordinance, which apparently constitute the same proposals under different names - see Comment YOLO (A)-1, Response 3-29), and the adopted Right-to-Farm Ordinance could provide additional guidance to the City in implementing the DGP policies with regard to minimizing potential impacts on agriculture. The DEIR included Mitigation Measure 13.1C, which directed the City to adopt a farmland protection program utilizing the transfer and/or purchase of development rights or conservation easements. Other Mitigation Measures identified in the DEIR direct the City to limit future expansion of the Urban Limit Line to lands with lower quality soils adjacent to the ULL (13.1A), and to adopt policies that protect existing farmland with high productive value from conversion to urban uses (13.1B).

The last sentence of paragraph 2 on page 212 should be revised to show the suggested text change (see Errata and Revisions, page 32).

The DGP has been revised as the FGP with supplemental policies in the Natural Resources section, specifying that the buffer zones may consist of open space, recreation uses, landscaped areas, streets or other non-intensive uses (Policy VI.B.3). A new Implementation Program (VI.11.) has been added directing the City to prepare specific guidelines for the types and widths of buffer zones between new residential development and active agricultural uses outside the Urban Limit Line, for use in reviewing subdivision proposals.

These changes do not change the determination that the policies of the DGP would prevent significant impacts on agriculture due to incompatible land uses (page 218). However, these changes have the effect of canceling the DEIR determination in Chapter XII, Air Quality, that the lack of specific guidelines for the buffers proposed in the DGP to avoid conflicts between residential and agricultural uses related to air quality would result in a potentially significant impact (Impact 12.2, page 200). It is recognized that Impact 12.2 is not consistent with the determination on page 218 that the DGP policies promoting buffers would avoid the potential for such conflicts. However, the proposed FGP would eliminate this contradiction. It is the determination of the FEIR that Impact 12.2 should be deleted.

Other supplemental policies incorporated in the FGP direct the City to promote the development of a land conservation trust and programs implementing the transfer and purchase of development rights and conservation easements (VI.B.5.), and to support County agricultural policies and regulations protecting high quality agricultural soils.

These revisions would not change the determination in the DEIR that the DGP would have significant and unavoidable impacts due to the loss of prime agricultural lands (Impact 13.1 on page 217 of the DEIR), and on the cumulative, regional agricultural economy (Impact 13.2, page 219). However, these measures could substantially slow the cumulative effect of the conversion of land with soils of high agricultural value to urban uses.

Comment LAFCO-2: DEIR, Pages 216-219

"Another consideration when development is proposed is the effect the development will have on adjacent agricultural lands. The Draft E.I.R. addresses this conflict by identifying buffer zones to be required for new residential development adjacent to active agricultural uses. There are established standards for buffer areas for activities such as aerial spraying, ground level over-spray and noxious odors associated with agricultural uses. It would be in everyones best interest if these parameters were identified and published prior to the completion of this document."

Response 13-13

Comment acknowledged. See Response 13-12 above. A buffer width of 300 feet has been typically identified as effective, but the City should conduct a specific study to determine suitable standards in specific locations.

Comment WEIRW-45: DEIR, Pages 216-219

"EIR states that land-use policies should protect those agricultural lands in areas presently farmed, which have prime soils; later it is accepted that there will be unavoidable adverse effects due to conversion of prime ag land to urban use."

Response 13-14

Comment acknowledged. See Response 13-12 above. It is acknowledged in the DEIR that prime agricultural lands would be converted to urban use as a result of development envisioned in the Draft General Plan, and that this conversion is a significant, unavoidable impact which would be associated with the adoption and implementation of the Draft General Plan. However, the DGP contains policies which would substantially reduce the cumulative, regional impact on the agricultural economy, and provide support for the efforts of the County to preserve prime agricultural lands.

Comment WEIRW-32: DEIR, Page 220

"*Additional errors* [in the historic record] *occur in 1. setting re. John Wolfskill, Theodore Winters, D.P. Edwards* [which are explained in the Letter of Comment from Joann Larkey, et al, dated December 2, 1991]"

Response 13-15

Comment acknowledged. See Response 13-16 below.

Comment LARKEY-2: DEIR, Pages 220-222

"Regarding the Draft Environmental Impact Report: The Executive Summary makes no mention of Impacts or Mitigation Measures for historical resources, only for Archaeology. Chap. II, item 6 (p. 33) Recreational and Cultural Resources makes no mention of the Historic Preservation Ordinance and recommends adoption (implementation) of State Historic(al) Building Code. Chap XIII Other Considerations; D. Cultural Resources/Archaeology 1. Setting. John Wolfskill settled on both sides of Putah Creek in 1842. Town of Winters was platted on 40 acres purchased from Winter, then subdivided by the Stevensons. 2. Impacts. DGP (and the modified DGP) Reference should be made to the Historic Preservation Ordinance as well as specific policies listed. Mitigation Measures are already required for those historic structures within the designated Historic District. In time, other historic districts may be designated."

Res· ·nse 13-16

Comment acknowledged. See Errata and Revisions, page 33. The DEIR was written to evaluate the potential environmental impacts of the DGP, which, as indicated on page 221 of the DEIR, included the potential for destructive alterations to historic buildings and structures. The DGP did not contain a reference to the City's adopted Historic Preservation Ordinance, but did provide, in the Recreational and Cultural Resources section, a number of policies which are intended to prevent significant adverse effects such as inappropriate alterations of recognized historic structures. While the City's Ordinance could have the same effect as the proposed policies of the DGP in avoiding the loss of historic resources, a city's General Plan holds greater authority as the basis for directing development, and would apply to a broader area than the designated Historic District alone. Because the DEIR indicated that the implementation of the DGP would not have a significant adverse impact on Winter's important historical and architectural buildings and structures, or would have effects considered "less than significant," additional mitigation measures were not identified in the DEIR. The DEIR did, however, suggest that the Recreational and Cultural Resources section of the DGP should include policies encouraging the use of government and private loans for preservation of historic buildings, and support of legislation providing incentives for preservation.

The DGP has been modified as the FGP by replacing Policy V.D.2., which directed the City to adopt the State Historic Building Code, with a policy directing the City to continue to implement the adopted Historic Preservation Ordinance, and the previously adopted State Historic Building Code. Draft General Plan Policy V.D.3., which directed the City to develop preservation guidelines has also been eliminated. A policy has been added directing the City to pursue government and private funding for preservation of historic buildings (V.D.6.). These changes do not modify the determination of the DEIR that the potential loss of important historic and architectural resources would be avoided with the adoption of the DGP. However, the measures suggested in the DEIR on page 222 for policy changes to encourage government loans for preservation activities do not apply to the proposed FGP.

Comment PH (D)-1 (LARKEY): DEIR, Page 220-222

"Joann Larkey said, 'I'm here to represent the interest of historic preservation. I had been asked to give a presentation to the PAC committee in 1989 when deliberations for the General Plan began. I made the point then that I felt that the historic preservation element that was excluded in the 1985-86 General Plan. I heard nothing from the City on when this was going to be discussed and I wrote a letter in November of 1990 expressing my concern and offering to help in any discussion. Since this never has come

up, I hope I'm not the lone voice speaking for historic preservation because when I finally did get to look at the Draft General Plan EIR, I find there is no historic preservation element. I've drafted a letter that expresses my concern and I'm circulating it to other people and I'm hoping perhaps they will join me in that. The City previously recognized the importance of historic resources by forming a landmark advisory committee as early as 1974. In 1982 they commissioned a survey of historic buildings, then they enacted a Historic Preservation Ordinance in 1985, that included a very comprehensive historic preservation element in the General Plan of 1985-86. It's therefore with some dismay that in the Draft General Plan and the Environmental Impact Report that the preservation element has been relegated to item D under Chapter 13 entitled Other Considerations. In other words, it's low on the totem pole. The natural resources and the archaeological resources appear to have been shortened in all the documents. There are, however, a number of oversights and errors in referring to historical and cultural resources.'"

Response 13-17

Comment acknowledged. See Response 13-16 above. The DEIR evaluates the environmental impacts which would be associated with the adoption and implementation of the Draft General Plan. Because the Draft General Plan did not include an historic preservation element, the impacts of such an element were not evaluated in the DEIR. The fact that environmental impacts related to Cultural Resources/Archaeology are discussed near the end of the DEIR in no way indicates that these topics are somehow less important than topics addressed in earlier sections of the DEIR. The placement of this section is a function of the way the material presented in the DEIR was organized, and to a large extent, is consistent with the sequence of topics addressed in the DGP.

Comment LARKEY-1: DEIR, Pages 220-222

"The city has previously recognized the significance of these resources by appointing a Historical Landmard (sic) *Committee in 1979, commissioning a survey of historic buildings in 1982, enacting a Historic Preservation Ordinance in 1985, and including a comprehensive Historic Preservation Element in the 1986 Winters General Plan.*

"It is, therefore, with some dismay that concerned citizens reviewing the current Draft General Plan learn that in the Draft General Plan Environmental Impact Report, the 1986 Historic Preservation Element has been relegated to Item 'D' under the Chapter XIII title of 'Other Considerations.' In addition, the stated goals and policies in the Background Report have been substantially abbreviated. The natural resources and the archaeological resources appear to have been adequately covered in all the documents. There are, however, a number of oversights and errors in the sections referring to historic/cultural resources.

"Most Winters citizens recognize the importance of architecturally significant residential and business ildings to the entire community's quality of life and to the overall economy of the downtown business district because of their attraction to tourists."

Response 13-18

Comment acknowledged. See Responses 13-16 and 13-17 above.

Comment WEIRW-30: DEIR, Pages 220-222

"Again, the Impact says 'policies concerning historic preservation of historic structures require the City to adopt the State Historic Building Code..."

Response 13-19

Comment acknowledged. See Response 13-16 above.

Comment PH (D)-17 (REYNOLDS): DEIR, Pages 220-222

"Barbara Reynolds said, 'Our EIR work group was involved in the cultural and historical aesthetics of Winters. We had some concerns. We did feel the Draft General Plan does have some policies to preserve architectural and the native American heritage of the City. It has policies concerning historic preservation of historic structures. Our group recommends that the EIR policies and mitigation measures for archeological[1], historical rehabilitation and preservation need appropriate field surveys for archeological sites. There's only been five percent surveyed. Appropriate historical societies should be called upon to supervise the policies with the support and encouragement of the City Council.

"There's so much talk about the parks, as we went through the EIR and the General Plan, there's talk and talk about parks. We do need parks, that's true. But not quite as many parks as they talked about. A very important part, is the cultural for Winters. Have a cultural center with facilities for community theater, drama, talent shows, and music and dance programs. We need a natural museum and definitely a library. A really nice library. I know in Palm Desert my grandfather and my uncle got together people in the community to raise funds to build a very wonderful library there. I think Winters deserves the same for its' children and its' people. Focus on art. Art galleries, public art for local artists. There's so much in that area. The architecture, visual considerations in architecture. The City of Winters and Yolo County, we need to protect and conserve the environmental features and scenic quality in Winters. Perhaps having the architecture on Highway 128 to be similar to the downtown area with the Victoria style. The historical sites and buildings, carry out that type of architecture. Maybe

1 Note: spelling of 'archeology' is considered an acceptable substitute for 'archaeology'

variations of colonial revival style, late Queen Anne and so forth. Also a craftsman style, return to the natural materials and themes. I think our main focus in our work group, our goal, was to maintain the character of this town. We do not have a choice as to what it is. Do we want just houses and tracts. We could turn it into a tourist town. Our town offers a lot and we could build on that and make it very interesting to tourists that are on their way to the Napa Valley area.'"

