

Harter Specific Plan and Yuba City Marketplace EIR

Prepared for:

Yuba City Community Development Department

Prepared by:

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February 2004

Harter Specific Plan -
Yuba City Marketplace EIR

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- A. Initial Study
- B. Summary of Revisions

TECHNICAL APPENDICES

The Technical Appendices includes all documents used in preparing this DEIR. The Technical Appendices are not physically attached to this document because the contents of these documents are summarized herein the recirculated DEIR and to have attached all documents to this DEIR would have created too large and cumbersome a document. The reader can obtain a copy of the Technical Appendices at City Hall at 1201 Civic Center Boulevard and the Sutter County Library at 750 Forbes Avenue, Yuba City. The Technical Appendices includes the following documents:

- A. Traffic Impact Analysis for the Harter Specific Plan-Yuba City Marketplace
- B. Northwest Yuba City Drainage Area Master Drainage Plan
- C. Sutter County Master Drainage Plan
- D. Yuba City Sphere of Influence Master Drainage Plan
- E. Cultural Resources Assessment of the Harter Specific Plan-Yuba City Marketplace
- F. Noise Assessment for the Harter Specific Plan-Yuba City Marketplace
- G. Phase I Environment Assessment – Harter Specific Plan
- H. Phase I Environment Assessment – Yuba City Marketplace (February 10, 2003)
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- J. Air Quality Modeling – Carbon Monoxide
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1.0 INTRODUCTION

1.0 INTRODUCTION

Purpose of the Recirculated Focused Draft Environmental Impact Report

This recirculated Draft Environmental Impact Report (DEIR) is prepared at the request of the City of Yuba City (Yuba City) in response to changed conditions relating to the development of the *Harter Specific Plan*. A DEIR and Final EIR were prepared for the *Harter Specific Plan* in 2002/2003 by a consultant under contract to Yuba City, but not certified by Yuba City because conditions had changed pertaining to the development of the *Harter Specific Plan*. Therefore, as permitted by the California Environmental Quality Act (CEQA), Guidelines Section 15088.5, this DEIR is a “recirculated DEIR”. All aspects of the project’s CEQA background and a project overview immediately follow.

This DEIR has been prepared pursuant to CEQA of 1970 (as amended) for Yuba City, which is acting as lead agency for the preparation of environmental documentation for the Harter Specific Plan – Yuba City Marketplace project. An Initial Study was also prepared in conjunction with this recirculated EIR for the purpose of allowing this DEIR to focus only on potentially significant issues that require mitigation or for which more in-depth analysis is warranted. The Initial Study prepared for this DEIR is attached as Appendix A. The Initial Study determined that the following environmental issues either have a less-than-significant impact or no impact: Therefore, these issues will not be analyzed in the DEIR, but are discussed in the Initial Study (Appendix A).

- Biological Resources
- Geology and Soils
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Utilities and Service Systems (except water supply and wastewater)

The project site is located in the western area of Yuba City, in eastern Sutter County. The Harter Specific Plan – Yuba City Marketplace project will include the following mixed uses: office, commercial, industrial, single- and multi-family residential, and park area, in an area of approximately 180 acres. A detailed project description is provided in Chapter 2.0 of this report.

Background and Project Overview

In 1999, Yuba City annexed approximately 222 acres consisting of properties under multiple ownership. The principal landowner was the Harter Packing Company, which owned slightly more than 198.4 gross acres of the annexation area. Approximately 18.4 acres of the Harter Packing

Company ownership was recently sold and is currently developed with a home improvement store (Home Depot) and a restaurant, and contains one undeveloped parcel. Construction of additional buildings on this 18.4-acre site is currently underway. The 18.4 acres are not included in the Harter Specific Plan area. Yuba City required the preparation of a Specific Plan for the remaining 180 ± acres prior to the commencement of additional development.

A Notice of Preparation and Initial Study for the Harter Specific Plan were released for public agency review in March 2002 (Yuba City Harter Specific Plan EIR, page 1-2). Comment letters on the Notice of Preparation were received from the following seven agencies: Yuba-Sutter Transit, Sutter County Local Agency Formation Commission, Sutter County Agricultural Commissioner, Yuba City Fire Department, Sutter County Community Services Department, Sutter County Sheriff, and the California Department of Transportation. Issues addressed in these comment letters received were incorporated into the prior Harter Specific Plan EIR (SCH# 2002042058).

The Initial Study prepared for the prior DEIR released in October 2002, determined that the proposed project would result in either less-than-significant impact or no impact pertinent to the following issues:

- Biological Resources
- Cultural Resources
- Geology and Soils
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Public Services and Utilities
- Recreation

The prior Harter Specific Plan DEIR, dated October 2002, addressed potential significant impacts associated with development of the approximately 180-acre Harter Specific Plan area in Yuba City. The Harter Specific Plan included General Plan amendments and concurrent changes to the zoning designations. The public comment period for this DEIR was from November 6, 2002 to December 20, 2002. Written comments on the October 2002 DEIR were received from four entities. A Final EIR was prepared by Yuba City, dated February 2003, that included responses to these comments. The Harter Specific Plan EIR was not certified by Yuba City, and no action was taken on the Specific Plan.

Subsequent to preparation of the Harter Specific Plan Final EIR, an application was submitted to Yuba City to develop an approximately 31-acre portion of the 180-acre Harter Specific Plan area. This project is known as the Yuba City Marketplace. An Initial Study was prepared by Yuba City for this new project and is dated March 5, 2003. The Yuba City staff subsequently determined that the Yuba City Marketplace Initial Study should not be released for public review and that a recirculated EIR, per CEQA Guidelines Section 15088.5, should be prepared instead that incorporates the Harter Specific Plan EIR information and the new Yuba City Marketplace project information. As required by CEQA Guidelines Section 15088.5.g, this recirculated EIR includes a summary of the revisions made to the previously circulated Draft EIR (refer to Appendix B).

Harter Specific Plan Overview

The purpose of the Harter Specific Plan is to provide guidance for the orderly development of the remaining Harter Packing Company site (approx. 180 acres). It is the intent of Yuba City to plan and monitor development of the area in a comprehensive manner. The Harter Specific Plan includes proposed land uses, design guidelines, plan policies and standards, location of proposed infrastructure including roads, and an implementation/financing element.

Specific plans, as provided in Section 65450 through 65457 of the California Government Code, and as described in the *California State General Plan Guidelines*, are a tool for the "systematic implementation" of the City's General Plan. A specific plan is comprised of text and diagrams which:

- depict the distribution, location and extent of land uses within the plan area;
- describe the proposed distribution, location, extent and intensity of major components of public and private infrastructure;
- establish standards and criteria for the progress of development of the plan area and for the conservation, development and utilization of natural resources; and
- spell out an implementation program to carry out the goals and policies of the plan, including regulations, programs, public works projects, and potential financing strategies and measures.

The first goal of the *Harter Specific Plan* is intended to provide for the orderly and systematic development of the Harter Specific Plan area, compatible with and complementary to Yuba City. For example, objectives of the *Harter Specific Plan* include the possible phase out of the Harter cannery now located on the site and new development in a manner consistent with the characteristics and limitations peculiar to the site, and the policies of the *Yuba City Urban Area General Plan* and implementing ordinances, e.g., *The City of Yuba City Design Guidelines*, the *Yuba City Zoning Regulations* and *Subdivision Regulations of the City of Yuba City*. Notwithstanding existing city policy and regulation, all individual development projects within the Harter Specific Plan area are subject to the goals, policies and guidelines set forth in the Harter Specific Plan.

Scope of this Recirculated DEIR

This DEIR evaluates the existing environmental resources within the project site, analyzes potential impacts on those resources due to implementation of the Harter Specific Plan – Yuba City Marketplace project and identifies mitigation measures to reduce significant impacts. The analysis covers several subject areas, including aesthetics, agricultural resources, air quality, cultural resources, hazards, surface hydrology, noise, traffic and circulation, and water supply. The evaluation of these subject areas is presented on a resource-by-resource basis in Chapter 4, Environmental Analysis. Each section in the Environmental Analysis is divided into three parts:

- Environmental Setting,
- Regulatory Context, and
- Impacts and Mitigation Measures.

In addition to these discussions in each section, impacts that cannot be mitigated to a level that is less than significant (and are, therefore, considered significant unavoidable adverse impacts) are discussed separately in Chapter 5.0, CEQA Considerations.

Other CEQA-related issues, such as cumulative and growth-inducing impacts resulting from implementation of the Harter Specific Plan – Yuba City Marketplace project, are analyzed in Chapter 5.0. If the City finds that no new effects could occur *that are peculiar to the project or the parcel*, the four alternatives discussed in the previous EIR released in October 2002, which included the *No Project Alternative*, *Industrial Reuse Alternative*, *Continuation of Cannery Operations Alternative*, and *Design Alternative*, are reintroduced in this recirculated DEIR. These alternatives, and others considered and eliminated before detailed analysis, are discussed in Chapter 6.0, Alternatives.

This DEIR contains two types of EIR components: one is a “program EIR” for the Harter Specific Plan and the other is “project EIR” for the Yuba City Marketplace project. As a project EIR, this document will serve as the environmental review for the implementation of the Yuba City Marketplace project, including issuance of building permits.

Pursuant to CEQA Guidelines Section 15168 of the CEQA Guidelines, a Program EIR is prepared for a series of related actions that can be characterized as one large project and are related either: geographically; as logical parts in the chain of contemplated actions; in connection with the issuance of rules, regulations, plans, or other general criteria to govern a continuing program; or as individual activities carried out under the same regulatory authority and having generally similar environmental effects which can be mitigated in similar ways. In contrast, a project EIR (CEQA Guidelines Section 15161), the most common type of EIR, examines the impacts that would result from a specific development proposal or other project.

After approval of the Harter Specific Plan project and certification of the DEIR, subsequent activities as a result of the Harter Specific Plan site development will need to be examined by City Staff in light of the program EIR to determine whether an additional environmental document must be prepared. If the City finds that no new effects could occur that are peculiar to the project or the parcel, or no new mitigation measures would be required, Yuba City can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental review will be necessary. It is the intent of CEQA and the City to minimize subsequent environmental review consistent with requirements of CEQA.

Applicable to the residential component of the Harter Specific Plan project is CEQA Guidelines Section 15182(a), which provides that:

...Where a public agency has prepared an EIR on a specific plan...no EIR or negative declaration need be prepared for a residential project undertaken pursuant to and in conformity to that specific plan if the project meets the requirements of this section.

This exemption from the potential requirements to prepare EIRs on future residential developments in the Specific Plan area is applicable, provided that there are no significant changes in the circumstances under which the future projects are undertaken, or that other changes do not occur which would require revisions as described in CEQA Guidelines Section 15162. Accordingly, for

future residential developments contemplated by the *Harter Specific Plan*, provided that those developments conform substantially to the Specific Plan and the environmental conditions under which the Specific Plan was adopted do not change significantly, no further environmental documentation or clearance under CEQA would be required. However, for non-residential uses provided for by the Specific Plan, the City may elect, depending upon the findings of specific initial studies of the potential environmental effects of such projects, to either reference the DEIR or, alternatively, prepare supplemental or subsequent environmental documents. The City must also incorporate feasible mitigation measures and alternatives developed in the DEIR into subsequent actions.

CEQA Process

As provided in the CEQA Guidelines, public agencies are charged with the duty to avoid or minimize significant environmental damage where feasible (CEQA Guidelines Section 15126.4). In discharging this duty, the lead agency has an obligation to balance a variety of public objectives, including economic, environmental and social issues. The DEIR is an informational document that informs public agency decision makers and the general public of the significant environmental effects of a proposed project. A DEIR must identify possible means to minimize the significant effects and describe reasonable alternatives to the project (CEQA Guidelines Section 15126.4 and 15126.6). The lead agency, in this case Yuba City, is required to consider the information in the DEIR along with any other available information in making its decision on the Harter Specific Plan and Yuba City Marketplace DEIR.

The basic informational requirements for an EIR include discussions of the environmental setting, environmental impact, mitigation measures, alternatives, significant irreversible changes, growth-inducing impacts, and cumulative impacts.

This DEIR and all documents referenced therein and all previous environmental documents related to the Harter Specific Plan and the Yuba City Marketplace are available for public review at the Yuba City Community Development Department, 1201 Civic Center Boulevard, Yuba City, California 95993.

Public hearings regarding the information contained in this DEIR may be held during the 45-day public comment period. Public hearings are held at the discretion of the lead agency (CEQA Guidelines Section 15087.i).

This DEIR was circulated for public review commencing on February 7, 2004 for a 45-day public review period. Comments received during the comment period will be addressed in the Final EIR (FEIR). The FEIR will be reviewed by the Yuba City Planning Commission and City Council for certification in accordance with CEQA and Yuba City's Guidelines. Written findings of fact for each significant environmental impact identified in the DEIR will be prepared by the lead agency to:

- find that the Proposed Project has been changed or altered to avoid or substantially lessen the significant environmental impacts identified in the EIR;

- find that changes to the Proposed Project necessary to avoid or substantially lessen any significant impacts are within another agency's jurisdiction and responsibility, and find that such changes have been or can and should be adopted by such other agency; and/or
- find that specific economic, social, technological or other considerations make infeasible the mitigation measures or the Harter Specific Plan – Yuba City Marketplace project alternatives identified in the EIR.

The findings of fact prepared by the lead agency must be based on substantial evidence in the administrative record and must include an explanation that bridges the gap between evidence in the record and the conclusions required by CEQA.

If the decision-making body elects to proceed with a project that would have a significant impact, the lead agency must also prepare a *Statement of Overriding Considerations* as part of the project approval process, and based on the above findings, explaining the decision to balance the benefits of the project against unavoidable environmental impacts.

Levels of Significance

The CEQA Guidelines define a significant effect on the environment as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance" (CEQA Guidelines Section 15382). Definitions of significance vary with the physical conditions affected, and the setting in which the change occurs. For all environmental issues discussed in this DEIR, specific standards of significance are identified.

Where the "substantial" effect of a particular impact is not so identified in the CEQA Guidelines, criteria for evaluating the significance of potential impacts are nonetheless identified. Where explicit quantification of significance is identified, such as a violation of an ambient air quality standard, this quantity is used to assess the level of significance of a particular impact in this DEIR.

For less easily quantifiable impacts, events, or occurrences that would be regarded as significant, or potentially significant, qualitative standards were identified. For example, growth-inducing impacts would be identified as significant if the project results in a level, rate, or character of growth that (among other criteria) exceeds capacity of existing infrastructure and services to adequately support it. A criterion for determining the level of significance of the loss of a particular habitat would be that habitat's importance to rare or endangered species and/or whether the habitat itself has become depleted within the region.

This assessment of levels of significance also promotes consistent evaluation of impacts for all alternatives considered.

How to Use This Report

This report includes six principal parts: Project Description, Summary of Impacts and Mitigation Measures, Environmental Analysis (Setting, Impacts, and Mitigation Measures), CEQA

Considerations, Alternatives, and Appendices (notwithstanding the additional hierarchy as described in Section 4.0 – Introduction to the Analysis.

The **Project Description** includes a discussion of the location of the project site and proposed plans for development of this area.

The **Summary of Impacts and Mitigation Measures** presents an overview of the results and conclusions of the environmental evaluation. This section identifies project impacts and available mitigation measures for use by the lead agency in reviewing the project and establishing conditions under which the project may be developed.

The **Environmental Analysis** includes a topic-by-topic analysis of impacts that would or could result from implementation of the Proposed Project. The results of field visits, data collection and review and agency contacts are presented in the text.

CEQA Considerations includes a discussion of issues required by CEQA: significant unavoidable impacts, growth inducing impacts, and cumulative impacts.

The **Alternatives** section includes an assessment of alternative methods for accomplishing the basic objectives of the Proposed Project. This assessment, required under CEQA, must provide adequate information for decision makers to make a reasonable choice between alternatives based on the environmental aspects of the Proposed Project and alternatives.

The **Appendices** contain a number of reference items providing support and documentation of the analysis performed for this report.

Public Notice/Public Review

Concurrent with the Notice of Completion (NOC), the City will provide public notice of the availability of the Draft EIR for public review, and invite comment from the general public, agencies, organizations, and other interested parties. Public comment on the Draft EIR will be accepted in written form.

All comments and, or questions regarding this DEIR should be forwarded to the following person:

Brian Trudgeon, Senior Planner
Yuba City Community Development Department
1201 Civic Center Boulevard
Yuba City, California 95993
530-822-4704

Mr. Trudgeon acts as the clearinghouse for all comments on this DEIR.

Following the public review period, the Final EIR will be prepared. The Final EIR will respond to all public comments received during the public review period. The City Planning Commission will review the Final EIR and provide comments on the Final EIR for the City Council to consider. The City Council will review and consider the Final EIR prior to their decision to take specific actions related to the project that are within their jurisdiction.

Certification of the EIR

If the City finds that the Final EIR is adequate and complete, the City may certify the Final EIR in writing in accordance with CEQA Guidelines Section 15091 and, if applicable, Guidelines Section 15093. CEQA Guidelines Section 15091 specifies that the lead agency shall state findings, in writing, of any environmental impacts and the changes made to lessen the impact, or the reason why such mitigation is infeasible. CEQA Guidelines Section 15093 requires a statement of overriding considerations in cases where the lead agency deems the project's benefits outweigh unavoidable environmental risks. The rule of adequacy generally holds that the EIR can be certified if:

- The EIR shows a good faith effort at full disclosure of environmental information; and
- the EIR provides sufficient analysis to allow decisions to be made regarding the project in contemplation of environmental considerations.

Mitigation Monitoring

CEQA Section 21081.6(a) and CEQA Guidelines Section 15097 require lead agencies to adopt a reporting and mitigation monitoring program to describe measures that have been adopted, or made a condition of project approval in order to mitigate, or avoid significant effects on the environment. Any mitigation measures adopted by the City as conditions for approval of the Harter Specific Plan – Yuba City Marketplace will be included in a Mitigation Monitoring and Reporting Program to verify compliance. The Mitigation Monitoring and Reporting Program is adopted by resolution at the time of project approval. The Mitigation Monitoring and Reporting Program will be included in the FEIR document.

2.0 PROJECT DESCRIPTION

2.0 PROJECT DESCRIPTION

Project Location

The Harter Specific Plan area encompasses approximately 180 acres and is located on the western edge of Yuba City in Sutter County, as shown in Figures 2-1 and 2-2, Regional Location and Project Vicinity. The Yuba City Marketplace project area is a part of the 180-acre Harter Specific Plan area and encompasses 31.1 acres. It is located on the southern half of the Harter Specific Plan area. Figure 2-3 shows the Harter Specific Plan - Yuba City Marketplace project area.

The Specific Plan area encompasses Assessor's Parcels 59-010-77, 59-010-78, 59-010-79, 59-010-081, 59-010-082, 59-010-083, 59-010-090, 004-750-001, 004-750-002 and 004-750-003. The parcels specific to the 31.1-acre Yuba City Marketplace project include the following parcels: 59-010-077, 078, 079 and 090.

Existing Uses and Infrastructure on the Project Site

The Harter Specific Plan area was annexed to Yuba City in 1999 (Harter Annexation No. 300, June 1999).

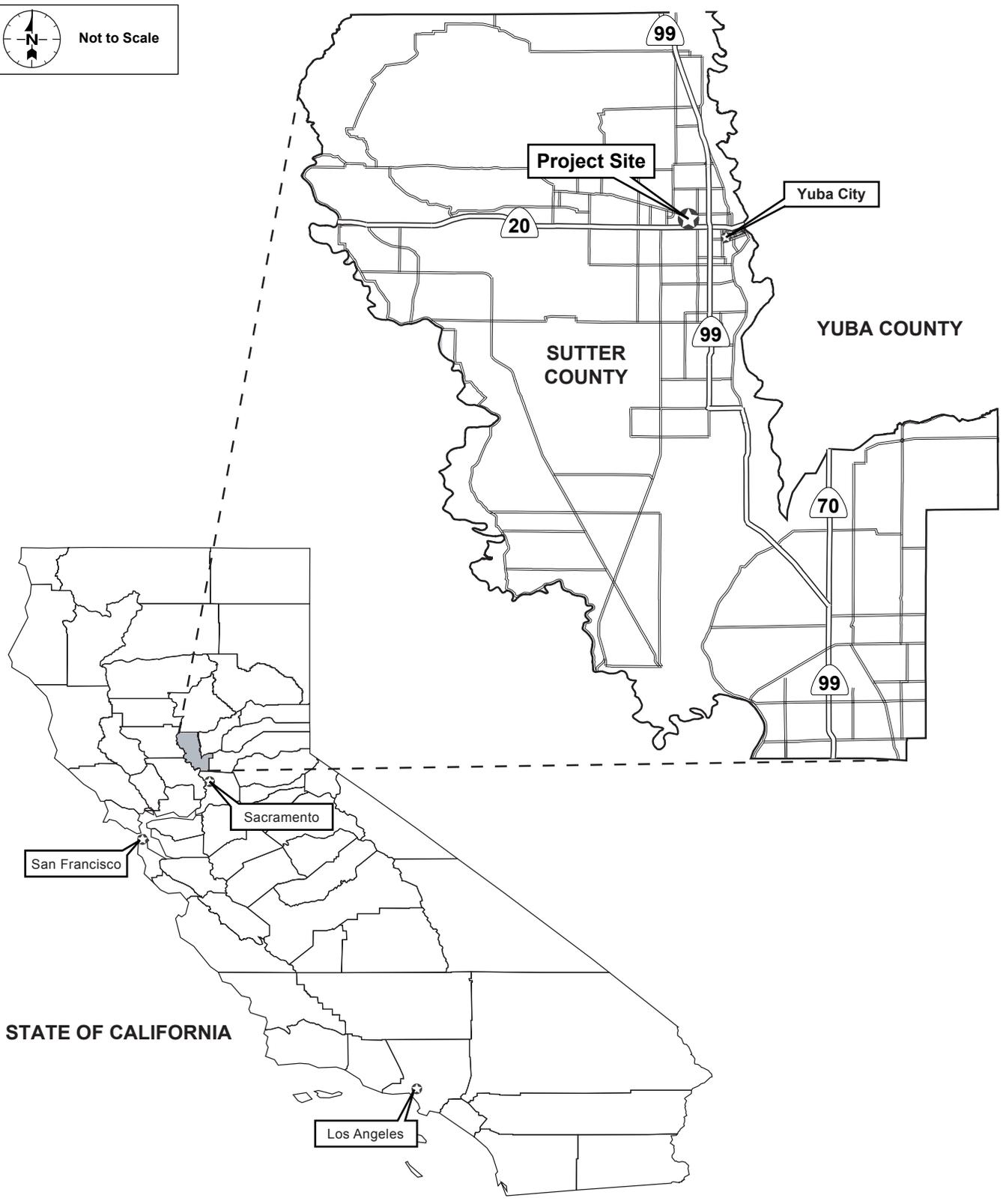
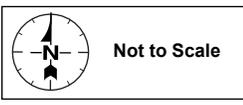
Land Uses

The Harter Specific Plan - Yuba City Marketplace project area contains a mix of urban and agricultural land uses. The Harter Packing Company, an operating cannery until this year¹ and packinghouse, uses approximately 35.3 acres of the 180-acre Harter Specific Plan area property for its cannery and warehousing operations. These buildings total approximately 375,000 square feet. The cannery and warehouse facilities are located north of the railroad and east of Harter Road. A railroad spur serves the cannery operation. The cannery effluent disposal area is the area on the Harter property that is not developed. A railroad is within an 80-foot right-of-way that traverses the site roughly in a northwest to southeast direction. The railroad and spur remain active. The Union Pacific Railroad owns the railroad and right-of-way. West of Harter Road and to a point approximately 300 feet west of the Specific Plan area, the railroad line is owned by the Harter Packing Company (Yuba City Harter Specific Plan). Union Pacific Railroad maintains an easement across this property. There are two spurs on the north side of the rail line. The westernmost spur is no longer used. The eastern spur leads to a siding still in use adjacent to the Harter Cannery warehouse buildings.²

Historically, trains serving the cannery are scheduled on a daily to weekly basis, particularly during the peak canning operating season, which is mid-July to mid-October. The trains generally consist of approximately eight to nine cars. During non-peak months, the train operates on an as-called

1 Tom Tucker, Harter Packing Company, personal communication, June 17, 2003

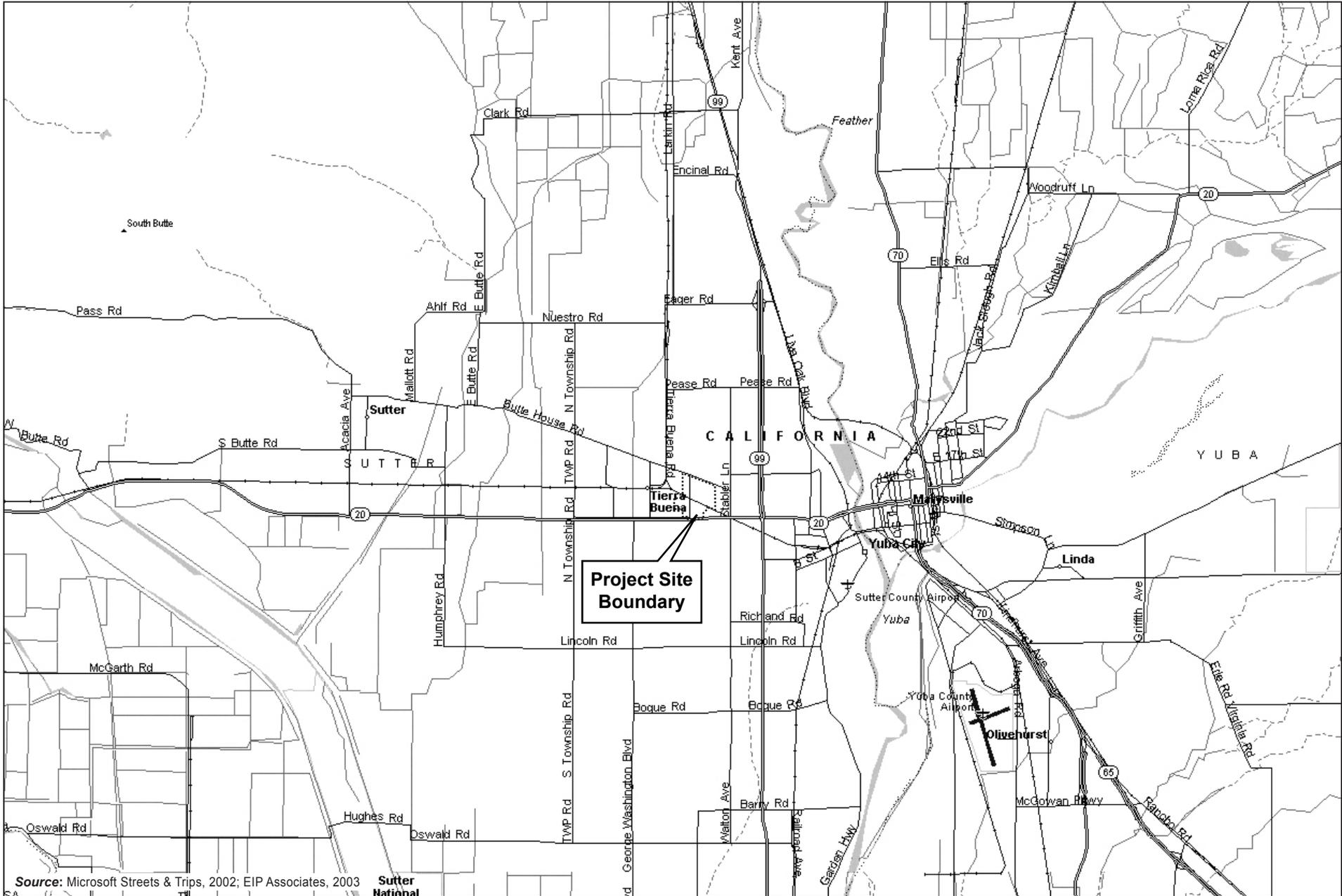
2 Ibid.



Source: Quad Knopf, Inc. 2002



FIGURE 2-1
Regional Location

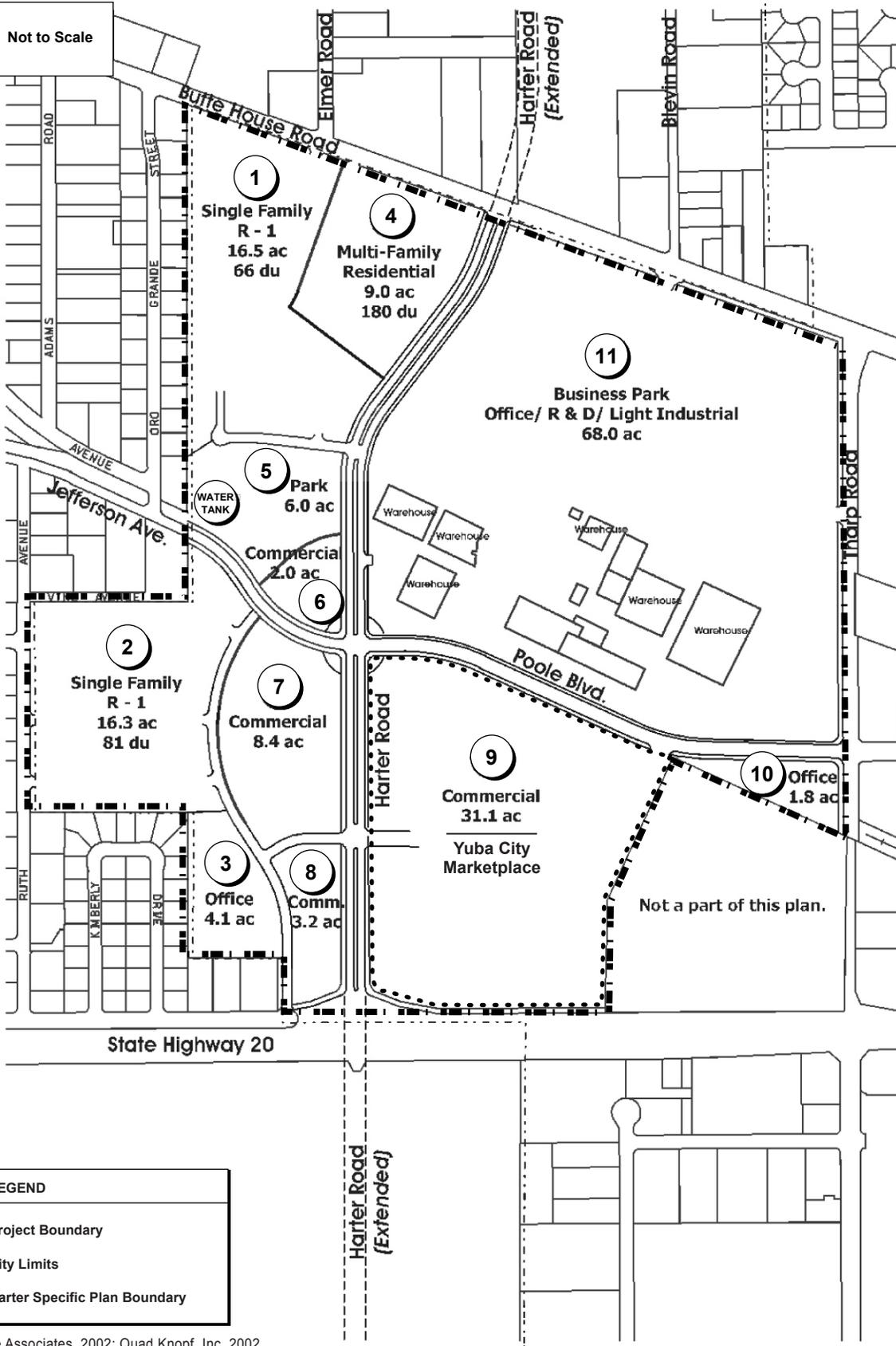
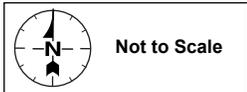


Source: Microsoft Streets & Trips, 2002; EIP Associates, 2003



10818-00

FIGURE 2-2
Vicinity Location



LEGEND	
.....	Project Boundary
-----	City Limits
- - -	Harter Specific Plan Boundary

Source: Wade Associates, 2002; Quad Knopf, Inc. 2002

FIGURE 2-3
Harter Specific Plan Area and Yuba City Marketplace



basis, but operating approximately one day a week.³ With the cannery operation closed, train trips are eliminated.

The following infrastructure descriptions are from the *Harter Specific Plan*.

Wastewater Collection, Treatment and Disposal

Existing wastewater facilities in the project vicinity include sewer lines to the Home Depot site at Tharp Road and State Highway 20. The Specific Plan area is not currently served by the City's sewer collection system. Wastewater generated by cannery operations is disposed of by land application to cropland on the project site. This irrigation also occurred on the Home Depot site prior to it being developed. On-site septic systems are used for domestic wastewater associated with the four existing residences.

Wastewater generated from the cannery food processing operation flows to an on-site treatment system through 12-inch underground collection pipes which flow to a sump (approximately 25,000 gallon capacity) adjacent to the treatment operation. The cannery operation wastewater is screened to remove large organic material, then finer organic material is removed by dissolved aeration flotation of the waste stream. Chemical treatment is used to assist in removal of organic material. In addition, there is an emergency overflow pond with a 1,630,000-gallon capacity immediately north of the treatment location. Sludge generated from the solids settling process is removed from the treatment site and used as a soil amendment for on-site agricultural land.

The treated water is pumped into a spray irrigation system and used on approximately 95 acres adjoining the cannery site. The cannery wastewater system operates under a permit issued by the Regional Water Quality Control Board (RWQCB). The current system is allowed to discharge flows of up to 1.8 million gallons of water per day (mgd) and has specific monitoring parameters for discharge and on-site groundwater. Three groundwater monitoring wells are located on the site to include one in the northwest, southeast and southwest corners of the property and one on the adjacent Home Depot site.

Interim wastewater management addresses the on-going cannery/packing operation. Under the Harter Specific Plan, the cannery/packing house will initially operate by existing methods; however, when development encroaches on parcels that are currently irrigated with treated effluent from the cannery operations, or insufficient land is otherwise available for the disposal of wastewater effluent, the effluent will be transported to an approved off-site location. The Harter Packing Company proposes that the wastewater be piped to a permitted location northwest of the project site for use in irrigating crops. Changes in discharge described above have been approved by the Central Valley RWQCB (Order #5-00-252, Issued Oct. 27,2000).

Future development within the Harter Specific Plan area will connect to the City's sewer system. The cannery operation operates under a permit from RWQCB and will continue to do so until the operation is phased out. Implementation of the Harter Specific Plan will not, therefore, violate any water quality standards or waste discharge requirements.

3 Ibid.

The City's wastewater treatment facility has a 7.0 million gallon per day (mgd) dry-weather permitted capacity. The wet weather permitted capacity is 11 mgd. Dry- and wet-weather capacity is differentiated because during the wet weather season sewer systems are more likely to be subjected to increased water flow from local flooding (e.g., flood water enters the sewer system via manholes), or illegally connected storm drains. A permit to expand the dry-weather capacity of the sewer treatment plant to 9.0 mgd is anticipated through more efficient use of the facilities. The correlating wet weather capacity would be 14-15 mgd.⁴ Permits to operate and change the capacity of treatment plants in California is the responsibility of the RWQCB. In this case, the RWQCB has premised the permit to allow a capacity of 9 mgd on Yuba City completing its GP update and supporting infrastructure studies. The existing wastewater flow to the treatment plant is approximately 5.8 mgd.⁵ Therefore, at present, the existing remaining capacity is approximately 1.2 mgd.

Water Supply

Yuba City does not currently supply water to the Specific Plan area. There is a 10-inch water main on Tharp Road immediately east of the Harter Specific Plan area and north of the tracks. A 12-inch line exists on Tharp Road south of the tracks. Two domestic wells provide water for the existing houses and cannery. There is a 10,000-gallon storage tank adjacent to each of the two wells on the site.

Drainage and Flood Control

The Specific Plan area is within Sutter County Zone of Benefit #6, whereby the property owners within this district participate in financing of maintenance, operation and construction of drainage facilities for the benefit of such a zone. A reimbursement agreement (circa 2001) between the Sutter County Water Agency (SCWA), Home Depot U.S.A., Inc., and Harter Packing Partnership exists for the Harter Specific Plan project area, and additional properties within Zone 6. This agreement states “[...] storm water drainage shall be conveyed to the Live Oak Canal as approved by the Sutter County Public Works Director.” To fulfill this requirement, the applicant, in conjunction with the Home Depot project proponent, installed a 60- and 84-inch drainage pipe that crosses the Harter Specific Plan area adjacent to the south boundary of the railroad right-of-way. This pipe will ultimately drain the entirety of the Harter Specific Plan area and the Home Depot property, as well as all “upstream” property within Zone 6 as development in Zone 6 occurs. As prescribed by County Resolution No. 86-1WA (circa 1986), and the aforementioned reimbursement agreement, this pipe conveys drainage from the site to the Sutter County Live Oak Canal west of the Specific Plan area. At the west boundary line of the Harter Specific Plan area, the drainage pipe “daylights” and then conveys stormwater to the Jefferson Canal adjacent to Jefferson Road, which then conveys stormwater to the Live Oak Canal further to the west.

Solid Waste Disposal

Yuba-Sutter Disposal Inc. (YSDI) provides solid waste collection service to the Harter Specific Plan area. The YSDI has a ten-year franchise (expiring in 2011)⁶ with Yuba City for disposal of municipal refuse at the Ostrom Road Landfill near Wheatland. Sludge generated from cannery wastewater is

4 Bill Lewis, personal communication, July 11, 2003.

5 Ibid.

6 Harter Specific Plan EIR, 2002

removed by a contracted hauler and transported offsite where it is used as a soil amendment for agricultural land.

Electricity and Natural Gas Service

Electricity and natural gas service for the Harter Specific Plan area are provided by Pacific Gas and Electric Company (PG&E) from facilities located near the project area within Yuba City. Natural gas is purchased from PG&E individual producers and then transported by PG&E to Yuba City through a network of existing pipelines. In the case of domestic gas, it is purchased from PG&E. In the case of industrial gas, it can be purchased on the private market.