Response 13-20

Comment acknowledged. The DEIR recognized that there is a lack of substantial archaeological information, and that field surveys and representative excavations would be appropriate for various development proposals. The implementation of the policies of the DGP are the responsibility of the City, its Planning Commission and the City Council, and it would be inappropriate to have private "societies" involved to "supervise" the implementation of the proposed General Plan. However, the City may wish to enlist the cooperation of such "societies" in identifying probable sites for surveys, or assisting in other ways to promote historic and cultural preservation.

The DGP has been modified as the FGP to include a policy (V.B.3.) to actively promote the visual and performing arts in Winters, and to explore the creation of a civic arts commission and development of a cultural center. This change does not modify the determination in the DEIR that the DGP provides sufficient policies to enhance cultural and historic preservation.

Comment WEIRW-31: DEIR, Pages 220-222

"No mitigation measures are listed for Historic Structures although some are required for designated historic districts."

Response 13-21

Comment acknowledged. See Response 13-16 above.

Comment WEIRW-33: DEIR, Page 222

"4. Add mitigation measures for designated historic districts."

Response 13-22

Comment acknowledged. See Response 13-16 above.

Comment PH (D)-23 (GRISSET): DEIR, Pages 220-222

"Suzanne Grisset said, 'As a resident of Winters and a professional archeologist I have some comments on the Draft EIR section dealing with other issues namely Section D, Cultural Resources. The EIR states that the potential for an impact on the cultural resources will be less than significant. I wish to take exception to this. I couldn't find any indication that there was an archeologist consulted or used for the preparation of the EIR. It seems that what they did was contact the Northwest Information Center. Which maintains a record of all archeological sites that have been reported. As the EIR states, there are very few reported, just three large village sites, located along Putah Creek. Most of the area in Winters has never been examined so we don't really know what the archeological resources are. In fact, those that are reported along Putah Creek, basically recorded in a one day visit by anthropologists from UC Berkeley at the turn of the century. He went around to all the local land owners that recorded the lake sites. Which are very evident, they usually appear on the surface, you see fire cracked rock, obsidian, shell beats, they're very noticeable. In addition to Yolo County, and other areas of the County, we know that there are significant buried sites. They often occur four to six feet below the ground surface. They're located along sloughs and marshy areas. They often are cemeteries. We found them over near the Yolo County landfill, we're working on such a deposit in Vacaville right now.

"The policy that's been presented in the Draft EIR recommends that the City send to the Northwest Information Center any project that proposed near Putah Creek or Dry Creek. Again, that's just restricting it to lake sites. It leaves it sort of free floating, who would decide whether any of their surveys should be conducted along with the other project areas. My recommendation would be that the entire area should at least be examined and field surveyed. In addition, if any project at the time that they applied for a permit for developing purposes to do excavations in excess of six feet. That they also be required to have an archeologist monitor it at the time of excavation for what would probably be more economically feasible for the developer to avoid stopping construction in case a discovery of skeletal remains. They in fact have some sort of subsurface testing done before they go ahead and do that, they will be restricted to the area that's going to be excavated. They often times require to do soil compaction tests, they're already drilling into the site area to comply with other regulations for the permit process.

"My consideration is that there are not only prehistoric archeological sites, which date back at least 4000 years. They're probably located in the area that's subject to flooding and who knows what the original topography was, especially with the drainage coming out of the hills in route (sic) *to the east flood plan rivers. There has* (sic) *to be sites out there and they just have not been addressed in the EIR. I hope that the City would adopt some kind of policy that would assess, and protect and mitigate these resources before they are damaged to* (sic) *infrastructure. It can be very costly to the developer because if there's a native American remains, the Native American Heritage Commission is*

called, and assigned. That person can designate how they want those resources to be treated. Often times it requires either extensive relocation or complete design reengineering of the project, so it can be very costly later on. I think it would be economically feasible to do it before hand. Thank you.'"

Response 13-23

Comment acknowledged. While no archaeologists were formally consulted in the preparation of the DEIR, the records search conducted by the Northwest Information Center of the California Archaeological Inventory at Sonoma State University provided the basis for DEIR statements regarding potential archaeological sites in the Winters area. The DEIR was prepared to evaluate the environmental impacts which would be associated with the adoption and implementation of the Draft General Plan, and was prepared at the "first-tier" level (rather than the "project" level), and thus field surveys of the planning area were not conducted. The DEIR did not indicate that additional archaeological sites beyond the three identified were not located in the Winters area, but that the Native American Heritage Commission and the Northwest Information Center currently had no evidence to indicate the presence of additional sites with certainty. In light of the limited archaeological surveillance which has been conducted in the Winters area, the Northwest Information Center recommended that additional field surveys be completed prior to any development of the sites of individual projects.

The DEIR indicated that Draft General Plan policy would require the City of Winters to refer development proposals which may have potential for adverse impacts on archaeological sites to the Northwest Information Center. Based on the information obtained from the Northwest Information Center, the City of Winters would be the agency to ensure that no proposed project would be permitted which would intentionally disturb an archaeological site without appropriate pre-construction site surveys and the definition of mitigation measures designed to prevent or limit the possible disturbance of archaeological sites. This policy would not be limited to projects proposed in the Putah and Dry Creek areas (although based on data from the Northwest Information Center, these areas represent those most likely to have archaeological significance), but to all proposed project sites within the planning area.

While the Draft General Plan would not require excavation and archaeological supervision at all construction sites, such measures may be required at those sites which have been identified as at risk of archaeological disturbance. Draft General Plan policy would require such projects to conform with the directives issued in Appendix K of the CEQA Guidelines, which call for a halt to construction activity in the vicinity of any archaeological find until the discovery can be fully evaluated by a qualified person. Halting construction as a result of an archaeological discovery can entail a significant expense, and it is possible that the presence of an archaeological monitor at a construction site may save a project developer money in the event that archaeological

finds are made during construction. However, it is also possible that such finds will not be made during construction, and the full-time presence of a qualified archaeologist may not be economically justified. Although many projects do require some sub-surface testing prior to the start of construction, in many cases such investigations involve borings (rather than excavations), which may be of limited use in evaluating a site for potential archaeological evidence.

The DGP has been modified as the FGP to revise Policy V.F.2. so that the City would not consult the California Archaeological Inventory (CAI) prior to approval of any public or private project that may adversely affect an archaeological site (a procedure which is unchanged in Policy V.F.1). Policy V.F.2. now directs the City to undertake an archaeological sensitivity survey for the entire area within the Urban Limit Line, to classify areas according to low-, moderate- and high-sensitivity with respect to archaeological values. Archaeological site surveys are to be required for any proposal within areas categorized as having high-sensitivity, while development in other areas would require suspension of construction activities if archaeological artifacts were unearthed during grading or other construction activities. As stated in the original version of Policy V.F.2., procedures for evaluating and reporting archaeological discoveries are to be implemented as provided in Appendix K of the CEQA Guidelines, which, for example, requires that human remains or artifacts of potential Native American origin be reported to the Native American Heritage Commission. This change does not modify the determination in the DEIR that the policies of the DGP would prevent development from occurring which would adversely potential archaeological resources.

Comment WEIRW-34. DEIR, Page 222

"7. Strengthen mitigation requirements to include on-site survey for archaeological evidence at all new development or excavation sites because there may be hidden sites that have yet to be recorded."

Response 13-24

Comment acknowledged. See Response 13-23 above.

Comment WEIRW-62: DEIR, Page 223

"The EIR states that future adverse effects may become insignificant by '... presently undetermined mitigation measures, such as might be produced through advances in technology, or social behavior patterns...'."

Response 14-1

Comment acknowledged. Although the statement that advances in technology and changes in social behavior is speculative, it can neither be factually disproven or substantively demonstrated that the mitigation measures identified in the DEIR could become unnecessary, or require modification in the future. The DEIR does not indicate that such changes, which can not be predicted, would alter the determinations of the DEIR with regard to the significant impacts of the Draft General Plan.

Comment WEIRW-78: DEIR, Page 223

"29. Re-wording. The quoted sentence should be struck. All we can deal with is what we know now. This attitude encourages a laissez-faire attitude which will not serve this area well."

Response 14-2

Comment acknowledged. See Response 14-1 above.

Comment C.McN-3: DEIR, Pages 225-226

"I also want to discuss the issue of cumulative impacts. The EIR provides only a cursory overview of cumulative impacts (pages 225 and 226). There has been lots of litigation over the issue of cumulative impacts. The City Council should be guided by the concept that a legally adequate cumulative impacts analysis is an analysis of a particular project viewed over time and in conjunction with other related past, present, and reasonably foreseeable probable future projects whose impacts might compound or interrelate with those of the project at hand. Does not Las Lomas fall into this category, and shouldn't it be mentioned for its potential cumulative impact by the EIR?"

Response 14-3

Comment acknowledged. The project area mentioned as Las Lomas has been identified in the Draft General Plan as an Urban Study Area for subsequent analysis and study, and

possible environmental review. The potential uses and effects of this area cannot be reasonably foreseen, as no proposal has been submitted giving any indication of the property owners' objectives for the area. The speculative nature of the possible development of this area does not fit the description of a reasonably foreseeable future project.

XV. ALTERNATIVES TO THE PROJECT: RESPONSES

Comment SNYDER-2: DEIR, Page 248

"In the EIR, on page 248, the NAS [(North Area Specific)] *plan offer of 30 acres of park is not considered a significant negative impact, only because we are already existing at a substandard level. This assumption is clearly unsupportive of our community's needs."*

Response 15-1

Comment acknowledged. See Response 7-1 in Chapter VII, Other Facilities and Services: Responses. The NASP development proposal incorporated into Alternative III, as described on page 248 of the DEIR, identified a total of 42 acres for parks (not including the 24-acre lake, which is intended to include active boating activities) in the northern area of the city, not 30 acres, which is the number of acres which would be required at a minimum for all new development in the city as a whole under Alternative III, if the City were limited under the Quimby Act to 3 acres per 1,000 as the basis for its dedication requirements. The provision of parks under Alternative III, with the revised calculation of designated parkland as described in Response 7-1, would result in a higher ratio of parkland to residents relative to the other alternatives. The DEIR did not determine if the proposed DGP or any of the Alternatives would have a significant impact on the provision of public parks on the basis of any indication or determination that the current extent of parkland in Winters is "substandard," nor would it have been appropriate for the EIR to do so. The DEIR indicated that significant impacts would occur if the Project or its Alternatives would reduce the ratio of parkland to residents, or fail to ensure that new park and recreation facilities were acquired and/or developed to meet projected demand. The DEIR determined that the proposed DGP, and each of the Alternatives would result in a substantial increase in the ratio of parkland to residents. Only the existing General Plan (Alternative IV) would have a significant impact due to the lack of designated new park facilities.

Comment LANDO (C)-1: DEIR, Page 248

"Following the presentations by members of our Group at your joint public hearing on December 3rd, several members of the public seemed to object to our proposal primarily on the basis of the contents of the old North Area Specific Plan application, rather than our new development proposal. The NASP Plan is one of the alternative projects considered in the EIR for the basis of comparison to the Draft General Plan, even though it is now significantly different from the specific proposal of the North Area landowners. Our new proposal, which we showed you on December 3, is based on the Goals and Policies which are articulated in the Draft General Plan and which were

contained in the report of the Planning Advisory Committee. A copy of our proposed land use plan, which we presented at the public hearing on December 3, is enclosed. We are concerned that controversy is being created where none need exist."

Response 15-2

Comment acknowledged. The DEIR was prepared on the basis of the most current information available at the time of publication, October 21, 1991. It could not reflect subsequent modifications in the North Area Specific Plan which were presented on December 3, 1991.

XVI. PARTICIPANTS AND REFERENCES: RESPONSES

No comments were received related to this chapter of the Draft EIR.

(This page has been purposely left blank.)

Comment POLICE-1: DEIR, Page B-13

"Upon review of the above named revision, I noticed that on page B-13, under note 5, Police Services Cost Estimates, Alternative I -- Draft General Plan, the number indicated for the 1990-1991 sworn police officers is eight (8). The correct number of sworn officers, including the Police Chief, was nine (9)."

Response APX-1

Comment acknowledged. Although the Police Chief is ostensibly a "sworn officer", for the purposes of the fiscal analysis, police and fire chiefs are treated as an overhead cost because new growth would not require an additional police or fire chief. The method used to forecast future police services expenditures takes the estimated additional sworn officers required for new growth and multiplies it by the average cost per sworn officer (i.e., total police budget divided by 8 sworn officers). This method includes the average cost of all administrative, supervisory and support services and facilities/equipment maintenance and operations, and applies it to future officers. This method inherently includes the cost of the Police Chief. If the Police Chief were to be included as a "sworn officer", it would lower the average cost per sworn officer, and would not reflect the real cost per officer of providing police services.

Comment POLICE-2: DEIR, Page B-13

"Also, under footnote (1), the existing ratio of officers per 1000 would therefore not be correct. Attached is a copy of page B-13 for your reference."

Response APX-2

Comment acknowledged. See Response APX-1, above.

(This page has been purposely left blank.)

APPENDIX A

REVISIONS TO THE DRAFT GENERAL PLAN

REVISIONS TO THE DRAFT GENERAL PLAN

The Draft EIR evaluated the environmental impacts which would be associated with the adoption and implementation of the Winters Draft General Plan. Between early November 1991 and early January 1992, the City Council and Planning Commission held six public hearings on the Draft General Plan, the Draft General Plan EIR and other documents related to the Draft General Plan. During late January and late February 1992, the City Council and Planning Commission met jointly eight times and separately once to formulate their recommendations for the Final General Plan. During these deliberations, it was decided to include a number of mitigation measures identified in the Draft EIR as policies within the Final General Plan, while in other instances it was decided that many of the mitigation measures identified in the Draft EIR were too detailed for a project such as a general plan. In the latter cases, the City believes that the new measures now incorporated as policies within the Final General Plan, though less specific than those identified in the Draft EIR, would provide a similar level of environmental protection. The Draft General Plan was revised based on the direction of the Planning Commission and City Council. The significant changes in the text of the Final General Plan Policy Document are listed below. The numbers associated with each modified or added goal or policy statement reflect the sequence used in the Final General Plan Policy Document, which frequently differs from the sequence originally used in the Draft General Plan Policy Document.

FGP Page	
3	In the definition of **Implementation Program**, the following sentence has been added after the second sentence: "The time frames indicated for the various programs are directory, not mandatory, since they are subject to staff and budgetary constraints."
I-2	In the section **LAND USE DIAGRAM AND STANDARDS**, the heading and paragraphs related to **Planned Residential (PR)** (*Not Used*) have been deleted.
I-3	In the section **LAND USE DIAGRAM AND STANDARDS**, the heading and paragraph related to **Community Commercial (CC)** *(Not Used)* have been deleted.
I-3	In the section **LAND USE DIAGRAM AND STANDARDS**, the heading and paragraph related to **General Commercial (GC)** (*Not Used*) have been deleted.
I-3	In the section **LAND USE DIAGRAM AND STANDARDS**, the heading and paragraph related to **Water Related Commercial (WRC)** (*Not Used*) have been deleted.
I-3	In the section **LAND USE DIAGRAM AND STANDARDS**, the heading **Planned Commercial (PC)** and the following paragraphs have been added: "This designation provides for neighborhood- and locally-oriented retail and service uses, offices, restaurants, service stations, multi-family residential units, public and quasi-public uses, and similar and compatible uses. The FAR shall not exceed 0.40 for commercial uses, and residential densities shall be in the range of 6.1 to 10.0 units per gross acres.

All development under this designation shall be approved pursuant to an adopted master development plan (e.g., specific plan). As these master development plans are approved, the Planned Commercial designation shall be replaced through a general plan amendment with the Neighborhood Commercial, Office, Recreation and Parks, Open Space, or Public/Quasi-Public designations as the City deems appropriate based on the approved master development plan."

I-4 In the section **LAND USE DIAGRAM AND STANDARDS**, the heading **Planned Commercial/Business Park (PCB)** and the following paragraphs have been added:

"This designation provide for restaurants, service stations, hotels and motels, retail and amusement uses, which are oriented principally to highway and through traffic, offices, light industrial, and wholesale commercial uses, public and quasi-public uses, and similar and compatible uses. The FAR shall not exceed 0.40.

All development under this designation shall be approved pursuant to an adopted master development plan (e.g., specific plan). As these master development plans are approved, the Planned Commercial/Business Park designation shall be replaced through a general plan amendment with the Highway Service Commercial, Business/Industrial Park, Open Space, or Public Quasi-Public designations as the City deems appropriate based on the approved master development plan."

I-4 In the section **LAND USE DIAGRAM AND STANDARDS**, the paragraph following **Open Space (OS)** has been changed to read as follows:

"This designation provides for agricultural uses, recreational, riparian vegetation and wildlife habitat protection, water retention, public and quasi-public uses, and similar and compatible uses consistent with the open space purposes of this designation. The FAR shall not exceed 0.05. The precise location of the boundary of the Open Space designation along Putah and Dry Creeks shall be determined by the City in conjunction with individual project proposals based on creek setback requirements and site-specific conditions."

I-4 In the section **LAND USE DIAGRAM AND STANDARDS**, the heading and paragraph related to **Special Study Corridor (SSC)** have been deleted.

I-5 In the section on **Roadway Classification System**, the second paragraph has been changed to read as follows:

"<u>Primary Collector Streets</u> - Primary Collector Streets are those which interconnect with, and augment the arterial street system, accommodate trips of moderate length at a lower level of service than arterials, and provide intracommunity continuity."

I-5 In the section on **Roadway Classification System**, the fifth paragraph has been changed to read as follows:

"As shown in Figure I-1, Grant Avenue and Railroad Avenue are classified as Arterial streets. Putah Creek Road, although outside the Winters Urban Limit Line, also provides an Arterial street function and is included in the figure for system completeness. The Main Street, Valley Oak Drive, County Road 32A,

County Road 33, and the proposed Road 32A/Road 33 connector midway between Valley Oak Road and Railroad Avenue are classified as Primary Collector streets, as is the new industrial road west of I-505 and its connections to Grant Avenue and East Baker Street. Sufficient right-of-way along County Road 32A should be maintained for possible ultimate expansion to four lanes. Other roads depicted in Figure I-1 fulfill the function of Secondary Collector streets.

I-5 Under the section on **Street Standards**, the definitions have been changed to read as follows:

"Arterial Streets - Arterial streets provide for two or four 12-foot travel lanes, a 10-foot to 12-foot median, 4-foot to 12-foot shoulders for bike lanes and/or parking, and 20-foot sidewalk/landscaped areas.

Primary Collector Streets - Primary Collector streets provide for two 12-foot travel lanes, an optional 10-foot median/left turn lane, 4-foot to 12-foot shoulders for bike lanes and/or parking, and 20-foot sidewalk/landscaped areas.

Secondary Collector Streets - Secondary Collector streets provide for two 12-foot travel lanes, 4-foot to 8-foot shoulders for bike lanes and/or parking, and 16-foot sidewalk/landscaped areas.

Local Streets - Local streets provide for two travel lanes plus optional parking within a 24-foot to 38-foot pavement width and a 4-foot to 6-foot sidewalk/landscaped areas."

I-6 The Draft General Plan section on **Land Requirements** has been deleted.

I-6 The section on **Circulation Improvements** has been changed to read as follows:

"Based on the *Circulation Plan Diagram* (Figure I-1) and the street standards described above and depicted in Figure I-2, improvements to the following roadways will be necessary and will be pursued as funding permits and when traffic thresholds are reached:

- Main Street Extensions (north and south)
- Road 32A Extension (Road 88 to Road 90)
- Road 33 Extension (Road 88 to Road 90)
- Valley Oak Drive Extension
- Putah Creek Bridge Repair
- Grant Avenue/Dry Creek Bridge Reconstruction and Widening
- Railroad Avenue Widening (north of Grant Avenue)
- Taylor Street Reconstruction
- East Street Widening
- Grant Avenue Widening
- Grant Avenue/I-505 Overcrossing Widening
- Traffic Signals at Six Intersections"

II-1 Policy I.A.4. has been changed to read as follows:

"The City shall link the growth rate in Winters to the provision of adequate services and infrastructure, including schools. To this end, the City shall prepare and adopt a program to ensure that growth occurs in an orderly fashion and in pace with the expansion of public facilities and services."

II-1 Policy I.A.5. has been added:

"The City shall not approve new development unless the capacity of needed public services and facilities, including school facilities, is sufficient to accommodate that new development or a mechanism that ensures the needed facilities will be available in a timely fashion is in place."

II-1 Policy I.A.8. has been changed to read as follows:

"The land use pattern and design of new development in Winters shall facilitate pedestrian convenience and the use of non-automobile forms of transportation."

II-1 Policy I.A.9. has been added:

"No new development may occur within the flood overlay area shown in Figure II-1 until a feasibility and design study for a comprehensive solution to the 100-year flooding problem has been completed and a fee schedule has been established or financing program adopted which includes all affected and contributing properties for financing the comprehensive flood control solution."

II-2 Policy I.A.10. has been changed to read as follows:

"The City shall designate land adjacent to the Urban Limit Line in the northwest part of Winters as Urban Study Area for future consideration of incorporated development. (See Figure II-2)."

II-2 Policy I.A.11. has been added:

"The City will strenuously oppose any new unincorporated highway-related commercial or urban development in Yolo or Solano County, with the exception of agricultural industrial uses, within one mile of the City's Urban Limit Line."

II-2 Policy I.B.1. has been added:

"The City's priority for commercial development within the Central Business District shall be the area west of East Street and south of Grant Avenue."

II-3 Policy I.B.8. item "c." has been changed to read as follows:

"Shared off-street parking should be developed through the coordinated efforts of the property owners and the City. New parking lots should not be located along the Railroad Avenue frontage."

II-3 Goal I.C has been changed to read as follows:

"To designate adequate land in a range of residential densities to accommodate the housing needs of all income groups expected to reside in Winters."

II-3 Policy I.D.3. has been added:

"The City's first priority for new commercial development shall be the Central Business District."

II-4 Policy I.F.1. has been changed to read as follows:

"The City shall designate adequate, appropriately-located land for City and County facilities and, in consultation with the School District, School District facilities."

II-4 Policy I.F.2. has been added:

"The City shall strive to ensure the provision of adequate funds or other mitigation measures to maintain School District facilities at service levels equal to or exceeding State standards for classroom size, school enrollment, and school size for all School District schools."

II-4 Policy I.F.3. has been added:

"The City shall strive to ensure the provision of adequate funds or other mitigation measures to construct and/or renovate School District schools to keep pace with urban growth."