Telecommunications

Pacific Bell provides telephone service to the Yuba City area. Long distance services are provided by AT&T, Sprint, and others. Business services are offered by the major telephone services already mentioned and by NEC. A monopole containing antennas for wireless service is currently located adjacent to one of the cannery buildings.

Historical Uses of the Site

Farming began on the project site in the 1850's. The property has been used for crops, orchards, fruit and grain storage, and for drying raisins. Topographic maps and photographs show that orchards covered approximately 65 percent of the property in 1962, 80% in 1968, and about 50% in 1973. By 1975, more land had been cleared so that only about 30% of the orchards remained. In 1993, there were approximately 30 acres of peach orchard and 98 acres of bermed flood irrigation fields on the site. The remainder of the orchard was removed in 1999-2001. The property is now barren of any crops.

Surrounding Land Uses

The project site is bordered by State Highway 20 and light industrial uses to the south, low density residential to the west, Butte House Road and medium density residential to the north, and a mix of uses to include medium density residential, commercial, professional and industrial uses to the east. A home improvement retail store (Home Depot), restaurants and small retail center are located immediately east of the Plan Area between the Yuba City Marketplace project site and Tharp Road.

The project site is located on the western edge of Yuba City. Although the Yuba City limit line is the property boundary on the west side boundary of the Harter Specific Plan project site, it is essentially an infill project as discussed in the preceding paragraph, and is bordered by residential and other forms of development that have occurred in the unincorporated Yuba City area in County jurisdiction.

In addition to the proposed Harter Specific Plan, the Del Monte Ranch project has been recently approved by the City of Yuba City. The Del Monte Square project, which is also pending and undergoing annexation, includes the Yuba High School District's second High School campus in the area south of SR 20 and west of the future extension of Harter Road. In addition to the high school, Del Monte Square will include a church, 11 acres of retail, 21 acres of office and 4.5 acres of residential development. Del Monte Ranch is to include 139 residential units, 13 acres of Light Industrial uses and

2.65 acres of retail. These projects are on the south side of Highway 20. Existing Yuba City General Plan land uses (i.e., surrounding land uses) are shown in Figure 2-4.

Project Objectives

It is the intent of the *Harter Specific Plan* to guide development of the Harter Packing Company property. Policy statements form the foundation of the Harter Specific Plan in guiding future development patterns and intensities. The Yuba City Marketplace project is one component of Harter Specific Plan and represents the first project within the Harter Specific Plan area. The *Harter Specific Plan* objectives are as follows:

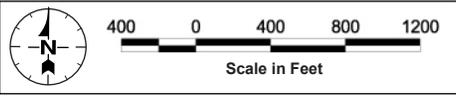
Figure 2-4

- Provide additional residential land meeting Yuba City standards and needs;
- Provide additional employment opportunities within the City;
- Create business park and commercial development opportunities and enhance the physical environment of the City;
- Create an efficient circulation pattern on the west side of the City; and
- Create a well-planned mixed use development in the *Harter Specific Plan* area.

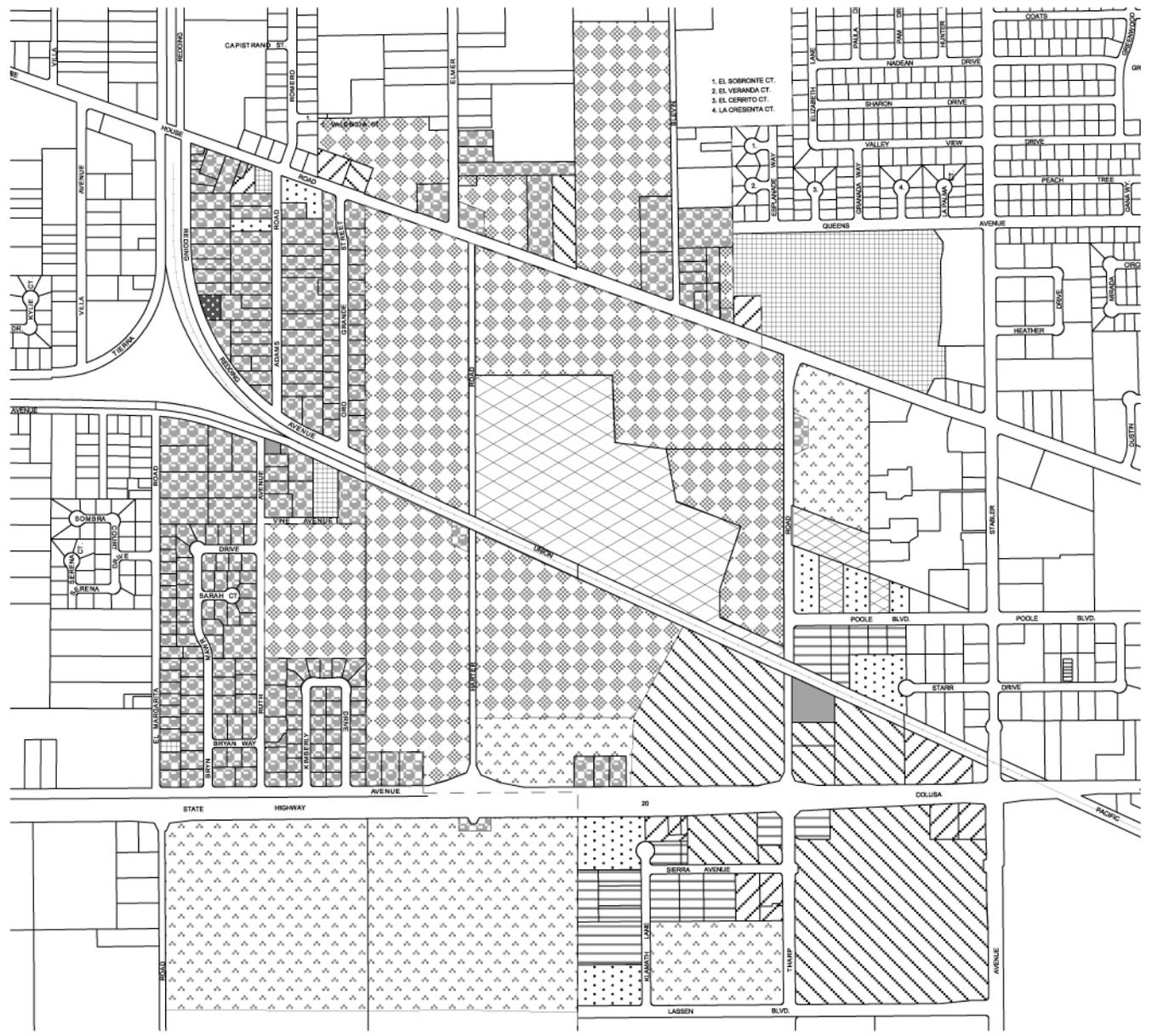
Harter Specific Plan Goals and Objectives

The following are the specific objectives of Yuba City in preparing, adopting and implementing the *Harter Specific Plan*:

- Ensure that development is compatible and complementary with existing and future uses of land within and in the vicinity of the Specific Plan area.
- Enhance economic development efforts in the western portion of the city through the creation of commercial and light industrial development opportunities.
- Enhance and improve the City's image through careful design of the *Harter Specific Plan* area and by ensuring high quality development.
- Protect the quality of life enjoyed by existing and future residents within and in the vicinity of the *Harter Specific Plan* area.
- Improve the delivery of services in the western portion of the city and in particular within the *Harter Specific Plan* area.
- Improve circulation patterns on the west side of the city and in particular within the *Harter Specific Plan* area.



LEGEND	
	Low Density Residential
	Medium Density Residential
	High Density Residential
	Agricultural
	Fallow
	Vacant
	Neighborhood/Community Commercial
	Office/Commercial
	General Commercial
	Heavy Commercial/Light Industrial
	Industrial
	Utilities



Source: Quad Knopf Inc., 2002

FIGURE 2-4
Existing Land Uses



- Locate commercial development within a designated commercial area that is complementary to and compatible with the City's civic core located ½ mile to the east, while providing shopping and job opportunities.
- Develop accessibility through improvements in the circulation system, including upgrades to Harter Road, extension of Poole Boulevard from Harter Road to Tharp Road, development of a Class I bike trail along Poole Boulevard extension and Harter Road, and encouragement of a pedestrian link with the civic center.
- Develop commercial parcels with high quality building and site design according to *City of Yuba City Design Guidelines* and buffer commercial uses from existing and proposed residential uses.
- Develop commercial areas and parking facilities in accordance with City guidelines for lighting, signage and parking to protect nearby residential areas from excessive light, glare, headlights, and noise.
- Develop accessible employment opportunities through creation of business, office, commercial and light industrial uses and through development of nearby housing opportunities.

To achieve the City's goals and objectives outlined above, specific policies have been incorporated into the Specific Plan. Plan policies are intended to determine the overall scope and character of prospective future development in the Specific Plan area. These policy statements form the basis for determining whether or not a specific development proposal conforms to the Specific Plan. The policies are established in order to provide clear guidance to the City and potential developers alike for the formulation, review and approval of projects. It should be emphasized that these policies augment applicable policy statements set out in the *Yuba City Urban Area General Plan*. Where policies and standards prescribed by this Plan are more restrictive or specific than those in the General Plan or *Yuba City Zoning Regulations*, the text of the Harter Specific Plan shall prevail.

Phased Development

The applicant intends to develop the Harter Specific Plan area in phases starting with the Yuba City Marketplace project as the first phase. Development of subsequent phases will require separate application or applications to be submitted by the applicant or others. Such an application will be accompanied by a detailed site plan, building elevations and perspective drawings, and other requirements. Subsequent phases will be developed incrementally based on market conditions. The polygons used in Figure 2-3 are depicted as a number with a circle around it and does not indicate any particular sequence but are used only to define development areas.

Financing Plan

At the time of approval of the Specific Plan, a financing strategy and phasing plan will be adopted by agreement between the City and the developer, which assigns estimated costs, responsibilities, timing and funding for the project infrastructure (including road and intersection improvements, water and

sewer improvements) necessary to serve the development envisioned under the Harter Specific Plan and mitigate potentially significant project impacts.

Development Agreement

A Development Agreement will be required that vests development rights, sets forth obligated infrastructure improvements and dedication requirements, secures the timing and methods for financing improvements, and specifies other performance obligations as related to approved development. A Development Agreement constitutes a legal and binding contract between a public agency, the property owner and assigned successors in interest.

Description of the Proposed Projects

This EIR addresses the Harter Specific Plan at a programmatic level and the Yuba City Marketplace at a project-specific level. A description of each follows.

Harter Specific Plan

The *Harter Specific Plan*, includes an amendment to the *Yuba City Urban Area General Plan* and correlating zone change. The General Plan amendment involves redesignating the property from Agricultural Holding (AH) and Light Industrial (LI) to Low Density Residential (LDR), Medium Density Residential (MDR), Public and Quasi-Public (P), Light Industrial (LI) and Institutional and Professional (IP) Park, Office Community Commercial (CC). An approximate 12-acre area on the westernmost portion of the project site (a portion of the 16.3-acre Polygon 2) will remain Low Density Residential (LDR). Polygons are the land use areas delineated in the Harter Specific Plan. Each Polygon contains specific land use and are shown in Figure 2-3 as a number with a circle around it.

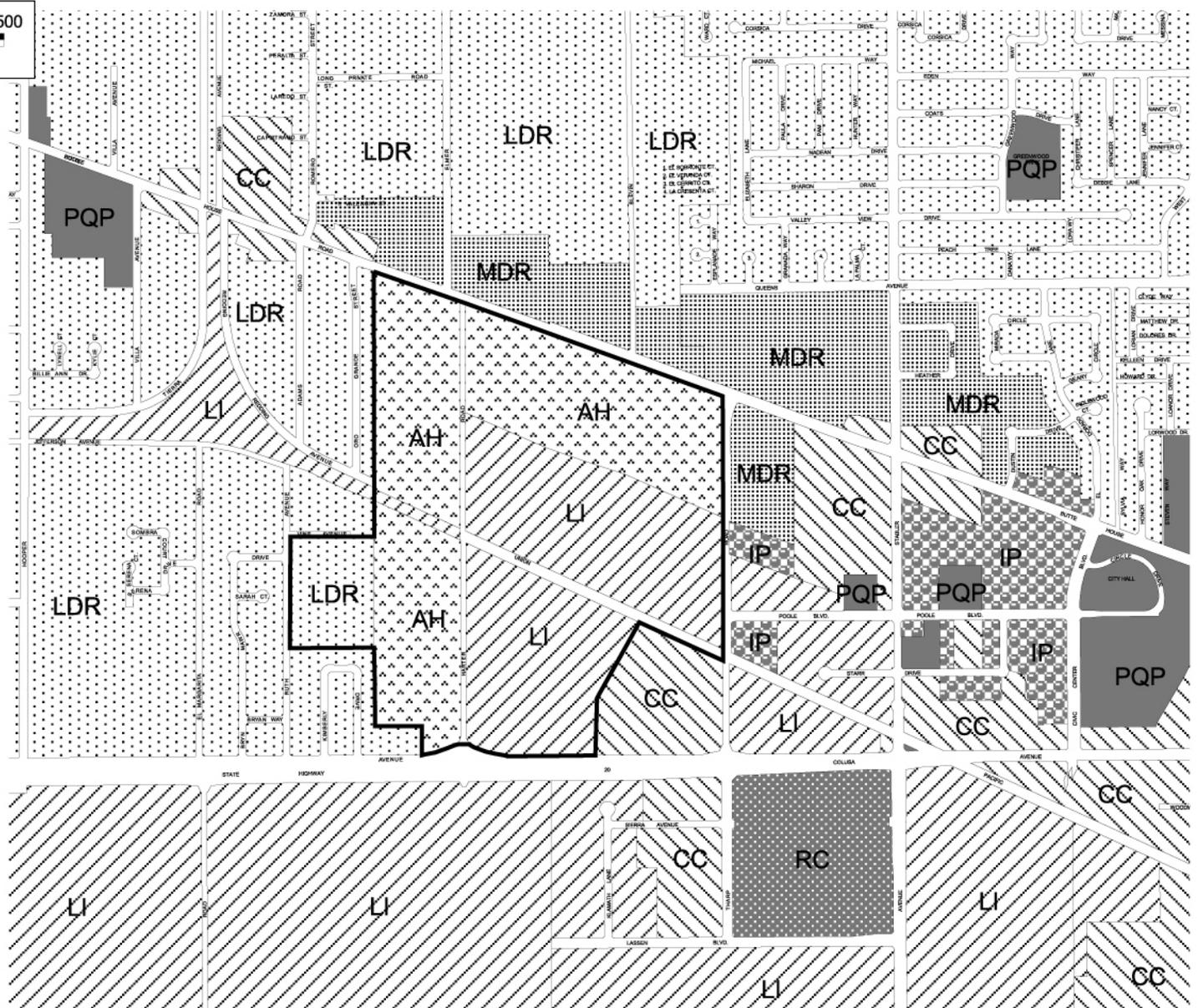
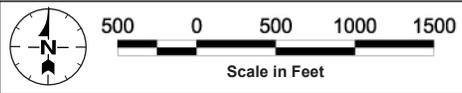
The Agricultural Holding designation is applied to rural or undeveloped areas on an interim basis where it is apparent that more intensive suburban or urban development will occur (Yuba City Zoning ordinance, Article 25). This district allows property to be used for agricultural purposes until more intensive development occurs.

Implementation of the Specific Plan will also require a zone change from Agriculture Holding (A-H) and Light Industrial (M-l) to Single-Family Residence (R-1), Multiple-Family Residence (R-3), Commercial Office (C-O), Neighborhood Convenience Commercial (C-1), Community Commercial (C-2), General Commercial (C-3), Heavy Commercial/Light Industrial (C-M) and Public Facilities (PF). All zoning designations will have the Specific Plan (SP) Combining District.

Figures 2-5 and 2-6 show the existing General Plan Land Use and Zoning Designations, respectively.

In addition to addressing goals, implementation and financing, the *Harter Specific Plan* includes a Development Plan component that addresses the following specific subject areas summarized below:

- Land Use

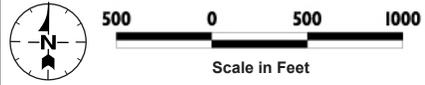


LEGEND	
	Project Area Boundary
Land Use Designations	
	AH Agricultural
	CC Community Commercial
	IP Institutional Professional
	LDR Low Density Residential
	LI Light Industrial
	MDR Medium Density Residential
	P/QP Public/Quasi-public
	RC Regional Commercial

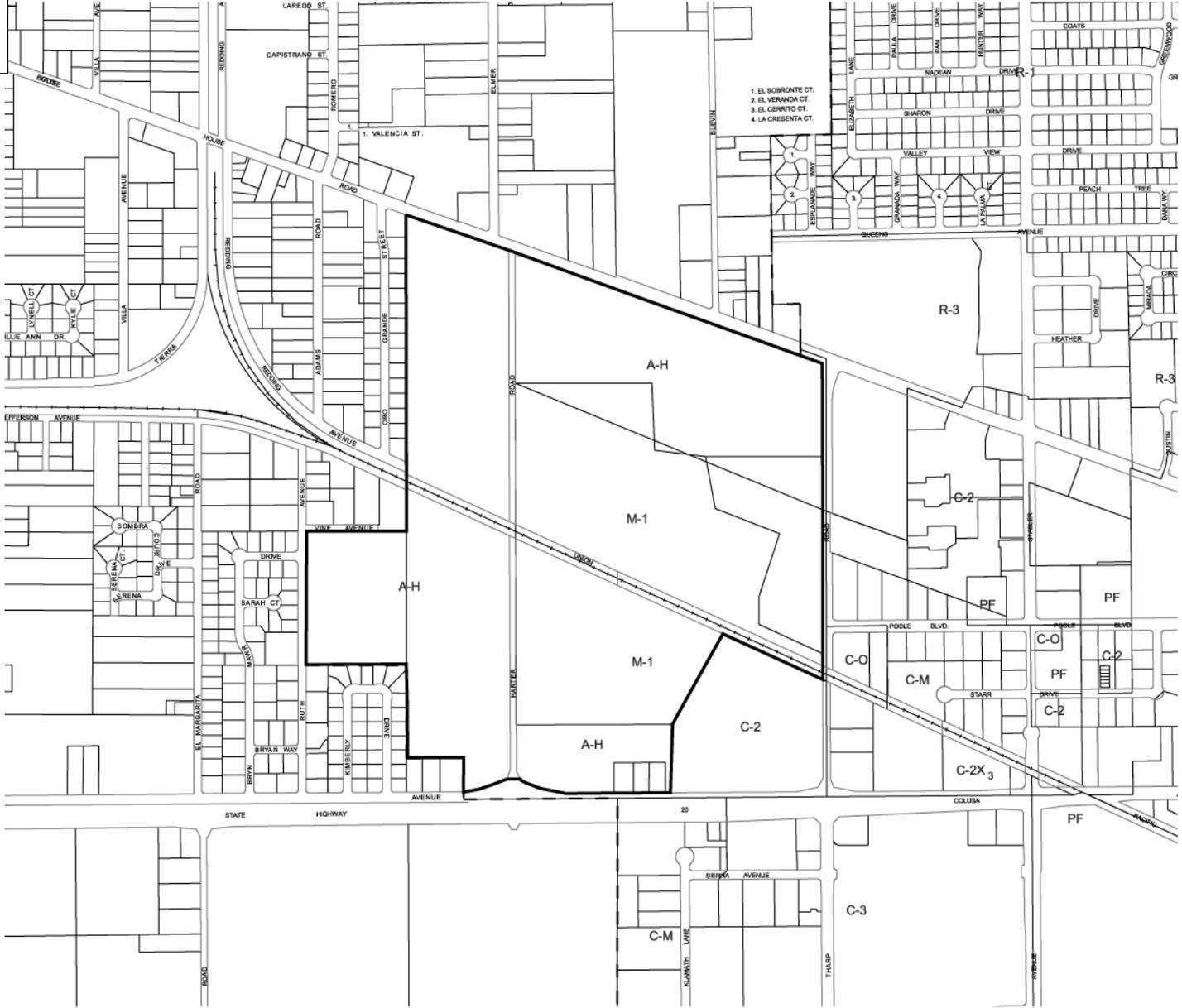
Source: City of Yuba City Planning Department; Quad Knopf Inc., 2002

FIGURE 2-5
Land Use Designations





LEGEND	
	Project Boundary
R-1	One Family Residence
R-2	Two Family Residence
R-3	Multiple Family Residence
C-0	Commercial Office
C-1	Neighborhood Convenience Commercial
C-2	Community Commercial
C-3	General Commercial
C-M	Heavy Commercial/Light Industrial
M-1	Light Industrial
M-2	Industrial
PF	Public Facilities
AH	Agricultural Holding
X	Special Standards Combining



Source: Quad Knopf Inc., 2002



FIGURE 2-6
Existing Zoning Designations

- Circulation
- Public Facilities and Services
- Project Design
- Specific Plan Policies

Land Use

Land use designations for the *Harter Specific Plan* area are shown in Figure 2-3. Designations are shown by a numbered polygon that indicates boundaries, acreages and proposed number of units in each polygon. Table 2-1 indicates the characteristics of each polygon, the assignment of acreages and units.

Polygon	Zoning	Land Use	Density*	Gross Acreage	Units
1	R-1 (SP)	Single Family Residential	4-5	16.5	66-83
2	R-1 (SP)	Single Family Residential	4-5	16.3	65-82
3	C-O (SP)	Office Commercial		4.1	
4	R-3 (SP)	Multi-Family Residential	20	9.0	180
5	PF (SP)	Park/Water Tank		6.0	
6	C-1 (SP)	Commercial		2.0	
7	C-2 (SP)	Commercial		8.4	
8	C-3 (SP)	Commercial		3.2	
9	C-2 (SP)	Yuba City Marketplace		31.1 (360,547s.f.)	
10	C-O (SP)	Office Commercial		1.8	
11	C-M(SP)	Business Park/Light Industrial		68.0	
-	-	Total Road Right of Way		13.6	
TOTAL				180.0±	311-345

*Densities shown are averages used for planning purposes. Actual development density may be within the range provided in the *Yuba City Urban Area General Plan*.

The Harter Specific Plan – Yuba City Marketplace project has four primary land use categories that are as follows. These land use categories are discussed in greater detail in the section titled *Description of Land Use Designations* below.

1. Business Park/Industrial Land Uses

Approximately 68 acres in the northeast portion of the Specific Plan area are proposed for Business Park/Light Industrial use. This area contains the cannery that may be phased out to allow for the development of a business park.

2. Commercial Land Uses

Approximately 50.6 acres are proposed for commercial development with approximately 6.0 acres proposed for office/commercial development. Three areas are proposed for Community

Commercial development. One larger area is 31.1 acres in size and two smaller areas are 8.4 and 3.2 acres in size. One 2-acre site is shown for a Village (neighborhood) Commercial Center. The 31.1-acre area is the location of the Yuba City Marketplace project.

3. Residential Land Uses

The western portion of the Specific Plan area, approximately 41.8 acres, is proposed for residential use. The larger portion of this area, 32.8 acres, is planned for single family residential with an expected 4-5 units per acre density, or a total of 131-165 units (2-8 dwelling units/acre are allowed by code). The remaining nine acres are planned for multiple family residential with an expected density of 20 units per acre, or a total of 180 units (7-30 dwelling units/acre are allowed by code).

4. Public Land Uses

A six-acre site is designated for development of a 5-acre park and a one-acre City water tank location. A bike trail and open/civic space will also be proposed within the Specific Plan area.

Description of Land Use Designations

Heavy Commercial/Light Industrial (C-M)

Article 15 of the *Yuba City Zoning Regulations* describes this classification as a transitional district between commercial and industrial areas. The purpose of this designation is to provide light industrial, office, and research and development in a business park atmosphere. Table 2-2 shows the types of uses that are normally permitted, or conditionally permitted in this designation. This table provides the reader an understanding of potential future uses.

General Commercial (C-3)

The purpose of this district is to provide for an entire range of commercial uses. Development standards and permitted uses for the General Commercial (C-3) zoning district are set forth in Article 14 of the *Yuba City Zoning Regulations* and would apply to this category, except that uses such as auto repair shall only be allowed as an ancillary use and when completely enclosed in a building, and other uses containing outdoor storage and, or sales areas require a permit.

Community Commercial (C-2)

The purpose of this designation is to provide for a wide variety of retail sales and personal services that are primarily conducted within a building. The facilities may range from a single building to a neighborhood center with a supermarket as the primary tenant to a community center that may have several major tenants. Development standards and permitted uses for the Community Commercial (C-2) zoning district are set forth in Article 13 of the *Yuba City Zoning Regulations* and would apply to this category, except that uses such as independent auto repair shall only be allowed as an ancillary use and when completely enclosed in a building, and other uses containing outdoor storage and, or sales areas require a permit.

BUSINESS PARK/LIGHT INDUSTRIAL USES		
Uses	Permitted	Use Permit
Building maintenance services such as janitorial, pest extermination, or grounds maintenance	X	
Cabinet or woodworking shops	X	
Caretaker or night watchman residence		X
Commercial coach (temporary)		X
Food storage lockers, ice making facilities	X	
Heliports		X
Indoor assembly, processing, fabricating, treatment, manufacturing, repairing or packaging of goods that do not create noise, dust, odor, smoke, bright light, involve the handling of explosives or inflammable materials as a primary use, or otherwise creates offensive conditions at the property line.	X	
Janitorial and restaurant supplies	X	
Laboratory: medical, dental, optical, or biological for testing or classifying	X	
Laundries (commercial) such as those providing a linen service, but not including personal laundromats	X	
Meat cutting and packing, provided there is no slaughtering	X	
Offices	X	
Photographic processing plant	X	
Public and quasi-public		X
Radio and television stations, communication services exclusive of transmission towers	X	
Service establishments such as glass shop, sign shop and water softening business	X	
Support businesses for permitted uses, provided the hours of operation are similar to those permitted uses, including a coffee shop, delicatessen, cafeteria or blueprint service (as part of a larger development)	X	
Taxidermist	X	
Trade School	X	
Tree surgeon establishments	X	
Veterinarian (no outdoor boarding facilities)	X	
Warehouse, or wholesale distribution facilities, except those storing flammable or explosive material	X	
Source: Yuba City Zoning Regulations. Article 15		

Village/Neighborhood Convenience Commercial (C-1)

This designation is applied to one 2-acre site and is intended to provide a focal point for social activity in the Specific Plan area. The site will include restaurants and small retail uses that will serve the workers in the business-professional area as well as area residents. The center is adjacent to the Neighborhood Park that will provide a setting for special events and neighborhood gatherings and recreational activities. Article 12 of the *Yuba City Zoning Regulations* establishes development standards and uses permitted in the Village/Neighborhood Convenience Commercial District (C-1) and would apply to this category, except that uses containing outdoor storage and, or sales areas shall not normally be permitted.

Office Commercial (C-0)

The purpose of this designation is to provide for the establishment and concentration of professional and business and administrative offices and business support services normally associated with offices. Development standards and uses permitted in the Office Commercial zoning district (C-O) are set forth in Article 11 of the *Yuba City Zoning Regulations* and would apply to this category, except that uses containing outdoor storage and, or sales areas shall not normally be permitted.

Multiple-Family Residential (R-3)

The purpose of this designation is to provide for medium density residential uses at a maximum expected density of 30 units per acre. Article 7 of the *Yuba City Zoning Regulations* establishes development standards and uses for the Multiple-Family Residence District (R-3).

Single-Family Residential (R-1)

The purpose of this designation is to provide for single-family residential development at a maximum expected density of 4-5 units per acre. Article 5 of the *Yuba City Zoning Regulations* establishes development standards and uses permitted for the One-Family Residence District (R-1).

Public Facilities (PF)

The purpose of this designation is to recognize land that is used or set aside for civic facilities or other public uses. One six-acre site is designated for Public Facilities in the *Harter Specific Plan* area. It is intended that this site be developed as a five-acre neighborhood park with a water storage tank to be located on a one-acre site adjacent to the neighborhood park. Article 28 of the *Yuba City Zoning Regulations* establishes development standards and uses permitted in the Public Facilities District (PF).

Circulation

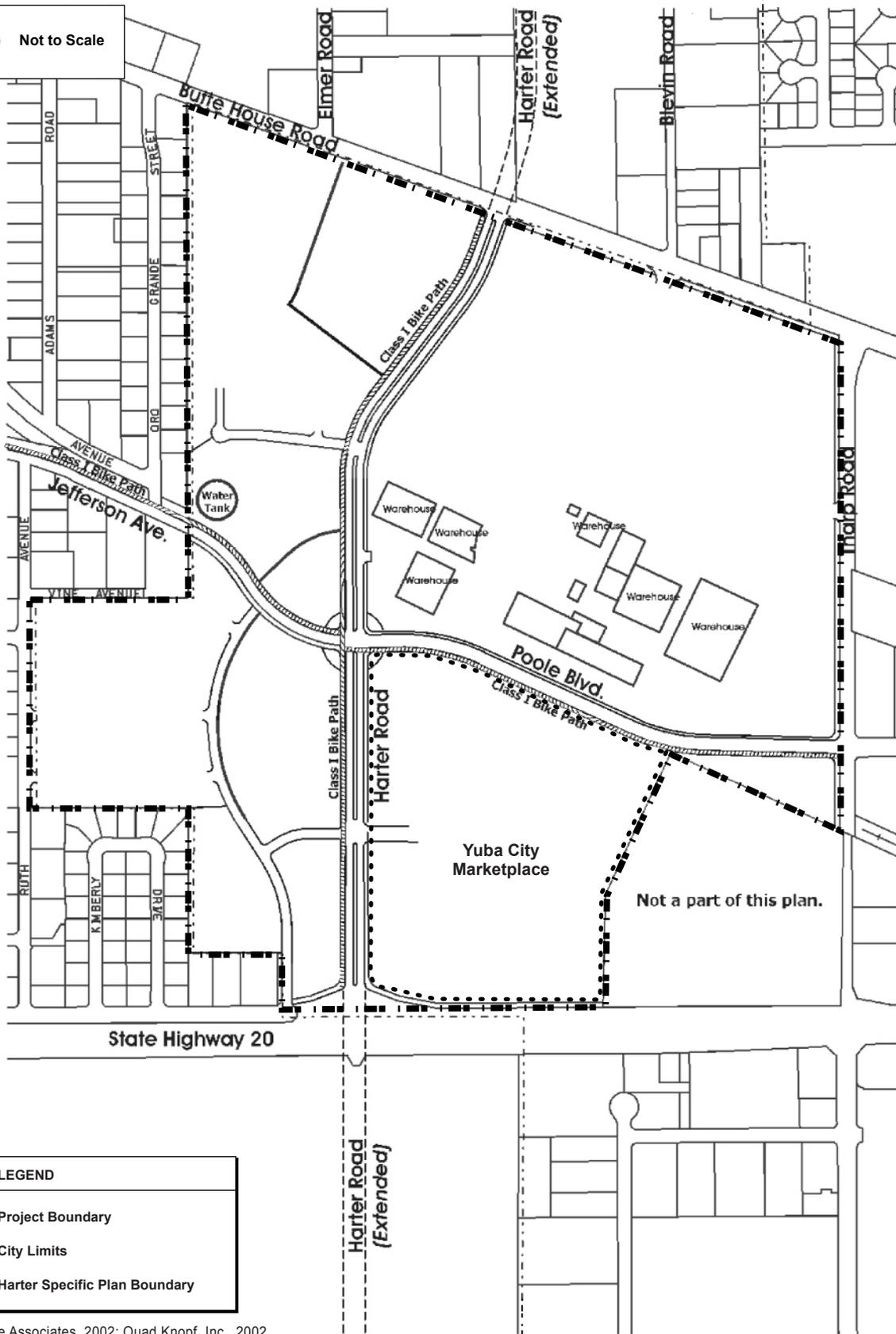
Figure 2-7 shows the circulation for the Specific Plan area including upgrades of existing roads, intersections, construction of new roads, internal streets, and a Class I bike path. A description of the circulation patterns and necessary improvements for the Specific Plan area is provided below.

Harter Road

Harter Road will be the primary north-south road within the *Harter Specific Plan* area. A Class I bike path will be provided along the west side of the road. Proposed project area road cross-section characteristics are included in the *Harter Specific Plan* available at City Hall, Yuba City.

Poole Boulevard

Poole Boulevard will provide the primary east-west traffic flow and a link to the City and County buildings that comprise the government center just east of the Specific Plan area. Poole Boulevard will include a landscape corridor on both sides and a bike path that will connect the existing bike path west of the Specific Plan area to a future extension east toward the center of the city.



LEGEND	
.....	Project Boundary
- . - . - .	City Limits
- - -	Harter Specific Plan Boundary

Source: Wade Associates, 2002; Quad Knopf, Inc., 2002

FIGURE 2-7
Circulation Diagram



Tharp Road/Butte House Road/Highway 20

In order to establish a quality image and identity for the entire Specific Plan area the major streets on the perimeter of the Specific Plan area will be landscaped consistent with the standards for Poole Boulevard and Harter Road.

Collector Streets and Business Park

Streets within the Business Park (Polygon 11) contribute to the overall image of the Specific Plan area by providing a landscaped frontage for the adjoining properties.

Jefferson Avenue

Jefferson Avenue will be extended into the Harter Specific Plan area along the alignment of the abandoned section of the railroad to the intersection with Harter Road, connecting with Poole Boulevard to complete the primary east-west roadway. The landscaping on the north side of Jefferson will be included in the park. The pedestrian/bike path will be routed through the park and connect to the intersection of Jefferson Avenue and Harter Road. The path will cross Harter Road and then follow along the south side of Poole Boulevard.

The intersection of Poole Boulevard/Jefferson Avenue and Harter Road is the major vehicle, pedestrian and bike trail crossroads in the Specific Plan area. The intersection is also approximately the geographic center of the Harter Specific Plan area and will serve as the gateway to the Neighborhood Park and Village Center.

Other Infrastructure

Wastewater Collection, Treatment and Disposal

Yuba City provides sewer lines and lift stations for wastewater services within the urban area. The wastewater treatment plant has adequate capacity to accommodate wastewater flows (see discussion in the Harter Specific Plan – Yuba City Marketplace Initial Study). However, because the Specific Plan area is not currently served, it will be necessary to provide a sewer trunk line and lift station to serve the plan. Figure 2-8 shows the wastewater collection system that will be constructed to serve the Harter Specific Plan area. Sewer lines will be constructed concurrently in improved street rights-of-way. Developers will construct sewer trunk lines and sewer collection lines to City standards. The City will enter into reimbursement agreements with project developers for development of wastewater infrastructure.

Connection to City wastewater facilities will start as project development commences. Sewer mains will be extended south along Belvin Road to Harter Road, then south on Harter Road approximately 1,500 feet south of the Harter Specific Plan area to a proposed force main. Development within the Plan area will connect to a proposed 18-inch sewer main along Harter Road to Highway 20. There, the sewer line will connect to a proposed 21-inch main and extend approximately 1,500 feet south of the Harter Specific Plan area along the projected future southern extension of Harter Road. There the 21-inch main will connect to a proposed lift station. The lift station connection will be near the proposed high school site. The station will lift the wastewater to connect with a proposed 18-inch



LEGEND	
	Project Area
	City Limit
	Existing Sewer Line
	Proposed Sewer Trunk Line
	Existing Lift Station
	Proposed Lift Station

Source: Quad Knopf Inc., 2002



FIGURE 2-8
Wastewater Collection System

main heading east to connect with the City's existing main located at Lassen Boulevard and from there to the City's wastewater treatment plant. The City will be responsible for installing the lift station with 15 percent of the cost paid for by the Yuba City Marketplace project. The installation of sewer pipelines is solely the responsibility of the applicant.

Water Supply

Yuba City provides municipal water to the Harter Specific Plan area (Home Depot area only at this time), within the incorporated City and a limited number of users outside its jurisdiction. The Harter Specific Plan area also contains two domestic wells with storage tanks that provide water for the cannery and fire protection. The existing water distribution system (refer to Figure 2-9) must be supplemented by additional transmission and storage facilities before significant major development can occur within the Harter Specific Plan area.

Existing Yuba City services include a 4-inch water line connection adjacent to Tharp Road that serves the Cannery and a water connection off Tharp Road that currently serves the Home Depot site. These lines and connections will also serve a portion of the Harter Specific Plan area during the early development stages. Site development south of the railroad and east and west of Harter Road will require 12 to 14-inch pipelines from the City distribution line near the southwest corner of the Home Depot site. Additional transmission lines will be installed at the time of road development in order to not disturb the roads for pipeline installation in the future.

As development proceeds, a water tank will be built to provide additional storage for the Harter Specific Plan area and adjacent areas. The water tank will be built on a one-acre site located adjacent to the proposed park on the west side of Harter Road in Polygon 5. The property owner has agreed to dedicate the one acre to the City. Such dedication will occur prior to issuance of any building permits. Water transmission pipelines will be installed from the water treatment plant in the northeast part of the City to the water tank. Distribution lines will be built from the water tank throughout the Harter Specific Plan area as development occurs.