II-4 Policy I.F.4. has been added:

"In order to ensure the availability of school sites consistent with the provisions of the General Plan, the City may require the dedication or reservation of school sites consistent with service level standards."

II-5. Policy I.F.8. has been added:

"The City shall promote the development and operation of child care facilities."

II-6 Implementation Program I.4. has been added:

"The City shall prepare and adopt a program to ensure that growth occurs in an orderly fashion and in pace with the expansion of public facilities and services. This program may include a growth-phasing plan, establishment of assessment districts, community facility districts, or other mechanisms.

Responsibility:	City Council Planning Department
Time Frame:	FY 92-93"

II-7 Implementation Program I.5. has been added:

"The City shall revise the Zoning Ordinance to include a flood overlay district and shall apply such district to the areas that contributes to or are affected by 100-year flooding as shown in Figure II-1. The flood overlay district shall require compliance with FEMA's standards and participation in a comprehensive flood control program prior to approval of any development entitlements.

Responsibility:	City Council Planning Department
Time Frame:	FY 92-93; 93-94"

II-7 Implementation Program I.7. has been added:

"The City shall undertake a study to assess the potential effectiveness of establishing a "linkage program" designed to ensure that new commercial development outside the Central Business District does not adversely affect existing and new development within the Central Business District.

Responsibility:	Economic Development Commission Planning Department
Time Frame:	FY 92-93; 93-94"

II-7 Implementation Program I.8. has been changed to read as follows:

"The City shall develop an economic development plan to identify and implement strategies to attract new commercial development and industry to Winters.

Responsibility:	City Council Planning Commission Economic Development Commission Planning Department
Time Frame:	FY 92-93; 93-94"

II-9 Policy II.A.4. has been changed to read as follows:

"The City shall seek to maintain an overall mix of 75 percent single family and 25 percent multi-family in its housing stock. This policy shall not be implemented is such a way that it would operate as a constraint of the City's ability to meet its regional fair share allocation for housing for very-low- and low-income households."

II-9 Policy II.A.8. has been added:

"All housing development proposals involving 50 units or more shall be required to submit development plans to the Affordable Housing Commission for review. All such projects shall be encouraged to qualify for a density bonus under the density bonus provisions of state law."

II-10 Policy II.A.18. has been changed to read as follows:

"The City shall promote the development of second-story residential uses over commercial and office uses in the Central Business District and Neighborhood Commercial designations."

II-10 Policy II.A.21. has been changed to read as follows:

"The City shall support the continued use of Section 8 rent certificates and vouchers by Winters residents."

II-10 Policy II.A.23. has been added:

"The City shall require the provision of relocation assistance to tenants required to relocate as a result of the removal of or condemnation of housing where such removal or condemnation is not the fault of the tenants."

II-11 Policy II.D.3. has been added:

"In allocating remaining sewer capacity, the City shall ensure that its allocation scheme does not constrain the development of housing for very-low- and low-income households."

II-11 Policy II.D.4. has been changed to read as follows:

"The City shall strive to ensure that necessary public facilities and services including School District facilities, are available prior to occupancy of residential projects."

II-12 Policy II.D.7. has been added:

"The City shall strive to ensure that funds are available to provide for the construction of elementary schools within walking distance of new residences."

II-13 Implementation Program II.1. has been added:

"The City shall create and appoint an Affordable Housing Commission to advise the City Council, Planning Commission, and Redevelopment Agency on housing policy and its implementation and the allocation of the Redevelopment Agency's Tax Increment Housing Set Aside. The Affordable Housing Commission shall also review housing project proposals and make recommendation for the inclusion of affordable housing.

Responsibility: City Council

Time Frame: FY 92-93; ongoing"

II-14 Implementation Program II.3. has been changed to read as follows:

"The City shall work with property owners and developers in the preparation of master development plans and specific plans for unincorporated areas and in the expeditious annexation of such lands.

Responsibility: City Council
Planning Department

Time Frame: Ongoing"

II-15 Implementation Program II-8. has been added:

"The City shall revise the *Zoning Ordinance* to provide for the establishment, subject to Conditional Use Permit control, of homeless shelters and transitional housing in the Medium High Density Residential, High Density Residential, Central Business Districts, and Public/Quasi Public designation.

Responsibility: City Council
Planning Department

Time Frame: FY 91-92; 92-93"

II-17 Implementation Program II.14. has been added:

"The City shall establish a housing trust fund utilizing state and federal funds, Redevelopment Agency funds, and funds from other sources to assist in the development of housing for very-low and low income households."

Responsibility: City Council
Planning Department

Time Frame: FY 92-93"

II-17 Implementation Program II.15. has been added:

"The City shall develop a fee deferral program to assist in the development of housing for very-low and low income households.

Responsibility: City Council
Planning Department

Time Frame: FY 92-93"

II-17 Implementation Program II.19. has been added:

"The City shall work with the Cities of Davis, Woodland, West Sacramento, and Yolo County to extend their joint agreement providing services for the homeless for an additional three-year period, starting in July 1993.

Responsibility: City Council
City Manager
Planning Department

Time Frame: FY 92-93"

II-17 Implementation Program II.20. has been added:

"The City shall consider establishing a position of housing program coordinator, either as a City staff position or through contract, to coordinate City housing activities, to assist in the implementation of affordable housing programs, and to work with non-profit housing developers to build affordable housing.

Responsibility: City Council
City Manager
Planning Department

Time Frame: FY 92-93"

II-18 Implementation Program II.21. has been changed to read as follows:

"The City shall continue to promote equal housing opportunity for all persons regardless of race, religion, sex, marital status, ancestry, national origin, or color. The City shall continue to refer fair housing complaints to the County District Attorney or to the State Fair Employment and Housing Commission."

II-21 Policy III.A.1. has been changed to read as follows:

"The City shall endeavor to maintain a Level of Service "C" or better, as defined by the *1985 Highway Capacity Manual* or subsequent revisions, on all streets and intersections within the city."

II-21 Policy III.A.2. has been changed to read as follows:

"Streets shall be dedicated, constructed, widened, extended, and modified according to City standards specified in Part 1 of this *Policy Document*. Dedication and improvements of full rights-of-way may not be required in existing developed areas where the City determines that such improvements are either infeasible or undesirable. The City may allow other deviations from these standards if the City determines that safe and adequate public access and circulation, including pedestrian convenience, are preserved by such deviations."

II-21 Policy III.A.8. has been changed to read as follows:

"The City shall comply with and implement the programs and policies of the *Yolo County Congestion Management Plan* (CMP) for Yolo County."

II-21 Policy III.A.9. has been changed to read as follows:

"The City shall require street designs consistent with principles of interconnected network path design. The City shall insure that there are multiple, local-street access points to all developments throughout the city. The City shall insure that direct access to all local streets from primary and secondary collectors is maintained. At the discretion of the City, alleys may be used in conjunction with the overall street layout."

II-21 Policy III.A.10. has been added:

"Street designs should promote pedestrian and bicycle travel and should emphasize safety over travel speed and capacity. Collector streets should not be used as separators of neighborhoods."

II-22 Policy III.A.11. has been changed to read as follows:

"Neighborhood streets shall be designed to discourage unsafe traffic speeds."

II-22 Policy III.A.12. has been added:

"The City shall encourage the use of curb corner radii that slow traffic turning movements and minimize pedestrian crosswalk lengths, but are consistent with fire truck turning needs."

II-22 Policy III.A.17. has been added:

"Access to new schools shall be located away from major art. s and adjacent to pedestrian and bicycle routes."

II-22 Policy III.B.2. has been added:

"The City shall consider assessing development impact fees for capital expenses for increased transit service."

II-22 Policy III.B.3. has been changed to read as follows:

"The City shall require bus turnouts and shelters in higher density residential and commercial areas and other areas deemed appropriate."

II-22 Policy III.C.1. to read as follows:

"The City shall encourage and support programs that will increase ridesharing."

II-22 Policy III.C.2. has been changed to read as follows:

"The City shall cooperate with Caltrans and Yolo County Transit in developing and maintaining park-and-ride facilities for Winters' commuters.

II-22 Policy III.C.3. has been added:

"The City shall coordinate its ridesharing support services with the rideshare offices of major traffic generators such as UC Davis, Yuba Community College in Woodland, and major regional employers."

II-23 Policy III.C.4. has been added:

"The City shall encourage telecommuting and other trip-reduction strategies."

II-23 Policy III.E.1. has been changed to read as follows:

"The City shall continue to participate in state, regional, and local transportation planning efforts to ensure coordination of its transportation improvements with the region's transportation system."

II-23 Policy III.F.1. has been changed to read as follows:

"The City shall require provision of adequate off-street parking in conjunction with all new developments. To the extent possible, parking shall be located behind buildings, out of view from the street. When it is not possible for parking lots to be placed behind buildings, the City shall require screening to mitigate the visual impact of the lots while providing for continued police surveillance. As much as possible, parking lots should not be located at intersections."

II-23 Policy III.F.2. has been changed to read as follows:

"In addition to providing for on-street parking, the City shall pursue development of public parking lots in the downtown area and establishment of a parking

assessment district or other financing mechanisms to facilitate development and maintenance of public parking lots."

II-23 Policy III.F.4. has been changed to read as follows:

"The City shall aggressively enforce on-street parking time limitations."

II-24 Policy III.G.1. has been changed to read as follows:

"The City shall create and maintain a safe and convenient system of pedestrian and bicycle routes that encourages walking or bicycling as an alternative to driving. The pedestrian bicycle system shall connect all residential, schools, and shopping and employment areas in the City. The bicycle system shall favor on-street bike lanes over separated bike paths. New development shall be required to pay its share of the costs for development and maintenance of this system."

II-24 Policy III.G.2. has been changed to read as follows:

"The City shall require installation of sidewalks along all streets in all newly developing areas."

II-24 Policy III.G.3. has been changed to read as follows:

"The City shall cooperate with surrounding jurisdictions in designing and implementing an area-wide bikeway system.

II-24 Policy III.G.4. has been added:

"Where cul-de-sacs are deemed necessary or desirable, pedestrian/bicycle paths shall, wherever possible, be required to connect from the cul-de-sac bulb to the next street."

II-24 Policy III.G.5. has been added:

"All schools should be easily accessible from pedestrian and bicycle routes."

II-24 Policy III.G.6. has been changed to read as follows:

"The City shall require inclusion of bicycle parking facilities at all new major public and quasi-public facilities and commercial and employment sites. Major employers shall be encouraged to provide showers and lockers in their facilities to encourage biking."

II-25 Implementation Program III.4. has been changed to read as follows:

"The City shall adopt and implement a program to satisfy the requirements of the Yolo County Congestion Management Plan (CMP). This program shall include a monitoring plan, a land use impact analysis plan, and a local trip reduction ordinance. Deficiency plans may also have to be prepared if violations of CMP Level of Service standards occur on Highway 128 or Railroad Avenue.

R ·ponsibility: City Council
City Engineer
Public Works Department
Planning Department

Time Frame: FY 91-92; 92-93; ongoing"

II-26 Implementa..on Program III.6. has been added:

"The City shall conduct a transit improvement study to identify areas in the city needing new and expanded transit services.

Responsibility: City Council
Public Works Department

Time Frame: FY 93-94"

II-26 Implementation Program III.9. has been changed to read as follows:

"The City shall cooperate with Caltrans and Yolo County Transit in developing and maintaining park-and-ride facilities for Winters' commuters.

Responsibility: City Council

Time Frame: Ongoing"

II-29 Policy IV.A.4. has been changed to read as follows:

"The City shall ensure through a combination of development fees and other funding mechanisms that new development pays its fair share of the costs of developing new facilities and services. The City at its sole discretion may allow developers to construct needed improvements according to City specification in lieu of paying development fees for such improvements."

II-29 Policy IV.B.1. has been changed to read as follows:

"The City shall continue to use groundwater as the principal source of domestic water for the foreseeable future. The City shall also pursue acquisition of surface water rights in order to decrease the city's dependence on groundwater."

II-30 Policy IV.B.5. has been changed to read as follows:

"The City shall eliminate from service the existing elevated water storage tanks after installation of a pressurized system utilizing variable frequency drives and backup generators at existing wells and replacement of old pipes south of Grant Street."

II-30 Policy IV.B.7. has been added:

"The City shall make preservation of groundwater recharge areas a high priority."

II-30 Policy IV.B.9. has been added:

"The City shall monitor groundwater levels at least twice a year to determine if a progressive, long-term decline in water levels is occurring."

II-30 Policy IV.B.10. has been added:

The City shall participate in an areawide groundwater management study."

II-30 Policy IV.B.11. has been changed to read as follows:

"To minimize the need for the development of new water sources and facilities and to minimize sewer treatment needs, the City will promote water conservation in City operations and in private development. To this end, the City shall implement a "moderate" water conservation program as defined in *Urban Water Management Plan* in the *Water System Master Plan*. The City shall annually monitor water usage to assess the effectiveness of the "moderate" water conservation program. If the groundwater levels decline and/or if the "moderate" program does not achieve its intended results, the City shall implement the "aggressive" or "maximum" water conservation program as defined in the *Water Management Plan*."

II-30 Policy IV.B.14. has been changed to read as follows:

"The City shall require water meters on all new hook-ups and shall develop a meter retrofit program for existing connections."

II-31 Policy IV.C.3. has been changed to read as follows:

"The City shall undertake a design study for construction of a new and larger treatment plant in the northeast part of the city. Treated effluent from the treatment plant should be reused for such purposes as crop and golf course irrigation and/or wetlands creation/maintenance during summer months and discharged to Putah Creek during winter months."

II-31 Policy IV.D.4. has been changed to read as follows:

"The City, in cooperation with property owners, developers, and the Yolo County Flood Control and Water Conservation District shall undertake a feasibility and design study for a comprehensive solution to the flooding problems associated with Chicahominy and Moody Sloughs. The comprehensive solution may include such features as diversion to Putah Creek, diversion under I-505, detention ponds, changes in land use designations, elevating building pads, and structural flood proofing as deemed effective and cost effective. All development affected by or contributing to the 100-year flooding problem shall be required to contribute to the financing of the comprehensive flood control solution. As a condition to any development entitlement approval, all development affected by or contributing to the 100-year flooding problem shall be required to contribute to the financing of the comprehensive flood control solution in an amount that reflects that property's relative contribution to the flooding problem, or benefit from the program adopted."

II-32 Draft General Plan Policy IV.D.5. has been deleted. Draft General Plan Policy IV.D.6. has become Policy IV.D.5. in the Final General Plan.

II-32 Policy IV.G.1. has been changed to read as follows:

"The City shall encourage the Fire Protection District to achieve and maintain an overall fire insurance (ISO) rating of five or better for the city of Winters, but in no event should the ISO rating be allowed to fall below 6. The goal for average response time for Priority 1 (emergency) calls should be five minutes."

II-32 **Goal IV.H** has been changed to read as follows:

"To provide public schools which serve as a neighborhood focus, and to maintain a quality learning environment for Winter's residents as the city's population increases."

II-32 Policy IV.H.1. has been changed to read as follows:

"The City shall assist the School District in locating and reserving appropriate sites for new schools."

II-32 Policy IV.H.2. has been changed to read as follows:

"The City shall work cooperatively with the School District in monitoring housing, population, and school enrollment trends to plan for future facility needs."

II-33 Policy IV.H.4. has been changed to read as follows:

"The City shall cooperate with the School District in an effort to ensure adequate financing for new school facilities. To this end, the City shall cooperate with the School District in the collection of school facility development impact fees from new residential and non-residential development."

II-33 Policy IV.H.5. has been changed to read as follows:

"The City, to the extent possible, shall require that new school facilities are constructed and operating prior to the occupation of the residences which the schools are intended to serve."

II-33 Policy IV.H.6. has been changed to read as follows:

"The City shall not approve any development entitlements, including building permits for new residences, unless a mechanism to mitigate school impacts generated by the project has been approved by the City. This mechanism may include the dedication of land, development fees, a commitment to funding through an assessment district or a Mello-Roos Community Facilities District, the phasing of the project, reduction in density, or some other mechanism which mitigates the school impacts attributable to the development.

II-33 Policy IV.H.7. has been changed to read as follows:

"The City shall include the School District in the City's staff review process for all residential developments."

II-33 Goal IV.I. has been added:

"To maintain a high level of library services for all Winters residents."

II-33 Policy IV.I.1. has been added:

"The City shall assist the County in locating and reserving an appropriate site and in securing funding for construction of a new branch library."

II-33 Policy IV.I.2. has been added:

"The City shall assist the County in seeking sufficient operating funds to support an adequate library collection, staff and hours of service, including more evenings, Saturdays, and possibly Sunday afternoons."

II-35 Implementation Program IV.1. has been changed to read as follows:

"The City shall prepare, adopt, and periodically update a *Level of Service Plan* for public improvements and services, including but not limited to, the following: traffic, sewer, water, drainage, police, and fire.

Responsibility:	City Council City Manager Department Heads
Time Frame:	FY 92-93; as needed"

II-35 Implementation Program IV.3. has been changed to read as follows:

"The City shall prepare, adopt, and periodically update a *Water System Master Plan* consistent with the land use patterns and densities/intensities specified in the *General Plan*. The *Water System Master Plan* shall include a scheduled program for replacing older waterpipes.

Responsibility;	City Council City Engineer Public Works Department
Time Frame:	FY 91-92; as needed"

II-35 Implementation Program IV.4. has been changed to read as follows:

"The City shall pursue the acquisition of surface water rights.

Responsibility:	City Council City Manager City Engineer Public Works Department
Time Frame:	Ongoing"

II-35 Implementation Program IV.5. has been added:

"The City shall monitor groundwater levels at least twice a year to determine if a progressive, long-term decline in water levels is occurring.

Responsibility: Public Works Department

Time Frame: Annually"

II-36 Implementation Measure IV.6. has been added:

"The City will implement a "moderate" water conservation program as defined in *Urban Water Management Plan* in the *Water System Master Plan*. The City shall annually monitor water usage to assess the effectiveness of the "moderate" water conservation program. If groundwater levels decline and/or if the "moderate" program does not achieve its intended results, the City shall implement the "aggressive" or "maximum" water conservation program as defined in the *Urban Water Management Plan*.

Responsibility: City Council
Public Works Department

Time Frame: Ongoing; annually; as needed"

II-36 Implementation Program IV.7. has been changed to read as follows:

"The City shall develop a water meter retrofit program for all existing connections.

Responsibility: City Council
City Manager
City Engineer
Public Works Department

Time Frame: FY 92-93"

II-36 Implementation Program IV.8. has been changed to read as follows:

"The City shall prepare, adopt, and periodically update a *Sewer System Master Plan* consistent with the land use patterns and densities/intensities specified in the *General Plan*.

Responsibility: City Council
City Engineer
Public Works Department

Time Frame: FY 91-92; as needed"

II-36 Implementation Program IV.9. has been added:

"The City shall undertake a design study for and construction of a new and larger sewage treatment plant in the northeast part of the city. The new treatment plan should be completed and operational by June 1995.

II-33 Goal IV.I. has been added:

"To maintain a high level of library services for all Winters residents."

II-33 Policy IV.I.1. has been added:

"The City shall assist the County in locating and reserving an appropriate site and in securing funding for construction of a new branch library."

II-33 Policy IV.I.2. has been added:

"The City shall assist the County in seeking sufficient operating funds to support an adequate library collection, staff and hours of service, including more evenings, Saturdays, and possibly Sunday afternoons."

II-35 Implementation Program IV.1. has been changed to read as follows:

"The City shall prepare, adopt, and periodically update a *Level of Service Plan* for public improvements and services, including but not limited to, the following: traffic, sewer, water, drainage, police, and fire.

Responsibility:	City Council City Manager Department Heads
Time Frame:	FY 92-93; as needed"

II-35 Implementation Program IV.3. has been changed to read as follows:

"The City shall prepare, adopt, and periodically update a *Water System Master Plan* consistent with the land use patterns and densities/intensities specified in the *General Plan*. The *Water System Master Plan* shall include a scheduled program for replacing older waterpipes.

Responsibility;	City Council City Engineer Public Works Department
Time Frame:	FY 91-92; as needed".

II-35 Implementation Program IV.4. has been changed to read as follows:

"The City shall pursue the acquisition of surface water rights.

Responsibility:	City Council City Manager City Engineer Public Works Department
Time Frame:	Ongoing"

II-35 Implementation Program IV.5. has been added:

"The City shall monitor groundwater levels at least twice a year to determine if a progressive, long-term decline in water levels is occurring.

Responsibility: Public Works Department

Time Frame: Annually"

II-36 Implementation Measure IV.6. has been added:

"The City will implement a "moderate" water conservation program as defined in *Urban Water Management Plan* in the *Water System Master Plan*. The City shall annually monitor water usage to assess the effectiveness of the "moderate" water conservation program. If groundwater levels decline and/or if the "moderate" program does not achieve its intended results, the City shall implement the "aggressive" or "maximum" water conservation program as defined in the *Urban Water Management Plan.*

Responsibility: City Council
Public Works Department

Time Frame: Ongoing; annually; as needed"

II-36 Implementation Program IV.7. has been changed to read as follows:

"The City shall develop a water meter retrofit program for all existing connections.

Responsibility: City Council
City Manager
City Engineer
Public Works Department

Time Frame: FY 92-93"

II-36 Implementation Program IV.8. has been changed to read as follows:

"The City shall prepare, adopt, and periodically update a *Sewer System Master Plan* consistent with the land use patterns and densities/intensities specified in the *General Plan.*

Responsibility: City Council
City Engineer
Public Works Department

Time Frame: FY 91-92; as needed"

II-36 Implementation Program IV.9. has been added:

"The City shall undertake a design study for and construction of a new and larger sewage treatment plant in the northeast part of the city. The new treatment plan should be completed and operational by June 1995.

Responsibility: City Council
City Engineer
Public Works Department

Time Frame: FY 92-93; 93-94; 94-95"

II-36 Implementation Program IV.10. has been changed to read as follows:

"The City shall prepare, adopt, and periodically update a *Storm Drainage Master Plan* consistent with the land use patterns and densities/intensities specified in the *General Plan.*

Responsibility: City Council
City Engineer
Public Works Department

Time Frame: FY 91-92; as needed"

II-37 Implementation Program IV.11. has been added:

"The City, in cooperation with property owners, developers, and the Yolo County Food Control and Water Conservation District, will undertake a feasibility and design study for a comprehensive solution to flooding problems associated with Chickahominy and Moody Sloughs. The comprehensive solution may include such features as diversion to Putah Creek, diversion under I-505, detention ponds, changes in land use designations, elevating building pads, and structural flood proofing as deemed effective and cost effective.