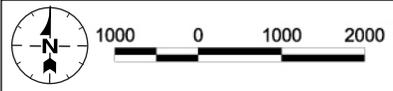
Drainage

The *Sutter County Master Drainage Plan* discusses the capacity of existing drainage infrastructure downstream of the Harter Specific Plan area. The Specific Plan would be served by the Jefferson and Live Oak canals. As stated in the *Sutter County Master Drainage Plan*, the Live Oak Canal is an engineered, trapezoidal channel that starts north of Butte House Road (north of the Harter Specific Plan area) and continues south until combining with the Snake River near Schlag and Hughes roads to the south of the Harter Specific Plan area (approximately four to five miles south of Highway 20). The channel bottom contains some grass in the segment located near Tierra Buena Road (north of the Harter Specific Plan area). Further south, the canal channel bottom and banks contain thick brush and grass. No major maintenance efforts are performed on Live Oak Canal.⁷

The Live Oak Canal includes five arterial crossings at Butte House Road, Highway 20, Franklin Road, Lincoln Road, and Township Road. Each crossing has either one or two corrugated metal pipes (CMP), or reinforced concrete pipes (RCP).⁸ The *Sutter County Master Drainage Plan* indicates

7 Sutter County Master Drainage Plan, 2000

8 Ibid.



LEGEND	
	Project Area
	City Limit
	Proposed Water Transmission Main
	Proposed 3 MGD Tank

Source: Quad Knopf Inc., 2002



FIGURE 2-9
Water Transmission Line

that capacity is adequate for the 10-year design flows at all the arterial crossings. However, for the 100-year design flows, capacity deficiency occurs at Butte House and Franklin Roads. The deficiency is defined as overtopping of the roadway. Both roadways are overtopped by one-half inch in the 100-year storm event.¹¹ This deficiency is addressed through implementation of the Zone 6 Resolution discussed in detail in Section 4.5, Hydrology.

Project Design

As illustrated in Figure 2-3, a mixed-use land pattern is proposed under the *Harter Specific Plan*. The Specific Plan includes a variety of types of commercial, business/professional uses, and single and multiple family residential uses. Project design will be carried forth through Design Guidelines (attached as an Appendix to the *Harter Specific Plan* and available at Yuba City Hall, 1201 Civic Center Boulevard). The Design Guidelines include an overall design vision for the plan, streetscape design, specific street criteria, non-residential use design standards, specific non-residential and multi-family site conditions, and single family residential neighborhood design described below.

Design Vision

Design Vision of the Specific Plan area is to develop a plan through which design features will integrate diverse urban uses in a manner that emphasizes the feel of a small community environment.

Streetscape Design

Streetscape Design for the Specific Plan is a comprehensive, unified landscaping plan. The quality of the landscaping, the orientation and character of buildings and signs, and the sidewalks set the character and the sense of place for the Specific Plan area. The Streetscape Guidelines apply to the major streets within the Specific Plan area including Harter Road, Poole Boulevard, Jefferson Avenue, Butte House Road, Tharp Road and Highway 20.

Specific Street Criteria

Specific Street Criteria include specific design criteria (standards) for the major streets within the Specific Plan area including Harter Road, Poole Boulevard, Jefferson Avenue, Butte House Road, Tharp Road and Highway 20.

Specific Plan Area Non-Residential Use Design Standards

The Specific Plan area includes a variety of commercial, light industrial and business/professional uses that share common design characteristics. This section sets forth the design standards for common areas such as large parking areas, truck accesses, on-site vehicle circulation, on-site pedestrian circulation, common landscape areas and large buildings.

9 Sutter County Master Drainage Plan, 2000

10 Ibid.

11 Ibid.

Specific Non-Residential and Multi-Family Site Conditions

Specific Non-Residential and Multi-Family Site Conditions apply to certain sites in the Specific Plan area including the Village Commercial Center, Community Commercial, Highway-Oriented Commercial Business Park and Office Design, and Multi-Family Residential Design.

Single Family Residential Neighborhood Design

Single Family Residential Neighborhood Design applies to the two separate residential neighborhoods in the Specific Plan area. Neighborhood identity will be established by landscape materials or design themes in the gateways, project identification signs, streetscape and park design in each neighborhood.

Masonry Walls

Masonry Walls are proposed to be included in the project. These walls will be at least 6 feet high and located at various points on Butte House and Harter Roads. The Yuba City Harter Specific Plan Design Guidelines contains the location of and schematic for these walls.

Yuba City Marketplace

Land Use

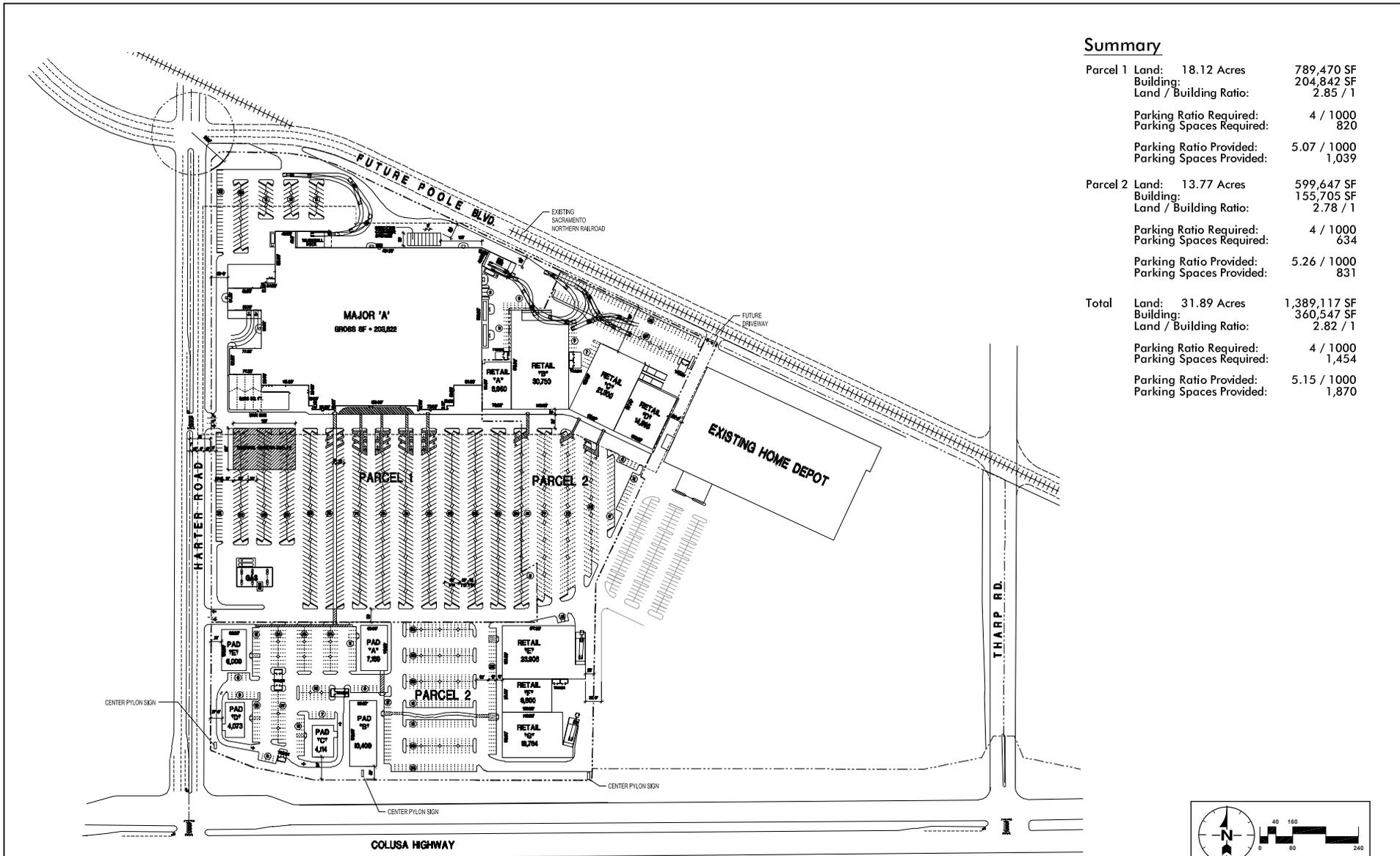
The Yuba City Marketplace project area is a part of the 180-acre Harter Specific Plan area and encompasses approximately 31 acres of the Specific Plan area. Figure 2-3 shows the Yuba City Marketplace project in the context of the whole Harter Specific Plan project. Figure 2-10 shows the proposed Yuba City Marketplace site plan. The project site is immediately adjacent to and west of the Home Depot property and will be integrated with the Home Depot area via parking lot layout and circulation.

As indicated in the project file and site plan, the applicant is proposing to develop four existing parcels. Ten separate buildings are proposed, and will comprise 360,547 square feet of retail space. Thirteen separate retail spaces will be provided within these buildings. The largest building is 203,622 square feet, which will be used by Wal-Mart. The remaining square footage will accommodate a gas station and an assortment of small, medium and large franchised, corporate owned and locally owned retail businesses (i.e., gas stations, restaurants, grocery, spa, hair, sports, books, clothing, etc.) associated with a commercial center of this size. Parking will be provided throughout the center and includes approximately 1,870 spaces. Landscaped areas appear to be limited to the small pockets associated with the parking lot layout and street planters. This project includes a variance request to reduce the landscaped area. Figure 2-11 shows the aesthetic standard of the proposed Yuba City Marketplace project as depicted in the building elevations.

Description of Land Use Designation

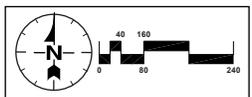
Community Commercial

The purpose of this designation is to provide for a wide variety of retail sales and personal services that are primarily conducted within a building. The facilities may range from a single building to a



Summary

Parcel 1	Land: 18.12 Acres	789,470 SF
	Building:	204,842 SF
	Land / Building Ratio:	2.85 / 1
	Parking Ratio Required:	4 / 1000
	Parking Spaces Required:	820
	Parking Ratio Provided:	5.07 / 1000
	Parking Spaces Provided:	1,039
Parcel 2	Land: 13.77 Acres	599,647 SF
	Building:	155,705 SF
	Land / Building Ratio:	2.78 / 1
	Parking Ratio Required:	4 / 1000
	Parking Spaces Required:	634
	Parking Ratio Provided:	5.26 / 1000
	Parking Spaces Provided:	831
Total	Land: 31.89 Acres	1,389,117 SF
	Building:	360,547 SF
	Land / Building Ratio:	2.82 / 1
	Parking Ratio Required:	4 / 1000
	Parking Spaces Required:	1,454
	Parking Ratio Provided:	5.15 / 1000
	Parking Spaces Provided:	1,870

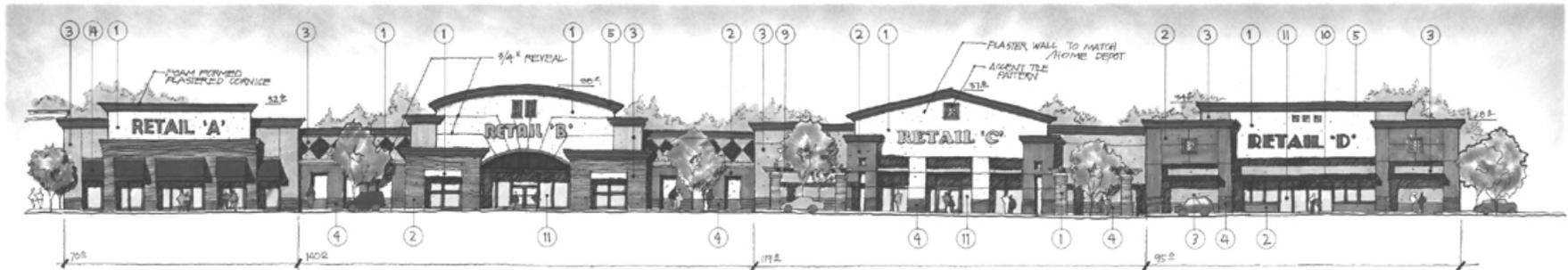


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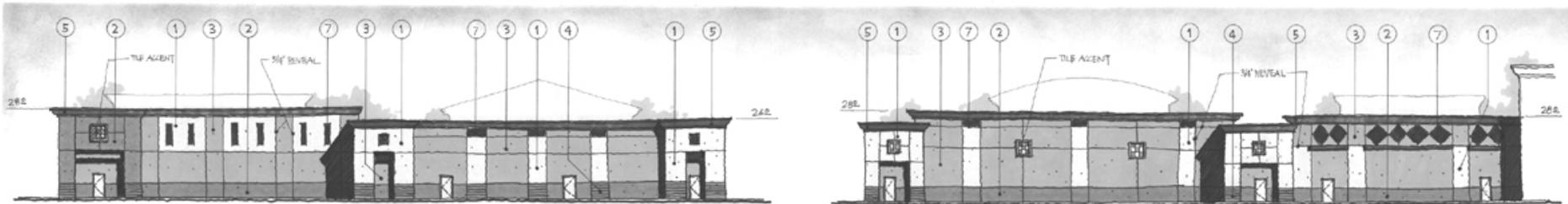
Source: NADEL Architects, Inc.

FIGURE 2-10
Yuba City Marketplace Site Plan



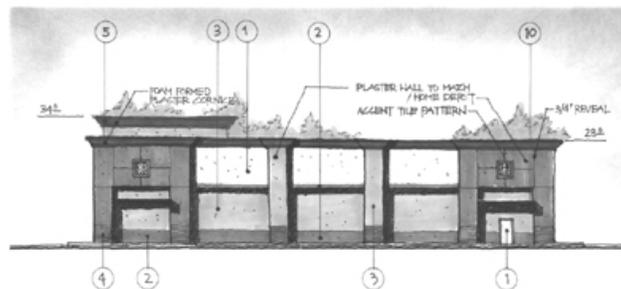


SOUTH ELEVATION

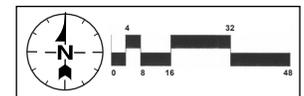


NORTH ELEVATION

- | | |
|--|--|
| 1 Material: Cement Plaster / Metal Door
Color: Masilla Tan - ICI #551 | 8 Material: Exterior Cement Plaster
Color: Accent #2 |
| 2 Material: Exterior Cement Plaster
Color: Canvas Back - ICI #450 | 9 Material: Wood Trellis
Stain: Canvas Back - ICI #450 |
| 3 Material: Plaster / Split Face Block
Color: Palm Springs Tan - ICI #524 | 10 Material: Aluminum Awning
Color: Purple Paint - ICI #22 |
| 4 Material: Split Face Block
Color: Canvas Back - ICI #450 | 11 Material: Aluminum Storefront
Color: Clear Anodized |
| 5 Material: EIFS Cornice Moulding
Color: Vika Green - Home Depot | 12 Material: Standing Seam Metal Roof
Finish: Vika Green - Home Depot |
| 6 Material: Exterior Cement Plaster
Color: Blue Blood - ICI #1523 | 13 Material: Fabric Awning
Color: Burgundy |
| 7 Material: Exterior Cement Plaster
Color: Accent #1 - ICI #22 | 14 Material: Fabric Awning
Finish: Forest Green |



EAST ELEVATION



Source: NADEL Architects, Inc.



10818-00

**FIGURE 2-11
Yuba City Marketplace Building Elevations**

City of Yuba

neighborhood center with a supermarket as the primary tenant to a community center that may have several major tenants. Development standards and permitted uses for the Community Commercial (C-2) zoning district are set forth in Article 13 of the *Yuba City Zoning Regulations* and would apply to this category.

Circulation

The Yuba City Marketplace project is a typical commercial center with internal circulation with focus on providing the maximum number of parking spaces served by aisle ways. Direct access to flanking roads is provided via standard stop or signalized intersections (Harter Road, Highway 20, and Poole Road). Access to Tharp Road is provided via the Home Depot retail center.

Other Infrastructure

Wastewater Collection, Treatment and Disposal

Without the Harter Specific Plan, development of the Yuba City Marketplace project will require construction of a sewer trunk line in Harter Road to the permanent lift station south of Highway 20.

Water Supply

Refer to the discussion of water supply under the Harter Specific Plan section above.

Drainage

Refer to the discussion of drainage under the Harter Specific Plan section above.

Project Design

As illustrated in Figure 2-11, the Yuba City Marketplace project is a typical shopping center design. The characteristics of the buildings include varying roof features to include curved, flat and hipped. Building fronts are broken up with varying heights, setbacks, textures and colors. The back side of these building provide less variety and are more flat and have larger expanse of unbroken wall surface. Poole Boulevard is to the north of the Yuba City Marketplace and based on project plans this road will be exposed to the Yuba City Marketplace project's "backdoor" (i.e., less creative building features, truck well docks, trash, and storage containers).

Surrounding Area

The project site is located on the western edge of Yuba City. Although the Yuba City limits are located immediately west of the project site, it is essentially an infill project and is bordered by residential and other forms of development that have occurred in the unincorporated Yuba City area under County jurisdiction. Existing land uses are shown on Figure 2-4. Adjacent properties within the city limits have been developed with a mixture of residential, commercial and industrial uses. The existing General Plan designations for the area are shown on Figure 2-5, and the existing zoning designations are reflected in Figure 2-6.

Required Approvals

City of Yuba City

The Yuba City Council will have to certify the EIR and approve the following entitlements in order to implement the Harter Specific Plan and the Yuba City Marketplace projects.

Harter Specific Plan

- General Plan Amendment
- Specific Plan Adoption
- Rezoning
- Development Agreement
- Infrastructure and Financing Plan

Yuba City Marketplace

- Variance to Reduce Landscape Area
- Development Plan
- Development Agreement
- Lot Line Adjustment

Other Agency Approvals

This DEIR will be used by responsible and trustee agencies that may have some approval authority over the Proposed Project. The project applicant will obtain all permits, as required by law. The following agencies, which may be considered Responsible Agencies, have discretionary authority over approval of certain project elements, or alternatively, may serve in a ministerial capacity:

- California Department of Transportation (Caltrans): for encroachment permits to Highway 20.
- Regional Water Quality Control Board: for permits related to the control of non-point source runoff, pursuant to the National Pollutant Discharge Elimination System requirements and Section 401 Water Quality Certification.
- Feather River Air Quality Management District: Authority to Construct Air Quality Permits.
- Sutter County Water Agency, Zone 6: Drainage plan approval and payment of drainage fees.

Other Ministerial Approvals

Future development may require the following additional approvals from Yuba City or other regional agencies: building permits, encroachment permits, and other actions related to the proposed development of the project.

3.0 SUMMARY OF IMPACTS AND MITIGATION MEASURES

3.0 SUMMARY

INTRODUCTION

This Draft Environmental Impact Report (DEIR) has been prepared in conformance with the California Environmental Quality Act (CEQA) to evaluate the environmental impacts associated with the whole of the project, which includes the Harter Specific Plan development project and a component of the Harter Specific Plan development project known as the Yuba City Marketplace project. Combined, these are known as the “Proposed Project”. This DEIR will be considered by the City of Yuba City and responsible agencies in their decision-making process and by interested parties as a public information source.

This summary section is intended to highlight major areas of importance in the environmental analysis and provides the information as required in CEQA Guidelines section 15123 - *Summary*. This summary section includes a brief synopsis of the Proposed Project and project alternatives, areas of known controversy, and issues to be resolved. A summary table of the potential environmental impacts that could occur as result of the Proposed Project, their level of significance, mitigation measures, and level of significance after mitigation is included in this section.

This DEIR contains two types of EIR components: one is a “program EIR” for the Harter Specific Plan and the other is “project EIR” for the Yuba City Marketplace project. As a project EIR, this document will serve as the environmental review for the implementation of the Yuba City Marketplace project, including eventual issuance of building permits.

Pursuant to CEQA Guidelines Section 15168 of the CEQA Guidelines, a Program EIR is prepared for a series of related actions that can be characterized as one large project and are related either: geographically; as logical parts in the chain of contemplated actions; in connection with the issuance of rules, regulations, plans, or other general criteria to govern a continuing program; or as individual activities carried out under the same regulatory authority and having generally similar environmental effects which can be mitigated in similar ways. In contrast, a Project EIR (CEQA Guidelines Section 15161), the most common type of EIR, examines the impacts that would result from a specific development proposal or other project.

Though this DEIR addresses impacts at a Program and Project level, this document is also a Recirculated DEIR prepared at the request of the City of Yuba City in response to changed conditions relating to the development of the *Harter Specific Plan*. A DEIR and Final EIR were prepared for the *Harter Specific Plan* in 2002/2003 by a consultant under contract to Yuba City, but not certified by Yuba City because conditions had changed pertaining to the development of the *Harter Specific Plan*. Therefore, as permitted by the California Environmental Quality Act, Guidelines Section 15088.5, this DEIR is a “recirculated DEIR”.

PURPOSE OF THE EIR

An EIR analyzes the environmental effects of a Proposed Project, indicates ways to reduce or avoid potential environmental damage resulting from the project, and identifies alternatives to the proposed action. An EIR must also disclose significant environmental effects that cannot be avoided; growth-inducing effects; effects found not to be significant; and significant cumulative impacts of the Proposed Project. The purpose of an EIR is not to recommend either approval or denial of the project, but to provide information to aid in the decision-making process.

PROJECT DESCRIPTION

The Harter Specific Plan area encompasses approximately 180 acres and is located on the western edge of Yuba City in Sutter County, as shown in Figures 2-1 and 2-2, Regional Location and Project Vicinity. The Yuba City Marketplace project area is a part of the 180-acre Harter Specific Plan area and encompasses 31.1 acres. It is located on the southern half of the Harter Specific Plan area. Figure 2-3 shows the Harter Specific Plan - Yuba City Marketplace project area.

This EIR addresses the Harter Specific Plan at a programmatic level and the Yuba City Marketplace at a project-specific level. A description of each follows.

Harter Specific Plan

The *Harter Specific Plan* includes an amendment to the *Yuba City Urban Area General Plan* and correlating zone change. The General Plan amendment involves redesignating the property from Agricultural Holding (AH) and Light Industrial (LI) to Low Density Residential (LDR), Medium Density Residential (MDR), Public and Quasi-Public (P), Light Industrial (LI) and Institutional and Professional (IP) Park, Office Community Commercial (CC). An approximate 12-acre area on the westernmost portion of the project site (a portion of the 16.3-acre Polygon 2) will remain Low Density Residential (LDR). Polygons are the land use areas delineated in the Harter Specific Plan. Each Polygon contains specific land use and is shown in Figure 2-3 as a number with a circle around it.

The Agricultural Holding designation is applied to rural or undeveloped areas on an interim basis where it is apparent that more intensive suburban or urban development will occur (Yuba City Zoning ordinance, Article 25). This district allows property to be used for agricultural purposes until more intensive development occurs.

Implementation of the Specific Plan will also require a zone change from Agriculture Holding (A-H) and Light Industrial (M-l) to Single-Family Residence (R-1), Multiple-Family Residence (R-3), Commercial Office (C-O), Neighborhood Convenience Commercial (C-1), Community Commercial (C-2), General Commercial (C-3), Heavy Commercial/Light Industrial (C-M) and Public Facilities (PF). All zoning designations will have the Specific Plan (SP) Combining District.

In addition to addressing goals, implementation and financing, the *Harter Specific Plan* includes a Development Plan component that addresses the following specific subject areas summarized in the Project Description contained herein:

- Land Use
- Circulation
- Public Facilities and Services
- Project Design
- Specific Plan Policies

Yuba City Marketplace

The Yuba City Marketplace project area is a part of the 180-acre Harter Specific Plan area and encompasses approximately 31 acres of the Specific Plan area. Figure 2-3 shows the Yuba City Marketplace project in the context of the whole Harter Specific Plan project. Figure 2-10 shows the proposed Yuba City Marketplace site plan. The project site is immediately adjacent to and west of the Home Depot property and will be integrated with the Home Depot area via parking lot layout and circulation.

As indicated in the project file and site plan, the applicant is proposing to develop four existing parcels. Ten separate buildings are proposed, and will comprise 360,547 square feet of retail space. Thirteen separate retail spaces will be provided within these buildings. The largest building is 203,622 square feet, which will be used by Wal-Mart. The remaining square footage will accommodate a gas station and an assortment of small, medium and large franchised, corporate owned and locally owned retail businesses (i.e., gas stations, restaurants, grocery, spa, hair, sports, books, clothing, etc.) associated with a commercial center of this size. Parking will be provided throughout the center and includes 1,870 spaces. Landscaped areas appear to be limited to the small pockets associated with the parking lot layout and street planters. This project includes a variance request to reduce the landscaped area. Figure 2-11 shows the aesthetic standard of the proposed Yuba City Marketplace project as depicted in the building elevations.

SUMMARY OF CONTROVERSIAL ISSUES

An Initial Study was prepared in conjunction with this Recirculated EIR to focus only on potentially significant issues that require mitigation or for which more in-depth analysis is warranted. The Initial Study prepared for this DEIR is attached as Appendix A. Areas of controversy that are discussed in detail in this DEIR include the following:

- Agricultural Resources - The project would result in the conversion of 130 acres of agricultural land to urban uses.
- Air Quality – The project would result in unavoidable significant impacts relating to vehicle emissions associated with construction and long-term operations.
- Cultural Resources – The project would not result in significant impacts to existing structures as the existing structures were deemed to be insufficient for any type of classification requiring preservation.
- Hazards and Hazardous Materials – The project was not determined to have significant impacts relating to hazardous materials.
- Hydrology – The project was not determined to have significant impacts relating to surface drainage issues with implementation of mitigation measures.

- Noise – The project was not determined to have significant impacts relating to noise issues with implementation of mitigation measures.
- Transportation – The project was not determined to have significant impacts relating to transportation and circulation issues with implementation of mitigation measures.
- Utilities and Service Systems – Water Supply – Water supply was deemed adequate and no significant impact would occur.
- Economic and Social Effects – Though no changes to the physical environment would occur from economic or social effects of the project, this section was nonetheless included in the EIR.

In addition, this DEIR includes discussion of the following related environmental issues:

Significant and Unavoidable Impacts

Significant and unavoidable project specific impacts include the following:

1. Development of the proposed project will result in the loss of 130 acres of Farmland of Statewide Importance.
2. Construction activities would generate ROG and NO_x emissions that could exceed the air district thresholds (Refer to Air Quality Impact 4.2-2).
3. Operation emissions of criteria pollutants would exceed the air district thresholds (Refer to Air Quality Impact 4.2-3).
4. Future residents within the project area could be exposed to a Toxic Air Contaminants risk that exceeds the 10 in 1 million threshold (Refer to Air Quality Impact 4.2-5).

These impacts are discussed in detail in Sections 4-1, Agricultural Resources and 4-2, Air Quality, of this DEIR.

Significant Irreversible Environmental Impacts

The Harter properties have historically been used for food production. Now the Harter Specific Plan and Yuba City Marketplace projects are proposed to replace the food production that has occurred on the property for over 50 years. As indicated in the Project Description section, orchards were planted and then replaced with row crops. Row crops were in turn replaced with livestock grasses. In as much as livestock feed (grass) is considered “food” (indirectly it is because the livestock that feeds on the grass eventually becomes food for humans), the implementation of the Harter Specific Plan and Yuba City Marketplace projects will result in the permanent removal of the land from agricultural production. Other significant irreversible impacts include an increase in total emissions of toxic air contaminants and other criteria air pollutants because of increased vehicle activity and truck trips relating to construction activity (Impact 4.2-2) and operational emissions (Impact 4.2-3 and 4.2-5).

Growth Inducing Impacts

Elimination of Obstacles to Growth

The elimination of either physical or regulatory obstacles to growth is considered to be a growth-inducing effect. A physical obstacle to growth typically involves the lack of public service infrastructure. The extension of public service infrastructure, including roadways, water mains, and sewer lines, into areas that are not currently provided with these services would be expected to support new development. Similarly, the elimination or change to a regulatory obstacle, including existing growth and development policies, could result in new growth.

Increased Demand on Secondary Markets

Development in the Harter Specific Plan area and the Yuba City Marketplace project will result in the development scenario indicated in the Project Description contained in this Summary section and in the main body of this EIR and as described below in the following table. Future residents who would reside in the Harter Specific Plan area would require secondary support uses, including neighborhood commercial, and personal services. In general, an additional dollar spent in the county for these goods and services is re-spent on additional goods and services (due to the “multiplier” effect). Therefore, the anticipated increase in spending on secondary and support services could increase growth pressures in the region. However, because the project site is in an urbanized area, most goods and services are already available. These services are built in as part of the Harter Specific Plan development and Yuba City Marketplace.

Increased Pressure on Land Use Intensification

Development in the Harter Specific Plan area and the Yuba City Marketplace project will result in the construction of residences, neighborhood commercial uses, and substantial employment generating uses, such as industrial and office. Adjacent properties are developed with residential and commercial uses, and will not be subject to increased development pressures. Vacant properties to the south are currently proposed for commercial, religious and public facilities (new high school). Therefore, the development of the Harter Specific Plan area and the Yuba City Marketplace will not increase the pressure on the City to intensify the land use designations and zoning on adjacent or nearby properties. However, the Harter Specific Plan and Yuba City Marketplace projects are expected to encourage population growth as the commercial development will create employment opportunities, which then creates the need for new housing. This will then ultimately fulfill development as allowed in the City’s General Plan.

Cumulative Impacts

CEQA requires that an EIR contain an assessment of the cumulative impacts that could be associated with the proposed project. This assessment involves examining project-related effects on the environment in the context of similar effects that have been caused by past or existing projects, and the anticipated effects of future projects. Even when project-related impacts are individually minor, the cumulative effects of these impacts, in combination with the impacts of other projects, could be significant under CEQA and must be addressed [CEQA Guidelines, section 15130 and 15355(b)].

LAND USE ASSIGNMENTS					
Polygon	Zoning	Land Use	Density*	Gross Acreage	Units
1	R-1 (SP)	Single Family Residential	4-5	16.5	66-83
2	R-1 (SP)	Single Family Residential	4-5	16.3	65-82
3	C-O (SP)	Office Commercial		4.1	
4	R-3 (SP)	Multi-Family Residential	20	9.0	180
5	PF (SP)	Park/Water Tank		6.0	
6	C-1 (SP)	Commercial		2.0	
7	C-2 (SP)	Commercial		8.4	
8	C-3 (SP)	Commercial		3.2	
9	C-2 (SP)	Yuba City Marketplace		31.1	360,000s.f.
10	C-O (SP)	Office Commercial		1.8	
11	C-M(SP)	Business Park/Light Industrial		68.0	
-	-	Total Road Right of Way		13.6	
TOTAL				180.0±	311-345
* In units per acre; densities shown are averages used for planning purposes. Actual development density may be within the range provided in the <i>Yuba City Urban Area General Plan</i> . This table should be used in conjunction with Figure 2-3.					

An EIR must discuss the “cumulative impacts” of a project when its incremental effect will be cumulatively considerable. This means that the incremental effects of the individual project would be considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects (section 15065(c)).

Development Considered in Cumulative Impact Analysis

For this cumulative analysis a “summary of projections” approach is used combined with a project list of known projects. This section considers growth in the region as represented by the adopted General Plan or other planning document such as the Yuba City Housing Element.

Planned Development

In Yuba City, aside of the Harter Specific Plan and the Yuba City Marketplace project, there is the neighboring commercial center that is building out (the Home Depot site), the Del Monte Square Commercial Center and the Del Monte Ranch to the south, the Bel Aire Place 192-unit multiple family housing development at the southeast corner of Tharp and Butte House roads, a 27 unit single-family subdivision to the north called the Signature Estates, and the 61-unit Summerhill Estates residential subdivision.

The Del Monte Ranch project was recently approved by the City of Yuba City. Also pending is the Del Monte Square Commercial Park annexation which includes the Yuba City Unified School District’s second High School campus in the area south of SR 20 and west of the future extension of Harter Road. In addition to the high school, Del Monte Square will include a church, 11 acres of retail, 21 acres of office and 4.5 acres of residential development. Del Monte Ranch is to include 139 residential units, 13 acres of Light Industrial uses and 2.65 acres of retail. These projects are on the south side of Highway 20. Existing Yuba City General Plan land uses (i.e., surrounding land uses) are shown in Figure 2-4.

In Sutter County, pending projects include the 228-unit Walnut Park Estates single-family residential project on a 63-acre parcel in the Terra Buena area (North Township Road at Highway 20), and the 3,500-acre South County Specific Plan. The Walnut Park project includes a two-acre commercial zone and the project application was submitted to the City for annexation. The South County project is currently undergoing environmental review and will include industrial and commercial uses only. Of this 3,500 acres, 155 acres is currently used by industrial land uses. The remaining 3,345 acres is in agricultural production (predominantly rice). As a result of these aforementioned projects, the net loss of agricultural land in Sutter County is estimated to be 3,408 acres over the next 10-15 years.

Cumulative Impact Assessment

The basis of the cumulative analysis or the “cumulative context” varies by technical area. For example, traffic and noise analyses assumes development that is planned and/or anticipated in Yuba City and Sutter County, because each of these jurisdictions are the primary contributors to traffic on local and regional roadways. Cumulative air quality impacts are evaluated against conditions in the Sacramento Valley Air Basin because emissions are free flowing throughout that basin, as opposed to traffic, which is geographically and relatively limited. Similarly, the hydrology and water quality cumulative analysis considers only those watersheds that receive runoff from the project site. The public services is based on the City’s Urban Water Management Plan assumptions and discussion with City staff (e.g., the expansion of the water treatment plant from 24 mgd to 36 mgd is premised on the 5,000 existing residential/commercial units in the City’s Sphere of Influence connecting to the City water system within the next ten years. The source of water for these 5,000 connections is groundwater from numerous private wells in the region that are contaminated with arsenic. Conversion to the City’s water infrastructure and water source will take political cooperation to overcome the financial issues associated with switching people over to a single water purveyor).

An impact of a project is considered cumulatively significant when the incremental impact of that project is considerable when viewed in light of impacts from similar past, present, and foreseeable future projects. Significant cumulative impacts would occur for the following:

- Loss of Agricultural land
- Air emissions – construction
- Air emissions – operational
- Air emissions – Toxic diesel emission

Following is a summary of cumulative impacts for each issue area discussed in the recirculated DEIR.

Agricultural Resources

- Development of the Harter Specific Plan – Yuba City Marketplace project, in combination with other cumulative development as allowed in the existing General Plan and the General Plan update, would contribute to the loss of Important Farmland Of Statewide Importance.

Air Quality

- Emissions of ozone precursors and PM10 will contribute to the cumulative degradation of air quality; and
- emissions of TAC will expose sensitive receptors to a cumulative TAC risk that exceeds the 10 in 1 million threshold.

Cultural Resources

- Cultural resources were found on the Harter properties (i.e., the Harter residence), which includes the Yuba City Marketplace project but were found not to be significant. However, there is a remote possibility that something could be found during construction. In light of there being no existing conditions and the remote possibility of any resources being found, the cumulative impacts of this project vis-à-vis cultural resources throughout the City and County that may exist and may be impacted by other developments at another time are considered to be less than significant. This conclusion implies that cumulative impacts would essentially be the same whether or not the Yuba City Marketplace or Harter Specific Plan projects are implemented.

Hazards and Hazardous Materials

- The cumulative impact of the Harter Specific Plan-Yuba City Marketplace project vis-à-vis the use of hazardous materials throughout the City and County are considered less than significant. The nature of hazards is that there is an underlying potential for an accident (e.g., hazardous spill), but an occurrence may not necessarily occur. This conclusion implies that cumulative impacts would essentially be the same whether or not the Yuba City Marketplace or Harter Specific Plan projects are implemented.

Hydrology

- The Harter Specific Plan – Yuba City Marketplace project, in combination with cumulative development in Yuba City and Sutter County will generate storm water runoff that could exceed the drainage capacity of canal segments and canal road crossings and contribute to flooding. The county has an established mechanism to identify insufficient capacity, collect fees, and make physical changes to the system through the Zone 6 Resolution. Cumulative impacts are not anticipated.

Noise

- The Harter Specific Plan – Yuba City Marketplace project will generate noise that is primarily vehicle related and to a lesser extent directly related to the future land uses (e.g., noise generated by automobile service facilities). Implementation of the prescribed mitigations will limit cumulative impacts to a less-than-significant level.

Transportation and Circulation

- The project would result in degraded intersection levels of service at several intersections. Through application of prescribed mitigations, the impacts are reduced to a less-than-significant level.

Utility and Service Systems – Water Supply

- For both the Harter Specific Plan and Yuba City Marketplace projects and the Yuba City build out (under the current 1989 General Plan and under the pending revised General Plan), the UWMP indicates there to be adequate water supply using Feather River water and, or groundwater augmented with Feather River water. With these sources, it is anticipated that for the period ending 2020 and a substantial period of time thereafter, that adequate water supply will exist and that no significant impact will occur.

Alternatives to the Proposed Project

Chapter 6 of this DEIR provides a description of the alternatives to the Proposed Project analyzed in this DEIR and presents how specific impacts differ in severity from those associated with the project. For the most part, significant impacts of the alternatives can be mitigated by measures identified in Chapter 4, which contains the environmental analysis of the Proposed Project.

The City of Yuba City may adopt an alternative in lieu of the Proposed Project, and this chapter is intended to assist decision-makers in their assessment of appropriate use of the project area. As such, the four alternatives that are analyzed in this EIR provide policy options for development of the project area in addition to fulfilling the requirements of CEQA.

A comparison of each alternative's land uses is included in Table 6-3. A summary of the comparison of alternatives discussed herein is included in Table 6-4. The alternatives are:

Alternative 1 - No Project/No Build. In this scenario, “No Project” means the Harter Specific Plan and the Yuba City Marketplace projects are not developed. In this scenario, the cannery operation and the use of acreage for water disposal and the cultivation of grass for livestock may continue.

Alternative 2 - Development Consistent with the General Plan (or No Project/No Action). In this scenario, the site would be developed under existing General Plan land use and zoning designations. Land uses include light industrial, residential and agricultural. In this alternative scenario, the City requires no action, other than to process permits under the existing General Plan and zoning designations. Refer to Table 6-1 for existing land use designations and potential development.

Alternative 3 - Industrial Reuse Alternative. In this scenario, the cannery and packing house would cease operations immediately. The balance of the Harter Specific Plan area would be used as proposed under the Harter Specific Plan. Rather than demolishing all of the existing structures, some of the cannery and packing house structures would be retained.

For example, the three newer warehouse buildings along Harter Road would be remodeled for other uses such as office space or research and development. The three older warehouses on the east side of the property would continue to be used as warehouses. The cannery buildings would be removed and the acreage north of the cannery would be developed as a business park. The railroad tracks and spurs would be removed, facilitating the construction of Poole Boulevard. This alternative has the same characteristics as those of the Harter Specific Plan. As this alternative is similar to the proposed project, refer to Table 2-1 for the land use assignments.