Responsibility: City Council
City Engineer
Public Works Department

Time Frame: FY 92-93"

II-37 Implementation Program IV.12. has been added:

"The City shall prepare and adopt an ordinance to ensure that impacts on school facilities are mitigated, which may include a requirement for dedication of land, development fees, a commitment to funding through an assessment district or a Mello-Roos Community Facilities District, phasing of the project, reduction in density, or other mitigation measures.

Responsibility: City Council
Planning Commission
City Manager

Time Frame: FY 91-92; 92-93"

II-37 Implementation Program IV.13. has been added:

"The City and the School District shall negotiate a memorandum of understanding to address levels of service needed by local schools, implementation of *General Plan* school facilities policies, and the School District's responsibilities with

regard to providing the necessary legal and factual support for such school facilities.

Responsibility:	City Council City Manager School District
Time Frame:	FY 91-92; 92-93 (Prior to adoption of school impact mitigation ordinance.)"

II-37 Implementation Program IV.14. has been added:

"The City shall prepare and adopt a legislative mechanism, such as an overlay zoning district, to ensure that development projects which are currently within the city limits will contribute to the necessary school impact mitigation fees or provide alternative mitigation measures necessary to provide adequate school facilities.

Responsibility:	City Council Planning Commission City Manager
Time Frame:	FY 91-92; 92-93"

II-41 Policy V.A.1. has been changed to read as follows:

"The City's overall goal shall be seven acres of developed parkland (combined neighborhood and community) per 1,000 residents."

II-41 Policy V.A.2. has been changed to read as follows:

"To the extent authorized by law, the City shall require all new residential development to dedicate improved parkland or pay equivalent in-lieu fees based on a standard of five acres of improved parkland per 1,000 population. Golf course development and creek setbacks shall not be counted toward meeting the park dedication requirements.

II-41 Policy V.A.3. has been added:

"New residential developments shall be required to fund park maintenance through a landscaping and lighting district or other appropriate mechanism."

II-41 Policy V.A.4. has been changed to read as follows:

"The City shall pursue all available and appropriate local, regional, state and federal funding for the acquisition of parkland, the development of park facilities, and park maintenance."

II-41 Policy V.A.6. has been changed to read as follows:

"The City shall work with the School District in developing a 20+ acre joint-use community park next to the proposed high school site. This park should include basketball and tennis courts, swimming pool, gymnasium, ballfields, playground, and picnic area."

II-41 Policy V.A.7. has been changed to read as follows:

"The City shall develop a 30+ acre community ball complex in Winters. This park should include lighted baseball and soccer fields, concession facilities, and restrooms."

II-41 Policy V.A.11. has been changed to read as follows:

"The City shall encourage development of recreational facilities along Putah Creek near the Community Center."

II-42 Policy V.A.12. has been changed to read as follows:

"The City shall pursue development of a cultural center, teen center, and senior center near the Community Center or at another suitable location."

II-42 Policy V.A.15. has been changed to read as follows:

"The City shall pursue the development of a citywide network of pedestrian and bicycle pathways and equestrian trails. The pedestrian and bicycle pathway and trail system should be designed to link parks, schools, civic and major shopping and employment centers. The City's bicycle pathway system should be integrated with the county-wide bikeway system."

II-42 Draft General Plan Policy V.A.16 has been deleted. Draft General Plan Policy V.A.15. has become Revised Draft Final General Plan Policy V.A.16..

II-42 Policy V.A.17. has been added:

"The City shall pursue development of a championship golf course in the north part of Winters."

II-42 Draft General Plan Policy V.B.2. has been deleted.

II-42 Draft General Plan Policy V.B.3. has been deleted.

II-42 Draft General Plan Policy V.B.4. has been deleted.

II-42 Policy V.B.3. has been added:

"The City shall actively promote the visual and performing arts in Winters and support development of facilities for the arts. To this end, the City shall explore the creation of a civic arts commission and the development of a cultural center."

II-42 Policy V.C.2. has been changed to read as follows:

"The City shall maintain cooperative agreements with the School District for the use of school facilities for City-sponsored recreation programs."

II-43 Policy V.D.1. has been changed to read as follows:

"Winters' historically and architecturally significant buildings and sites are to be preserved and enhanced to the fullest degree possible."

II-43 Policy V.D.2. has been changed to read as follows:

"The City shall continue to implement the City's *Historic Preservation Ordinance* and the *State Historic Building Code*. The *Historic Preservation Ordinance* and *State Historic Building Code* should be made applicable to all historically significant structures in Winters."

II-43 Policy V.D.3. has been changed to read as follows:

"The Winters Planning Commission shall continue to carry out the functions of the City's Historical Preservation Commission as specified in the City's *Historic Preservation Ordinance*."

II-43 Policy V.D.6. has been added:

"The City shall pursue available local, state, and federal funding for public and private historical restoration and preservation activities."

II-43 Policy V.F.2. has been changed to read as follows:

"The City shall undertake an archeological sensitivity survey of the entire area within the Urban Limit Line. Such study shall classify areas as "low-sensitivity", "moderate sensitivity", and "high-sensitivity". Within areas classified as "high-sensitivity", an archeological site survey will be required in conjunction with project applications. In all other areas, no field surveys will be required. However, if archeological artifacts are discovered during grading or construction, grading or construction must stop pending an archeological investigation and identification of appropriate mitigation measures. City implementation of this policy shall be guided by Appendix K of the *State CEQA Guidelines*."

II-44 Implementation Program V.1. has been changed to read as follows:

"The City shall prepare, adopt, update and implement a *Parks Master Plan* that includes goals, policies, and standards for the location, size, and level of development of all existing and proposed parks. The *Parks Master Plan* shall incorporate the following standards for park sizes:

Classification	Size
Mini-Park	1/2 to 3 Acres
Neighborhood	3 to 5 Acres
Community	20 to 30 Acres

Responsibility: City Council
City Manager
Parks and Community Services Commission
Parks Department

Time Frame: FY 91-92; as needed"

II-44 Implementation program V.2. has been changed to read as follows:

" The City shall regularly monitor local, regional, state, and federal programs for funding of parkland acquisition, development, rehabilitation, and maintenance. The City shall actively pursue funding for which it is qualified.

Responsibility: City Council
Parks Department

Time Frame: Ongoing"

II-44 Implementation Program V.3. has been changed to read as follows:

"The City shall maintain a joint-use agreement with the School District that provides for use of school facilities for City-sponsored recreation programs.

Responsibility: City Council
City Manager
Parks and Community Services Commission
Parks Department

Time Frame: Ongoing"

II-44 Implementation Program V.4. has been changed to read as follows:

"The City shall amend the City's *Historic Preservation Ordinance* and the *State Historic Building Code* to make them applicable to all historically significant structures in Winters.

Responsibility: City Council
Planning Commission

Time Frame: FY 91-92, 92-93"

II-45 Implementation Program V.5. has been added:

"The City shall undertake an archeological sensitivity survey of the entire area within the Urban Limit Line. Such study shall classify areas as "low-sensitivity", "moderate sensitivity", and "high-sensitivity.

Responsibility: Planning Department

Time Frame: FY 92-93"

II-47 Policy VI.A.2. has been changed to read as follows:

"In reviewing development proposals, the City shall consider the project's potential for adversely affecting water quality in Putah Creek, Dry Creek, and the area's groundwater and shall condition development approvals to avoid or adopt all feasible measures to mitigate any identified significant effects."

II-47 Policy VI.A.3. has been added:

The City shall support public and private efforts to collect baseline data concerning existing water quality in Putah Creek."

II-47 Policy VI.A.4. has been changed to read as follows:

"The City shall regularly monitor water quality in City wells for evidence of toxics and other contaminants as required by State Health Department regulations."

II-47 Policy VI.A.6. has been changed to read as follows:

"The City shall condition development approvals to minimize the discharge of sediment from grading into Putah Creek and Dry Creek. To this end, grading should be carried out during the dry months, when possible. Areas not being graded should be disturbed as little as possible, Construction and grading areas, as well as soil stockpiles, should be covered or temporarily revegetated when left for long periods. Revegetation of slopes should be carried out immediately upon completion of grading. Also, temporary drainage structures and sedimentation basins must be installed to prevent sediment from entering and thereby degrading the quality of downstream surface waters, particularly Putah Creek. The full cost of any necessary mitigation measures shall be borne by the projects creating the potential impacts."

II-47 Policy VI.B.1. has been changed to read as follows:

"The City shall support the continuation of agricultural and related uses on lands within the Urban Limit Line designated for urban uses until urban development is imminent."

II-48 Policy VI.B.3. has been changed to read as follows:

"Along the northern and western portion of the Urban Limit Line new residential development that abuts designated and active agricultural land shall incorporate buffers to minimize agricultural/residential conflicts and nuisance problems. The size of the buffer zone shall be determined by the type of agricultural activities involved. The buffer zone may consist of open space, recreational uses, landscaped areas, streets or other non-intensive uses."

II-48 Policy VI.B.4. has been added:

"Outside the Urban Limit Line, high quality agricultural soils should be protected by strong County agricultural policies and regulations. Any future expansion of the Urban Limit Line should occur in areas with lower quality agricultural soils."

II-48 Policy VI.B.5. has been added:

"The City shall support the efforts of the County in establishing a land conservation trust and implementing programs involving transfer of development rights and purchase of development rights or conservation easements."

II-48 Policy VI.C.1. has been changed to read as follows:

Prior to approving public or private development projects in areas containing or adjacent to areas containing large trees, riparian vegetation, wetlands or other significant wildlife habitat, the City shall require the project area and its environs be field surveyed for the presence of special-status plant and animal taxa. Such field surveys shall be conducted by a qualified biologist. If special-status taxa are encountered during the field surveys, appropriate measures shall be developed to minimize disturbance and protect identified populations where feasible.

II-48 Policy VI.C.2. has been changed to read as follows:

"In regulating private development and constructing public improvements, the City shall ensure that there is no net loss of riparian or wetland habitat acreage and value and shall promote projects that avoid sensitive areas. Where habitat loss is unavoidable, the City shall require replacement on at least a 1:1 basis. Replacement entails creating habitat that is similar in extent and ecological value to that displaced by the project. The replacement habitat should consist of locally-occurring, native species and be located as close as possible to the project site. Implementation of this policy should be based on baseline data concerning existing native species. Study expenses shall be borne by development fees of the impacted area."

II-48 Policy VI.C.3. has been changed to read as follows:

"Unless there are overriding considerations as defined in the California Environmental Quality Act, the City shall not approve any project that would cause significant unmitigatible impacts on rare, threatened, or endangered wildlife or plant species."

II-49 Policy VI.C.4. has been changed to read as follows:

"The City shall support and participate in local and regional attempts to restore and maintain viable habitat for endangered or threatened plant and animal species. To this end, the City shall work with surrounding jurisdictions and state and federal agencies in developing a regional *Habitat Management Plan*. Such plan shall provide baseline data for the Winters area on special-status plant and animal taxa, including Swainson hawk and the valley elderberry longhorn beetle, and provide guidelines and standards for mitigation of impacts on special-status taxa."

II-49 Policy VI.C.5. has been added:

"The City shall require mitigation of potential impacts on special-status plant and animal taxa based on a policy of no-net-loss of habitat value. Mitigation measures shall incorporate, as the City deems appropriate, the guidelines and recommendations of the U.S. Fish and Wildlife Service and the California Department of Fish and Game. Implementation of this policy may include a requirement that project proponents enter into an agreement with the City satisfactory to the City Attorney to ensure that the proposed project will be subject to a City fee ordinance to be adopted consistent with the regional *Habitat Management Plan*."

II-49 Policy VI.C.6. has been changed to read as follows:

"The City shall undertake a feasibility study for the establishment of an Open Space Preserve between the Urban Limit Line and Grant Avenue west of I-505. Such preserve should be designed to provide for a combination of uses including agriculture, habitat protection, groundwater recharge, and educational and recreational activities. The Open Space Preserve should, to the maximum extent possible, be designed to function as part of the City's flood control and wastewater discharge system. The City should consider requiring developments that cannot mitigate wetlands or riparian habitat impacts on-site to make in-lieu contributions to the establishment, development, and maintenance of the Open Space Preserve or other mitigations consistent with the *Habitat Management Plan.*"

II-49 Policy VI.C.7. has been changed to read as follows:

"The City shall promote the use of drought-tolerant and native plants, especially valley oaks, for landscaping roadside parks, schools and private properties."

II-49 Policy VI.C.8. has been changed to read as follows:

"Parks, the drainage detention areas, and golf course development shall incorporate areas of native vegetation and wildlife habitat.

II-49 Policy VI.C.9. has been added:

"Large, older and historically-significant trees should not be removed unless they are diseased or represent an unavoidable obstacle to development. Development should be designed and constructed to avoid adverse impacts on such trees."

II-51 Goal VI.D has been changed to read as follows:

"To promote the protection and enhancement of wetlands and the riparian and aquatic ecosystems of Putah Creek and Dry Creek."

II-49 Policy VI.D.1. has been changed to read as follows:

"The City shall require that all new development along Putah Creek east of Railroad Avenue be set back at least 100 feet from the top of the creek bank, that all new development along Putah Creek west of Railroad Avenue be set back at least 50 feet from the top of the creek bank, and that all new development along Dry Creek be set back at least 50 feet from the top of the creek bank. Where there is no discernable bank, the set back shall be measured from the line closest to the creek where riparian vegetation is permanently established."

II-50 The first sentence of Policy VI.D.2. has been changed to read as follows:

"Except for recreational trails and recreational uses developed along Putah Creek in the downtown area, the Putah Creek and Dry Creek corridors should be preserved as much as possible in their natural state."

II-50 Policy VI.D.4. has been added:

"Any upstream development that creates potential erosion impacts on Dry Creek and Putah Creek shall be required to adopt all feasible measures to mitigate such impacts."

II-50 Policy VI.D.5. has been added:

"Modifications to creek/channels and other wetland features (e.g., bridge crossing, flood control improvements, or culverting) shall be designed to minimize disturbance to areas of dense riparian and marshlands cover. Any proposed channel modifications shall be coordinated with representatives of the California Department of Fish and Game and U.S. Army Corps of Engineers to ensure that the concerns and requirements of both agencies can be easily incorporated into specific development plans during the initial phase of project design. Where wetland features are present, jurisdictional determinations and appropriate mitigation will be required subject to the provisions of Section 404 of the Clean Water Act and Sections 1601-1606 of the CDFG Code. Preliminary determinations and coordination with jurisdictional agencies shall be completed prior to approving specific development plans on parcels with wetland features."

II-50 Policy VI.D.6. has been changed to read as follows:

"The City shall seek state grant funding for revegetation, habitat preservation and erosion control of Putah Creek and Dry Creek corridors."

II-50 Policy VI.D.7. has been changed to read as follows:

"The City shall work with Yolo County, Solano County, the Putah Creek Council, the California Department of Fish and Game, and the U.S. Army Corps of Engineers in establishing guidelines for erosion control measures along Putah Creek and Dry Creek. Such guidelines should implement the following principles:

Slope stabilization projects should emphasize revegetation.

Stabilization projects that involve the use of cribs, gabions, rock and wire mattresses, or wire mesh over stone should be screened from public view with vegetation to assure a naturalistic appearance.

II-51 Policy VI.D.8. has been changed to read as follows:

"Brush clearing, mowing of natural vegetation, fire breaks, or similar activities along Putah Creek and Dry Creek shall be prohibited unless a demonstrated need exists to protect the public health, safety, or welfare, as determined by the Fire Protection District or other public agency with legal jurisdiction."

II-51 Policy VI.E.6. has been changed to read as follows:

"The City shall require for both public and private projects that construction-related dust be minimized. Larger projects that create a potential for generating a significant amount of construction-related dust shall be required to include dust control measures as part of their construction mitigation plans."

II-51 Policy VI.E.8. has been added:

"The City shall attempt through careful land use and site planning to reduce automobile use."

II-51 Policy VI.E.10. has been added:

"The City shall contribute through tree planting and preservation to the enhancement of air quality."

II-52 Policy VI.E.11. has been added:

"In granting development entitlements, the City shall require all new industrial and commercial developments within the city projected to generate more than 500 trips per day shall be required to develop an air quality mitigation plan. This plan shall include an analysis of how the project would utilize site planning, mixed land uses, transportation system management measures (e.g., carpooling, van pooling, shuttle bus service, transit incentives, etc.) to reduce by 25 percent the number of trips that would typically be projected for such development. Where this goal cannot be met by these methods, the plan shall provide for off-site mitigation through funding of air quality improvements such as new park and ride lots, sidewalks, bike paths, and support of transit, as deemed appropriate by the City."

II-52 Goal (VI.F.) has been added:

"VI.F Promote energy efficient development in City's development review process through effective implementation of adopted state and local standards, and guidelines."

II-52 Policy VI.F.1. has been added:

"In approving new residential subdivisions, the City shall promote the maximum feasible east-west alignment of lots for southern solar exposure, as required by the State Subdivision Act."

II-52 Policy VI.F.2. has been added:

"The City shall encourage and promote examples of energy efficient design and operation of new residential, commercial, and industrial development projects."

II-52 Policy VI.F.3. has been added:

"For projects involving rehabilitation or modification of existing developments, the City shall promote energy-efficient features beyond state Title 24 requirements through fast track processing or other incentives."

II-52 Policy VI.F.4. has been added:

"The City shall provide for the dedication of sunlight easements in connection with land divisions, pursuant to Section 66475.3 of the Subdivision Map Act."

II-52 Policy VI.F.5. has been added:

"Through its operation and management of existing municipal facilities, as well as planned new facilities, the City will utilize energy efficient technologies to the maximum feasible extent."

II-53 Implementation Program VI.4. has been added:

"The City, in conjunction with other interested agencies, shall prepare a regional *Habitat Management Plan* to provide a comprehensive approach to habitat protection, mitigation, and enhancement in the Winters area.

Responsibility: City Council
Planning Department

Time Frame: 92-93; 93-94; 94-95"

II-54 The third sentence of Implementation Program VI.7. has been changed to read as follows:

"The Open Space Preserve should, to the maximum extent possible, be designed to function as part of the City's flood control and wastewater discharge system."

II-54 Draft General Plan Implementation Program VI.9. has been deleted.

II-54 Implementation Program VI.10. has been added:

"The City shall prepare and adopt a *Heritage Tree Ordinance* to protect large, older and historically significant trees.

Responsibility: City Council
Streets and Trees Commission
Public Works Department

Time Frame: FY 92-93"

II-55 Implementation Program VI.11. has been added:

"The City shall prepare guidelines for the type and width of buffers between new residential developments and active agricultural uses outside the Urban Limit Line to be used in the review of subdivision proposals.

Responsibility: Planning Department

Time Frame: FY 93-94"

II-55 Implementation Program VI.12. has been added:

"The City shall amend the *Subdivision Ordinance* to provide for dedication of sunlight easements in connection with land divisions, pursuant to Section 66475.3 of the Subdivision Map Act.

Responsibility: City Council
Planning Department

Time Frame: FY 92-93; 93-94"

II-57 Draft General Plan Policy VII.B.2. has been deleted.

II-57 Draft General Plan Policy VII.B.3. has been deleted.

II-57 Draft General Plan Policy VII.B.4. has been deleted.

II-57 Policy VII.B.4. has been changed to read as follows:

"To mitigate flooding impacts associated with Moody and Chickahominy Sloughs, the City shall require property owners who are affected by or contribute to such flooding to participate in the development and implementation of a comprehensive solution to the flooding problem in proportion to their relative contribution to the flooding problem, or benefit from the program adopted."

II-58 Policy VII.C.2. has been changed to read as follows:

"The City shall endeavor to achieve and maintain adequate water fire-flows throughout the city and shall regularly monitor fire-flows to ensure adequacy. New development shall comply with the following minimum fire-flow rates:

Development Category	Gallons Per Minute
Single-Family Residential	1,500
Multi-Family Residential	1,500
Central Business District	2,000
Industrial/Other Business Districts	3,000

In areas where there are existing water system deficiencies, the City shall require new development to install all on-site water system improvements necessary to achieve the above fire-flow rates, but may waive full compliance with these standards until existing water system deficiencies are corrected."

II-58 Policy VII.C.8. has been added:

"The City shall promote the abandonment of gas wells consistent with requirements of state law and regulations."

II-59 Policy VII.D.1. has been changed to read as follows:

"The City shall adopt, maintain, periodically update, and test the effectiveness of it *Emergency Response Plan*. As part of the periodic update, the City shall review county and state emergency response plans and procedures to ensure coordination with the City's plan."

II-59 Policy VII.E.2. has been changed to read as follows:

"The City shall require new residential development to comply with applicable provisions in the California State Noise Insulation Standards (California Code,

Title 24, Part 2, Appendix, Chapter 35) and the Uniform Building code (Appendix Chapter 35), and updates thereof. These provisions include, but are not limited to, the following standards:

a) L_{dn} values due to exterior noise sources shall not exceed 45 dBA inside habitable rooms of new multi-family dwellings (apartments, condominiums, hotels, motels, etc.).

b) Assemblies dividing units within multi-family dwellings shall have laboratory certified STC ratings of 50 or more (NIC 45 or more if field tested). In addition, floor/ceiling assemblies shall have laboratory certified IIC ratings of 50 or more (45 if field tested)."

II-60 Policy VII.E.5. has been changed to read as follows:

"The City shall require preparation of a noise study for all residential projects proposed in areas where L_{dn} values exceed 60 dBA according to the contour locations set out in Table IX-4 and shown in Figure IX-8 in Chapter IX of the *General Plan Background Report.*"

II-60 Policy VII.E.6. has been added:

"Any project that would cause existing traffic-related noise levels to exceed 3 dB in existing residential areas shall be required to evaluate the feasibility of noise mitigation measures."

II-60 Policy VII.E.7. has been changed to read as follows:

"The City may also require preparation of a noise study when L_{dn} standards are met or inapplicable, but 1) a potentially intrusive noise source is proposed near a noise sensitive area, or 2) a noise sensitive land use is proposed near a potentially intrusive noise source."

II-60 Policy VII.E.11. has been changed to read as follows:

"The City shall encourage development designers to minimize noise levels through such measures as the following:

a) Locating outdoor activity spaces such as yards, patios, and decks in areas where noise levels are low.

b) Locating and orienting buildings to place noise sensitive indoor spaces such as living rooms and bedrooms in areas with low noise levels.

c) Locating relatively non-noise sensitive structures such as commercial buildings to shield noise sensitive areas such as residences and care facilities from noise sources.

d) Using berms, walls, and setbacks to shield noise sensitive areas from noise sources. Walls shall only be used as a last resort.

e) Provide appropriate muffling devices or enclosures for new noise sources located near noise sensitive areas."