Alternative 4 - Continuation of Cannery Operations Alternative. In this scenario, the cannery and packing house would continue to operate. Cannery waste would be piped off-site for disposal. The railroad grade and spur would be. The property west of Harter Road would be developed for residential, office, commercial, and a park as proposed under the Harter Specific Plan. The remainder of the acreage in Polygon 11 (i.e., Yuba City Marketplace) would be used as proposed in the Harter Specific Plan. The commercial area south of the railroad would be developed as proposed with the exception of the 1.8-acre area located at the southwest corner of Tharp Road and the Poole Boulevard alignment due to limited access. Poole Boulevard would not be extended west to Harter Road. This alternative has the same characteristics as those of the Harter Specific Plan. As this alternative is similar to the proposed project, refer to Table 2-1 for the land use assignments.

Alternative 5 - Design Alternative. Under this alternative, the mix of land uses would be similar to the proposed project but the design of the site and acreage per land use type would change. Selected cannery buildings (approximately six) would be reused as warehouses, office space, or some similar use as part of a 36.6-acre business park (office/research and development/light industrial) north of the railroad and between Harter Road and Tharp Road. The railroad would end near the eastern spur. Poole Boulevard would cross the eastern railroad spur, curving south through commercial development to intersect with Harter Road. A small 1.5 acre park or open space area would be developed southeast of the current intersection of the railroad with Harter Road. Commercial acreage east of Harter Road would include 9.3 acres between the park and Poole Boulevard, 21.5 acres south of Poole, and 1.7 acres north of the railroad and south of Poole at Tharp. The 28.3 acres north of the business park would be developed residentially (R-2) between the newly aligned Harter Road, Tharp Road and Butte House Road.

Alternative 6 - Other Site. An alternative site was considered to address potential mitigation of the accrued impacts associated with the proposed project. A discussion of alternative sites occurred with Brian Trudgeon of the Yuba City Community Development Department. Three theoretical sites were considered: 30-, 100-, and 180-acres. No sites in these configurations exist in the current Yuba City boundaries or its sphere. Considering that an alternative site selection must be premised in reducing impacts, selection of property in county jurisdiction could not result in fewer impacts.

The west side of Harter Road would be developed with 59± acres of single-family residential (R-1), 8± acres of multiple family (R-3), and 0.7 acres commercial. The total proposed land use acreage by category for this alternative is listed in Table 6-2. Figure 6-1 shows the proposed land use configuration of this particular alternative.

Environmentally Superior Alternative. An EIR is required to identify the environmentally superior alternative from among the range of reasonable alternatives that are evaluated. Section (d)(2) of the CEQA Guidelines requires that an environmentally superior alternative be designated and states that “if the environmentally superior alternative is the ‘no project’ alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.”

Based on the alternatives analysis herein, it appears that the “Development Consistent with the General Plan” would result in the least number of impacts. Associated with this alternative are fewer vehicle trips, lower emissions and less noise. The other alternatives (excluding the “No Project” alternative) would have similar impacts, or slightly less impact relative to the Harter Specific Plan and Yuba City Marketplace project.

SUMMARY TABLE

The following summary table provides an overview of the analysis contained in Chapter 4, Environmental Analysis. The summary includes: discussions of effects found to be less than significant; significant impacts; unavoidable significant impacts; and mitigation measures to avoid or reduce identified significant impacts and unavoidable significant impacts.

Information in Summary Table has been organized to correspond with environmental issues discussed in Chapter 4. The summary table is arranged in four columns:

- 1) Impacts;
- 2) Level of Significance Prior to Mitigation;
- 3) Mitigation Measure(s); and
- 4) Level of Significance After Mitigation.

TABLE 3-1

SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
4.1 Agricultural Resources			
4.1-1 Development of the Proposed Project would result in the loss of approximately 130 acres of Farmland of Statewide Importance.	SU (HSP/YCM)	None available. (HSP/YCM)	SU (HSP/YCM)
4.1-2 Development of the Harter Specific Plan – Yuba City Marketplace project, in combination with other cumulative development as allowed in the existing General Plan and the General Plan update, would contribute to the loss of Important Farmland.	SU (HSP/YCM)	None available. (HSP/YCM)	SU (HSP/YCM)
4.2 Air Quality			
4.2-1 Construction activities would generate PM ₁₀ emissions that could exceed the air district thresholds.	PS (HSP), S (YCM)	4.2-1 (HSP/YCM) Implement the following measure to reduce PM ₁₀ and fugitive dust during construction. (a) Prior to final occupancy, reestablish ground cover on construction site through seeding and watering. (b) All grading operations shall be subject to the FRAQMD Fugitive Dust Mitigation Control Plan, which is intended to control dust from becoming air borne and also leaving the project site. (c) Incorporate the use of non-toxic soil stabilizers according to manufacturer’s specifications to all inactive construction areas. (d) Provide temporary traffic control as needed during all phases of construction to improve traffic flow, as deemed appropriate by the Yuba City Department of Public Works and/or Caltrans.	LS (HSP/YCM)

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Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		<ul style="list-style-type: none"> (e) Construction activities shall minimize disruptions to traffic flow during peak hours to the greatest feasible extent. (f) Construction sites shall be watered as directed by the Yuba City Department of Public Works or FRAQMD. (g) All trucks hauling dirt, sand, soil, or other loose material shall be covered or shall maintain at least two feet of freeboard (i.e., minimum vertical distance between top of the load and top of the trailer walls) in accordance with the requirements of California Vehicle Code Section 23114. This provision shall be enforced by local law enforcement agencies. (h) Paved streets shall be swept (water sweeper with reclaimed water recommended) at the end of each day if substantial volumes of soil material have been carried onto adjacent paved, public roads from the project site. (i) Wheel washers shall be installed where project vehicles and/or equipment exit onto paved streets from unpaved roads. 	
<p>4.2-2 Construction activities would generate ROG and NO_x emissions that could exceed the air district thresholds.</p>	<p>S (HSP/YCM)</p>	<p>4.2-2 (HSP/YCM) To reduce exhaust emissions during construction, all construction contracts shall include the following heavy-duty off-road equipment requirements to reduce ROG and NO_x emissions:</p> <ul style="list-style-type: none"> (a) The prime contractor shall submit to the FRAQMD for approval, an Off-road Construction Equipment Emission Reduction Plan prior to groundbreaking demonstrating that heavy-duty (>50 horsepower) off-road vehicles to be 	<p>SU (HSP/YCM)</p>

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Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		<p>used in the construction project, and operated by either the prime contractor or by any subcontractor, will achieve a fleet-averaged 20 percent NOx reduction and a 45 percent particulate reduction compared to the most recent CARB fleet average; and</p> <p>(b) The prime contractor shall ensure that emissions from all off-road diesel powered equipment on the project site do not exceed 40 percent opacity, pursuant to EPA Method 9 for reading visible emissions, for more than three minutes in any one hour. Any equipment found to exceed the 40 percent opacity shall be repaired immediately, and the FRAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The FRAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this measure shall supercede other FRAQMD regulations.</p>	
<p>4.2-3 Operational emissions associated with the Proposed Project could exceed the air district thresholds.</p>	<p>S (HSP/YCM)</p>	<p>4.2-3 (a) (HSP/YCM) Promote alternative forms of transportation through the following measures:</p> <ul style="list-style-type: none"> (i) The Specific Plan shall include bus turnouts, passenger benches, and all-weather shelters at transit access points where deemed appropriate by the Yuba-Sutter Transit Authority. (ii) Provide for, or contribute to, dedication of land for on-site bicycle trails linking the project to designated bicycle commuting routes in accordance with the Yuba-Sutter Bikeways Master Plan (Fehr and Peers 1995). 	<p>SU (HSP/YCM)</p>

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Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		<ul style="list-style-type: none"> (iii) The Specific Plan shall provide for on-site pedestrian enhancing infrastructure that includes where feasible: sidewalks and pedestrian paths; direct pedestrian connections; street trees to shade sidewalks; pedestrian safety designs/infrastructure; street lighting; and/or pedestrian signalization and signage. (iv) Integrate each development within the Harter Specific Plan area (e.g., Yuba City Marketplace) with pedestrian paths. (v) Provide dispersed secure bicycle parking for short-term (for shoppers bike racks would suffice) and long-term (for employees bike lockers, or some type of all weather and secure facility would suffice) parking. (vi) The project shall fund bike sensitive magnetic loops at all signalized intersections, or surveillance cameras that will trigger signals to allow cyclists to safely proceed. Loops and cameras are relevant to periods of the day when vehicle traffic is not abundant enough to trigger dedicated magnetic loops in the vehicle travel lanes and would allow cyclists to proceed through an intersection without having to wait for an automobile to arrive. <p>4.2-3(b) (HSP/YCM) Increase energy efficiency of buildings beyond Title 24 requirements by using of high-albedo (low-absorptive) coatings on all roofs and other building surfaces. This reflective surface decreases energy consumption for cooling purposes.</p>	
<p>4.2-4 Future residents within the project area could be exposed to odors from sources within the Specific Plan and from existing sources adjacent to the specific plan area.</p>	<p>LS (HSP/YCM)</p>	<p>None required. (HSP/YCM)</p>	<p>NA (HSP/YCM)</p>

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
4.2-5 Future residents within the project area could be exposed to a Toxic Air Contaminants (TAC) risk that exceeds the 10 in 1 million threshold.	S (HSP/YCM)	4.2-5 (HSP/YCM) (a) All diesel trucks delivering merchandise to companies within the Harter Specific Plan shall minimize idling time to 15 minutes or less. Signs should be posted at high visibility points around the facility where delivery trucks congregate (e.g., loading docks). (b) The facility management shall be responsible for ensuring enforcement of the idling requirement and shall train loading and docking warehouse employees to enforce the measure.	SU (HSP/YCM)
4.2-6 Operation of the gas station may result in vapors from the storage, pumping and restocking of fuels, which could adversely affect human health.	LS (HSP/YCM)	None required. (HSP/YCM)	NA (HSP/YCM)
4.2-7 Operation of the Proposed Project could result in a violation of the 1-hour or the 8-hour CO standards.	LS (HSP/YCM)	None required. (HSP/YCM)	NA (HSP/YCM)
4.2-8 Project emissions, in combination with other development in the region, could contribute to the cumulative degradation of air quality.	SC (HSP/YCM)	4.2-8 (HSP/YCM) Implement Mitigation Measures 4.2-1 through 4.2-3.	SU (HSP/YCM)
4.2-9 Development of the Proposed Project in combination with other development in the region could expose sensitive receptors to a cumulative TAC risk that is greater than 10 in 1 million.	S (HSP/YCM)	4.2-9 (HSP/YCM) Implement Mitigation Measure 4.2-5.	SU (HSP/YCM)
4.2-10 Operation of the Proposed Project in combination with other development in the region could result in a violation of the 1-hour or the 8-hour CO standards.	LS (HSP/YCM)	None required. (HSP/YCM)	NA (HSP/YCM)

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4.3 Cultural Resources			
4.3-1 Project construction could damage or destroy undiscovered subsurface cultural resources.	PS (HSP), PS (YCM)	4.3-1 (HSP/YCM) If vegetation clearance or other construction activities uncover artifacts, bone or exotic rock (particularly obsidian), then a qualified archeologist should be contacted to examine the deposit and determine its nature and significance. State law requires that if bone is discovered which might be human, the County Coroner must be contacted. If the Coroner determines that the bone is Native American in origin, he or she will contact the Native American Heritage Commission in Sacramento to identify most likely descendants. Implementation of this mitigation would allow those concerned with these issues to study what is found and catalog and file this implementation, as well as collect the artifacts for permanent collection in public institutions such as universities, or historical societies. Artifacts are removed from harm that could result from construction activity.	LS (HSP/YCM)
4.3-2 Development of the Harter Specific Plan will result in the removal of the Harter residence.	LS (HSP), NI (YCM)	None required. (HSP/YCM)	NA (HSP/YCM)
4.3-3 Development of the Harter Specific Plan and Yuba City Marketplace will result in the removal of existing structure.	LS (HSP/YCM)	None required. (HSP/YCM)	NA (HSP/YCM)
4.3-4 Project development would potentially result in the cumulative loss of cultural resources.	LS (HSP/YCM)	None required. (HSP/YCM)	NA (HSP/YCM)
4.4 Hazards and Hazardous Materials			
4.4-1 Increased potential for accidental release or spill of hazardous materials during construction or occupancy.	LS (HSP/YCM)	None required. (HSP/YCM)	NA (HSP/YCM)
4.4-2 Increased demand for hazardous materials incident emergency response.	LS (HSP/YCM)	None required. (HSP/YCM)	NA (HSP/YCM)

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Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
4.5 Hydrology			
4.5-1 The Proposed Project will generate stormwater runoff that could contribute to flooding on- and/or off-site.	PS (HSP/YCM)	4.5-1 (HSP/YCM) Implementation of the Zone 6 Resolution will mitigate potential impacts.	LS (HSP/YCM)
4.5-2 The Harter Specific Plan – Yuba City Marketplace project, in combination with cumulative development in Yuba City and Sutter County will generate stormwater runoff that could exceed the drainage capacity of canal segments and canal road crossings and contribute to flooding.	SC (HSP/YCM)	4.5-2 (HSP/YCM) Though not the responsibility of the Harter Specific Plan or Yuba City Marketplace project applicants, the City of Yuba City will be required to prepare a drainage infrastructure report that addresses future development impacts relative to drainage infrastructure and will be required to mitigate this impact. To pay for this infrastructure, the city will have to collect impact fees from future development. As the Harter Specific Plan development and the Yuba City Marketplace project are on line to pay their pro-rata share for improvements to downstream drainage infrastructure through the Zone 6 district, it should not be necessary that the Harter Specific Plan and Yuba City Marketplace projects pay the cumulative impact fees the city may require of future development.	LS (HSP/YCM)
4.6 Noise			
4.6-1 Development within the project area will generate increased traffic on the local roadway system. This project-generated traffic is expected to result in traffic noise level increases over existing levels of more than 3 dB Ldn (but less than 5 dB Ldn) along Tharp Road and Harter Road.	LS (HSP/YCM)	None required.	NA (HSP/YCM)

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<p>4.6-2 Future residential uses on polygons 1 and 4 in the Harter Specific Plan area, which are anticipated to be located within approximately 223 feet of the Butte House Road centerline and within 122 feet of the Harter Road centerline will be exposed to traffic noise levels in excess of 60 dB Ldn.</p>	<p>PS (HSP), PS (YCM)</p>	<p>4.6-2 (HSP) Construction of eight-foot high masonry noise barriers as required by the Harter Specific Plan shall be included in future residential development. In addition, to assure attainment of the 60 dB performance standard as measured at the property lines is not exceeded, future applications for permits to construct future residential development in Polygons 1 and 4 shall be accompanied with a study or other mechanism that examines the proposed plans in conjunction with the 8-foot high masonry wall, or other design feature, that mitigates the noise impact so that the 60 dB level is not exceeded.</p> <p>(YCM) The Yuba City Marketplace applicant shall pay a prorated share of the cost of wall construction based on the percentage of vehicle trips generated by the Yuba City Marketplace as determined in the traffic report and/or traffic consultant.</p>	<p>LS(HSP), LS (YCM)</p>
<p>4.6-3 Delivery Trucks. Development of the Wal-Mart store in Polygon 9 of the Specific Plan would result in on-site delivery truck activity that may generate excessive noise levels at the nearest residential areas to the west (approximately 700 feet).</p>	<p>LS (HSP/YCM)</p>	<p>None required. (HSP/YCM)</p>	<p>NA (HSP/YCM)</p>
<p>4.6-4 Loading Docks. Operations at the proposed Wal-Mart store includes the use of loading docks at two different locations along the north side of the building. This may impact nearby residential areas.</p>	<p>PS (HSP), LS (YCM)</p>	<p>4.6-4 (HSP) For all future commercial uses in Polygon 7, a noise study will be conducted for any proposed use that includes loading docks. This noise study shall determine what the appropriate distance should be between the most easterly boundary of the residential land uses in Polygon 2 and the loading docks, or propose other mitigation measures in order that the dB L_{eq} at the property boundary does not exceed the Yuba City General Plan prescribed threshold of 50 dB L_{eq}.</p> <p>(YCM) None required.</p>	<p>LS (HSP), NA (YCM)</p>

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<p>4.6-5 HVAC. Development of the proposed Wal-Mart store would include the use of HVAC equipment in order to maintain comfortable shopping temperatures within the store. Noise generated by these units could potentially affect noise levels at the nearest residential outdoor activity area.</p>	<p>PS (HSP), LS (YCM)</p>	<p>4.6-5 (HSP) For all future commercial uses in Polygon 7, a noise study will be conducted for any proposed use that includes HVAC equipment. This noise study shall determine what the appropriate distance should be between the most easterly boundary of the residential land uses in Polygon 2 and the HVAC equipment in order that the dB L_{eq} at the residential property boundary does not exceed the Yuba City General Plan prescribed threshold of 50 dB L_{eq}.</p> <p>(YCM) None required.</p>	<p>LS (HSP), NA (YCM)</p>
<p>4.6-6 Air Impact Wrenches. Development of the proposed Wal-Mart store would include the construction of an automotive center along the west side of the building. Activities at this automotive center would include the use of air impact wrenches during tire changes. This piece of equipment has been identified as a potentially significant noise source at the nearest residential outdoor activity area.</p>	<p>PS (HSP), LS (YCM)</p>	<p>4.6-6 (HSP) For all future commercial uses in Polygon 7, a noise study will be conducted for any proposed use that includes air impact wrenches. This noise study shall determine what the appropriate distance should be between the most easterly boundary of the residential land uses in Polygon 2 and the air impact wrenches should be in order that the dB L_{eq} at the property boundary does not exceed the Yuba City General Plan prescribed threshold of 50 dB L_{eq}.</p> <p>(YCM) None required.</p>	<p>LS (HSP), NA (YCM)</p>
<p>4.6-7 Tire Breakers. Activities at the proposed Wal-Mart store automotive center would include the use of tire breakers. This piece of equipment has been identified as a potentially significant noise source at the nearest residential outdoor activity area.</p>	<p>PS (HSP/YCM)</p>	<p>4.6-7 (HSP) For all future commercial uses in Polygon 7, a noise study will be conducted for any proposed use that includes tire breaker equipment. This noise study shall determine what the appropriate distance should be between the most easterly boundary of the residential land uses in Polygon 2 and the tire breaker equipment in order that the dB L_{eq} at the property boundary does not exceed the Yuba City General Plan prescribed threshold of 50 dB L_{eq}.</p>	<p>LS (HSP/YCM)</p>

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		(YCM) All tire breakers shall be located within the interior of the tire shops.	
<p>4.6-8 Air Compressors. Activities at the proposed Wal-Mart store automotive center would include the use of air compressors. This equipment has been identified as a potentially significant noise source at the nearest residential outdoor activity area.</p>	PS (HSP), LS (YCM)	<p>4.6-8 (HSP) For all future commercial uses in Polygon 7, a noise study will be conducted for any proposed use that includes air compressors. This noise study shall determine what the appropriate distance should be between the most easterly boundary of the residential land uses in Polygon 2 and the air compressors noise should be in order that the dB L_{eq} at the property boundary does not exceed the Yuba City General Plan prescribed threshold of 50 dB L_{eq}.</p> <p>(YCM) None required.</p>	LS (HSP), NA (YCM)
<p>4.6-9 Construction noise will result in elevated noise levels and may impact nearby residential areas.</p>	PS (HSP/YCM)	<p>4.6-9 (HSP/YCM) Construction activities shall be restricted to the hours of 6 AM to 9 PM Monday through Saturday and 8 AM to 9 PM Sunday and State and Federal holidays.</p>	LS (HSP/YCM)
<p>4.6-10 Project development could result in a cumulative increase in traffic noise levels on the street system in the project vicinity.</p>	LS (HSP/YCM)	None required. (HSP/YCM)	NA (HSP/YCM)
4.7 Transportation			
<p>4.7-1 (HSP) Development of the Harter Specific Plan will result in peak hour Levels of Service in excess of the City of Yuba City’s LOS C standard at the following intersections. a. Butte House Road/Tharp Road b. Poole Boulevard/Tharp Road c. Yuba City Marketplace main entry/Harter Road</p>	PS (HSP)	<p>4.7-1(a) (HSP) Signalize the Butte House Road/Tharp Road intersection when traffic signal warrants are met. With this level of improvement the intersection will operate at LOS B (average delay 13.5 sec). This improvement is included in the City of Yuba City Traffic Fee program, and applicable costs should be credited to the developer if the improvement is installed with the project.</p>	LS

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation															
		<p>4.7-1(b) (HSP) Install a traffic signal at the Poole Boulevard/Tharp Road intersection when traffic signal warrants are met with standard City of Yuba City intersection improvements (i.e., left turn lanes). With this improvement the intersection will operate at LOS C (average delay 24.9 sec).</p> <p>4.7-1(c) (HSP) Install the auxiliary lanes noted in the table below at the Yuba City Marketplace main entry/Harter Road intersection:</p> <table border="1" data-bbox="997 686 1743 938"> <thead> <tr> <th>APPROACH</th> <th>Total Lanes</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>Northbound</td> <td>5</td> <td>Dual left turns (2), through (2), right turn (1)</td> </tr> <tr> <td>Southbound</td> <td>3</td> <td>Left turn (1), through (1), through + right turn (1)</td> </tr> <tr> <td>Eastbound</td> <td>2</td> <td>Left turn+through (1), right turn (1)</td> </tr> <tr> <td>Westbound</td> <td>3</td> <td>Left turn (1), left turn+through (1), right turn (1)</td> </tr> </tbody> </table>	APPROACH	Total Lanes	Description	Northbound	5	Dual left turns (2), through (2), right turn (1)	Southbound	3	Left turn (1), through (1), through + right turn (1)	Eastbound	2	Left turn+through (1), right turn (1)	Westbound	3	Left turn (1), left turn+through (1), right turn (1)	
APPROACH	Total Lanes	Description																
Northbound	5	Dual left turns (2), through (2), right turn (1)																
Southbound	3	Left turn (1), through (1), through + right turn (1)																
Eastbound	2	Left turn+through (1), right turn (1)																
Westbound	3	Left turn (1), left turn+through (1), right turn (1)																
<p>4.7-2 (YCM) Development of the Yuba City Marketplace will result in peak hour Level of Service in excess of the City of Yuba City’s LOS C standard at the following intersections.</p> <ul style="list-style-type: none"> a. Butte House Road/Harter Road b. Yuba City Marketplace main entry/Harter Road 	<p>PS (YCM)</p>	<p>4.7-2(a) (YCM) Signalize the Butte House Road/Harter Road intersection and realign this intersection per city requirements. With signalization, the intersection would operate at LOS A (average delay 9.7 sec).</p> <p>4.7-2(b) (YCM) A traffic signal and elements of the improvements ultimately planned for Harter Road, as part of the overall Harter Specific Plan would be required to deliver LOS C or better conditions. When traffic signal warrants are met, signalize the Yuba City Marketplace main entry/Harter Road intersection and install the following improvements at the intersection:</p>	<p>LS</p>															

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TABLE 3-1

SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s)			Level of Significance After Mitigation
		APPROACH	Total Lanes	Description	
		Northbound	3	Left turn (1), through (1), right turn (1)	
		Southbound	2	Left turn (1), through + right turn (1)	
		Eastbound	1	Left + through + right turn (1)	
		Westbound	2	Left turn (1), through + right turn (1)	
4.7-3 The proposed Class 1 bike paths flanking Poole Boulevard and Harter Road could conflict with commercial, residential and industrial uses.	PS (HSP)	4.7-3 (HSP) The applicant shall design the bike facilities within the Harter Specific Plan area and within the Yuba City Marketplace project based on the recommendations of a qualified transportation engineer with experience in designing bicycle infrastructure.			LS (HSP)
4.7-4 Cumulative development with and without the Harter Specific Plan will result in conditions in excess of the Caltrans' LOS D standard at the following intersections: a. Highway 20/El Margarita Road b. Highway 20/Harter Road c. Highway 20/Tharp Road d. Highway 20/Stabler Lane e. Highway 20/Highway 99	PS (HSP/YCM)	4.7-4(a) (HSP/YCM) Installation of a traffic signal at the Highway 20/El Margarita Road intersection would be required whether the Harter Specific Plan proceeds or not. Install Traffic Signal when warranted. Signalization of the intersection will result in LOS B conditions with and without the Harter Specific Plan. Development within the Specific Plan area shall contribute its fair share to the cost of this improvement based on its "pro rata" share of future traffic volumes. However, if the City of Yuba City adopts a uniform program for funding improvements to the SR 20 corridor, development in the Harter Specific Plan shall contribute its fair share through an adopted fee program. Such fee programs will be part of the project's Finance Plan which will outline when the installation improvements will occur. In the case the developer installs infrastructure in advance of the SR20 fee program, the developer could receive credit against future SR20 Fee Program fees. This will require that traffic counts be conducted at the intersection to determine when signals are warranted. The city Engineering department will be responsible for determining when the signals are warranted. 4.7-4(b) Additional lanes will be needed at the Highway 20/Harter Road intersection to achieve LOS D at this intersection whether the			LS (HSP/YCM)

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation																														
		<p>Harter Specific Plan proceeds or not. Modify the intersection to provide the following geometry:</p> <table border="1" data-bbox="1075 459 1745 768"> <thead> <tr> <th>Approach</th> <th>Total Lanes</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>Northbound</td> <td>4</td> <td>left turn (1), through lanes (2), right turn (1)</td> </tr> <tr> <td>Southbound</td> <td>4</td> <td>Two left turns (2), through (1), through + right turn (1)</td> </tr> <tr> <td>Eastbound</td> <td>5</td> <td>Left turn (1) through lanes (3), right turn (1)</td> </tr> <tr> <td>Westbound</td> <td>5</td> <td>Left turn (1), through lanes(3), right turn (1)</td> </tr> </tbody> </table> <p>4.7-4(c) Modify the Highway 20/Tharp Road intersection to provide the following geometry:</p> <table border="1" data-bbox="1075 885 1745 1192"> <thead> <tr> <th>Approach</th> <th>Total Lanes</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>Northbound</td> <td>3</td> <td>left turn (1), through lane (1), right turn (1)</td> </tr> <tr> <td>Southbound</td> <td>3</td> <td>Two left turns (2), through + right turn (1)</td> </tr> <tr> <td>Eastbound</td> <td>5</td> <td>Left turn (1) through lanes (3), right turn (1)</td> </tr> <tr> <td>Westbound</td> <td>5</td> <td>Left turn (1), through lanes(3), right turn (1)</td> </tr> </tbody> </table>	Approach	Total Lanes	Description	Northbound	4	left turn (1), through lanes (2), right turn (1)	Southbound	4	Two left turns (2), through (1), through + right turn (1)	Eastbound	5	Left turn (1) through lanes (3), right turn (1)	Westbound	5	Left turn (1), through lanes(3), right turn (1)	Approach	Total Lanes	Description	Northbound	3	left turn (1), through lane (1), right turn (1)	Southbound	3	Two left turns (2), through + right turn (1)	Eastbound	5	Left turn (1) through lanes (3), right turn (1)	Westbound	5	Left turn (1), through lanes(3), right turn (1)	
Approach	Total Lanes	Description																															
Northbound	4	left turn (1), through lanes (2), right turn (1)																															
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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation																														
		<p>4.7-4(d) Additional lanes will be needed at the Highway 20/Stabler Lane intersection to achieve the LOS D standard. Modify the intersection to provide the following geometry:</p> <table border="1" data-bbox="1075 488 1745 797"> <thead> <tr> <th>Approach</th> <th>Total Lanes</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>Northbound</td> <td>6</td> <td>Dual left turn lanes (2), through (2), right turn lanes (2)</td> </tr> <tr> <td>Southbound</td> <td>5</td> <td>Two left turns (2), through (2), right turn lane (1)</td> </tr> <tr> <td>Eastbound</td> <td>5</td> <td>Left turn (1) through lanes (3), right turn (1)</td> </tr> <tr> <td>Westbound</td> <td>6</td> <td>Dual left turn lanes (2), through lanes (3), right turn (1)</td> </tr> </tbody> </table> <p>4.7-4(e) Construct a grade separated interchange Highway 20/Highway 99 intersection providing the following geometry at the centerpoint intersection (urban Interchange):</p> <table border="1" data-bbox="1075 943 1745 1190"> <thead> <tr> <th>Approach</th> <th>Total Lanes</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>Northbound</td> <td>6</td> <td>Dual left turn lanes (2), through (3), right turn (1)</td> </tr> <tr> <td>Southbound</td> <td>6</td> <td>Dual left turns (2), through (3) right turn (1)</td> </tr> <tr> <td>Eastbound</td> <td>3</td> <td>Dual Left turn lane (2), right turn (1)</td> </tr> <tr> <td>Westbound</td> <td>3</td> <td>Dual Left turn lanes (2), right turn (1)</td> </tr> </tbody> </table>	Approach	Total Lanes	Description	Northbound	6	Dual left turn lanes (2), through (2), right turn lanes (2)	Southbound	5	Two left turns (2), through (2), right turn lane (1)	Eastbound	5	Left turn (1) through lanes (3), right turn (1)	Westbound	6	Dual left turn lanes (2), through lanes (3), right turn (1)	Approach	Total Lanes	Description	Northbound	6	Dual left turn lanes (2), through (3), right turn (1)	Southbound	6	Dual left turns (2), through (3) right turn (1)	Eastbound	3	Dual Left turn lane (2), right turn (1)	Westbound	3	Dual Left turn lanes (2), right turn (1)	
Approach	Total Lanes	Description																															
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Approach	Total Lanes	Description																															
Northbound	6	Dual left turn lanes (2), through (3), right turn (1)																															
Southbound	6	Dual left turns (2), through (3) right turn (1)																															
Eastbound	3	Dual Left turn lane (2), right turn (1)																															
Westbound	3	Dual Left turn lanes (2), right turn (1)																															

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SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact(s)	Level of Significance Prior to Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		As it relates to mitigations 4.7-4(b-e), with this level of improvement all intersections on Highway 20 will operate at LOS D during the p.m. peak hour, which meets the minimum Caltrans LOS standard. All development within the Harter Specific Plan (includes Yuba City Marketplace) shall contribute its fair share to the cost of these improvements based on its “pro rata” share of future traffic volumes. However, if the City of Yuba City adopts a uniform program for funding improvements to the Highway 20 corridor, development in the Harter Specific Plan shall contribute its fair share through an adopted fee program.	
4.7-5 Cumulative Traffic Conditions could result in on-site traffic congestion at the main Yuba City Marketplace entrance on Harter Road.	PS (YCM)	4.7-5 (YCM) Under cumulative conditions the volume of traffic at the main access could result in congestion at the parking aisle connections. Modify the Yuba City Marketplace plan to provide an adequate driveway throat. Three existing lanes should be provided on the westbound approach to Harter Road. The plan should limit access to intersecting parking aisles within this area using a raised median island in a manner that is acceptable to the City of Yuba City.	LS (YCM)
4.8 Utility and Service Systems – Water Supply			
4.8-1 Water use could exceed water supply.	LS (HSP/YCM)	None required. (HSP/YCM)	NA (HSP/YCM)
4.8-2 Harter Specific Plan and Yuba City Marketplace development and cumulative development may exceed water supply.	LS (HSP/YCM)	None required. (HSP/YCM)	NA (HSP/YCM)

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4.0 INTRODUCTION TO THE ENVIRONMENTAL ANALYSIS

4.0 INTRODUCTION TO THE ENVIRONMENTAL ANALYSIS

TOPICS ADDRESSED

The Environmental Analysis section of this EIR discusses the environmental setting, impacts, and mitigation measures for each of the following topics. Those topics not listed below were determined by the EIR consultant not to have significant impacts and are therefore discussed in the Initial Study in Appendix A.

- Biological Resources
- Geology and Soils
- Hazards & Hazardous Materials
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Recreation
- Public Services
- Utilities and Service Systems (except water supply and waste water)

SECTION FORMAT

Each section begins with a description of the project **environmental setting** and a **regulatory setting** as it pertains to a particular issue. The environmental setting provides a point of reference for assessing the environmental impacts of the two proposed projects and alternatives. The setting description in each section is followed by the **method of analysis** followed by **standards of significance**. Following this is the **impacts** and **mitigation** discussion. The impact and mitigation portion of each section includes **impact statements**. For this particular project it is necessary to break the impact statements into two components: Harter Specific Plan and the Yuba City Marketplace. An explanation of each impact and an analysis of its significance follows each impact statement.

Mitigation measures pertinent to each individual impact appear after the impact statement. The degree of relief provided by identified mitigation measures is also evaluated. An explanation of each impact and an analysis of its significance follows each impact statement. The degree to which the identified mitigation measure(s) would reduce the impact is also evaluated.

As this recirculated DEIR addresses the Harter Specific Plan project at a program level per *CEQA Guidelines Section 15168 – Program EIR*, and the Yuba City Marketplace project at a project level impact analysis per *CEQA Guidelines Section 15161 – Project EIR*, each impact statement is compartmentalized into two sections (i.e., Harter Specific Plan project and the Yuba City Marketplace project). The mitigation measures follow immediately afterward and are identified with “HSP” and, or “YCM” in

parenthesis to indicate that the mitigation is relevant to the Harter Specific Plan and the Yuba City Marketplace. If it is the case the proposed project is determined to be inconsistent w/ the Yuba City General Plan Goals, Policies or Objectives this will be discussed.

Each impact statement is followed by a general discussion of potential impacts. This discussion culminates in a determination of the impact's significance.

Cumulative impacts and mitigations are discussed in the recirculated DEIR. CEQA Section 15130 (a) requires cumulative impacts to be discussed “[...] when the project’s incremental effect is cumulatively considerable. Where the lead agency is examining a project with an incremental effect that is not cumulatively considerable, a lead agency need not consider that effect significant, but shall briefly describe its basis of concluding that the incremental effect is not cumulatively considerable.” In each of the environmental issue sections in Section 4 of this recirculated DEIR, there is a cumulative impacts discussion. An example of the format is shown below. Section 5 contains a summary discussion of Cumulative impacts.

Impacts and Mitigation Measures

4.X-1 Statement of Impact.

Overview of topic, if needed

Harter Specific Plan

General discussion of impact for total project in paragraph form. Statement of *level of significance* before mitigation.

Yuba City Marketplace

Additional discussion of impact specific to the Yuba City Marketplace in paragraph form. Statement of *level of significance* before mitigation.

Mitigation Measures

Statement of ability of mitigation measure to reduce impact to a *less-than-significant level*.

4.X-1(a)

(HSP/YCM)¹ *Recommended mitigation measure presented in italics and numbered in consecutive order.*

Discussion of mitigation measure.

4.X-1(b)

(HSP/YCM) *Additional mitigation, as necessary.*

1 Indicates whether measure applies to the full Specific Plan (HARTER SPECIFIC PLAN) or only the Yuba City Marketplace project (YUBA CITY MARKETPLACE).

Cumulative Impacts and Mitigation Measures

Note that the format is the same for cumulative impacts, except that there is no segregation of the Harter Specific Plan or Yuba City Marketplace projects.

4.1 AGRICULTURAL RESOURCES

4.1 AGRICULTURAL RESOURCES

INTRODUCTION

This section of the EIR examines the proposed project's effect on agricultural resources and operations. Specifically, the conversion of farmland and the potential loss of crop productivity are evaluated.

ENVIRONMENTAL SETTING

Agricultural History On the Site

Farming began in the Plan Area in the 1850's. The property has been used for crops, orchards, fruit and grain storage, and for drying raisins. Topographic maps and photographs show that orchards covered approximately 65 percent of the property in 1962, 80 percent in 1968, and about 50 percent in 1973. By 1975, more land had been cleared so that only about 30 percent of the orchards remained. In 1993, there were approximately 30 acres of peach orchard and 98 acres of bermed flood irrigation fields on the site. The remainder of the orchard was removed in 1999-2001. As of June 2003, the remaining acreage of the approximately 180-acre site is irrigated livestock grasses/feed.¹ The annexation into the City commits the land to urban uses since only unincorporated land in Sutter County is zoned for agriculture.

The property within the Harter Specific Plan area, along with adjoining parcels, was annexed to the City in 1999.² The annexation into the City commits the land to urban uses since only unincorporated land in Sutter County is zoned for agriculture. At the time of annexation, a portion of the Harter Specific Plan area was zoned AH (Agricultural Holding). This designation is applied to rural or undeveloped areas on an interim basis where it is apparent that more intensive suburban or urban development will occur (Yuba City Zoning ordinance. Article 25). This district allows property to be used for agricultural purposes until more intensive development occurs. Since the property is in the Urban Area of the City, urban development will occur.

There are no Williamson Act contracted lands in the area, and the project site is surrounded by existing and pending urban development.³

1 Tom Tucker, personal communication to verify text in Yuba City Harter Specific Plan EIR, July 18, 2003.
2 Brian Trudgeon, personal communication, June 24, 2003. Reference to Annexation No. 300, June 1999.
3 Ibid.

Existing Agricultural Uses

Sutter County

Of 389,440 acres in Sutter County, 343,014 acres, or 88 percent, is farmland. The average agricultural value per county acre is \$873.50.⁴

The Sutter County Agricultural Department, in the 2001 Agricultural Crop Report, states that in 2001, 9,500 acres of tomatoes,⁵ 11,594 acres of wheat, 15,596 acres of safflower, 6,740 acres of hay alfalfa, 5,931 acres of field corn, and 81,857 acres of rice were harvested in Sutter County.⁶

Sutter County Farmland Conversion

According to the California Department of Conservation, 4,876 acres of Important Farmland (including Prime, Statewide Importance, Unique, and Local Importance) in Sutter County were converted to non-agricultural use from 1998 to 2000.⁷ In 1998 the total acreage of Important Farmland inventoried was 306,167. By 2000, there remained 301,291 acres.⁸

The California Department of Conservation has monitored Important Farmland conversions since 1988. From 1988 to 1990, Sutter County converted 938 acres of Important Farmland to non-agricultural use.⁹ From 1990 to 1992, the County converted 2,106 acres of Important Farmland.¹⁰ Important Farmland converted from 1992 to 1994 was 661 acres¹¹ and 1,070 acres from 1994 to 1996.¹² From 1996 to 1998, 720 acres of important farmland was converted to non-agricultural use.¹³ Sutter County Important Farmland conversion since 1988 total 10,371 acres.