II-61 Policy VII.E.12. has been changed to read as follows:

"Deviations from City noise standards may be approved only in extreme and/or unusual circumstances. Deviations from the California State Noise Insulation Standards shall not be permitted."

II-65 Policy VII.F.2. has been changed to read as follows:

"The City shall encourage the use of physical site planning as an effective means of preventing crime. Developers shall design open spaces, parking lots, parks, play areas, and other public spaces so they can be under continuous surveillance by residents. To this end, the Police Department shall participate in the project review process to ensure that crime prevention considerations are incorporated in the design of residential, commercial, industrial, and public facility projects."

II-67 Implementation Program VII.8 has been added:

"The City shall, pursuant to Public Resources Code Section 3206.5, request information from the State Division of Oil and Gas concerning non-producing gas wells in Winters and shall provide such information to affected property owners to ensure proper abandonment of such wells.

Responsibility: Planning Department

Time Frame: FY 92-93"

II-71 Implementation Program VIII.4. has been added:

"The City shall prepare and adopt *Community Design Guidelines* to implement the urban design principles contained in the *General Plan.*

Responsibility: City Council
Planning Department

Time Frame: FY 92-93"

II-74 Implementation Program IX.1. has been changed to read as follows:

"The Planning Commission shall review the *General Plan Policy Document* every year, focusing principally on actions undertaken during the previous year to carry out the implementation programs of the Plan. Among other purposes, this annual review shall be used to 1) monitor the city's jobs-housing balance, 2) monitor the City's progress in meeting its fairshare of regional housing needs, and 3) monitor CEQA mitigation for the General Plan EIR as required by *Public Resources Code Section 21081.6.* The Planning Commission's report to the City Council shall include, as the Commission deems appropriate, recommendations for amendments to the *General Plan.*

Responsibility: Planning Commission
Planning Department

Time Frame: Annually"

APPENDIX B

SUMMARY OF POTENTIAL YOLO COUNTY IMPACT FEE REVENUE

YOLO COUNTY COMMUNITY FACILITIES IMPACT FEE ESTIMATE

Table 14
Summary of Potential Yolo County Impact Fee Revenue
All Alternatives

Revenue by Land Use Type	Alternative I Draft General Plan	Alternative II Modified DGP	Alternative III North Area Specific Plan	Alternative IV Existing General Plan	Alternative V Reduced Urbanization	Alternative VI Compact Plan
SF-Low Density	$292,530	$23,880	$1,888,510	$1,487,525	$1,143,255	$398,000
SF-Med. Density	$2,027,450	$2,761,740	$1,078,956	$1,405,993	$862,989	$1,851,150
MF-High Density	$253,110	$394,120	$327,450	$354,000	$99,710	$236,000
Retail	$44,652	$53,295	$59,056	$59,056	$35,982	$44,652
Service	$81,061	$81,061	$81,061	$81,061	$81,061	$81,061
Office	$27,020	$27,020	$27,020	$27,020	$27,020	$27,020
Industrial	$432,326	$432,326	$432,326	$432,326	$432,326	$432,326
Total	$3,158,150	$3,773,442	$3,894,380	$3,846,981	$2,682,343	$3,070,210

(1) Calculated in Note 10.

Sources: Yolo County Ordinance 1119; Economic and Planning Systems, Inc.

Note 10
Yolo County Community Facilities Impact Fee Estimate
Alternative VI--Compact Plan

Item	Fee Rate	Unit of Measure	Impact Fee Revenue
Impact Fee by Land Use Type			
Single Family Units	$995	per unit	
Two to Four Unit Projects	$768	per unit	
Five or More unit Projects	$590	per unit	
Retail	$277	per 1,000 sqft	
Office/Services	$521	per 1,000 sqft	
Cumulative Development			
SF-Low Density	400	du	
SF-Med. Density (1)	2,100	du	
MF-High Density	400	du	
Retail	161,200	sqft	
Service	155,588	sqft	
Office	51,863	sqft	
Industrial	829,800	sqft	
Estimate Impact Fee Revenue			
SF-Low Density			$398,000
SF-Med. Density (1)			$1,851,150
MF-High Density			$236,000
Retail			$44,652
Service			$81,061
Office			$27,020
Industrial			$432,326
Total			$3,070,210

(1) This land use category would have both single-family, townhouse/condo and multi-family projects; for this analysis it is assumed that half of the units would be single-family and the other half from 2 to 4 unit projects, i.e., townhouse projects.

Sources: Yolo County Ordinance 1119; Economic and Planning Systems, Inc.

APPENDIX C

SUMMARY OF CHANGES IN MITIGATION MEASURES FROM DEIR TO FEIR

SUMMARY OF CHANGES IN MITIGATION MEASURES FROM DEIR TO FEIR

General Plan EIR

City of Winters, California

The Draft EIR (dated October 21, 1991) presented mitigation measures based on an evaluation of the environmental impacts associated with the Draft General Plan (also dated October 21, 1991). After these documents were issued for public review, the Draft General Plan evaluated in the Draft EIR has been revised. In several instances, these Final General Plan revisions have incorporated as policies or program components the content of mitigation measures which had previously been identified in the Draft EIR. In the tabular summary below, the mitigation measures originally identified in the Draft EIR are listed in the first column, and their current status in light of the revisions contained in the Final General Plan (FGP) has been indicated in the second column. The post-mitigation level of significance is indicated in the third column.

Mitigation Measures in DEIR	Status of Mitigation Measures in FEIR	Post-Mitigation Level of Significance
8.1A Consider adoption of an annual special tax for providing essential services.	No change.	Not considered a "significant impact" under CEQA.
8.1B Consider creation of a Landscape and Lighting District.	The FGP incorporates a policy (IV.A.5.) which would have the same mitigating effect as Mitigation Measure **8.1B**.	Not considered a "significant impact" under CEQA. Policy does not change determination of Draft EIR.
8.1C Consider creation of a Special Assessment District.	No change.	Not considered a "significant impact" under CEQA.
8.1D Consider not raising public service standards until sufficient revenues to cover the associated expenditures are available.	No change.	Not considered a "significant impact" under CEQA.

SUMMARY OF CHANGES IN MITIGATION MEASURES FROM DEIR TO FEIR

Mitigation Measures in DEIR	Status of Mitigation Measures in FEIR	Post-Mitigation Level of Significance
8.1E In the absence of Mitigation Measures **8.1A-8.1D**, adopt a General Plan with a lesser or greater net new population.	No change.	Not considered a "significant impact" under CEQA.
9.1 Emphasize the use of native plant species to the extent possible in future landscaping.	The FGP incorporates a policy (VI.C.7.) which would have the same mitigating effect as Mitigation Measure **9.1**, therefore avoiding the significant impacts identified in the Draft EIR (see Errata & Revisions).	Significant impacts would be avoided.
9.2A For all plans which include the modification of channels and other wetland features, minimize disturbance to areas of dense riparian and marshland cover, in coordination with the U.S. Army Corps of Engineers and the California Department of Fish and Game.	The FGP incorporates a policy (VI.D.5.) which would have the same mitigating effect as Mitigation Measure **9.2A**, therefore avoiding the significant impacts defined in the Draft EIR.	Significant impacts would be avoided.
9.2B Design any necessary flood control or drainage improvements to existing channels or waterways to minimize disturbance to wetland vegetation.	The FGP incorporates a policy (VI.D.5.) which would have the same mitigating effect as Mitigation Measure **9.2B**, therefore avoiding the significant impacts defined in the Draft EIR.	Significant impacts would be avoided.

SUMMARY OF CHANGES IN MITIGATION MEASURES FROM DEIR TO FEIR

Mitigation Measures in DEIR	Status of Mitigation Measures in FEIR	Post-Mitigation Level of Significance
9.3A Survey parcels encompassing or adjacent to riparian and other undisturbed habitat for special-status plant and animal taxa prior to approval of specific development plans. If taxa of concern are encountered during the detailed field surveys, develop appropriate mitigation measures.	The FGP incorporates a policy (VI.C.1.) which would have the same mitigating effect as Mitigation Measure **9.3A**, therefore avoiding the significant local impacts defined in the Draft EIR.	Regional impacts of the FGP on Swainson's hawk foraging habitat would continue to be cumulatively significant and unavoidable, but local and other impacts would be avoided.
9.3B Coordinate preparation of a Swainson Hawk Habitat Resource Plan to provide a comprehensive approach to habitat protection, mitigation and enhancement.	The FGP incorporates a policy (VI.C.4.) which would have the same mitigating effect as Mitigation Measure **9.3B**, therefore avoiding the significant impacts defined in the Draft EIR.	Impacts of the FGP on Swainson's hawk would continue to be cumulatively significant and unavoidable.
9.3C Protect elderberry plants through measures consistent with the U.S. Fish and Wildlife Service Compensation Guidelines. Survey Putah Creek for evidence of the Valley elderberry longhorn beetle.	The FGP incorporates a policy (VI.C.4.) which would have the same mitigating effect as Mitigation Measure **9.3C**, therefore avoiding the significant impacts defined in the Draft EIR.	Significant impacts would be avoided.

SUMMARY OF CHANGES IN MITIGATION MEASURES FROM DEIR TO FEIR

Mitigation Measures in DEIR	Status of Mitigation Measures in FEIR	Post-Mitigation Level of Significance
12.1 Require construction mitigation plans to include dust control measures.	The FGP incorporates a policy (VI.E.6.) which would have the same mitigating effect as Mitigation Measure **12.1**, therefore avoiding the significant impacts defined in the Draft EIR.	Significant impacts would be avoided.
12.2 Require new residential development to provide a buffer between homes and active agricultural uses.	The FGP incorporates a policy (VI.B.3.) which would have the same mitigating effect as Mitigation Measure **12.2**, therefore avoiding the significant impacts defined in the Draft EIR.	Significant impacts would be avoided.
12.3 Require all new development which produces more than 200 trips per day to develop air quality mitigation plans designed to reduce trip generation by 25 percent. Where this goal cannot be met, the plans shall provide for equivalent off-site mitigation of air quality impacts.	The FGP incorporates a policy (VI.E.11.) which would require those proposing commercial and industrial development projects which would generate more than 500 trips per day to develop air quality mitigation plans to reduce trip generation by 25 percent or provide equivalent off-site mitigation of air quality impacts.	The regional cumulative air quality impacts associated with the FGP would remain significant, and ne.. .r Mitigation Measure **12.3**, or the policies of the FGP would avoid the significant air quality impact.
13.1A Future conversion of agricultural land should occur on lower quality soils, when such land is contiguous with existing urbanized areas and existing service-delivery systems and infrastructure connections.	The FGP incorporates a policy (VI.B.4.) which would have the same mitigating effect as Mitigation Measure **13.1A**.	The cumulative, regional loss of farmland would remain a significant impact associated with the FGP.

SUMMARY OF CHANGES IN MITIGATION MEASURES FROM DEIR TO FEIR

Mitigation Measures in DEIR	Status of Mitigation Measures in FEIR	Post-Mitigation Level of Significance
13.1B Protect and conserve existing farmland of high productive value through planning policies that will minimize the likelihood of their conversion to urban use.	The FGP incorporates a policy (VI.B.2.) which would have the same mitigating effect as Mitigation Measure **13.1B**..	The cumulative, regional loss of farmland would remain a significant impact associated with the FGP.
13.1C Adopt a farmland protection program.	The FGP incorporates a policy (VI.B.5.) which would have the same mitigating effect as Mitigation Measure **13.1C**.	The cumulative, regional loss of farmland would remain a significant impact associated with the FGP.

(This page has been purposely left blank.)