Project Site

Soils

As defined in the Soil Conservation Service *Soils Survey of Sutter County* (1988), the Conejo-Tisdale soil is rated Capability IIIs-8 (“III” being soils with severe limitations that reduce the choice of plants or

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- 4 Sutter County Agricultural Department 2001 Crop Report, Table Agricultural Product Comparison 2000.
 - 5 Sutter County Agricultural Department 2001 Crop Report, Table Vegetable Crops: Acreage, Production and Value 2001-2000.
 - 6 Sutter County Agricultural Department 2001 Crop Report, Table Field Crops: Acreage, Production and Value 2001-2000.
 - 7 California Department of Conservation, Division of Land Resource Protection, Table A-38 Sutter County 1998-2000 Land Use Conversion.
 - 8 California Department of Conservation, Division of Land Resource Protection, Table A-38 Sutter County 1998-2000 Land Use Conversion.
 - 9 California Department of Conservation, Division of Land Resource Protection, Table C-37 Sutter County 1988-1990, Land Use Conversion Tables.
 - 10 California Department of Conservation, Division of Land Resource Protection Table A-37 Sutter County 1990-1992, Land Use Conversion.
 - 11 California Department of Conservation, Division of Land Resource Protection Table A-37 Sutter County 1992-1994, Land Use Conversion.
 - 12 California Department of Conservation, Division of Land Resource Protection Table A-38 Sutter County 1994-1996, Land Use Conversion.
 - 13 California Department of Conservation, Division of Land Resource Protection Table A-38 Sutter County 1996-1998, Land Use Conversion.

that require special conservation practices, or both; “s” meaning the soil is shallow, droughty, or stony; and “8” meaning soils with a low or very low available water capacity because the root zone is generally less than 40 inches deep). Most areas having this soil unit are used for irrigated orchard, mainly peaches and prunes, but other crops may be grown such as irrigated corn, tomatoes, and melons and non-irrigated wheat and barley.

Class I soils have few limitations that restrict their use, and Class II soils have moderate limitations that reduce the choice of plants or require moderate conservation practices. Class III soils are more limited but nonetheless viable tillable lands, and since the 1850’s have been a source of food and currency. The NRCS ranks soils up to Class VIII, which are those with no, or very little commercial crop production value.

According to the farmland Mapping and Monitoring Program of the California Resources Agency, approximately 70 percent of the soil within the Harter Specific Plan (includes Yuba City Marketplace) area (126 acres) is classified as “Farmland of Statewide Importance.” The remaining 30 percent is designated urban because it is developed as road, rail road and cannery buildings. Although Farmland of Statewide Importance is not considered “Prime,” such land is nonetheless capable of economically producing crops where a reliable source of water is available and therefore constitutes important farmland. Important Farmland is defined below. The Yuba City Marketplace is entirely on land designated “Farmland of Statewide Importance.”

Agricultural Land Designations

Important Farmland

The California Department of Conservation has developed a Farmland Mapping and Monitoring Program that classifies the different agricultural soil types related to their ability to sustain agricultural crops. The soil type classifications are as follows:

"Prime Farmland" is land with the best combination of physical and chemical features for the production of agricultural crops. This requires that the land has good soil quality and climate conditions. It must be irrigated, permeable to water, have acceptable acidity or alkalinity levels, and acceptable salt and sodium content, with few or no rocks, and can economically produce sustained high yields when treated and managed according to modern farming methods.

"Farmland of Statewide Importance" is land with a good combination of physical and chemical features.

"Unique Farmland" is land of lesser quality soils used for the production of the State's leading agricultural cash crops.

Each County defines “Farmland of Local Importance” differently. As stated in the *California Farmland Conversion Report 1998-2000*, Appendix D of that report (as it pertains to Sutter County), "Farmland of Local Importance Definitions," "The Board of Supervisors determined that there will be no Farmland of Local Importance for Sutter County."

"Urban and Built-Up Land" is land that does not fall within an agricultural category and is developed with at least one structure to one and one-half acres.

REGULATORY CONTEXT

Federal

There are no applicable federal standards.

State

The California Department of Conservation standards discussed above are used. Specifically, conversion of Prime, unique or Farmland of Statewide Importance is the applicable criteria in this case.

Local

Yuba City General Plan

The following Yuba City General Plan goals, policies, objectives and implementation measures relate to the preservation of agricultural lands.

Goal (#1): Preservation of Agricultural Land

Policies

- 1) Provide for compact urban development around the existing core of urbanized land to avoid unnecessary conversion of agricultural land.
- 2) Assure that future expansion of urbanized areas includes rational blocks of land.

General Plan Consistency: The proposed project is an infill project and is consistent with this policy, especially since the property is located within the designated Urban Area under the General Plan. Refer to the Land Use and Planning section in the Initial Study checklist attached as Appendix A for further discussion on infill issues.

IMPACTS AND MITIGATION MEASURES

Method of Analysis

This section is based on a review of farmland statistics, Soil Conservation Service Soils Report and California Department of Conservation information.

Standards of Significance

For the purposes of this EIR, impacts are considered significant if implementation of the proposed project would:

- result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses;

Impacts and Mitigation Measures

4.1-1 Development of the proposed project would result in the loss of approximately 130 acres of Farmland of Statewide Importance.

Harter Specific Plan

The loss of approximately 130 acres of agricultural land represents 0.0004 percent of the County's total agricultural land and an even smaller fraction relative to the State total acreage in cultivation.

Development of the Harter Specific Plan will likely be phased whereby agricultural use of the Harter Specific Plan area is gradually phased out and the cannery operation, or other operation requiring and discharging wash water, could potentially continue to irrigate surrounding Harter land.

The phasing is expected to be market driven, so some development could occur from north to south to make efficient use of the provision of infrastructure. Although the development would be phased, the proposed project would eventually result in the conversion of the entire site to non-agricultural use. Ultimately, there is the loss of agricultural land.

The 130 acres is bisected by a railroad and Harter Road and is surrounded to the west, north and east by low and high-density residential development and commercial. To the south is an area that is undergoing a transition from agricultural to urban. In the context of what exists around the Harter Specific Plan area development of the Harter property is considered infill development. Regardless of the project being infill development, the fact that the property has been in agricultural use for many decades and based on the criteria listed above, the loss of approximately 130 acres of Farmland of Statewide Importance to non-agricultural uses is considered a ***significant and unavoidable impact***.

Yuba City Marketplace

The Yuba City Marketplace project is part of the Harter land holdings and has been part of the cultivated fields associated with the Harter cannery operations for many years. The loss of this 31-acre parcel is included in the above quantified loss of approximately 130 acres of agricultural land. Based on the criteria listed above, the loss of approximately 31 acres of Farmland of Statewide Importance to non-agricultural uses is considered a ***significant and unavoidable impact***.

Mitigation Measure

For the reasons set forth below, there are no feasible mitigation measures to mitigate the loss of the approximately 130 acres of agricultural land resulting from the project.

The only means to fully mitigate this impact would be to impose a mitigation that would result in no net loss of agricultural land of equal or better value. This would require either the conversion of existing, undeveloped Farmland of Statewide Importance that is not under cultivation to agricultural uses, or the conversion of Farmland of Statewide Importance committed to urban uses to agricultural uses. However, the conversion of land already developed with urban uses (residential, commercial or industrial) to agricultural uses is infeasible. Therefore, only mitigations that would

convert existing, undeveloped Farmland of Statewide Importance that is not under cultivation to agricultural uses are evaluated. As discussed below, these mitigations are considered infeasible.

There is no feasible mitigation measure based on land within the City boundaries or an existing City plan or program to address no net loss of agricultural land. Within the boundaries of the City, there is no uncultivated agricultural land of the size and type needed to mitigate the impact. Further, under City and Sutter County plans, the area within City limits is committed to urban uses and agricultural uses are to be located in the County. Therefore, the development of land within the City for agriculture uses would be inconsistent with these plans. The City also does not have any adopted plan or program for the preservation of agricultural land that could be used as the basis for formulating and implementing a mitigation measure. Therefore, there is no feasible mitigation measure to address this impact through land located in the City boundaries or City plans or programs. The only means for avoiding the impact would be to not build the project as discussed in the “no Project” alternative. However, even under that alternative, the project site is committed to urban uses under the City’s General Plan.

There is no feasible mitigation measure based on land located within adjacent counties or existing county plans or programs to address no net loss of agricultural land. Sutter and Yuba counties are considered an appropriate target for a search for replacement acreage to convert to agricultural use because they are near the project site. However, finding 130 acres of equal or greater quality agricultural land in these two counties that is not under cultivation is not considered feasible because acreage in these two counties that is viable for agriculture is mostly already cultivated, or if it is not currently cultivated it may be subject to pending conversion to urban use, or is not of equal or better quality. Moreover, even if 130 acres of equal or greater quality land could be located within these two counties, the conversion of previously uncultivated land to agricultural uses likely would pose significant impacts equal to or greater than the one being mitigated. Such impacts could include neighboring land use conflicts and biological resources impacts, for example. Further, 130 acres of land is likely to be in ownership by various persons or entities, so any mitigation that requires gaining control over the land would be very difficult to implement. A mitigation involving county land also is not feasible because the counties do not have any adopted plan or program for the cultivation of agricultural land that could be used as a basis for formulating and implementing a mitigation measure. Even if the county did have such a program, the City could use that program as a mitigation measure because it would require approval of the county which the City does not control.

With regard to the use of off-site agricultural easements as mitigation, these easements would not result in no net loss of agricultural land of equal or greater value. The conservation easement only would result in the preservation of an existing agricultural use. It would not create new farmland or compensate for the loss of farmland that has already occurred. It would not create new farmland where no farmland presently exists. Therefore, the conservation easement does not meet the required mitigation of no net loss of farmland by converting undeveloped but fallow Farmland of Statewide Importance into cultivation.

Cumulative Impacts and Mitigation Measures

The cumulative context for agricultural impacts is the total of all development projected in the current Yuba City General Plan and in Sutter County because that is where Yuba City is located. Typically, cumulative projects include projects under construction, approved but not yet constructed

projects, projects with applications submitted to the City, and pending projects without an application but, for which, it is reasonable to conclude that a project will be forthcoming. It is relevant to note that these projects should all be consistent with and implementing the General Plan development goals.

In Yuba City, projects that meet all or some of the above definitions include the neighboring commercial center that is under construction (the Home Depot site), the Del Monte Square Commercial Center and the Del Monte Ranch to the south of Highway 20, the Bel Aire Place 192-unit multiple family housing development at the southeast corner of Tharp and Butte House roads, a 27 unit single-family subdivision to the north called the Signature Estates, and the 61-unit Summerhill Estates residential subdivision.

In addition to the proposed Harter Specific Plan, the Del Monte Ranch project has been recently approved by the City of Yuba City. The Del Monte Square project, which is also pending and undergoing annexation, includes the Yuba City Unified School District's second High School campus in the area south of SR 20 and west of the future extension of Harter Road. In addition to the high school, Del Monte Square will include a church, 11 acres of retail, 21 acres of office and 4.5 acres of residential development. Del Monte Ranch is to include 139 residential units, 13 acres of Light Industrial uses and 2.65 acres of retail. These projects are on the south side of Highway 20. Existing Yuba City General Plan land uses (i.e., surrounding land uses) are shown in Figure 2-4.

In Sutter County, projects that will result in conversion of agricultural land include the 228-unit Walnut Park Estates single-family residential project on a 63-acre parcel in the Terra Buena area (North Township Road at Highway 20), and the 3,500-acre South County Specific Plan. The Walnut Park project includes a two-acre commercial zone and the project application was submitted to the City for annexation. The South County project is currently undergoing environmental review and will include industrial and commercial uses only. Of this 3,500 acres, 155 acres is currently used by industrial land uses. The remaining 3,345 acres is in agricultural production (predominantly rice).¹⁴ As a result of these aforementioned projects, the net loss of agricultural land in Sutter County is estimated to be 3,408 acres over the next 10-15 years.

There are other projects in Sutter County that will not result in agricultural land conversion and are located adjacent to Yuba City. This includes annexation of industrial and commercial properties south of Highway 20 and in the northwest area adjacent to Yuba City in the Terra Buena area, conversion of the existing Sutter County mental health facility on Live Oak Boulevard north of Yuba City, and to the south, the annexation of County area with approximately 6-8 thousand existing residents (Ibid.).

4.1-2 Development of the Harter Specific Plan – Yuba City Marketplace project, in combination with other cumulative development as allowed in the existing General Plan and the General Plan update, would contribute to the loss of Important Farmland.

The proposed project would contribute to the conversion of farmland to urban uses. Urban development in the unincorporated areas due to annexation is expected to occur in the future (as it

14 Dale Follas, personal communication, August 22, 2003.

15 Dale Follas, personal communication, August 22, 2003.

has in the past) and these areas will contribute to the cumulative loss of agricultural land. Development of the project site will contribute to the cumulative conversion of agricultural land in the region.

Based on the total acreage of Farmland of Statewide Importance converted to urban uses in Sutter County between 1988 and 2000 (the years for which the most current information is available) (10,371 acres), the amount of land converted due to the proposed project is considered significant. If the period 1988 – 2000 is indicative of the amount of agricultural land conversion in Sutter County, it can be concluded that approximately 10,371 acres of agricultural land are converted in Sutter County every 10 years. In addition, as development occurs adjacent to agricultural areas, the need for buffers could affect the operations on agricultural land and result in the premature loss of production on farmland, even though the City does have policies to protect agricultural land through buffering. Therefore, the cumulative loss of Important Farmland would be considered a **significant and unavoidable impact**.

Mitigation Measure

(HSP/YCM)

No mitigation is prescribed. For the same reasons set forth in the analysis of mitigation measures for the project level impact, the cumulative impact cannot be mitigated and is significant and unavoidable.

4.2 AIR QUALITY

4.2 AIR QUALITY

INTRODUCTION

This section addresses project impacts on ambient air quality and the potential for exposure of people (especially sensitive individuals who consist of children, elderly, acutely ill, and chronically ill) to unhealthful pollutant concentrations. Air pollutants of concern for western Sutter County include ozone (O₃), carbon monoxide (CO), and particulate matter 10 microns or less in size. This section analyzes the type and quantity of emissions that would be generated by construction and operation of the Proposed Project.

ENVIRONMENTAL SETTING

Air quality is determined from a combination of climatological conditions (weather), topography, and the quantity and type of pollutants released in an area. The City of Yuba contains a variety of topographical and climatic factors that, in combination, create the potential for concentration of regional and local air pollutants.

Climate and Topography

The climate of central California, including Yuba City, is dominated by the strength and position of the semi-permanent high-pressure cell over the Pacific Ocean north of Hawaii. In summer, when the high-pressure cell is strongest and farthest north, temperatures are high and humidity is low, although the incursion of a sea breeze into the Central Valley helps moderate the summer heat. Summer temperatures average approximately 90°F during the day and 50°F at night.

In winter, when the high-pressure cell is weakest and farthest south, conditions are characterized by occasional rainstorms interspersed with stagnant and sometimes foggy weather. Winter daytime temperatures average in the low 50s and nighttime temperatures are mainly in the upper 30s. Rainfall, which occurs almost exclusively from late October to early May, averages 17.2 inches per year, but varies significantly from year to year.

Wind speed and direction play an important role in dispersion and transport of air pollutants. Wind at the surface and aloft can disperse pollution by mixing vertically and by transporting it to other locations. The prevailing wind in the Sacramento Valley is southerly all year. This is due to the north-south orientation of the valley and the deflecting effects of the Sierra Nevada on the prevailing oceanic wind that moves through the Carquinez Strait near the Delta, at the junction of the Sacramento and San Joaquin Rivers. No other tidewater gap exists in the Coastal Mountains to admit significant marine air into the Sacramento or the San Joaquin Valleys. Occasionally, a strong north or northeasterly barometric pressure gradient develops, forcing air south or southwestward down the Siskiyou Mountains or the Sierra Nevada. This air is warmed by compression as it descends, reaching the valley floor as a hot, dry north wind. Heat waves in the summer are

produced by these winds and fortunately, are usually followed within two or three days by the normally cool southwest delta breezes, especially at night.

Inversions

The vertical dispersion of air pollutants in the Sacramento Valley is limited by the presence of persistent temperature inversions. Because of expansional cooling of the atmosphere, air temperature usually decreases with altitude. A reversal of this atmospheric state, where the air temperature increases with height, is termed an inversion. Inversions can exist at the surface, or at any height above the ground. The height of the base of the inversion is known as the “mixing height.” This is the level to which pollutants can mix vertically. Semi-permanent systems of high barometric pressure fronts frequently establish themselves over the Sacramento Valley, deflecting low-pressure systems that might otherwise bring cleansing rain and winds.

Air above and below the inversion base does not mix because of differences in air density. Warm air above the inversion is less dense than below the base. The inversion base represents an abrupt density change where little exchange of air occurs. Inversion layers are significant in determining ozone formation and respirable particulate matter (PM₁₀) concentrations. PM₁₀ is defined in detail in the Particulate Matter Section below. Ozone and its precursors will mix and react to produce higher concentrations under an inversion. Since PM₁₀ is both created in the atmosphere as a chemical reaction (for example, Nitrogen used in agricultural chemicals and Oxygen may combine to form Nitrates, which are particulates) and directly emitted, inversions will also trap and hold directly emitted PM₁₀. Concentration levels are directly related to inversion layers due to the limitation of mixing space. There are two principal types of inversions that occur in the Sacramento Valley: a subsidence inversion, and a surface or radiative inversion.

Subsidence Inversions

The slow sinking of air in areas of high pressure is an important factor in air mass modification. This slow sinking or “subsiding” is then responsible for the development of a large number of the inversions that form in the free atmosphere, well above the earth's surface. Whereas the upward moving air is cooled by expansion, downward moving air is heated by compression. The slowly sinking air being heated by compression forms a subsidence inversion. These subsiding layers are more stable than they were at their original higher altitudes. Subsiding air almost never continues downward to the earth's surface. Near the earth's surface there is always, however slight, some turbulent mixing taking place. The turbulent mixing usually counteracts this slow sinking. Therefore, since subsiding air almost never reaches the ground, “subsidence inversions” are always found well above ground level. The inversion will usually be found at a level from about 1000 ft upwards, and will generally lift higher through the day, or even disappear once the lower atmospheric heating overpowers it. The layer of air beneath the base of the inversion layer and the layer of air above the top of the inversion layer are usually quite unstable, while the layer of air within the inversion layer is very stable. These subsidence inversions contribute to summer photochemical smog problems by confining pollution to a shallow layer near the ground.

Radiative Inversions

Radiation inversions are caused by the overnight cooling of the air close to the ground. The ground radiates away the heat it has absorbed during the day (and this heat is not transferred to the air). The

air in contact with this cooled ground then chills. In calm, cloudless conditions, the resulting inversion can be extreme. This shallow (several hundred feet) extent is typical of radiation inversions. They are not as marked when cloud is present overnight, as the cloud reflects the radiated heat back at the ground and it doesn't cool as quickly. These inversions, typically occurring during winter nights, are usually more persistent (stable) and can cause localized air pollution concerns near emission sources because of poor dispersion.

Although these subsidence and radiative inversions are present throughout much of the year, they are much less dominant during spring and fall, and the air quality during these seasons is generally good.

Criteria Air Quality Standards and Existing Concentrations

Much of the effort to improve air quality in the United States and California is directed toward the control of five “criteria” air pollutants:

- ozone (O₃),
- carbon monoxide (CO),
- particulate matter less than ten microns in diameter (PM₁₀),
- nitrogen oxides (NO_x), and
- sulfur oxides (SO_x).

Pollutants subject to federal ambient standards are referred to as “criteria” pollutants because the U.S. Environmental Protection Agency (U.S. EPA) publishes criteria documents to justify the choice of standards. The federal and State standards for the criteria pollutants of greatest concern in the Sacramento Valley Air Basin – ozone, carbon monoxide, and particulate matter – are provided in Table 4.2-1. Table 4.2-2 provides a summary of the health effects associated with major air pollutants. Specific air quality regulations are discussed in the Regulatory Setting below.

Air quality standards have been created to protect people who are most sensitive to the adverse health effects of air pollution, termed “sensitive receptors.” The term "sensitive receptors" refers to specific population groups as well as the land uses where they would reside for long periods. Children, the elderly, the acutely ill, and the chronically ill are commonly identified sensitive population groups. Residences, schools, playgrounds, childcare centers, retirement homes or convalescent homes, hospitals, and clinics are commonly identified sensitive land uses. Areas sensitive to air pollutants in or near the project area include residential homes north and west of the project site. Though there are no hospitals nearby, a proposed church (likely to contain a childcare facility) is planned on the south side of Highway 20 south of the Harter Specific Plan area. The Yuba High School District is also now building its second high school approximately one-quarter mile south of the Harter Specific Plan and immediately south and adjacent to the proposed church facility.

The California Air Resources Board (CARB) collects ambient air pollutant concentration data from two air-monitoring sites that are within a 10-mile radius of the project site, at Almond Street in Yuba City and at the top of the Sutter Buttes. Recent ozone, carbon monoxide, and particulate data collected at these three stations are summarized in Table 4.2-3.

TABLE 4.2-1

STATE AND FEDERAL AMBIENT AIR QUALITY STANDARDS

Pollutant	Averaging Time	California Standards ^a	National Standards ^b		Sacramento Valley State Status/ Classification	Sacramento Valley National Status/ Classification
		Concentrations ^c	Primary ^{c,d}	Secondary ^{c,e}		
Photochemical Oxidants ^f	8-hour	--	0.08 ppm	Same as Primary	Nonattainment/ Serious	Nonattainment/ Serious
	1-hour ^g	0.09 ppm	0.12 ppm			
Carbon Monoxide	8-hour	9.0 ppm	9 ppm	Same as Primary	Attainment/ None	Attainment/ None
	1-hour	20.0 ppm	35 ppm			
Nitrogen Dioxide	Annual Mean	--	0.053 ppm	Same as Primary	Attainment/ None	Attainment/ None
	1-hour	0.25 ppm	--			
Sulfur Dioxide	Annual Mean	--	0.03 ppm	--	Attainment/ None	Attainment/ None
	24-hour					
	3-hour	0.04 ppm	0.14 ppm	--		
	1-hour	--	--	0.5 ppm		
Fine Particulate Matter (PM ₁₀)	Annual Mean	--	50 µg/m ³	Same as Primary	Nonattainment	Attainment/ None
	Annual Geometric Mean	30 µg/m ³	--	--		
	24-hour	50 µg/m ³	150 µg/m ³	Same as Primary		
Fine Particulate Matter (PM _{2.5})	Annual Mean	--	15 µg/m ³	Same as Primary	Not Designated/ None	Not Designated/ None
	24-hour	--	65 µg/m ³			

Notes:

ppm = parts per million, µg/m³ = micrograms per cubic meter

a California standards, other than carbon monoxide, sulfur dioxide (1-hour), and fine particulate matter, are values that are not to be equaled or violated. The carbon monoxide, sulfur dioxide (1-hour), and fine particulate matter standards are not to be violated.

b National standards, other than ozone, the 24-hour PM_{2.5}, the PM₁₀, and those standards based on annual averages, are not to be exceeded more than once a year. The 1-hour ozone standard is attained when the expected number of days per calendar year with maximum hourly average concentrations above the standard is equal to or less than one. The 8-hour ozone standard is attained when the 3-year average of the annual fourth highest daily maximum concentration is less than 0.08 ppm. The 24-hour PM₁₀ standard is attained when the 99th percentile of 24-hour PM₁₀ concentrations in a year, averaged over 3 years, at the population-oriented monitoring site with the highest measured values in the area, is below 150 µg/m³. The 24-hour PM_{2.5} standard is attained when the 98th percentile of 24-hour PM_{2.5} concentrations in a year, averaged over 3 years, at the population-oriented monitoring site with the highest measured values in the area, is below 65 µg/m³. The annual average PM_{2.5} standard is attained when the 3-year average of the annual arithmetic mean PM_{2.5} concentrations, from single or multiple community oriented monitors is less than or equal to 15 µg/m³.

c. All measurements of air quality are to be corrected to a reference temperature of 25° C and a reference pressure of 760 mm of mercury (Hg) (1013.2 millibar); ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.

d National Primary Standards: The levels of air quality deemed necessary by the federal government, with an adequate margin of safety, to protect the public health.

e National Primary Standards: The levels of air quality deemed necessary by the federal government, to protect the public welfare from any known or anticipated adverse effects to a pollutant.

f Measured as ozone.

g The 1-hour ozone standard will be replaced by the 8-hour standard on an area-by-area basis when the area has achieved 3 consecutive years of air quality data meeting the 1-hour standard.

Source: CARB <http://www.arb.ca.gov>, June 2002.

TABLE 4.2-2	
HEALTH EFFECTS SUMMARY OF THE MAJOR CRITERIA AIR POLLUTANTS	
Air Pollutant	Adverse Effects
Ozone	<ul style="list-style-type: none"> • Eye irritation • Respiratory function impairment
Carbon Monoxide	<ul style="list-style-type: none"> • Impairment of oxygen transport in the blood stream • Aggravation of cardiovascular disease • Impairment of central nervous system function • Fatigue, headache, confusion, dizziness • Can be fatal in the case of very high concentrations in enclosed places
Particulate Matter	<ul style="list-style-type: none"> • May be inhaled and lodge in and irritate the lungs • Increased risk of chronic respiratory disease with long exposure • Altered lung function in children • May produce acute illness with sulfur dioxide
Source: Bay Area Air Quality Management District.	

TABLE 4.2-3						
SUMMARY OF AIR POLLUTANT DATA COMPARED TO RELEVANT FEDERAL AND STATE AMBIENT AIR QUALITY STANDARDS, 2000-2002¹						
Pollutant	2000		2001		2002	
	Almond St.	Sutter Buttes	Almond St.	Sutter Buttes	Almond St.	Sutter Buttes
OZONE						
Highest 1-hour (ppm)	0.108	0.098	0.104	0.104	0.108	0.117
Days>0.12 ppm (Fed)	0	0	0	0	0	0
Days>0.09 ppm (Cal)	3	1	4	1	3	11
NITROGEN DIOXIDE						
Highest 1-hour (ppm)	0.072		0.079		0.068	
Days>25 ppm (Cal)	0		0		0	
CARBON MONOXIDE						
Highest 8-hour (ppm)	3.60		3.94		3.45	
Days>=9.5 ppm (Fed)	0		0		0	
Days>=9.1 ppm (Cal)	0		0		0	
PARTICULATE MATTER (PM_{2.5})						
Highest 24-hour (ug/m ³)	44.0		56.0		62.0	
Days>65 ug/m ³ (Fed) ²	0		0		0	
PARTICULATE MATTER (PM₁₀)						
Highest 24-hour (ug/m ³)	70		80		74	
Days>50 ug/m ³ (Cal) ²	18		48		30	
¹ Stations: Almond Street, Yuba City, Sutter Buttes.						
² Calculated by estimating the number of days that a measurement would have been greater than the standard had measurements been collected every day.						
-- Data unavailable.						
Source: California Air Resources Board. www.arb.ca.gov site accessed 06-23-03						

Each air basin, county, or, in some cases, specific urban area is classified by comparing actual monitoring data with state and federal standards. If a pollutant concentration is lower than the standard, the area is classified as “attainment” for that pollutant. If a pollutant exceeds the standard, the area is classified as “non-attainment.” If data are insufficient to determine whether a pollutant is exceeding the standard or not, the area is designated “unclassified.” The formation, health effects, ambient air pollutant concentrations, and classifications for the three key criteria pollutants in the Sacramento Valley Air Basin are discussed below. Health effects associated with criteria pollutants are presented in Table 4.2-2.

Ozone

Ozone is a colorless gas with a pungent odor. Ozone causes eye irritation and impairs respiratory function. Most ozone in the atmosphere is formed as a result of the interaction of ultraviolet light, reactive organic gases (ROG), and nitrogen oxides. Reactive organic gases are non-methane hydrocarbons, and nitrogen oxides consist mainly of nitric oxide and nitrogen dioxide. Motor vehicles are the primary source of reactive organic gases and nitrogen oxides. Ozone is a highly reactive molecule that readily combines with many different components of the atmosphere. High levels of ozone tend to exist when reactive organic gas and nitrogen oxide levels are high and sustain the ozone formation process. When the precursors are depleted, ozone levels rapidly decline. Because these reactions occur on a regional scale, ozone is considered a regional pollutant.

The Sutter County area is a non-attainment area for the California ozone standards. For the federal ozone standards, Sutter County has two designations. Sutter County south of Subaco Road is part of the Sacramento Air Quality Management Area and is designated non-attainment and classified “Severe” for the federal standards, and Sutter County north of Subaco Road is classified as “Section 185” (formerly called nonattainment-transitional). The Section 185 classification indicates that the area has not violated the federal ozone standards during the past three years, but has not been redesignated as a federal ozone attainment area.

Carbon Monoxide

Carbon monoxide is an odorless, colorless gas. It causes a number of health problems including fatigue, headache, confusion, and dizziness. The incomplete combustion of petroleum fuels by on-road vehicles is a major cause of carbon monoxide emissions. Carbon monoxide is also produced during the winter from wood stoves and fireplaces. Carbon monoxide tends to dissipate rapidly into the atmosphere; consequently, violations of the state carbon monoxide standard are generally limited to major traffic intersections during peak-hour traffic conditions.

For carbon monoxide, the Sutter County area is designated as unclassified/attainment under federal standards and unclassified under state standards. Sutter County, including Yuba City, is in attainment for state and federal sulfur dioxide and nitrogen dioxide standards.

Sulfur Dioxide

Sulfur dioxide (SO_2) is a combustion product of sulfur or sulfur-containing fuels such as coal. The Sacramento Valley Air Basin, including Sutter County, is currently in attainment for SO_2 .

Particulate Matter

Particulate matter consists of atmospheric particles resulting from fume-producing industrial and agricultural operations, and natural activities. Current standards define acceptable concentrations of particles smaller than 10 microns in diameter (PM₁₀). In addition, standards now exist for acceptable concentrations of particles smaller than 2.5 microns in diameter (PM_{2.5}). Sutter County is designated an unclassified area for the federal standards for particulate matter and a non-attainment area for state standards for particulate matter.

Toxic Air Contaminants

In addition to the criteria air pollutants, another group of airborne substances, called Toxic Air Contaminants (TACs) are known to be highly hazardous to health, even in small quantities. TACs are airborne substances capable of causing short-term (acute) and/or long-term (chronic or carcinogenic) adverse human health effects (i.e., injury or illness). Although there are hundreds of substances that can be toxic when inhaled, air quality standards have not been set for most of them.

TACs can be emitted from a variety of common sources, including gasoline stations, automobiles, dry cleaners, industrial operations, and painting operations. Natural source emissions include windblown dust and wildfires. Farms, construction sites, and residential areas can also contribute to toxic air emissions. Research facilities can be a source of toxic air contaminants as well. TACs include both organic and inorganic chemical substances. Examples include certain chlorinated hydrocarbons such as solvents, certain metals, and asbestos. The CARB has also recently identified diesel particulate matter as a toxic air contaminant under Assembly Bill (AB) 1807 program and has published the *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*. According to the Risk Reduction Plan, on a statewide basis, the existing average potential cancer risk associated with diesel particulate matter is over 500 potential cancer cases per one million people.¹ Compared to other toxic air contaminants the CARB has identified, diesel particulate matter emissions are estimated to be responsible for about 70 percent of the existing total ambient risk.² In addition to these general risks, diesel particulate matter can also present elevated localized or near-source exposures. Depending on the activity and nearness to receptors, those potential risks can range from small to 1,500 cancer cases per million people or more.³ Diesel particulate matter is emitted into the air via heavy-duty diesel trucks, construction equipment, and passenger cars. Sutter County does not currently have a monitoring station for toxic air contaminants. However, according to maps prepared by the CARB showing the estimated inhalation cancer risk for TACs in the State of California, Sutter County has an existing estimated risk that is equivalent to or less than 250 cancer cases per one million people.⁴ Therefore, the existing ambient TAC risk already exceeds the 10 cancer cases per 1 million people risk thresholds.

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- 1 California Air Resources Board. *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*. October 2000. Page 1.
 - 2 California Air Resources Board. *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*. October 2000. Page 1.
 - 3 California Air Resources Board. *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*. October 2000. Page 1.
 - 4 California Air Resources Board web site. www.arb.ca.gov/toxics/cti/hlthrisk/tskbarmp2000.gif. Accessed September 29, 2003.

The project site includes the Harter canning facility that involves the cleaning of vegetables and fruits and canning. There are no identified TAC's associated with this process (excluding the TAC's from diesel emissions from trucks delivering and picking up product). The remainder of the Harter Specific Plan property, including the Yuba City Marketplace project, is agricultural land where there are no known sources of TACs.

Odors

There are four major elements involved in evaluating odor emissions: deductibility, recognition, intensity, and hedonic tone. Deductibility is the lowest concentration of an odorant that will elicit a sensory response; at this concentration there is an awareness of the presence of an added substance, but not necessarily an odor sensation. Recognition, however, is the minimum concentration that is recognized as having a characteristic odor quality noticeable to a segment of the population. Odor intensity refers to the perceived strength of the odor sensation, and odorant character is what the substance smells like (e.g. fishy, rancid, hay, sewer). Hedonic tone is a judgment of the relative pleasantness or unpleasantness of the odor, and is influenced by factors, such as subjective experience and frequency of occurrence. The apparent presence of an odor in ambient air depends on the properties of the substance emitted, its concentration in facility emissions, and the dilution of emission between the mission point and the receptor.

Based on an interview with the cannery representative, the cannery has historically experienced increasing numbers of complaints as urbanization in Sutter County and Yuba City has closed in on the Harter Specific Plan property.⁵ This property is currently surrounded on three sides with residential and commercial development. The source of the odor complaints is due to the method the cannery used to dispose of vegetable and fruit processing water. Prior to 2000, this water was used to flood irrigate the acreage surrounding the cannery buildings.

Wastewater generated from food processing operations at the site flows to an on-site treatment system which is routed through a screen, discharged to a 109,000 gallon diffused air flotation tank where the solids are settled and removed. The sludge that is generated from the solids settling process is removed from the site by a contracted hauler and used as a soil amendment on agricultural land. The liquid waste disposal method is through a spray irrigation system. This irrigation is permitted to generate 1.8 million gallons a day (mgd) by the California RWQCB and has specific monitoring parameters for the discharge point and on-site groundwater (Law Engineering and Environmental Services, *Phase I Environmental Site Assessment*. Harter Packing Company. April 14, 1998). The on-site flows are limited to 540,000 gallons per day (gpd) with the balance of the permitted flows of 1,260,000 to off-site permitted facilities.

Over the years, the irrigated acreage was used for orchard and a variety of crops. In recent years the orchards were removed. Livestock feed was also grown using sprinkler irrigation. Peach skins and large food particles were screened for removal. However, because this irrigation approach carried remnant particulates such as tomato and fruit skins, as well as the natural sugars from vegetable and fruit materials, there would be occasional periods during the summer when heat was particularly intense and the odors would become a potential nuisance. The cannery operation began using spray irrigation in 2000, which eliminated standing water and odors associated with flood irrigation.

5 Tom Tucker, personal communication, July 2, 2003.

Existing Emission Sources and Concentrations

There are many types of air pollutant sources in the portion of Sutter County located within the Sacramento Valley Air Basin. These sources can be divided into two categories: mobile and stationary sources. The California Air Resources Board maintains an emission inventory of air pollutants within the state's air basins and counties inside those air basins. Table 4.2-4 presents the latest emission inventory of reactive organic gases, nitrogen oxides, carbon monoxide, and particulate matter for the portion of Sutter County located within the Sacramento Valley Air Basin. Exhaust emissions from on-road motor vehicles are the primary source of reactive organic gases, nitrogen oxides, and carbon monoxide in Sutter County. Over 30 percent of the 14.64 tons per day of ROG emissions in Yuba City in the year 2001 came from on-road motor vehicles. Another 22 percent came from solvent evaporation (primarily pesticides, consumer products, and paving/roofing). Another 34 percent was almost equally split between petroleum production and miscellaneous processes (mostly waste burning and disposal). Mobile sources account for high carbon monoxide concentrations at some congested traffic intersections. Area-wide sources -- particularly entrained road dust, agricultural activities, construction activities and demolition activities -- are the primary sources of particulate matter in Sutter County.

2001 BASE YEAR EMISSIONS SUMMARY FOR SUTTER COUNTY (tons/day)				
Source Category	ROG	CO	NO _x	PM ₁₀
Stationary Sources				
Fuel Combustion	0.09	1.02	2.52	0.13
Cleaning and Surface Coatings	0.59	-	-	-
Petroleum Process, Storage and Transfer	2.46	-	-	-
Industrial Processes	0	-	-	-
<i>Total Stationary Sources</i>	<i>3.14</i>	<i>1.02</i>	<i>2.52</i>	<i>1.59</i>
Area-Wide Sources				
Solvent Evaporation	3.18	-	-	-
Miscellaneous Processes	2.64	36.74	0.25	17.98
<i>Total Area-Wide Sources</i>	<i>5.82</i>	<i>36.74</i>	<i>0.25</i>	<i>17.98</i>
Mobile Sources				
On-Road Vehicles	3.81	35.07	4.98	0.15
Other Mobile	1.18	8.83	5.73	0.35
<i>Total Mobile Sources</i>	<i>4.99</i>	<i>43.90</i>	<i>10.71</i>	<i>0.50</i>
Natural (Non-Anthropogenic) Sources				
<i>Total Natural Sources</i>	<i>0.00</i>	<i>-</i>	<i>-</i>	<i>-</i>
GRAND TOTAL	13.95	81.66	13.48	20.07
Source: California Air Resources Board.				

REGULATORY CONTEXT

Air quality in the project area is regulated by the U.S. EPA, the California Air Resources Board (CARB), and the Feather River Air Quality Management District (FRAQMD). These agencies develop rules or regulations to meet the goals or directives imposed on them through legislation. Although U.S. EPA regulations may not be superseded, both state and local regulations may be

more stringent. In general, air quality evaluations are based on air quality standards developed by the federal and state government. Emissions limitations are then imposed upon individual sources of air pollutants by local agencies. Mobile sources of air pollutants are largely controlled through federal and state agencies, while most stationary sources are regulated by the local air pollution control districts or air quality management districts.

Because air quality is sometimes regulated on a county-by-county basis and sometimes on a regional basis (or within an air basin), air quality regulations and planning efforts in Sutter County are intricate. For instance, under federal law, a large region called the Sacramento Air Quality Maintenance Area, which includes Sacramento and parts of Yolo, Solano, Sutter and Placer Counties, has been designated non-attainment for the federal ozone standard. Consequently, the jurisdictions in this region must solve the ozone problem jointly.

Federal

Clean Air Act

The Federal Clean Air Act (FCAA), as amended, establishes air quality standards for several pollutants. These standards are divided into primary standards and secondary standards. Primary standards are designed to protect public health, and secondary standards are intended to protect public welfare from effects such as visibility reduction, soiling, nuisance, and other forms of damage. In addition, the State of California has adopted its own standards. The state and federal standards for the pollutants of greatest concern in the Sacramento Valley Air Basin are presented in Table 4.2-1. The Federal Clean Air Act requires that regional plans be prepared for non-attainment areas illustrating how the federal air quality standards could be met. The California Air Resources Board approved the most recent revision of the State Implementation Plan in 1994, and submitted it to the U.S. EPA. The State Implementation Plan was approved by the U.S. EPA in 1996. The State Implementation Plan consists of a list of reactive organic gas and nitrogen oxide control measures for demonstrating future attainment of ozone standards. The steps to achieve attainment in California will continue to require significant emissions reductions in both stationary and mobile sources.

Eight-hour Ozone Standard

The federal eight-hour ozone standard was established in response to human health studies indicating that longer ozone exposures at lower levels also resulted in adverse health effects, including coughing, increased asthma attacks, chronic lung inflammation, decreased lung function, and decreased lung defenses against bacterial infections. The eight-hour standard was established in order to complement, not replace, the existing one-hour standard. Both federal ozone standards now apply, along with California's own one-hour ozone standard.

Federal Ozone Attainment Plan

The Sacramento Valley Air Basin is subject to a Federal Ozone Attainment Plan (the *Sacramento Area Regional Ozone Attainment Plan*). This plan was adopted by five air districts in the Sacramento area in order to build upon existing state and local air quality programs. The Plan contains adopted measures, implementation and adoption schedules for new measures, emission inventories, modeling results, contingency measures, and emissions reduction demonstrations that guide

reduction of emissions in the Sacramento Region. Sutter County needs to reach attainment for federal ozone standards by 2005.

Toxic Air Contaminants

Regulation of TACs is achieved through federal and State controls on individual sources. The 1990 federal CAA Amendments offer a comprehensive plan for achieving significant reduction in both mobile and stationary source emissions of certain designated Hazardous Air Pollutants (HAP). All major stationary sources of designated HAP's are required to obtain and pay the required fees, for an operating permit under Title V of the federal CAA Amendments.

TAC impacts are assessed using a standard Maximally Exposed Individual (MEI) health risk of 10 in 1 million. The CARB and air districts have determined that any source that poses a risk to the general population that is equal to or greater than 10 people out of 1 million contracting cancer as excessive. When estimating this risk, it is assumed that an individual is exposed to the maximum concentration of any given TAC, continuously for 70 years. If the risk of such exposure levels meets or exceeds the threshold of 10 excess cancer cases per 1 million people, then the CARB and local air district require the installation of best available control technology (BACT) or maximum available control technology (MACT) to reduce the risk threshold.

The Air Toxics Hot Spots Information and Assessment Act of 1987 (AB 2588), California Health and Safety Code Section 44300 et seq, provides for the regulation of over 200 air toxics and is the primary air contaminant legislation in the State. Under the Act, local air districts may request that a facility account for its TAC emissions. Local air districts then prioritize facilities on the basis of emissions, and high-priority designated facilities are required to submit a health risk assessment and communicate the results to the affected public. The TAC control strategy involves reviewing new sources to ensure compliance with required emission controls and limits, maintaining an inventory of existing sources of TACs, and developing new rules and regulations to reduce TAC emissions. The purpose of AB2588 is to identify and inventory toxic air emissions and to communicate the potential for adverse health effects to the public.

Assembly Bill 1807 (AB 1807) enacted in September 1983, sets forth a procedure for the identification and control of TACs in California. The CARB is responsible for the identification and control of TACs, except in their pesticidal use. AB 1807 defines a TAC as an air pollutant which may cause or contribute to an increase in mortality or an increase in serious illness, or which may pose a present or potential hazard to human health. The CARB prepares identification reports on candidate substances under consideration for listing as TACs. The reports and summaries describe the use of and the extent of emissions in California resulting in public exposure, together with their potential health effects.

The CARB has also recently identified diesel particulate matter as a toxic air contaminant under the 1807 program. Diesel particulate matter is emitted into the air via heavy-duty diesel trucks, construction equipment, and passenger cars. In October 2000, the CARB released the *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*. The basic premise behind the Risk Reduction Plan is to require sometime in the near future that all new diesel-fueled vehicles and engines to use state-of-the-art catalyzed diesel particulate filters and very low-sulfur diesel fuel. Further, all existing vehicles and engines should be evaluated and wherever technically

feasible and cost effective, retrofitted with diesel particulate filters.⁶ In addition to the Diesel Particulate Risk Reduction Plan, the CARB has implemented a diesel particulate matter reduction program. The intent of this program is to implement the Risk Reduction Plan, identify technologically feasible methods for reducing diesel particulate matter, hold public workshops and meetings, and to adopt other rules and regulations that would reduce the amount of diesel particulate matter that is generated.⁷

State

The State of California air quality standards are generally more stringent than the existing federal standards for the criteria air pollutants. The California Clean Air Act (CCAA) was signed into law in 1989. This legislation requires areas that exceed the California ambient air quality standards to plan for the eventual attainment of the standards. Areas have been designated as attainment or non-attainment with respect to the ambient air quality standards. The timeframe given to meet state air quality standards would depend upon the severity of air quality problems. The California Health and Safety Code Section 40914(A) requires that air districts design a plan to achieve an annual reduction in district-wide emissions of five percent or more for each non-attainment criteria pollutant or its precursor, averaged every consecutive three-year period, beginning at base year 1987.

The CARB, regulates mobile emissions sources, and oversees the activities of county air pollution control districts and regional air quality management districts. The CARB regulates local air quality indirectly by establishing vehicle emission standards, by conducting research activities, and through planning and coordination activities.

Local

At a local level, air quality is managed through land use and development planning practices, which are implemented by Yuba City, and through permitted source controls, which are implemented by the FRAQMD. The FRAQMD is also the agency responsible for enforcing many Federal and State air quality requirements, and for establishing air quality rules and regulations.

In recognition of the contribution to the air quality problem coming from automobiles, the FRAQMD published Indirect Source Review Guidelines (ISRG) in 1998 and has recently worked closely with the Sacramento Metropolitan Air Quality Management District, the El Dorado County Air Pollution Control District, Placer County Air Pollution Control District and Yolo-Solano Air Quality Management District to develop a uniform protocol for estimating emissions from construction and mobile sources as well as developing uniform mitigation measures to reduce the magnitude of air quality impacts. The ISRG states “The purpose of these guidelines is to provide a means to identify development projects that may have a significant adverse effect on air quality. This document also provides mitigation measures developers can use to reduce the air quality impacts of their projects. Identification of significant air quality impacts and mitigation in the initial stages of the development process will allow time for design changes for air quality mitigation. The intent of this document is fulfilled if the air quality impact of a conceptual project design is quickly

6 California Air Resources Board. *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*. October 2000. Page 1.

7 California Air Resources Board Web site. <http://www.arb.ca.gov/diesel/dieselryp.htm>. Accessed September 29, 2003.

estimated, and mitigation measures are incorporated into the project, prior to formal application submittal.”⁸

The FRAQMD has several rules that relate to the proposed project, which are summarized below:

- *RULE 2.13 Nuisance*

A person shall not discharge from any source whatsoever such quantities of air contaminants or other materials which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety of any such person or the public or which cause or have a natural tendency to cause injury or damage to business or property.

- *RULE 3.2 Particulate Matter Concentration*

A person shall not discharge into the atmosphere from any source, particulate matter in excess of 0.3 grains per cubic foot of gas at standard conditions.

- *RULE 3.17 Wood Stove Heating*

All wood-heating devices used for the first time in existing buildings and those used in all new residential and commercial building projects constructed after the effective date of this rule within the boundaries of FRAQMD shall meet emission and performance requirements equivalent to EPA Phase II devices.

No person shall cause or allow materials to be burned in a fireplace or wood-heating device such that the discharge of air contaminants would cause a public nuisance.

No person shall sell, offer for sale, supply, install, or transfer a used wood heating device unless it is certified by the EPA or the Oregon Department of Environmental Quality; exempted from certification by the EPA; a pellet-fueled wood heater; or been rendered permanently inoperable as determined by the Air Pollution Control Officer.

- *RULE 218 Architectural Coatings*

With some exceptions provided in the Rule, a person shall not sell, offer for sale, or apply any architectural coating which, at the time of sale or manufacture contains more than 250 grams of VOC per liter of coating as applied excluding water, exempt organic compounds and colorant added to tint bases; or is recommended for use as a bituminous pavement sealer unless it is an emulsion-type coating.

With some exceptions provided in the Rule, a person shall not sell, offer for sale or apply any non-flat architectural coating which, at the time of sale or manufacture, contains more than 250 grams of VOC per liter of coating as applied excluding water, exempt organic compounds and colorant added to tint bases.

8 Feather River Air Quality Management District Indirect Source Review Guidelines. 1998.

With some exceptions provided in the Rule, a person shall not sell, offer for sale or apply any architectural specialty coating which, at the time of sale or manufacture, exceeds the limits set in the Rule.

- *RULE 7.10 Indirect Source Fee*

With some exceptions provided in the Rule, any applicant for a building permit shall pay the following fees:

For each residential unit - \$10.00

Commercial - \$0.04 sq. ft.

Industrial - \$0.02 sq. ft.

- *RULE 3.16 Fugitive Dust Emissions*

A person shall take every reasonable precaution not to cause or allow the emissions of fugitive dust from being airborne beyond the property line from which the emission originates, from any construction, handling or storage activity, or any wrecking, excavation, grading, clearing of land or solid waste disposal operation.

[Note: the Yuba City General Plan does not have goals or policies relevant to air quality]

IMPACTS AND MITIGATION MEASURES

Method of Analysis

Air quality impacts fall into two categories: short-term emissions due to construction and long-term impacts due to project operation. Impacts in each category can be classified as having effects on a regional or local scale. Project grading and construction equipment would create PM₁₀, ROG and NO_x on a short-term or temporary basis. Long-term operational emissions would consist of vehicle emissions and area source emissions such as fireplaces, woodstoves, and landscaping equipment. Motor vehicle use would be the primary long-term source of additional O₃ and CO resulting from project operation.

Construction Emissions

The CARB's URBEMIS 2002 emission estimation program was used to quantify potential emissions associated with construction activities. It was assumed that all construction equipment would be diesel-powered. The model default values were used to estimate construction emissions, since the number and type of construction equipment to be used during construction of the Proposed Project is not available. Construction was assumed to take place starting in 2004.

Operational Emissions

The CARB's URBEMIS 2002 emission estimation program was also used to quantify potential emissions from area source emissions and vehicle trips. Model output results are located in

Appendices K and L of the Technical Appendices. The assumed average winter temperature was 50 degrees and the average summer temperature was 85 degrees. For operational emissions, it was assumed that 10 percent of the homes would have wood-burning stoves and 10 percent of all homes would have traditional fireplaces. Modeling assumptions did not include the use of architectural coatings, because information on the extent of use of such coatings was not available. It was assumed that 20 percent of the project area would be paved. Each land use has a trip generation rate, which was obtained from the traffic analysis. The following quantification of emissions only applies to vehicular sources. Emissions associated with stationary sources were not quantified since any information that may relate to these sources is unavailable. Furthermore, the type of stationary source and the type of pollutants that would be emitted are also unknown. However, the analysis does acknowledge that construction and operation of stationary sources would contribute to the emissions generated by vehicular sources, thereby exacerbating existing air quality problems.

Standards of Significance

For the purposes of this EIR, a significant impact would occur if development or operation of the Proposed Project would:

- Result in construction or operational emissions that would exceed the following thresholds established by the FRAQMD:
 - ROG: 25 lb/day
 - NO_x: 25 lb/day
 - PM₁₀: 80 lb/day;
- Be inconsistent with the goals of relevant air quality plans, particularly the 1994 Sacramento Area Regional Ozone Attainment Plan;
- Expose sensitive receptors to substantial pollutant concentrations;
- Create objectionable odors affecting a substantial number of people;
- Exceed the toxic air contaminants health risk level of 10 in 1 million;
- Result in a cumulatively considerable net increase in any criteria air pollutant for which the project region is non-attainment; or
- Result in a cumulatively considerable TAC risk that is greater than the 10 in 1 million health risk level.

Impacts and Mitigation Measures

4.2-1 Construction activities would generate PM₁₀ emissions that could exceed the air district thresholds.

Construction activities associated with implementation of the Proposed Project would include clearing, grading, trenching and other activities that result in the generation of dust, also known as

PM₁₀. Dust caused by construction activities could exacerbate existing respiratory problem such as asthma. Dust can also adversely affect children and the elderly who are more susceptible to respiratory illnesses. As previously noted, the project area is currently designated as non-attainment for the State PM₁₀ standard.

Harter Specific Plan

As noted in Table 4.2-5, the construction of the entire specific plan area could generate as much as 292.94 lbs/day of PM₁₀. The applicant would be required to comply with FRAQMD's Rule 3.2 which prohibits discharge into the atmosphere from any source, particulate matter in excess of 0.3 grains per cubic foot of gas, and Rule 3.16 which states: "a person shall take every reasonable precaution not to cause or allow the emissions of fugitive dust from being airborne beyond the property line from which the emission originates, from any construction, handling or storage activity, or any wrecking, excavation, grading, clearing of land or solid waste disposal operation." Nonetheless, grading activities, excavation, and soil piles would still generate emissions that would exceed the FRAQMD's threshold of 80 lbs/day resulting in a *potentially significant impact*.

	ROG (lbs/day)	NO_x (lbs/day)	PM₁₀ (lbs/day)	CO (lbs/day)
Harter Specific Plan				
Grading			273	
Off-Road Diesel	64.18	493.53	19.90	476.64
Worker Trips	5.55	3.05	0.72	65.60
Total	<i>69.73</i>	<i>496.58</i>	<i>292.94</i>	<i>542.23</i>
Yuba City Marketplace				
Grading			151	
Off-Road Diesel	47.38	414.06	19.90	311.26
Worker Trips	0.57	0.68	0.04	11.91
Total	<i>47.95</i>	<i>414.74</i>	<i>170.94</i>	<i>323.17</i>
FRAQMD Thresholds	25	25	80	--
Exceed Threshold?				
Harter Specific Plan	Yes	Yes	Yes	No
Yuba City Marketplace	Yes	Yes	Yes	No

Source: EIP Associates June 2003. Air quality model outputs are provided in Appendix K and L of the Technical Appendices.

Yuba City Marketplace

As noted in Table 4.2-5, construction associated with the Yuba City Marketplace could generate as much as 170.94 lbs/day of PM₁₀. As stated above, all the construction activities would be required to comply with FRAQMD's rule 3.2 and rule 3.16; however grading activities, excavation, and soil piles would still generate emissions that would exceed the FRAQMD's threshold of 80 lbs/day, resulting in a *significant impact*.

Mitigation Measures

Compliance with the following mitigation measures would reduce the amount of fugitive dust and PM₁₀ generated during construction activities through the application of water and by covering piles that contain loose dirt or organic materials. With implementation of the following mitigation measures, this impact would be *less than significant*.

4.2-1

(HSP/YCM) *Implement the following measures to reduce PM₁₀ and fugitive dust during construction.*

- (a) *Prior to final occupancy, reestablish ground cover on construction site through seeding and watering.*
- (b) *All grading operations shall be subject to the FRAQMD Fugitive Dust Mitigation Control Plan, which is intended to control dust from becoming air borne and also leaving the project site.*
- (c) *Incorporate the use of non-toxic soil stabilizers according to manufacturer's specifications to all inactive construction areas.*
- (d) *Provide temporary traffic control as needed during all phases of construction to improve traffic flow, as deemed appropriate by the Yuba City Department of Public Works and/or Caltrans.*
- (e) *Construction activities shall minimize disruptions to traffic flow during peak hours to the greatest feasible extent.*
- (f) *Construction sites shall be watered as directed by the Yuba City Department of Public Works or FRAQMD.*
- (g) *All trucks hauling dirt, sand, soil, or other loose material shall be covered or shall maintain at least two feet of freeboard (i.e., minimum vertical distance between top of the load and top of the trailer walls) in accordance with the requirements of California Vehicle Code Section 23114. This provision shall be enforced by local law enforcement agencies.*
- (h) *Paved streets shall be swept (water sweeper with reclaimed water recommended) at the end of each day if substantial volumes of soil material have been carried onto adjacent paved, public roads from the project site.*
- (i) *Wheel washers shall be installed where project vehicles and/or equipment exit onto paved streets from unpaved roads.*

The above measures are considered by the FRAQMD to be standard mitigation to reduce fugitive dust from construction activities and apply to construction-related activities for the proposed project.

4.2-2 Construction activities would generate ROG and NO_x emissions that could exceed the air district thresholds.

Implementation of the Proposed Project would result in NO_x, ROG and CO emissions generated by the use of mobile construction equipment for development. Construction equipment is frequently diesel-fueled, which generates more pollutants than gas powered construction equipment. As previously noted, NO_x and ROG are ozone precursors and the project area is designated as non-attainment for meeting ozone standards.

Harter Specific Plan

As noted in Table 4.2-5, the development of the Harter Specific Plan would generate an estimated 69.73 lbs/day of ROG, 496.58 lbs/day of NO_x, and 542.23 lbs/day of CO. In addition to the emissions from construction equipment, VOCs and ROGs could be emitted from architectural coatings. Compliance with the Air District's Rule 218 would reduce the amount of VOCs and ROGs generated during painting, priming and wood staining activities. Nonetheless, the use of diesel powered mobile equipment during construction would generate emissions that exceed the FRAQMD's threshold of 25 lbs/day. Therefore, this is a ***significant impact***.

Yuba City Marketplace

As noted in Table 4.2-5, development of the Yuba City Marketplace would generate an estimated 47.94 lbs/day of ROG, 415.04 lbs/day of NO_x, and 321.96 lbs/day of CO. Although the air district has not adopted thresholds that pertain to the generation of CO emissions, the emissions are being disclosed for public knowledge. As discussed above, ROG emission could also be emitted from architectural coatings however compliance with the air district's rule 218 would minimize these emissions. The use of diesel powered mobile equipment during construction would generate emissions that exceed the FRAQMD's threshold of 25 lbs/day. Therefore, this is a ***significant impact***.

Mitigation Measures

The following mitigation measures would reduce the amount of ROG and NO_x generated during construction activities, however, these mitigation measures would not reduce the emissions to a level that is less than the FRAQMD's threshold of 25 lbs/day. Therefore, this impact would remain *significant and unavoidable*.

4.2-2

(HSP/YCM) *To reduce exhaust emissions during construction, all construction contracts shall include the following heavy-duty off-road equipment requirements to reduce ROG and NO_x emissions:*

- (a) *The prime contractor shall submit to the FRAQMD for approval, an Off-road Construction Equipment Emission Reduction Plan prior to groundbreaking demonstrating that heavy-duty (>50 horsepower) off-road vehicles to be used in the construction project, and operated by either the prime contractor or by any subcontractor, will achieve a fleet-averaged 20 percent NO_x reduction and a 45 percent particulate reduction compared to the most recent CARB fleet average; and*

- (b) *The prime contractor shall ensure that emissions from all off-road diesel powered equipment on the project site do not exceed 40 percent opacity, pursuant to EPA Method 9 for reading visible emissions, for more than three minutes in any one hour. Any equipment found to exceed the 40 percent opacity shall be repaired immediately, and the FRAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The FRAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this measure shall supercede other FRAQMD regulations.*

4.2-3 Operational emissions associated with the Proposed Project could exceed the air district thresholds.

Long-term air quality within the Plan area as well as within the air basin would be adversely affected by both mobile sources and area source emissions. Mobile sources include criteria air pollutant emissions, primarily from the addition of new mobile sources to the area (e.g., automobiles). Area source emissions, which are associated with operation of residential units, would be generated by fuel combustion in woodstoves, fireplaces, consumer products and landscaping equipment. Woodstoves and fireplaces contribute to the degradation of air quality during winter months, which is approximately four months of the year, while gas operated landscaping equipment contributes to the degradation of air quality during the summer months. In contrast, mobile source emissions are generated year round. FRAQMD Rule 3.17, which requires that only EPA certified Phase II woodburning stoves be installed in new homes and Rule 7.10 which lists fees for various land uses to mitigate for indirect (i.e. mobile) air pollutants would apply to both the Harter Specific Plan and the Yuba City Market Place.

Harter Specific Plan

As noted in Table 4.2-6, development of the Harter Specific Plan would generate an estimated grand total (area source emissions + mobile source emissions) of 539.29 lbs/day of ROG, 484.32 lbs/day of NO_x, 4,982.75 lbs/day of CO, and 380.32 lbs/day of PM₁₀. Mobile sources account for the majority of these operational emissions with an estimated 382.06 lbs/day of ROG, 466.73 lbs/day of NO_x, 4,762.94 lbs/day of CO and 349.17 lbs/day of PM₁₀. Operational emissions would exceed the FRAQMD's threshold of 25 lbs/day, resulting in a **significant impact**.

Yuba City Marketplace

As indicated in Table 4.2-6, development of the Yuba City Marketplace would generate an estimated grand total (area source emissions + mobile source emissions), of 266.56 lbs/day of ROG, 333.24 lbs/day of NO_x, 3,314.05 lbs/day of CO and 242.48 lbs/day of PM₁₀. The majority of these emissions would be generated by mobile emissions from the operation of the retail store. Total mobile emissions are associated with the Yuba City Marketplace are estimated to be 265.36 lbs/day of ROG, 323.35 lbs/day of NO_x, 3,306.60 lbs/day of CO and 242.45 lbs/day of PM₁₀. Operational emissions would exceed the FRAQMD's threshold of 25 lbs/day, resulting in a **significant impact**.

Thresholds		Harter Specific Plan				Yuba City Market Place			
		Emissions (lbs/day)			Operation Exceeds Threshold?	Emissions (lbs/day)			Operation Exceeds Threshold?
		Area Source	Vehicle	Total Operational Emissions		Area Source	Vehicle	Total Operational Emissions	
ROG	25	157.23	382.06	539.29	Yes	1.21	265.36	266.56	Yes
NO _x	25	17.59	466.73	484.32	Yes	9.89	323.35	333.24	Yes
CO	--	219.81	4,762.94	4,982.75	--	7.45	3,306.60	3,314.05	--
PM ₁₀	80	31.15	349.17	380.32	Yes	0.00	242.45	242.48	Yes

Source: URBEMIS 2001, EIP Associates, June 2003.

Mitigation Measures

Implementation of the following mitigation measures and compliance with Rules 3.17 and 7.10 would slightly reduce operational emissions by promoting alternative forms of transportation such as walking and biking instead of relying solely on the automobile and by increasing the energy efficiency of building beyond Title 24 requirement. However, even with implementation of these mitigation measures, operational emissions would still exceed the FRAQMD's threshold of 25 lbs/day. Therefore, this impact would remain *significant and unavoidable*.

4.2-3(a)

(HSP/YCM) *Promote alternative forms of transportation through the following measures:*

- (i) *The Specific Plan shall include bus turnouts, passenger benches, and all weather shelters at transit access points where deemed appropriate by the Yuba-Sutter Transit Authority.*
- (ii) *Provide for, or contribute to, dedication of land for on-site bicycle trails linking the project to designated bicycle commuting routes in accordance with the Yuba-Sutter Bikeways Master Plan (Febr and Peers 1995).*
- (iii) *The Specific Plan shall provide for on-site pedestrian enhancing infrastructure that includes where feasible: sidewalks and pedestrian paths; direct pedestrian connections; street trees to shade sidewalks; pedestrian safety designs/infrastructure; street lighting; and/or pedestrian signalization and signage.*
- (iv) *Integrate each development within the Harter Specific Plan area (e.g., Yuba City Marketplace) with pedestrian paths.*
- (v) *Provide dispersed secure bicycle parking for short-term (for shoppers bike racks would suffice) and long-term (for employees bike lockers, or some type of all weather and secure facility would suffice) parking.*

(vi) The project shall fund bike sensitive magnetic loops at all signalized intersections, or surveillance cameras that will trigger signals to allow cyclists to safely proceed. Loops and cameras are relevant to periods of the day when vehicle traffic is not abundant enough to trigger dedicated magnetic loops in the vehicle travel lanes and would allow cyclists to proceed through an intersection without having to wait for an automobile to arrive.

4.2-3(b)

(HSP/YCM) *Increase energy efficiency of buildings beyond Title 24 requirements by using of high-albedo (low-absorptive) coatings on all roofs and other building surfaces. This reflective surface decreases energy consumption for cooling purposes.*

4.2-4 Future residents within the project area could be exposed to odors from sources within the Specific Plan and from existing sources adjacent to the specific plan area.

Future uses within the project area could be exposed to odors and dust. Typical odor producing uses include wastewater treatment plants, gas stations, restaurant and heavy industrial sources.

Harter Specific Plan

There are two sources of odors that could affect the Harter Specific Plan. The first are odors that occasionally exist within the Plan area. The second are odors that would be introduced with operation of the Harter Specific Plan. The Harter Packing Company cannery currently disposes of its wastewater through spray fields that intermittently, during the summer months, create odors. At the present time, the cannery is inoperative, although it may restart operations again in the future. Though development of the Harter Specific Plan would progress through phases, it is anticipated that the cannery structures would stay so that a variety of food processing may continue. As development occurs, the spray fields would be replaced with other uses and any future disposal of wastewater would be accomplished through some other means, which could include the City's wastewater treatment plant, spray irrigation elsewhere in the area, well injection for groundwater recharge, and so on. Future users of the facility would have to design a system at their own costs.

To control wastewater odors from the cannery operations, flood irrigation of farmland was discontinued and replaced with spray irrigation. This substantially reduced the number of complaints received by the cannery.⁹

Development of the Harter Specific Plan would also introduce new odors into the area, including those odors typically associated with urban areas, such as restaurants, gas stations, and dry cleaners. Odors associated with these commercial uses would not be significant since they are commonly found in all urban environments and generally do not elicit complaints from the public. Therefore, this would be a ***less-than-significant impact***.

Yuba City Marketplace

Odors impacts associated with development of the Yuba City Marketplace would be similar to those odors generated by the Harter Specific Plan. Odors within the Yuba City Marketplace would include those from a fast-food restaurant and the gas station. Odors emanating from these sources

⁹ Tom Tucker; personal communication, July 18, 2003.

are typical of odors found in all urban environments and generally do not elicit complaints from the public. Therefore, this impact would be *less than significant*.

Mitigation Measure

None required.

4.2-5 Future residents within the project area could be exposed to a Toxic Air Contaminants (TAC) risk that exceeds the 10 in 1 million threshold.

Harter Specific Plan

Various sources of TACs within the project area include emissions from stationary sources as well as those from mobile sources. As discussed above, TACs can be emitted from a variety of common sources, including gasoline stations, automobiles, dry cleaners, industrial operations, diesel powered trucks and painting operations. Sources such as these could be developed in the specific plan area. Because no specific land uses or types of uses have been identified for all of the industrial areas, it is not possible to determine or assess the level of risk that may be generated.

State Highway 20 is located at the southern boundary of the project area and diesel powered trucks would be used to deliver goods to commercial, industrial, and retail stores within the project area. Often, while pallets are being loaded and unloaded, trucks remain idling for an extended period of time. In 1998 the CARB identified diesel particulate matter as a toxic air contaminant. The risk to sensitive receptors associated with exposure to this pollutant depends upon a number of factors, including the wind direction, wind speed, concentration of the diesel particulate matter, length of exposure, the existing concentration of diesel particulate matter in the air, and the distance from the source. However, existing background concentrations of diesel particulate matter already exceed the 10 in 1 million risk threshold.¹⁰ Diesel vehicles including heavy-duty trucks traveling to and from commercial and industrial areas and school buses would be associated with the proposed project, and would also generate TACs.

TACs have historically been associated with point sources or area sources. When a stationary source or area source generates TACs, the FRAQMD evaluates the emissions and if necessary requires the installation of Best Available Control Technology (BACT) to reduce the emissions to an acceptable risk threshold. Diesel particulate matter is unique in that it is generated by mobile sources, which are currently unregulated by all air districts, including the FRAQMD. However, mobile source emissions, including diesel particulate matter, are regulated by the CARB, a State entity. The CARB has derived a number of strategies for reducing diesel particulate matter. These strategies include retro-fitting existing engines by installing diesel particulate filters, using alternative fuels, and stricter emission control standards for all new engines. According to the *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*, the CARB tentatively proposes implementation of the above strategies between 2002 and 2008.¹¹ The CARB also published the *Proposed Regulation for the Verification Procedures for the In-Use Strategies to Control Emissions from Diesel*

10 California Air Resources Board web site. www.arb.ca.gov/toxics/cti/hlthrisk/tskbarmp2000.gif. Accessed September 30, 2003.

11 California Air Resources Board. *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel Fueled Engines and Vehicles*. Stationary Source Division, Mobile Source Division. October 2000. Page 25.

*Engines.*¹² This plan proposes specific regulations and strategies for reducing the amount of diesel particulate matter released into the atmosphere. During October 2002, specific strategies and regulations were adopted by the State of California, which will be implemented during the coming years to reduce the amount of diesel particulate matter generated within the State and to reduce the health risk associated with the exposure to these pollutants. However, a noticeable reduction in the ambient level of diesel particulate matter emissions will not occur until sometime in the future.

Future residents located within the Harter Specific Plan area and those residents located adjacent to the specific plan area would be exposed to TACs from diesel powered vehicles that are delivering merchandise to commercial, retail, and industrial uses. Future residents could also be exposed to TAC emissions from trains using the Union Pacific Railroad. Since the existing background concentrations of diesel particulate matter without the project already exceed the 10 in 1 million risk threshold, any amount of emissions from the project is considered significant. Existing and future residents, as well as employees in office buildings, could be exposed to TAC levels that exceed the 10 in 1 million risk threshold due to existing conditions and project emissions, resulting in a ***significant impact***.

Yuba City Marketplace

TAC exposure associated with development within the Yuba City Marketplace would be similar to the exposure associated with development of the Harter Specific Plan. Trucks delivering goods to commercial and retail stores would generate diesel particulate matter. The gas station could also generate TAC emissions. Since the existing background concentrations of diesel particulate matter without the project already exceed the 10 in 1 million risk threshold, any amount of emissions from the project is considered significant. Nearby existing and future residents as well as employees in future office buildings could be exposed to a TAC risk that is greater than 10 in 1 million due to existing conditions and project emissions, resulting in a ***significant impact***.

Mitigation Measure

Implementation of the following mitigation measure would reduce the TAC risk; however, it cannot be demonstrated that the risk would be reduced to a level that is less than 10 in 1 million because the existing background concentrations of diesel particulate matter without the project already exceed the 10 in 1 million risk threshold. Given existing conditions, any project impact is significant. Therefore, this impact would remain *significant and unavoidable*.

4.2-5(a)

(HSP/YCM) *All diesel trucks delivering merchandise to companies within the Harter Specific Plan shall minimize idling time to 15 minutes or less. Signs should be posted at high visibility points around the facility where delivery trucks congregate (e.g, loading docks).*

Idling restrictions limit the amount of time heavy-duty vehicles and equipment engines are allowed to operate while not performing useful work. Limitations on idling would reduce ambient emissions and reduce public exposure to harmful diesel toxics. Though it would not reduce the impact to a

12 California Environmental Protection Agency, Air Resources Board. *Proposed Regulation for the Verification Procedure For In-Use Strategies to Control Emissions From Diesel Engines*. Released March 29, 2002. Schedule for Consideration Release: May 16, 2002.

less-than-significant level, due to existing conditions this mitigation will incrementally reduce diesel emissions, thus reducing TAC emissions.

4.2-5(b)

(HSP/YCM) *The facility management shall be responsible for ensuring enforcement of the idling requirement and shall train loading and docking warehouse employees to enforce the measure.*

Enforcement of the idling requirement by the facility management would reduce TAC levels, but the impact would still remain significant and unavoidable.

4.2-6 Operation of the gas station may result in vapors from the storage, pumping and restocking of fuels, which could adversely affect human health.

Harter Specific Plan and Yuba City Marketplace

As indicated in the Project Description section, a gas station will be constructed in the Yuba City Marketplace. Gas stations may produce fumes, which can adversely affect human health, from the storage, pumping and restocking of fuel.

The storage, pumping and restocking of fuel in gas stations are regulated by the CARB and local air district. In September 29, 2000, the CARB has published the *Vapor Recovery Certification Procedure CP-201 Certification Procedure for Vapor Recovery Systems at Gasoline Dispensing Facilities*. The Certification Procedure, CP-201, was adopted pursuant to Section 41954 of the California Health and Safety Code and is applicable to vapor recovery systems installed at gasoline dispensing facilities for controlling vapors emitted during the fueling of storage tanks (Phase I) and the refueling of vehicle fuel tanks (Phase II). Pursuant to Sections 41955 and 41957 of the California Health and Safety Code, the CARB shall coordinate with the Department of Food and Agriculture, the Office of the State Fire Marshall, and the Division of Occupational Safety and Health for the certification of vapor recovery systems.¹³

The Certification Procedure requires that 98 percent of the vapors from the fueling of storage tanks and 95 percent of the vapors from the refueling of vehicles be contained.¹⁴ The CARB has adopted on-going performance standards and identified specific fuel delivery and storage equipment which has been certified to meet the CP-201 requirements. Compliance with CP-201 ensures that vapors associated with the storage, pumping and restocking of fuel are significantly reduced. It should also be noted that the CARB is in the process of revising and updating the existing CP-201 requirements.

In addition to the above, on March 23, 2000, the CARB approved Enhanced Vapor Recovery (EVR) requirements. State law provides that existing facilities will have four years from the effective date to comply with the new standards and that newly constructed gas stations must immediately meet the new standards. The new EVR requirements will result in a state-wide reduction of 25 tons per day in smog-forming emissions.¹⁵

13 California Environmental Protection Agency. *Vapor Recovery Certification Procedure CP-201. Certification Procedure for Vapor Recovery Systems at Gasoline Dispensing Facilities*. September 29, 2000. Pp 1-20.

14 California Environmental Protection Agency. *Vapor Recovery Certification Procedure CP-201. Certification Procedure for Vapor Recovery Systems at Gasoline Dispensing Facilities*. September 29, 2000. Pp 1-20.

15 California Environmental Protection Agency, News Release. *Air Board Requires Modernization of Gasoline Vapor Recovery Systems*. Released March 23, 2000.

To ensure that gas stations comply with CP-201, the FRAQMD air district is responsible for monitoring the gas station's vapor recovery systems. Inspectors from the air district inspect vapor recovery equipment on a consistent basis to ensure the vapor recovery system is working accurately and that the gas station is in compliance with the CARB and air district rules.

Because the vapor associated with the operation of gas stations is minimized with CP-201, vapor emissions would not constitute a significant health threat. Therefore, this impact would be *less than significant*.

Mitigation Measures

4.2-6 (HSP/YCM) *None required.*

4.2-7 Operation of the Proposed Project could result in a violation of the 1-hour or the 8-hour CO standards.

Harter Specific Plan and Yuba City Market Place

Heavily congested intersections, typically those operating at an LOS of D or worse, have the potential to generate high concentrations of CO. When numerous vehicles are idling at a stop light, the concentration of CO has the potential to exceed the State adopted standards, thereby posing a health risk to those individuals that are in close proximity to the intersection.

CO modeling was completed for all intersections that are projected to operate at an LOS of D or worse, using the U.C. Davis CO protocol method as created for and approved by Caltrans and the CARB. As shown in Table 4.2-7, the operation of the Harter Specific Plan and the Yuba City Market Place would not result in a violation of the 20 ppm 1-hour CO standard nor the 9 ppm 8-hour CO standard. Harter Road/Frontage Road is the only intersection expected to operate at an LOS of D or worse under the existing plus project scenario. The 1-hour CO concentration is estimated to be 6.6 ppm and the 8-hour CO concentration is estimated to be 4.6 ppm. Because these modeled concentrations are well below the 1-hour threshold of 20 ppm and the 8-hour threshold of 9 ppm, this would be a **less-than-significant impact**.

PREDICTED CO CONCENTRATIONS (PPM)				
Intersection	1-hour Concentration	Threshold	8-hour Concentration	Threshold
Existing Plus Project				
Harter Road/Frontage Road	6.6	20.0	4.6	9.0
Cumulative (2023) Plus Project				
Colusa Road/Harter Road	6.7	20.0	4.7	9.0
Colusa Road/ Margarita Road	6.3	20.0	4.4	9.0
Colusa Road/ Tharp Road	6.8	20.0	4.8	9.0
Colusa Road/Stabler Lane	7.0	20.0	4.9	9.0

Source: Anna Price for EIP Associates, CALINE 4 modeling results.

Mitigation Measures

4.2-7

(HSP/YCM) *None required.*Cumulative Impacts and Mitigation Measures

The cumulative context for this analysis consists of all development within the Sacramento Valley Air Basin that would occur by the year 2023.

4.2-8 Project emissions, in combination with other development in the region, could contribute to the cumulative degradation of air quality.

Harter Specific Plan and Yuba City Marketplace

As discussed in Chapter 2, Project Description, the plan area is proposed to be rezoned from agriculture holding (A-H) and light industrial (M-1) to commercial, residential, and industrial uses. Commercial land uses generate more emissions than those associated with residential uses due to a higher number of vehicle trip generation rates associated with the square footage of each building.

The Sacramento Valley Ozone Attainment Plan emission estimates are based on future development that would occur consistent with the zoning and land use designations in local General Plans. Because the project is rezoning and amending the Yuba City Urban Area General Plan, the emissions associated with operation of the specific plan are not accounted for in the Sacramento Valley Ozone Attainment Plan.

As discussed in Impact 4.2-3, operation of the Harter Specific Plan, including the Yuba City Marketplace, would generate emissions that exceed the FRAQMD thresholds and would remain significant and unavoidable even with implementation of mitigation. The Sacramento Valley Air Basin is currently designated as non-attainment for ozone and PM₁₀. Development of the Proposed Project in combination with other development in the region would result in the generation of additional ozone and PM₁₀ pollutants within the air basin. Because the land uses associated with the project are more intense and would result in higher emissions than those associated with the current land use designation, and because the project area is currently located in a non-attainment area for ozone and PM₁₀, the Proposed Project's contribution to air pollutants is considered a ***significant and cumulative impact***.

Mitigation Measures

Although implementation of the following mitigation measures would reduce the magnitude of this impact, it would remain *significant and unavoidable*.

4.2-8

(HSP/YCM) *Implement Mitigation Measures 4.2-1 through 4.2-3.*

4.2-9 Development of the Proposed Project in combination with other development in the region could expose sensitive receptors to a cumulative TAC risk that is greater than 10 in 1 million.

Harter Specific Plan and Yuba City Marketplace

Development of the Harter Specific Plan in combination with other development in the region, including the Yuba City Marketplace, will result in more TACs being generated within the air basin. Most notably, development of new retail, commercial, and industrial uses will require the transport of more goods via diesel powered trucks. New truck trips for these projects will generate more diesel exhaust, which contains diesel particulate, a known TAC.

Although the CARB is in the process of regulating diesel exhaust and has recently adopted stricter emission standards for new diesel engines as of 2005, the amount of diesel exhaust generated by existing vehicles will not be reduced and existing background concentrations of diesel emissions already exceed the significance threshold. In addition, the Harter Specific Plan would allow for research and development uses (i.e. stationary sources) that may generate TACs. Although the TACs emitted by individual stationary sources would be lower than the 10 in 1 million risk, there is a possibility that the combination of multiple facilities could exceed the 10 in 1 million risk threshold, since the existing background already exceeds this threshold.

Therefore, development of the Harter Specific Plan, in combination with other development in the region and existing background conditions could result in a TAC risk that exceeds the 10 in 1 million risk threshold. This would be a *significant impact*.

Mitigation Measure

The following mitigation measure would reduce the amount of diesel particulate matter generated during product deliveries to commercial, industrial, and retail centers, however, it could not definitively reduce the cumulative emissions of projects in the area to less than the 10 in 1 million threshold. Therefore, it would remain a *significant and unavoidable cumulative impact*.

4.2-9

(HSP/YCM) *Implement Mitigation Measure 4.2-5.*

4.2-10 Operation of the Proposed Project in combination with other development in the region could result in a violation of the 1-hour or the 8-hour CO standards.

Harter Specific Plan and Yuba City Market Place

As previously discussed, heavily congested intersections, typically those operating at an LOS of D or worse, have the potential to generate high concentrations of CO. When numerous vehicles are idling at a stop light, the concentration of CO has the potential to exceed the State adopted standards, thereby posing a health risk to those individuals that are in close proximity to the intersection.

CO modeling was completed for all intersections that are projected to operate at an LOS of D or worse for 2023 cumulative conditions, using the U.C. Davis CO protocol method as created for and

approved by Caltrans and the CARB. As shown in Table 4.2-7, the operation of the Harter Specific Plan and the Yuba City Market Place would not result in a violation of the 20 ppm 1-hour CO standard nor the 9 ppm 8-hour CO standard. The intersection of Colusa Road/Stabler Lane would generate the highest concentrations. The projected 1-hour concentration is 7.0 ppm and the 8-hour concentration is 4.9 ppm. Because these modeled concentrations are well below the 1-hour threshold of 20 ppm and the 8-hour threshold of 9 ppm, this would be a ***less-than-significant impact***.

Mitigation Measures

4.2-10

(HSP/YCM) *None required.*

4.3 CULTURAL RESOURCES

4.3 CULTURAL RESOURCES

INTRODUCTION

This section addresses the cultural resources setting, existing conditions, and impacts related to the Harter Specific Plan-Yuba City Marketplace project. The EIR analysis considered potential direct and indirect impacts that would result from construction and use of the proposed facilities. Potential direct impacts are those associated with ground disturbance such as soil excavation, grading, removal of vegetation, and equipment storage. Potential indirect impacts are those associated with (1) increased accessibility of historic or cultural resource sites to artifact collectors and vandals; and (2) introduction of visual elements that would compromise the integrity of an important setting of historic or traditional value.

Unless otherwise noted, information contained in this section was derived from the *Cultural Resource Assessment of the Harter Specific Plan Area, City of Yuba City, California, 2003* by Peak & Associates. For the full text of this report, refer to the Technical Appendix available at City Hall or the Yuba City Library.

Definition of Cultural Resources

Cultural resources, also termed “historical resources” or “historic properties”, consist of remains and sites associated with past human activities. These include prehistoric and protohistoric Native American archaeological sites; historic archaeological sites; and historic sites, buildings, structures, or objects. Another category of cultural resources includes traditional cultural properties. These are areas that have been, and often continue to be, of economic and/or religious significance to peoples of today; they could include Native American sacred areas where religious ceremonies are practiced, or landscapes that are central to their origins or history as a people. Some historical resources sites may also be of cultural significance to contemporary Native Americans or other ethnic groups because they contain objects or elements important to their cultural heritage. Significant historical resources and traditional cultural properties are afforded a measure of protection under existing federal, State and local laws.

ENVIRONMENTAL SETTING

Cultural History

Ethnology

At the time of the gold rush, the Nisenan Indians, identified by the language they spoke, occupied the project vicinity. The Nisenan peoples occupied the drainages of the Yuba, Bear, and the American Rivers from the Sacramento River on the west to the summit of the Sierra in the east.

The Foothill and Hill Nisenan peoples were distinctive from the Valley Nisenan and were loosely organized into tribelets or districts with large central villages, surrounded by smaller villages. Older Indians often refer to these as winter villages. These central villages and their leaders seemed to have had power or control over the surrounding smaller villages and camps and specific surrounding territory. These districts were oriented to the natural resources and the landforms. In the foothills and mountains the major drainages became formal or informal boundaries with the land in between forming the district. Thus, the Placerville District is between the Cosumnes River and the Middle Fork of the American River, the Auburn District between the Middle Fork of the American River and the Bear River and the Nevada City District between the Bear River and the Yuba River.

All the Nisenan depended on activities attuned to the seasonal ripening of plant foods and the seasonal movements and migration of the animals and the runs of fish. With the flooding of the valley in the winter and spring a great number of animals such as elk, antelope and bears moved to the natural levees along the rivers and up into the lower foothills. Along the foothill margins they joined the resident and migratory deer herds. Huge flocks of waterfowl visited the flooded areas between the rivers and the foothills, coveys of quail gathered in the fall, and pigeons were common in the fall and spring. Steelhead and salmon ran up most of the major streams including Secret Ravine and Auburn Ravine in the fall, winter and spring. The hunting of these plentiful resources was part of the foothill life way. This same bounty was available to the river-oriented valley peoples out on the valley floor and along the natural levees of the rivers. There were major north-south Indian trails along the margin of the foothills that were usable year around as well as other trails east and west along the natural levees of the stream courses. There was probably not a great deal of competition for resources at this time except in lean years. Both the valley and foothill peoples lived at the edges of rich ecotones: the rivers and the valley floor and the valley floor and the foothills.

While the Hill Nisenan to the east in the foothills carried on trade with the valley peoples and shared some of the cultural traits, they lacked the complexity or richness of the Valley Nisenan. The Hill Nisenan had a different resource base to work with which required greater mobility and a more intense use of the available resources. They developed a local culture that was more oriented to the gathering, storage and year round use of the acorn, continual foraging of resources by everyone in the village group, specialized hunting strategies and availability of different plants to gather and process. They depended on activities attuned to the seasonal ripening of plant foods and the seasonal migrations and increased populations of animals and insects. The foothill people relied more on foraging for food, for immediate use or short-term storage, rather than gathering for future needs. This meant they had to be much more mobile in their use of the land and its resources. The lower population densities and the large number of campsites of the Hill Nisenan reflect the more limited ability to acquire and utilize the fewer available resources: they had to work harder for less.

This continual movement meant the foothill people did not have large year-round villages. There are no known major villages in the foothills or mountains that can compare with the valley permanent village sites or population densities. However, there are hundreds of small campsites and villages scattered across the foothills and mountains with certain localities as the centers for these hill peoples.

It appears that the hill people were more socially organized around the extended family than to the village and would often camp in informal family groups around the central village. Since they did some foraging and extensive fishing and hunting in the winter they needed to have some access to a resource base at all times. However, due to the ability to store acorns and other dried foods and

take advantage of the winter concentrations of game, birds and fish, they could congregate in larger villages in the wintertime. There is some evidence that these winter villages were moved at times if the local resources were too badly depleted. Over a long period of time, a center village may have been abandoned and moved and then reoccupied at a later time. Many place names refer to these old or unoccupied sites.

At the central villages there was the need to build and maintain more substantial houses for winter living. Larger family houses, a dance house and acorn granaries were part of these winter quarters. The availability of firewood could also have been a factor in the preference for living up in the oak woodlands of the foothills. Winter was the time of ceremonies, social gatherings and marriages. Shamans had contests, children were trained, and trade items, tools, baskets and equipment were made and repaired.

Historical Overview

Sutter County was one of California's original 27 counties. The first permanent settlement in Sutter County was an adobe Sutter built near Hock farm, one of his several ranchos. Constructed in 1841, this structure was Sutter's first establishment in the county. He used the plains between the Sacramento and Feather rivers to graze about 5,000 head of cattle and 1,200 horses and Hock farm provided a good location for the caretakers of the herd.

The bottomlands of Sutter County attracted settlers because of the soil's fertility and the land's location near New Helvetia, and by the late 1840s more settlers had moved into the area. In 1849, Samuel Brannan, Pierson B. Reading, and Henry Cheever laid out Yuba City, marking the beginning of planned settlement in the county. By 1850, three towns were established in the county. The town of Vernon, the oldest town established north of Sacramento, was flourishing, Nicolaus had a hotel, trading post, and several residences, and Yuba City was rapidly filling as settlers expected it to be the site of a future great city. In 1855, Yuba City area was established. The river's flood plain attracted farmers with its rich nutrients. The river also provided a transportation route for agriculture products.

In the first decade of the twentieth century, America witnessed the growth of the interurban railway. Technological advancements including the development of long-distance transmission of hydroelectric power in the 1890s, led to the increasing use of this form of energy. Interurban electric railways became the principal means of transportation for America's public; prior to Henry Ford's mass-produced Model T. Investment trends reflect the country's faith in these lines, with a boom in the building and investment in railways between 1901 and 1908. By 1912 the interurban network throughout America had taken its final shape.

Henry A. Butters, who had previously built railroads in South Africa and Mexico, incorporated the Northern Electric Company under Nevada law with four other investors in 1905 to build an interurban line between the rival cities of Chico and Oroville. In 1906, the line was completed between the two Butte County cities, and by the end of the year, extended southward to Marysville. Officials of the company then began looking at extending the line to Red Bluff, Colusa and Sacramento. The company was reorganized as the Northern Electric Railway Company to take over the properties of the earlier company.

The Northern Electric system continued to expand in the 1910s, with other branches of the system built by various companies. In 1913, the "South End" of the system began as the Oakland, Antioch, and Eastern connecting Oakland and Sacramento, and eventually extended to San Francisco by a ferry crossing, becoming the San Francisco-Sacramento Railroad. The Northern Electric Railway Company went into receivership in 1914, and reorganized in 1918 as the Sacramento Northern Railroad Company. The Sacramento Northern Railway Company was set up in 1921 by the Western Pacific, taking over first the holdings of the Sacramento Northern Railroad Company in 1925, followed by the 1928 acquisition of the San Francisco-Sacramento Railroad. The combined main line from Chico to San Francisco run of 185 miles was the longest interurban run in North America. Although Southern California's Pacific Electric did have more track and track miles, the Sacramento Northern's 300 plus miles of trackage covered the largest geographic area in the West.

Despite the corporate changes, the railroad continued to provide both freight and passenger service to the northern end of the Sacramento Valley. The freight service allowed communities north of Sacramento, such as Yuba City, to develop by providing farmers in the area with a means of marketing their crops which included rice, beans, grain, barley, fruit, olives and oats.

Although the Sacramento Northern expanded its passenger service by purchasing the San Francisco-Sacramento Railroad in 1928, the competition with automobile, bus and truck traffic took its toll. By the mid-1930s passenger traffic on the Sacramento to Chico route had been drastically reduced. The financial stability of the company was further impacted by the Depression economy, and natural disasters such as windstorms and flooding disrupting service and damaging facilities. The completion of the Bay Bridge in 1939 brought an end to the interurban passenger service. In 1940, the company completely abandoned passenger service.

With the end of the passenger service, Western Pacific converted the Sacramento Northern line to diesel power in the 1940s for the continuing freight business. The outbreak of World War II and the Korean Conflict both brought about increased freight traffic, but the tonnage carried by the line continued to dwindle. The Rio Linda Poultry Producers Association apparently established their facilities on the Sacramento Northern line in the late 1930s to provide a direct link to markets in the Bay Area.

The Western Pacific consolidated many of the lines, and began to abandon various branches and paralleling sections of the Sacramento Northern route. By 1962, the Sacramento Northern had been divided into four remnant parts, connected via trackage rights on adjoining major railroads, and functioning primarily as a feeder for the parent company, Western Pacific. Two daily round trips were run on the line between Sacramento and Yuba City in the early 1960s.

Project Area History

The 1895 edition of the Official Map of Sutter County identified a George Harter as owning 314 acres including the Plan area, indicating that George retained control and ownership after he moved to San Jose. By 1910, the Official Map of Sutter County shows the 314-acre parcel split into a 160-acre section owned by Clyde B. Harter, and a 162-acre section owned by George Harter. George died in 1916.

In 1911, the Plan area was transected by a railroad line and a road, and had a house. By 1952, the Harter Packing Plant was present, and four additional homes were located within the Plan area.

After Clyde took over operations on the Harter lands, he began changing his plantings from grain to fruit. He began drying and marketing the fruit, adding more facilities to his land for the packing, stemming and drying operations. The plant began processing fruit for other growers in the area, and eventually, the Harter Cannery was started in 1928.

Six historic period cultural resources were identified during the inspection conducted by the cultural resources consultant. Four of the cultural resources are residences, one was the portion of the existing Harter Packing Plant constructed before 1952, and the final resource was the Union Pacific (formally Sacramento Northern) railroad track.

As stated in the cultural resources report, the six historic period cultural resources identified are not eligible for inclusion in the California Register. All of the resources lack the integrity of design, setting, materials, workmanship, feeling and association necessary to convey their historic character. None of the individuals associated with the historic period properties can be deemed a person important to local history. The buildings and railroad do not embody any sort of architectural style, particularly in light of the number of alterations and additions to the buildings and railroad over time.

REGULATORY CONTEXT

Federal, State and local governments have developed laws and regulations designed to protect significant cultural resources that may be affected by actions that they undertake or regulate. The National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) are the basic federal and state laws governing preservation of historic and archaeological resources of national, regional, State and local significance.

Federal

Since the project is not subject to Federal regulations, no discussion is included here.

State

CEQA mandates that significant impacts to historic resources be determined during the project planning stage. Guidelines for determining if a resource is historically significant, and would cause a substantial adverse change in the significance of the resource are provided in Section 15064.5. CEQA refers to the California Register for guidance in determining if a property is significant. The California register defines what constitutes a significant historic property and contains guidelines and criteria for determining the significance at the local level.

For the purposes of CEQA, a historical resource is a resource listed in, or determined eligible for listing in the California Register of Historical Resources. When a project may impact an archaeological site, it needs to be determined whether the site is a historical resource, which is defined as:

Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political or cultural

annals of California may be considered an historical resource. Generally, the resource shall be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing on the California Register of Historical Resources including the following:

- A. is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- B. is associated with the lives of persons important in our past;
- C. embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- D. has yielded, or may be likely to yield, information important in prehistory or history.

For the California Register of Historical Resources, a historical resource must be eligible at the local, state or national level under one (or more) of four criteria, and retain integrity. Integrity is the authenticity of a historical resource’s physical identity evidenced by the survival of characteristics that existed during the resource’s period of significance. Historic resources must meet one of the criteria of significance and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance.

Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling and association.

The historic resources recorded on the property can be evaluated under criteria A, B and C.

Local

Yuba City Urban Area General Plan

A review of the applicable Yuba City Urban Area General Plan goals and policies pertaining to the preservation of cultural resources includes the following:

Goal 5:

Encouragement of Cultural Diversity and Historic Preservation.

Policy:

It is the policy of the City to encourage the preservation of the archaeological remains, customs and arts of all resident cultures historically, presently and in the future.

General Plan Consistency: The proposed project is determined not to have historic or cultural resources that are significant. Therefore, the proposed project is considered consistent.

IMPACTS AND MITIGATION MEASURES

Method of Analysis

The cultural resources information presented in this section is based upon the results of several archaeological investigations completed for the proposed project. The 2003 report prepared by Peak and Associates extracts, supplements, and updates information provided in previous cultural resources investigations and contains current evaluations and recommendations for all resources identified within the proposed project site.¹

Literature Review

A review of records maintained by the Northeast Information Center of the California Historical Resources Information System was conducted on August 22, 2001. According to this review, there are no known prehistoric or historic period cultural resources located within, or adjacent to, the project area. The closest previously conducted archeological inspection was conducted on an 18.2-acre parcel located along the southeast margin.

Research was conducted in primary sources, published secondary sources and using available historic maps at the California Room of the California State Library in Sacramento and in the library of Peak & Associates. Additional historical information on the Harter family and Harter Packing Plant was kindly provided by Ms. Julie Stark, Community Memorial Museum of Sutter County.

Native American Consultation

Contact was initiated with the Native American Heritage Commission (NAHC), Sacramento for a review of the Sacred Lands File, maintained by the NAHC, and to obtain a list of groups and/or individuals who may have knowledge of traditional uses, or cultural resources, located within, or adjacent to, the project area (Appendix 2). Letters with an accompanying map delineating the project area were sent to three groups and/or individuals requesting information on sites of concern. No responses were received.²

Standards of Significance

In general, significant impacts are those that diminish the integrity, research potential, or other characteristics that make a historical or cultural resource significant or important. For the purpose of this EIR, project-specific and cumulative prehistoric and historic archaeological impacts are considered significant if implementation of the proposed project would:

- disrupt, alter, or adversely affect a prehistoric or historic archaeological site or a property of historic or cultural significance to a community or ethnic or social group; or a paleontological site except as a part of a scientific study;
- affect a landmark of local cultural/historical importance;

1 Peak and Associates, *Cultural Resource Assessment of The Harter Specific Plan Area, City of Yuba City, California* 2002.

2 Peak and Associates, *Cultural Resource Assessment of The Harter Specific Plan Area, City of Yuba City, California* 2003.

- conflict with established recreational, educational, religious or scientific uses of the area;
or
- conflict with adopted environmental plans and goals of the community where it is located.

Impacts and Mitigation Measures

4.3-1 Project construction could damage or destroy undiscovered subsurface cultural resources.

Harter Specific Plan

As discussed under Environmental Setting, no historically significant resources were identified in the Plan area. Nonetheless, project development could expose previously undiscovered archaeological resources during construction activities. Cultural resources exposed during construction, excavation, or related project activities could be damaged, destroyed, or removed from their cultural context. Therefore, impacts on previously undiscovered archaeological resources are considered ***a potentially significant impact***.

Yuba City Marketplace

The Yuba City Marketplace project being 31.1 acres would be expected to have a lesser potential impact than the larger area of the Harter Specific Plan, but is still considered ***a potentially significant impact***. The following mitigation addresses this potential impact.

Mitigation Measure

Implementation of the following mitigation would reduce this impact to a *less-than-significant level*.

4.3-1

(HSP/YCM) *If vegetation clearance or other construction activities uncover artifacts, bone or exotic rock (particularly obsidian), then a qualified archeologist should be contacted to examine the deposit and determine its nature and significance. State law requires that if bone is discovered which might be human, the County Coroner must be contacted. If the Coroner determines that the bone is Native American in origin, he or she will contact the Native American Heritage Commission in Sacramento to identify most likely descendants.*

Implementation of this mitigation would allow those concerned with these issues to study what is found and catalog and file this implementation, as well as collect the artifacts for permanent collection in public institutions such as universities, or historical societies. Artifacts are removed from harm that could result from construction activity.

4.3-2 Development of the Harter Specific Plan will result in the removal of the Harter residence.

The George Harter house is associated with the early settler who built the residence in 1872, and lived there on a part-time basis until he moved permanently to San Jose, California in 1890. The house was substantially remodeled prior to 1920 at which time an addition was added. The residence has decayed considerably over the years, and is in poor condition. However, based on the criteria described previously in this section that is used to determine if a resource is eligible for listing on the California Register of Historical Resources, this building does not meet the criteria.

As stated in the archaeological report, George Harter was one of the many settlers who recognized the value of the land in the region, and settled in Sutter County. Although members of his family stayed on the property, George Harter moved away, retaining ownership for a number of years. Regardless, he cannot be deemed a person important in local history (Criterion A); there are no important events associated with the residence (Criterion B); and the house is not a particularly good example of any particular architectural style nor does it embody the work of a master craftsman. In a June 12, 2000, newspaper article in the Marysville Appeal-Democrat, a local architect, Robert Mackensen is quoted as saying about the Harter house, “It’s a shame it’s lost its historic character. It was a plain, but beautiful farmhouse”. Per the archaeological report, the integrity of design, appearance, workmanship, materials and feeling are absent. The building in no way can be considered eligible for the California Register (Criterion C).

Harter Specific Plan

The Harter house is located at the southwest corner of the intersection of Harter Road and the railroad track. At the time of preparation of this EIR, the applicant has no plans to remove, relocate or demolish the house to make room for future projects in the Harter Specific Plan area. If the house were to be demolished or removed in the future, however, based on the above significant criteria, such action would result in a less-than-significant impact.

Yuba City Marketplace

The subject home is not relevant to the Yuba City Marketplace because it is not located on the Yuba City Marketplace parcel.

Mitigation Measure

As there is no significant impact, no mitigation is warranted.

4.3-3 Development of the Harter Specific Plan and Yuba City Marketplace will result in the removal of existing structures.

Aside from the previously discussed Harter residence, there are seven industrial buildings associated with the Harter canning operation, three residences located on the Yuba City Marketplace project site (the Orlin Orion 1920’s era residence, Anna and William Whalen 1948 ranch residence, and the Ward Rathburn 1920’s to 1930’s era residence which all front Highway 20).

Harter Packing

The seven buildings that were constructed over 45 years ago are utilitarian in nature, with metal siding and roofs. They are architecturally non-descriptive, and represent no particular style, or method of construction. The western facade of the western-most building constructed in 1918 has been recently remodeled, with a new entryway and stucco siding added. The original brick facade is however, still present on the second 1918 era building located to the east. Overall, the setting of the earlier era buildings has been compromised due to the continued construction of additional buildings in the complex.

Criterion A. The Harter Packing Plant was an operational business in Sutter County from 1928 until the sale in 1969. It could be argued that as a large employer in the region, it was important on a local level. It is problematical though because the Harter Packing Plant is an assemblage of buildings constructed between 1918 and the modern era, with many alterations since 1980. Very little of the original plant site remains. The plant lacks the integrity of design, setting, materials, workmanship, feeling and association necessary to convey the historic character of the plant. As such, it is not eligible under criterion A.

Criterion B. The association of the plant site is clearly with any member of the Harter family is clearly with the founder of the packing plant operation, Clyde Harter. Clyde Harter turned his fruit drying facility into a packing plant in 1928. With the number of alterations, it is difficult to distinguish original sections of the complex. The Harter Packing Plant is an assemblage of buildings constructed between 1918 and the modern era, with many alterations since 1980. It can be safely concluded that the 1918 complex has been physically altered over the years, and retains little of its original appearance. The setting and design have been substantially altered by the addition of other buildings to the complex. Materials have been changed, with one of the older buildings covered in stucco. Essentially all that remains of the 1918 complex is one brick facade and the integrity of location. The 1947 additions to the complex are modern cannery buildings, in no way architecturally distinctive. The addition of buildings in the 1970's has further altered the setting of the complex. As such, it can be concluded that the complex is not eligible for the California Register. The plant lacks the integrity of design, setting, materials, workmanship, feeling and association necessary to convey the historic character of the plant in the time it was associated with Clyde Harter (1928 to his death in 1942). Major changes have occurred since his demise, and accordingly, the plant is not eligible under Criterion B.

Criterion C. The plant no way “embodies the distinctive characteristics of a type, period, region, or method of construction,” particularly in light of the number of alterations and additions to the complex over time.

Orin Harter House

Criterion A. There are no important events associated with the residence.

Criterion B. Orlin Harter, a son of Clyde Harter who started the nearby cannery in 1928, built the home. Orlin Harter was involved in the cannery business, but is not a person important in local history.

Criterion C. The home is an example of a Colonial Revival style home with a cross gambrel roof in the rear. It has had modifications and alterations, and is not a particularly good example of the style. As such, it is not eligible for inclusion in the California Register.

Anna and William Whalen House

The 1948 ranch-style residence has no important associations with people or events important in history, nor is it an embodiment of an important architectural style. The residence is not eligible for inclusion in the California Register.

Ward Rathburn House

The residence has no associations with important people or events in local history, nor is it an embodiment of an important architectural style. The residence is not eligible for inclusion in the California Register.

Railroad

This segment of the former Sacramento Northern railroad, in itself, could be eligible in the broadest sense as a part of a much larger system (Criterion A), as can any rail system in California or the United States for providing transportation for people and goods. The entire 360-mile-long system may be eligible, but the evaluation of the system is outside of the scope of this investigation. Even so, many portions of the railroad have been removed, or added to other systems, and overall, the Sacramento Northern system has lost many of its aspects of integrity.

The rail segment has no particular associations with important individuals. The rail system within this segment does not represent any particular engineering achievement, and does not appear to be eligible under Criterion C.

Harter Specific Plan

The existing railroad and Harter packing buildings are located in the Yuba Specific Plan area and north of the Yuba City Marketplace project. Based on the above significance criteria, the removal of existing structures is *less-than-significant*.

Yuba City Marketplace

As indicated in the cultural resources report, using the criteria listed previously in this section (criteria A-C) none of three residences meet the standard for preservation as these resources are not associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage (criterion "A"); are not associated with the lives of persons important in our past (criterion "B"); and do not embody the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values (criterion "C"). Therefore, the removal of these structures is *less-than-significant*.

Mitigation Measure

As there is no significant impact, no mitigation is warranted.

Cumulative Impacts and Mitigation Measures**4.3-4 Project development would potentially result in the cumulative loss of cultural resources.**

No cultural resources were found on the Harter properties, which includes the Yuba City Marketplace project. However, there is a remote possibility that something could be found during construction. In light of there being no existing conditions and the remote possibility of any resources being found, the cumulative impacts of this project vis-à-vis cultural resources throughout the City and County that may exist and may be impacted by other developments at another time are considered *less than significant*. This conclusion implies that cumulative impacts would essentially be the same whether or not the Harter Specific Plan and Yuba City Marketplace project are implemented.

Mitigation Measure

Not Required

4.4 HAZARDS AND HAZARDOUS MATERIALS

4.4 HAZARDS AND HAZARDOUS MATERIALS

INTRODUCTION

This section describes the potential adverse impacts on human health due to exposure to hazards that could result from the development of the Harter Specific Plan area (includes Yuba City Marketplace project area). Hazards evaluated include, potential exposure to hazardous materials used, generated, stored, or transported in the Harter Specific Plan area. Included in this discussion is a summary of applicable hazardous materials laws and regulations and agencies responsible for their implementation. Potential hazards and associated impacts related to toxic air contaminant (hereinafter “TAC”) emissions are discussed in Section 4.2, Air Quality, of this EIR.

Literature reviewed during preparation of this section included:

- *Phase I Environmental Site Assessment, Approximately 20 acres North of Colusa Highway on Harter Road.* Twinning Laboratories. (Yuba City Marketplace) (February 10, 2003);
- *Phase I Environmental Site Assessment, Approximately 13.07 acres North of Colusa Highway on Harter Road.* Twinning Laboratories. (Yuba City Marketplace) (February 20, 2003);
- *Phase I Environmental Site Assessment, Harter Packing Company, 1321 Harter Road, Yuba City, California* (April 14, 1998); and
- *California Health and Safety Code*

The Phase I reports are available for review at the City of Yuba City, Community Development Department and are contained in the technical appendix.

ENVIRONMENTAL SETTING

The presence of hazardous materials or other safety hazards is a part of everyday urban life that could affect residents, workers, and visitors within Harter Specific Plan area. Some of these activities can pose a risk of exposure to people or the environment due to accidental releases, such as spills, or as a result of soil or groundwater contamination related to past uses of the Harter Specific Plan area and adjacent properties. Transportation of hazardous materials through or near the area could also present hazards.

The following section discusses existing land uses that have the potential to result in accidental releases of hazardous materials or present other health risks and identifies existing hazardous

materials management programs. For purposes of this EIR, the term “hazardous materials” refers to both hazardous substances and hazardous wastes.¹

Harter Specific Plan Area Past and Existing Uses

Farming began on the project site in the 1850’s. The property has been used for crops, orchards, fruit and grain storage, and for drying raisins.

As stated in the 1998 Phase 1 report prepared by Law Environmental and Engineering Services (there is a 1993 Phase 1 report which is also applicable to the entire Harter property, but the information in that report is dated. In addition, the other two Phase 1 reports reviewed are applicable to the Yuba City Marketplace project only), storage and use of chemicals associated with the Harter canning process consists of maintenance solvents and materials associated with the functional and aesthetic upkeep of the water well system, boilers, hydraulic food processing equipment, on-site vehicles, and wastewater system. Hazardous materials used at the facility includes pesticides, herbicides, chlorine dioxide, sodium hypochlorite, algicide, propane, potassium hydroxide, fogging insecticide, diesel fuel, waste oil, and miscellaneous paints and cleaning supplies. A complete inventory of hazardous materials used at the site historically and currently is maintained in the Harter Company Hazardous Materials Business Plan.² The 1998 Phase 1 report concluded that as it related to off-site facilities that were determined to be included in regulatory agencies lists (primarily hazardous waste generators only) “no identified facilities were considered to represent environmental concerns” [to the Harter property]. The 1998 Phase 1 report also concluded that minor remedial action was required. Action included posting a “waste oil storage” sign on a fence; removing empty 55-gallon containers of potassium hydroxide; and placing 55-gallon and 750 –gallon containers containing sodium hypochlorite within secondary containment.

The subsequent Phase 1 reports dated February 10 and February 20, 2003, concluded that “recognized environmental conditions” do not exist on the site and off-site sources of contamination of project site soil and, or groundwater appears low. The two 2003 reports did not identify any remedial action to be taken. Taken together, the Phase I reports did not indicate any substantial hazardous conditions over the life of the Cannery.

Transportation of Hazardous Materials

Hazardous materials are routinely transported by truck or rail. With few exceptions, Section 31303 of the California Vehicle Code and U.S. Department of Transportation (DOT) regulations prohibit the through-transportation of hazardous materials through residential neighborhoods and require that hazardous materials be transported via routes with the least overall travel time; however local deliveries are allowed (e.g., delivery of chemicals to the Cannery is conducted via State Highway 99 and 20 and then Harter Road). Designated truck routes upon which hazardous materials may be transported by common carrier through the City are State Highways 20 and 99. Transportation of hazardous materials

1 This EIR uses the definition stated in the California Health and Safety Code (CHSC) § 25501: “A hazardous material is any material that, because of its quantity, concentration, or physical, chemical characteristics poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. ‘Hazardous materials’ include, but are not limited to, hazardous substances, hazardous waste, and any material which a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment.”

2 Law Environmental and Engineering Services, 1998.

along any City or State roadways or rail lines is subject to all DOT hazardous materials transportation regulations and is enforced by the California Highway Patrol.

REGULATORY CONTEXT

The following discussion summarizes federal, State, and local regulatory authorities pertaining to hazardous materials management and cleanup.

Federal

Several federal agencies regulate hazardous materials. These include the U.S. Environmental Protection Agency (EPA), the Occupational Safety and Health Administration (OSHA), and the Department of Transportation (DOT). Applicable federal regulations are contained primarily in Titles 10, 29, 40, and 49 of the Code of Federal Regulations (CFR).

State

The California Environmental Protection Agency (Cal/EPA) and the Office of Emergency Services (OES) establish regulations governing the use of hazardous materials in the State. The California Highway Patrol (CHP) and the California Department of Transportation (Caltrans) are the enforcement agencies for hazardous materials transportation regulations. Hazardous materials and waste transporters are responsible for complying with all applicable packaging, labeling, and shipping regulations.

Within Cal/EPA, the Department of Toxic Substance Control (DTSC) has primary regulatory responsibility for hazardous waste management. Enforcement of regulations has been delegated to local jurisdictions that enter into agreements with DTSC for the generation, transport, and disposal of hazardous materials under the authority of the Hazardous Waste Control Law. State regulations applicable to hazardous materials are contained in Title 22 of the California Code of Regulations (CCR). Title 26 of the CCR is a compilation of those sections or titles of the CCR that are applicable to hazardous materials management. Along with the DTSC, the Regional Water Quality Control Board (RWQCB) is responsible for implementing regulations pertaining to management of soil and groundwater investigation and cleanup. RWQCB regulations are contained in Title 27 of the CCR. The DTSC, RWQCB, and/or a local agency (e.g., Sutter County Environmental Health Division) typically oversee investigation and cleanup of contaminated sites.

In January 1996, Cal/EPA adopted regulations implementing a “Unified Hazardous Waste and Hazardous Materials Management Regulatory Program” (Unified Program). The six program elements of the Unified Program are hazardous waste generators and hazardous waste on-site treatment, underground storage tanks, above-ground storage tanks, hazardous material release response plans and inventories, risk management and prevention program, and Uniform Fire Code hazardous materials management plans and inventories. The program is implemented at the local level by a local agency – the Certified Unified Program Agency (CUPA). The CUPA is responsible for consolidating the administration of the six program elements within its jurisdiction.

The California Environmental Protection Agency (Cal/EPA) and the Office of Emergency Services (OES) establish regulations governing the use of hazardous materials in the state. The California Highway Patrol (CHP) and the California Department of Transportation (Caltrans) are the enforcement

agencies for hazardous materials transportation regulations. Chemical suppliers are responsible for complying with all applicable packaging, labeling and shipping regulations.

Location Relative to Source of Hazardous Emissions

In addition to an evaluation of potential site contamination issues, Public Resources Code Sections 21151.4, 21151.8, and 21151.2 require that no EIR be approved for a project involving the construction or alteration of a facility that might reasonably be anticipated to result in hazardous air emissions within one-quarter mile of a school unless the lead agency has consulted with the school district having jurisdiction regarding the potential impact of the project on the school, or the school has been given written notification of the project not less than 30 days prior to approval of the EIR. Section 4.2, Air Quality, includes additional information about hazardous emissions. The nearest schools are the new Yuba City High School, which is approximately ½ mile south of the Harter Specific Plan area and the Tierra Buena school that is approximately ½ mile east of the project site.

Local

Yuba City General Plan

Goal 6:

Protection of the citizenry from contamination by hazardous material.

Policy:

- 1) Businesses which use, store and/or transport hazardous materials should be located where surrounding sensitive land uses will be least affected.
- 2) The public should be informed as to the possible dangers of hazardous materials to human life and property.

To address this important endeavor the California Health and Safety Code is implemented through local agencies as discussed herein.

General Plan Consistency: The proposed project will be subject to state and local codes regarding transport, storage and use of hazardous materials and is therefore considered consistent.

Yuba City Fire Department

Sutter County Office of Emergency Services works cooperatively with the public safety agencies in Sutter County including the Yuba City Fire Department, other regional fire departments, California Highway Patrol and the County Department of Environmental Health in matters regarding hazardous materials management. The Office of Emergency Services is currently working on its CUPA for Yuba City.³

The Yuba City Fire Department is responsible for installation and removal of underground storage tanks (hereinafter “UST”) regulations. Annual inspections of UST are conducted by Sutter County

3 Bill Fuller, Yuba City Fire Department. Personal communication, July 8, 2003.

Environmental Health Department.⁴ The Fire Department also oversees cleanup of soil contamination related to leaking USTs in cooperation with the County and the RWQCB.

The Yuba City Fire Department is also responsible for implementing sections of the Uniform Fire Code (hereinafter “UFC”). One section relates to storage, use and handling of flammable and combustible materials inventory (Article 79 of the UFC), and the other section relates to hazardous materials (Article 80 of the UFC). The Yuba City Fire Department inspects and monitors facilities required to comply with federal and State hazardous materials inventory and reporting regulations and provides emergency response in the event of an incident involving hazardous materials.

Hazardous Materials Emergency Response

The Yuba City Fire Department has developed a Hazardous Materials Emergency Response Plan. The plan describes organizational and operational responsibilities in the event of a hazardous materials emergency, including cleanup and decontamination procedures. As first responders to hazardous material incidents in Yuba City, personnel on each shift are trained to respond to hazardous materials incidents according to standards specified in CCR Title 8, Section 5192 (Hazardous Waste Operations and Emergency Response). Through mutual aid agreements, the Yuba City Fire Department can also request services from the Sutter County Hazardous Materials Response Team in the event of a large-scale incident. The Yuba City Fire Department would also provide assistance to the California Highway Patrol, Office of Emergency Services, and other responding agencies as requested in the event of a hazardous materials spill on State Routes 20, 70 and 99.

The City revises its Emergency Response Plan (Disaster Plan) on an as needed basis.⁵ The plan is an extension of the City's Multi-Hazard Functional Plan (also updated on an as needed basis) and follows nationally adopted Incident Command System guidelines. The Emergency Response Plan describes roles and responsibilities during emergencies, operating procedures, equipment, and administrative procedures. Specific evacuation routes are generally not included in disaster plans since emergency response procedures and evacuation would need to be determined on a case-by-case basis. Although existing City emergency plans do not indicate specific routes, they have determined that if evacuation in response to a hazardous materials incident in existing or planned areas was needed that evacuees would be directed to areas upwind of the incident. The predominant wind direction is from the south. Depending on weather conditions, evacuation to the east or west would be another option. The exact routes and distances would be determined in response to the nature and severity of the incident.

IMPACTS AND MITIGATION MEASURES

Methods of Analysis

For purposes of this analysis, the typical use of hazardous materials and their effects were qualitatively assessed through review of current zoning codes which indicate what uses could be allowed by the City for the land uses proposed. The General Plan amendment, if approved, would result in the following general land use classifications:

- Low Density Residential (LDR),

4 Ibid.

5 Bill Fuller, Yuba City Fire Department. Personal communication, July 8, 2003.

- Medium Density Residential (MDR),
- Public and Quasi-Public (P),
- Light Industrial (LI),
- Community Commercial (CC),
- Office Institutional and Professional (IP), and
- Neighborhood Commercial.

The following list includes uses that may be permitted by City code for property designated Light Industrial (M-1) in the Harter Specific Plan area. As stated in the Yuba City Zoning Regulations, “this land use district is suitable for low intensity assembly, processing or manufacturing activities, product distribution, and related activities, all of which do not create a nuisance or otherwise unacceptable levels of noise, dust, odor, smoke, bright light or vibration”.

- Auto service stations, auto repair, auto body, radiator;
- Liquefied petroleum and pressurized gas products storage and wholesale;
- Tire recapping plant;
- Welding shops;
- Truck terminals;
- Etc.

In determining the level of significance, this analysis assumes that future uses in the Harter Specific Plan area would comply with relevant federal and State laws and regulations, City General Plan policies, and ordinances. Therefore, such laws, regulations, policies, ordinances, and standards are not identified as mitigation measures in this EIR.

Standards of Significance

A significant impact would occur if future development could:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- Create a significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment; and, or
- Expose people to potential known hazards associated with high-voltage transmission lines.

Harter Specific Plan

Hazardous materials would be used in varying amounts during construction and as a result of development of the Harter Specific Plan. The types and quantities of hazardous materials that could be present during occupancy of the residential and commercial land uses are expected to include, for example, household-type and maintenance products (e.g., paints, solvents, pool chemicals, pesticides/herbicides). In the industrial area, other chemicals could be stored and used, which by their

nature and/or quantity, could pose greater risks to project occupants and visitors. The types and amounts of hazardous materials would vary according to the nature of the activity. However, specific businesses or commercial activities have not been identified in the Harter Specific Plan area (other than the Harter cannery). Therefore, the actual hazardous materials and amounts that would be on-site or within a specific location in the Harter Specific Plan area cannot be determined at this time. In some cases, it is the *type* of hazardous material that is potentially hazardous; in others, it is the *amount* of hazardous material that could present a hazard.

Exposure of construction workers or site occupants to hazardous materials could occur in the following manner: improper handling or use of hazardous materials or hazardous wastes during construction or operation of the project, particularly by untrained personnel; transportation accident; environmentally unsound disposal methods; or fire, explosion or other emergencies. Construction workers and future site residents could be exposed to hazards associated with accidental releases of hazardous materials, which could result in adverse health effects.

Hazardous materials regulations, which are codified in Titles 8, 22, and 26 of the CCR, and their enabling legislation set forth in Chapter 6.95 of the Health and Safety Code, were established at the State level to ensure compliance with federal regulations to reduce the risk to the human health and the environment from the routine use of hazardous substances. These regulations must be implemented by employers/businesses, as appropriate, and are monitored by the State (e.g., OSHA in the workplace or DTSC for hazardous waste) and/or local jurisdictions (i.e., the Yuba City Fire Department). Implementation of existing California Health and Safety Code requirements for preparation of Business Plans (hazardous materials) for all commercial activity using and, or storing hazardous materials, regular oversight of local business operations by the Yuba City Fire Department mandated by Articles 79 and 80 of the UFC, and California Highway Patrol oversight of transporting hazardous materials, will reduce impacts associated with the routine use, storage, and transportation of hazardous materials to a **less-than-significant level**.

Yuba City Marketplace

Hazardous materials would be used in varying amounts during construction and as a result of development of the Yuba City Marketplace. The types and quantities of hazardous materials that could be present during occupancy of the commercial land uses are expected to include, for example, household-type and maintenance products (e.g., paints, solvents, pesticides/herbicides). The types and amounts of hazardous materials would vary according to the nature of the activity. However, specific businesses or commercial activities have not been identified. Therefore, the actual hazardous materials and amounts that would be on-site or within a specific location in the Yuba City Marketplace cannot be determined at this time. In some cases, it is the *type* of hazardous material that is potentially hazardous; in others, it is the *amount* of hazardous material that could present a hazard.

Exposure of construction workers or site occupants to hazardous materials could occur in the following manner: improper handling or use of hazardous materials or hazardous wastes during construction or operation of the project, particularly by untrained personnel; transportation accident; environmentally unsound disposal methods; or fire, explosion or other emergencies. Construction workers and future employees could be exposed to hazards associated with accidental releases of hazardous materials, which could result in adverse health effects.

Hazardous materials regulations, which are codified in Titles 8, 22, and 26 of the CCR, and their enabling legislation set forth in Chapter 6.95 of the Health and Safety Code, were established at the State level to ensure compliance with federal regulations to reduce the risk to the human health and the environment from the routine use of hazardous substances. These regulations must be implemented by employers/businesses, as appropriate, and are monitored by the State (e.g., OSHA in the workplace or DTSC for hazardous waste) and/or local jurisdictions (i.e., the Yuba City Fire Department). Implementation of existing California Health and Safety Code requirements for preparation of Business Plans (hazardous materials) for all commercial activity using and, or storing hazardous materials, regular oversight of local business operations by the Yuba City Fire Department mandated by Articles 79 and 80 of the UFC, and California Highway Patrol oversight of transporting hazardous materials, will reduce impacts associated with the routine use, storage, and transportation of hazardous materials to a **less-than-significant level**.

Mitigation Measure

None Required

4.4-2 Increased demand for hazardous materials incident emergency response.

Harter Specific Plan

Development in the Harter Specific Plan area will increase the use of hazardous materials, so additional hazardous materials emergency response capabilities would be needed. Implementation of applicable regulations and standards (e.g., Uniform Fire Code), hazardous materials management laws and regulations monitored and enforced by the Yuba City Fire Department, is an important component of reducing potential risks associated with hazardous materials use. The hazardous materials disclosure provisions of Titles 8, 22, and 26 of the CCR, and their enabling legislation set forth in Chapter 6.95 of the Health and Safety Code ensure that preventative steps are taken to minimize the occurrence of hazardous materials incidents and to establish response procedures should such incidents occur. For example, new light-industrial and some commercial businesses would be required to submit lists of hazardous materials in their facilities, prepare plans for managing these materials pursuant to applicable laws and regulations, and prepare plans for mitigating releases. This information would enable the Yuba City Fire Department to provide an adequate response and a reasonable level of public safety.

Hazardous materials emergency response and all public safety responses from the Yuba City Fire Department is available from Yuba City Fire Department stations 4 and 7. Station 4 is located at 211 South Walton Avenue and is approximately 1.75 miles from the Harter Road/Highway 20 intersection and approximately 2.5 miles from the Harter Road/Butte House Road intersection. Station 7 is located at 2855 Butte House Road and is approximately one-mile from the Harter Road/Butte House Road intersection and 1.4 miles from the Harter Road/Highway 20 intersection. Station 7 is the station to provide first response to the Harter Specific Plan area.⁶ Development impact fees exacted by the City offset the cost associated with the Yuba City Fire Department administering the ongoing Hazardous Materials Business Plan and the cost associated with increased services (typically in the form of new firefighters and equipment).

6 Bill Fuller, Yuba City Fire Department. Personal communication, July 8, 2003.

Through implementation of the state mandates described above, the proximity of the Yuba City Fire Department stations to the Harter Specific Plan area, and payment of fire impact fees, the impact associated with the incremental increase in the use of public services is considered to be a ***less-than-significant impact***.

Yuba City Marketplace

Development of the Yuba City Marketplace will increase the use of hazardous materials, so additional hazardous materials emergency response capabilities would be needed. Implementation of applicable regulations and standards (e.g., Uniform Fire Code), hazardous materials management laws and regulations monitored and enforced by the Yuba City Fire Department, is an important component of reducing potential risks associated with hazardous materials use. The hazardous materials disclosure provisions of Titles 8, 22, and 26 of the CCR, and their enabling legislation set forth in Chapter 6.95 of the Health and Safety Code ensure that preventative steps are taken to minimize the occurrence of hazardous materials incidents and to establish response procedures should such incidents occur. For example, new light-industrial and some commercial businesses would be required to submit lists of hazardous materials in their facilities, prepare plans for managing these materials pursuant to applicable laws and regulations, and prepare plans for mitigating releases. This information would enable the Yuba City Fire Department to provide an adequate response and a reasonable level of public safety.

Hazardous materials emergency response and all public safety responses from the Yuba City Fire Department is available from Yuba City Fire Department stations 4 and 7. Station 4 is located at 211 South Walton Avenue and is approximately 1.75 miles from the Harter Road/Highway 20 intersection and approximately 2.5 miles from the Harter Road/Butte House Road intersection. Station 7 is located at 2855 Butte House Road and is approximately one-mile from the Harter Road/Butte House Road intersection and 1.4 miles from the Harter Road/Highway 20 intersection. Station 7 is the station to provide first response to the Harter Specific Plan area.⁷ Development impact fees exacted by the City offset the cost associated with the Yuba City Fire Department administering the ongoing Hazardous Materials Business Plan and the cost associated with increased services (typically in the form of new firefighters and equipment).

Through implementation of the state mandates described above, the proximity of the Yuba City Fire Department stations to the Harter Specific Plan area, and payment of fire impact fees, the impact associated with the incremental increase in the use of public services is considered to be ***less than significant***.

Mitigation Measure

None Required

Cumulative Impacts and Mitigation Measures

The rise of impact due to the release of hazardous materials is a relatively localized condition. The risk is typically not exacerbated by conditions in surrounding areas. Likewise, risk associated with a given

7 Bill Fuller, Yuba City Fire Department. Personal communication, July 8, 2003.

project does not compound the level of risk that may be associated with developments in surrounding areas.

The incremental increase in the use and handling of hazardous materials associated with the proposed project therefore would not result in a cumulatively considerable impact.

4.5 HYDROLOGY

4.5 HYDROLOGY

INTRODUCTION

This section evaluates the Harter Specific Plan – Yuba City Marketplace project in the context of drainage infrastructure in and around Yuba City. This section is not pertinent to groundwater issues and water supply to Yuba City. Refer to Section 4.8 – Utilities and Service System, for a discussion of water supply issues. As Yuba City and environs are flat, flooding is a particularly important issue. Canals have been constructed throughout the City and environs that convey drainage away from developed areas and into the Feather River and ultimately to the Sacramento River.

As discussed in the Initial Study (refer to Appendix A), the following hydrology issues were considered to be less than significant, or determined to be eligible for exclusion from further consideration in the DEIR because federal and, or state protocol requires specified action to mitigate impacts or the issue is not relevant to the project: water quality due to construction and operation related runoff; groundwater recharge; reduction of groundwater supplies; development of housing on a 100-year floodplain; flooding due to levee or dam failure; and inundation by seiches, tsunamis, or mudflow. Because they were adequately discussed in the Initial Study, these hydrology issues are not further evaluated in this DEIR.

The Regional Water Quality Control Board (RWQCB) notified the representatives of the Harter Packing Company in September 2003 that data from one of the monitoring wells on the Harter Packing Company site suggests there are increased concentrations of salt-related constituents. This condition has caused a violation of the Harter Packing Company's wastewater discharge permit. In response, the RWQCB had requested that Harter hire an engineer to prepare a technical report describing the background water quality and the magnitude and extent of the degradation of the groundwater and the disposal field soils. The Harter Packing Company may be required to create and implement a mitigation plan. The details of the degradation, the contents of the pending report and potential mitigation concentrations are not available for inclusion in this EIR. Regardless, it is reasonable to conclude that this issue will be resolved through the RWQCB permit process, whereby standard protocols for removing salt-related concentrations in groundwater and/or soils are implemented and the problem soon resolved.

The permit violation is an important issue and the problem has been identified by the RWQCB and is currently being resolved through the mandated protocols of the RWQCB. In addition, the permit violation will not impact the project's water supply because water for the project is from Yuba City, which gets its water from the Feather River. Any potential on- and off-site impacts associated with the permit violation will be addressed through the state's current remediation protocols.

ENVIRONMENTAL SETTING

Surface Hydrology

Regional Setting

The Yuba City Urban Area¹ lies near the center of the Sacramento Valley of California and its topography can generally be described as flat. The slope of the land gradually runs to the southwest. This slope was established by periodic overflowing of the Feather River, which deposited silt along its banks and created natural levees. Elevations near the river range from 60 feet on the north to 50 feet at the southern edge. Minor natural depressions and knolls that existed in the region have been, for the most part, modified by agricultural and urban land leveling and grading.²

In addition to the Feather River, which is the eastern border of the Plan area, the Gilsizer Slough Traverses the southeast portion of the area and meanders in a southerly direction. This natural slough, or creek, provides drainage for flood waters for much of the Urban Area. Gilsizer Slough is intercepted by the Sutter By-Pass and is now maintained as one of the major outfalls for Yuba City urban storm drainage. The topography of this feature has been modified, and in some cases underground piping has been provided.³

The Live Oak Canal, an artificial ditch on the west side of Yuba City, provides drainage for the Tierra Buena area. Another predominant artificial topographic feature is the levee system constructed to protect the Yuba City area from the flood water of the Feather and Yuba Rivers. The elevations of the levees range from 85 feet to the north to 76 feet to the south. This system was first constructed in the late 1800's when, as a result of increased siltation of the rivers by Placer mining activities, flooding of the rivers became more prevalent and more severe.⁴ The Yuba City General Plan (page 45) provides additional historical details about storm drainage in the Yuba City. A copy of the General Plan is available at Yuba City Hall.

Jefferson and Live Oak Canals

As stated in the *Sutter County Master Drainage Plan*, the Live Oak Canal is an engineered, trapezoidal channel that starts north of Butte House Road (north of the Harter Specific Plan area) and continues south until combining with the Snake River near Schlag and Hughes roads to the south of the Harter Specific Plan area (approximately four to five miles south of Highway 20). The channel bottom contains some grass in the segment located near Tierra Buena Road (north of the Harter Specific Plan area). Farther south, the canal channel bottom and banks contain thick brush and grass. No major maintenance efforts are performed on Live Oak Canal.⁵

1 “Urban Area” is sporadically referenced in this DEIR. It means that area within the city limits as opposed to the area outside city limits but within the Sphere of Influence.

2 Yuba City General Plan.

3 Ibid.

4 Ibid.

5 Sutter County Master Drainage Plan.

The Live Oak Canal includes five arterial crossings at Butte House Road, Highway 20, Franklin Road, Lincoln Road, and Township Road. Each crossing has either one or two corrugated metal pipes (CMP), or reinforced concrete pipes (RCP).⁶

Project Setting

The Plan area is located about 2½ miles west of the Feather River, one mile east of the Live Oak Canal and 15 miles east of the Sacramento River. The topography of the Plan area is flat with only a slight change in elevation (ranging from 55 to 57 feet) sloping from east to west. No permanent surface-water bodies exist in the Plan area.

The Plan area is within Sutter County Zone of Benefit #6, whereby the property owners within this district participate in financing of maintenance, operation and construction of drainage facilities for the benefit of such a zone.

REGULATORY CONTEXT

Federal regulatory discussion is not relevant to this discussion. The Federal Emergency Management Agency (FEMA) is not relevant because the Harter Specific Plan and Yuba City Marketplace are not in a floodplain.

State

The State of California administers water stormwater quantity and quality through the NPDES Municipal Stormwater Permit. The reader is referred to the NPDES discussion in the Hydrology and Water Quality section in the attached Initial Study (Appendix A).

Local

Yuba City General Plan

The following General Plan Goals, Policies, Objectives and Implementation measures are applicable to the Harter Specific Plan – Yuba City Marketplace project:

Public Services

In the Public Services section of Section III of the General Plan, drainage is discussed in the context of surface drainage being the most critical factor of development in Yuba City and Sutter County. Drainage improvements and collection of fees are the responsibility of the Gilsizer County Drainage District and the Sutter County Water Agency.

Goal (#7):

Adequate drainage shall be provided to all Urban Areas

6 Ibid, Table 31.

Policies

- 1) Adequate drainage facilities shall exist for all existing and proposed development in the Urban Area prior to any new development occurring.
- 2) Drainage improvements shall be programmed to alleviate problems in existing developed areas.
- 3) Drainage systems shall be designed to eliminate, insofar as feasible, transport of toxic or hazardous materials.

Objective: Each new development shall demonstrate that drainage to City standards may be provided prior to any construction of impervious surfaces or change of grade.

Implementation Measures

- 1) Enforcement of existing codes provides for drainage to new development.
- 2) Drainage improvements to existing developed areas shall be included in the Capital Improvement Program as feasible

General Plan Consistency: the proposed project is part of the Zone 6 Drainage District, whereby property owners within the district participate in financing of maintenance, operation and construction of drainage facilities for the benefit of such zone. Therefore, because of this association and the property owner's recent installation (circa 2001) of on-site drainage infrastructure, the proposed project is considered consistent.

Sutter County Master Drainage Plan

The *Sutter County Master Drainage Plan* was prepared in March 2002 and adopted by the Sutter County Board of Supervisors on June 11, 2002. As stated in this Plan, the purpose is as follows:

The arterial roadways within Sutter County form an important web of transportation corridors. The Sutter County Department of Public Works has established the goal of providing an efficient and adequate drainage system within the County to ensure passable roadways at all times, including periods of local flooding. The County sponsored this Drainage Plan to evaluate the ability of existing drainage facilities to provide adequate drainage service for existing runoff and for runoff due to future land use conditions. A metric [measure] of the effectiveness of the drainage system is the frequency of roadway overtopping during intense storms. The Drainage Plan presents an inventory of the drainage system and identifies those arterial roadway crossings that are overtopped during the 10-yr and 100-yr design storms. The Drainage Plan recommends cost-effective solutions that improve arterial crossings so that they will remain open during and after an event as large as the 100-yr design storm.

The Sutter County Drainage Plan addresses the deficiencies of the drainage system relative to Yuba City, Sutter County and Caltrans roads. The Sutter County Master Drainage Plan does not make recommendations for any infrastructure improvements specific to the Harter Specific Plan area.

Northwest Yuba City Drainage Area Master Drainage Plan

This Drainage Plan was developed as a condition of approval for the Sutter Butte Estates development on Blevin Road, which is north of the Harter Specific Plan – Yuba City Marketplace project site. This report was prepared on March 4, 2002.

The storm drainage improvements proposed for the Northwest Yuba City Drainage Area consist of modifications to existing facilities and construction of new facilities to include construction of underground pipelines and two surface detention ponds, whereby downstream flooding is prevented. In general, the ponds hold back storm water that is then metered into the pipelines connected to the existing drainage pipelines installed in the Harter Specific Plan area of development. The Northwest Yuba City Drainage Area encompasses approximately 560 acres and is comprised of the land west of Yuba City limits, east of Tierra Buena Road, south of Pease Road, and north of Butte House Road. As part of the study, the Harter Specific Plan area had to be studied to insure that the existing facilities in the Plan area (the 60 and 84-inch storm drain pipe and open channel) would handle the upstream runoff plus the Harter Specific Plan development (including the area previously part of the Harter property which now includes the Home Depot and the Applebee's restaurant and new construction). The study concluded that the upstream detention ponds would not affect the Plan area, including the Yuba City Marketplace project.

The *Northwest Yuba City Drainage Area Master Drainage Plan* is available for review at Yuba City City Hall. This plan provides substantial analytical detail of the proposed drainage system required as a result of the Sutter Butte Estates project. Though this DEIR purposely summarizes the *Northwest Yuba City Drainage Area Master Drainage Plan*, readers interested in a greater level of detail associated with this system should refer to this report.

Yuba City Sphere of Influence Master Drainage Plan

The *Yuba City Sphere of Influence Master Drainage Plan* is dated March 2002 and was prepared for the Sutter County Department of Public Works to provide recommendations for future drainage infrastructure improvements within the planning area. This plan should be used as an accompaniment to the *Sutter County Master Drainage Plan* that addresses countywide drainage needs. The planning area is defined as that area bound by Pease Road to the north, Township Road to the west, Bogue Road to the south, and the Yuba City limits to the east. The Harter Specific Plan area and the Yuba City Marketplace projects are within this planning area.

The *Yuba City Sphere of Influence Master Drainage Plan* addresses two drainage watershed areas, the Gilsizer Slough and the Live Oak Canal. The Live Oak Canal only is relevant to both the Harter Specific Plan and the Yuba City Marketplace. The Yuba City Sphere of Influence Master Drainage Plan identifies that three of the Live Oak Canal culverts are inadequate to accommodate the 100-year peak flows. The *Sutter County Master Drainage Plan* recommends improving these culverts. Through this *Yuba City Sphere of Influence Master Drainage Plan*, the proposed project storm drainage impacts have been identified, assessed and quantified. Through the current Zone 6 agreement identified previously in this section, the project impacts are mitigated through ongoing payments from the property owners and ongoing improvements to the downstream drainage infrastructure (i.e., Live Oak Canal) by Sutter County.

Zone 6 Drainage District Resolution of Intention (Resolution 86-1WA) and Sutter County – Home Depot – Harter Packing Reimbursement Agreement

The Plan area is within Sutter County Zone of Benefit #6, whereby the property owners within this district participate in financing of maintenance, operation and construction of drainage facilities for the benefit of such a zone. A reimbursement agreement (circa 2001) between the Sutter County Water Agency (SCWA), Home Depot U.S.A., Inc., and Harter Packing Partnership exists for the Harter Specific Plan project area, the adjacent Home Depot property to the east, and additional properties within zone #6. This agreement states “[...] storm water drainage shall be conveyed to the Live Oak Canal as approved by the Sutter County Public Works Director.” To fulfill this requirement, the applicant, in conjunction with the Home Depot project proponent, installed a 60- and 84-inch drainage pipe that crosses the Harter Specific Plan area within the railroad right-of-way. This pipe will drain the entirety of the Harter Specific Plan area and the Home Depot property, as well as all property within Zone 6 and upstream of the pipes as developed land is connected to the system. As prescribed by County Resolution No. 86-1WA (circa 1986), and the aforementioned reimbursement agreement, this pipe conveys drainage from the site to the Sutter County Live Oak Canal west of the Specific Plan area. At the west boundary line of the Harter Specific Plan area, the drainage pipe “daylights” and then conveys stormwater to an existing drainage channel adjacent to Jefferson Road, which then conveys stormwater to the Live Oak Canal, the Snake River, the Sutter by-pass, and to the Feather River.

IMPACTS AND MITIGATION MEASURES

Methods of Analysis

The following documents are available to the City for evaluating the project’s impacts. These documents are summarized above in this Hydrology section:

- 1) Goals, policies, objectives and implementation measures of the Yuba City General Plan;
- 2) Sutter County Master Drainage Plan;
- 3) Northwest Yuba City Drainage Area Master Drainage Plan;
- 4) Yuba City Sphere of Influence Master Drainage Plan; and
- 5) Zone 6 Drainage District Resolution of Intention (Resolution 86-1WA).

Though a project specific pre- and post-development runoff report was not prepared, the subject site was included in the *Yuba City Sphere of Influence Master Drainage Plan*. Therefore, the urban build out of the project site has been accommodated in current drainage infrastructure planning documents.

Drainage and Flood Analysis

The *Sutter County Master Drainage Plan*, *Northwest Yuba City Drainage Area Master Drainage Plan* and *Yuba City Sphere of Influence Master Drainage Plan* provide background information on the existing

deficiencies of the drainage infrastructure the project will connect to. These reports identify deficiencies and provide remedy to reduce potential impacts.

Standards of Significance

For the purposes of this DEIR, a significant impact would occur if development proposed in the Harter Specific Plan – Yuba City Marketplace project could:

- Substantially alter the existing drainage pattern in a manner that would either result in substantial erosion, or siltation on- or off-site, or increase the rate, or amount of surface runoff resulting in flooding on- or off-site; and/or
- Create or contribute runoff that would exceed the capacity of existing or planned stormwater drainage systems.

Impacts and Mitigation Measures

4.5-1 The Proposed Project will generate stormwater runoff that could contribute to flooding on- and /or off-site.

Harter Specific Plan

Project Site

The Plan area is 180 acres and flat. This Plan area is proposed to be built out with a mix of urban uses to include open space, residential, commercial and industrial uses. Transportation circulation infrastructure is necessary to implement the Harter Specific Plan and constitutes impervious surfacing. Specific acreages relating to each future land use are included in the Project Description section of this DEIR (refer to Tables 2-1 and 2-2). Future urban uses will alter the existing cultivated characteristics of the Harter Specific Plan area whereby percolation will be substantially reduced and run-off is substantially increased.

Because the property is flat it is expected that flooding could occur on the site as a result of development (the site was determined to not be in the 100-year flood zone; refer to the Hydrology and Water Quality section in the attached Initial Study, Appendix A). However, as part of the existing Home Depot development, a 60 to 84 inch diameter stormwater pipeline was installed along the railroad right of way. This pipeline was sized to handle all the runoff from the Harter Specific Plan area properties, which includes the Home Depot property and the Yuba City Marketplace project. In addition, future development as discussed in the *Northwest Yuba City Drainage Area Master Drainage Plan* (discussed below) reflected on the Harter properties and the 60 to 84 inch diameter pipeline. Therefore off-site drainage from the *Northwest Yuba City Drainage Area* would not cause flooding on the Harter properties. As the drainage infrastructure installed on the Harter property would accommodate full development of the Harter Specific Plan area as well as the upstream drainage, on-site flooding is considered a ***less-than-significant impact***.

Jefferson and Live Oak Canals

The *Sutter County Master Drainage Plan* and its accompanying report, the *Yuba City Sphere of Influence Master Drainage Plan*, discuss the capacity of existing drainage infrastructure downstream of the Harter Specific Plan area that Harter Specific Plan development will connect to. Specific to the Harter Specific Plan are the Jefferson and Live Oak canals, which are described above in the Setting section.

The *Sutter County Master Drainage Plan* and its accompanying report, the *Yuba City Sphere of Influence Master Drainage Plan*, document deficiencies in the drainage system. The *Sutter County Master Drainage Plan* indicates that existing capacity is adequate for the 10-year design flows at all the arterial crossings. However, for the 100-year design flows, capacity deficiency occurs at Butte House and Franklin roads. The existing deficiency is defined as overtopping of the roadway. Both roadways are overtopped by one-half inch in the 100-year storm event. However the *Sutter County Master Drainage Plan* represents a snap-shot of Sutter County and Yuba City based on existing conditions and current plans for future development and not based on future growth as to be defined in the pending Yuba City General Plan update. Development that is currently planned for in terms of future stormwater and drainage infrastructure improvements includes the Harter Specific Area/Yuba City Marketplace and other areas to include the pending developments south of Highway 20, including the New High School.⁷ Therefore, the overtopping depth and the number of roads that could experience overtopping during a flood event could be greater than what is described in the *Sutter County Master Drainage Plan*. However, this potential impact will be mitigated by the mitigation measures identified by the mitigation measures identified below.

The *Northwest Yuba City Drainage Area Master Drainage Plan* identifies potential drainage infrastructure deficiencies associated with development of the Sutter Butte Estates development, which is upstream of the Harter Specific Plan area. The Northwest Yuba City Drainage Area encompasses approximately 560 acres and is comprised of the land west of Yuba City limits, east of Tierra Buena Road, south of Pease Road, and north of Butte House Road. As part of the study, the Harter Specific Plan area had to be studied to insure that the existing facilities in the Harter Specific Plan area (the 60 and 84-inch storm drain pipe and open channel) would handle the upstream runoff plus the Harter Specific Plan development (including the area previously part of the Harter property which now includes the Home Depot and the Applebee's restaurant and new construction).

The storm drainage improvements proposed for the Northwest Yuba City Drainage Area consist of modifications to existing facilities and construction of new facilities to include construction of underground pipelines and two surface detention ponds. In general, the ponds hold back storm water that is then metered into the pipelines connected to the existing drainage pipelines installed in the Harter Specific Plan area of development. The purpose of the peaking detention ponds will be to reduce the runoff from the Northwest Yuba City Drainage Area into the Harter Specific Plan area and the Live Oak Canal System. These ponds also provide pretreatment of the runoff prior to leaving the Northwest Yuba City Drainage Area and are thus incorporated into the storm water pollution prevention plan for the Sutter Butte development.

⁷ Yuba City Sphere of Influence Master Drainage Plan, PSOMAS, March 2002.

As the Harter Specific Plan development has been addressed in the *Sutter County Master Drainage Plan* and the *Yuba City Sphere of Influence Master Drainage Plan* and mitigation prescribed through the Zone 6 Resolution, the project impacts, though significant, are currently mitigated through the existing Zone 6 Resolution. Nonetheless, this impact must be determined to be ***potentially significant*** but is currently mitigated through the Zone 6 Resolution.

Yuba City Marketplace

Project Site

The Yuba City Marketplace is 31.1 acres and flat. This site will be built out with a mix of commercial uses. Transportation circulation infrastructure is necessary to implement the *Harter Specific Plan* and constitutes impervious surfacing. Specific acreages relating to each future land use are included in the Project Description section of this DEIR (refer to Table 2-1). Future urban uses will alter the existing cultivated characteristics of the property whereby percolation is substantially reduced and run-off is substantially increased.

Because the property is flat it is expected that flooding could occur on the site as a result of development (the site was determined to not be in the 100-year flood zone). However, as part of the existing Home Depot development, a 60 to 84 inch diameter stormwater pipeline was installed along the railroad right of way. This pipeline was sized to handle all the runoff from the Harter Specific Plan area properties, which includes the Home Depot property and the Yuba City Marketplace project. In addition, future development as discussed in the *Northwest Yuba City Drainage Area Master Drainage Plan* considered the future development of the Harter properties and the 60 to 84-inch diameter pipeline. Therefore, off-site drainage from the *Northwest Yuba City Drainage Area* would not cause flooding on the Harter properties (includes Yuba City Marketplace). As the drainage infrastructure installed on the Harter property would accommodate full development of the Harter Specific Plan (includes Yuba City Marketplace) area as well as the upstream drainage, on-site flooding is considered a ***less-than-significant impact***.

Jefferson and Live Oak Canals

As the Yuba City Marketplace is a component of the Harter Specific Plan area, refer to the “Jefferson and Live Oak Canals” discussion under the Harter Specific Plan Section. This is considered to be a ***potentially significant impact***.

Mitigation Measure

Implementation of the following mitigation measure will reduce the potential impact to a ***less-than-significant level***.

4.5-1

(HSP/YCM) *Implementation of the Zone 6 Resolution will mitigate potential impacts.*

As the Yuba Marketplace is a component of the Harter Specific Plan area, and impacts are currently mitigated through the Zone 6 Resolution, the impact must still be considered significant but is mitigated by Zone 6 Resolution

Cumulative Impacts and Mitigation Measures

4.5-2 The Harter Specific Plan – Yuba City Marketplace project, in combination with cumulative development in Yuba City and Sutter County will generate stormwater runoff that could exceed the drainage capacity of canal segments and canal road crossings and contribute to flooding.

As previously discussed in Impact 4.5-1, the *Sutter County Master Drainage Plan*, the *Yuba City Sphere of Influence Master Drainage Plan*, and the *Northwest Yuba City Drainage Area Master Drainage Plan* address drainage infrastructure based on existing and future land uses. These reports each indicate use of projected future land uses in Yuba City based on the current General Plan (dated 1989) and are thus adequate in the context of the current General Plan. The forecasted impacts and proposed improvements to drainage infrastructure outlined in the *Sutter County Master Drainage Plan*, the *Yuba City Sphere of Influence Master Drainage Plan*, and the *Northwest Yuba City Drainage Area Master Drainage Plan* may not adequately address the cumulative impacts associated with the Harter Specific Plan – Yuba City Marketplace project and future cumulative development. This is considered to be a ***significant cumulative impact***.

Mitigation Measure

Implementation of the following mitigation measure will reduce the potential impact to a *less-than-significant level*.

4.5-2

(HSP/YCM) *Though not the responsibility of the Harter Specific Plan or Yuba City Marketplace project applicants, the City of Yuba City will be required to prepare a drainage infrastructure report that addresses future development impacts relative to drainage infrastructure and will be required to mitigate this impact. To pay for this infrastructure, the city will have to collect impact fees from future development. As the Harter Specific Plan development and the Yuba City Marketplace project are on line to pay their pro-rata share for improvements to downstream drainage infrastructure through the Zone 6 district, it should not be necessary that the Harter Specific Plan and Yuba City Marketplace projects pay the cumulative impact fees the city may require of future development.*

Implementation of this mitigation will provide the vehicle for identifying all storm drainage infrastructure deficiencies that may result from current as well as projected cumulative development.

8 Brian Trudgeon, personal communication, June 25, 2003.

4.6 NOISE

4.6 NOISE

INTRODUCTION

This analysis is based on a noise study prepared by Bollard and Brennan and dated July 23, 2003. This report examines the existing noise environment and potential noise-related impacts, which may occur as a part of the development of the Harter Specific Plan.

Noise sources include roadway traffic, on-site truck traffic, Harter Packing Plant operations, activities associated with commercial/industrial uses, and railroad spur operations. In addition, there is an existing pump station on the project site, which pumps packing plant byproducts water into existing fields to irrigate grass feed.

ENVIRONMENTAL SETTING

Acoustical Fundamentals and Terminology

Noise is often described as unwanted sound. Sound is defined as any pressure variation in air that the human ear can detect. If the pressure variations occur frequently enough (at least 20 times per second), they can be heard and are called sound. The number of pressure variations per second is called the frequency of sound, and is expressed as cycles per second, called Hertz (Hz).

Measuring sound directly in terms of pressure would require a very large and awkward range of numbers. As a result, the decibel scale was devised. The decibel scale uses the hearing threshold (20 micropascals), as a point of reference, defined as 0 dB. Other sound pressures are then compared to the reference pressure, and the logarithm is taken to keep the numbers in a practical range. The decibel scale allows a million-fold increase in pressure to be expressed as 120 dB, and changes in levels (dB) correspond closely to human perception of relative loudness.

The perceived loudness of sounds is dependent upon many factors, including sound pressure level and frequency content. Within the usual range of environmental noise levels, perception of loudness can be approximated by the A-weighting network. There is a strong correlation between A-weighted sound levels and the way the human ear perceives noise. All noise levels reported in this section are in terms of A-weighted levels. Table 4.6-1 shows acoustical terminology used in this report. Table 4.6-2 provides examples of common noise levels associated with various noise sources.

Equipment used for all noise level measurements included Larson-Davis-Laboratories (LDL) Model 820 precision integrating sound level meters. The sound level meters were calibrated in the field using an LDL Model CAL200 acoustical calibrator to ensure accuracy.

TABLE 4.6-1**ACOUSTICAL TERMINOLOGY**

Acoustics	The science of sound.
Ambient Noise	The distinctive acoustical characteristics of a given space consisting of all noise sources audible at that location. In many cases, the term ambient is used to describe an existing or pre-project condition such as the setting in an environmental noise study.
Attenuation	The reduction of an acoustic signal.
A-Weighting	A frequency-response adjustment of a sound level meter that conditions the output signal to approximate human response.
Decibel or dB	Fundamental unit of sound, A Bell is defined as the logarithm of the ratio of the sound pressure squared over the reference pressure squared. A Decibel is one-tenth of a Bell.
Frequency	The measure of the rapidity of alterations of a periodic signal, expressed in cycles per second or hertz.
L_{dn}	Day/Night Average Sound Level. Similar to CNEL but with no evening weighting.
Leq	Equivalent or energy-averaged sound level.
L_{max}	The highest root-mean-square (RMS) sound level measured over a given period of time.
Loudness	A subjective term for the sensation of the magnitude of sound.
Masking	The amount (or the process) by which the threshold of audibility is for one sound is raised by the presence of another (masking) sound.
Noise	Unwanted sound.
Peak Noise	The level corresponding to the highest (not RMS) sound pressure measured over a given period of time. This term is often confused with the "Maximum" level, which is the highest RMS level.
Threshold of Hearing	The lowest sound that can be perceived by the human auditory system, generally considered to be 0 dB for persons with perfect hearing.
Threshold of Pain	Approximately 120 dB above the threshold of hearing.

Decibels	Description
130	Threshold of pain
120	Jet aircraft take-off at 100 feet
110	Riveting machine at operators position
100	Shot-gun at 200 feet
90	Bulldozer at 50 feet
80	Diesel locomotive at 300 feet
70	Commercial jet aircraft interior during flight
60	Normal conversation speech at 5-10 feet
50	Open office background level
40	Background level within a residence
30	soft whisper at 2 feet
20	Interior of recording studio

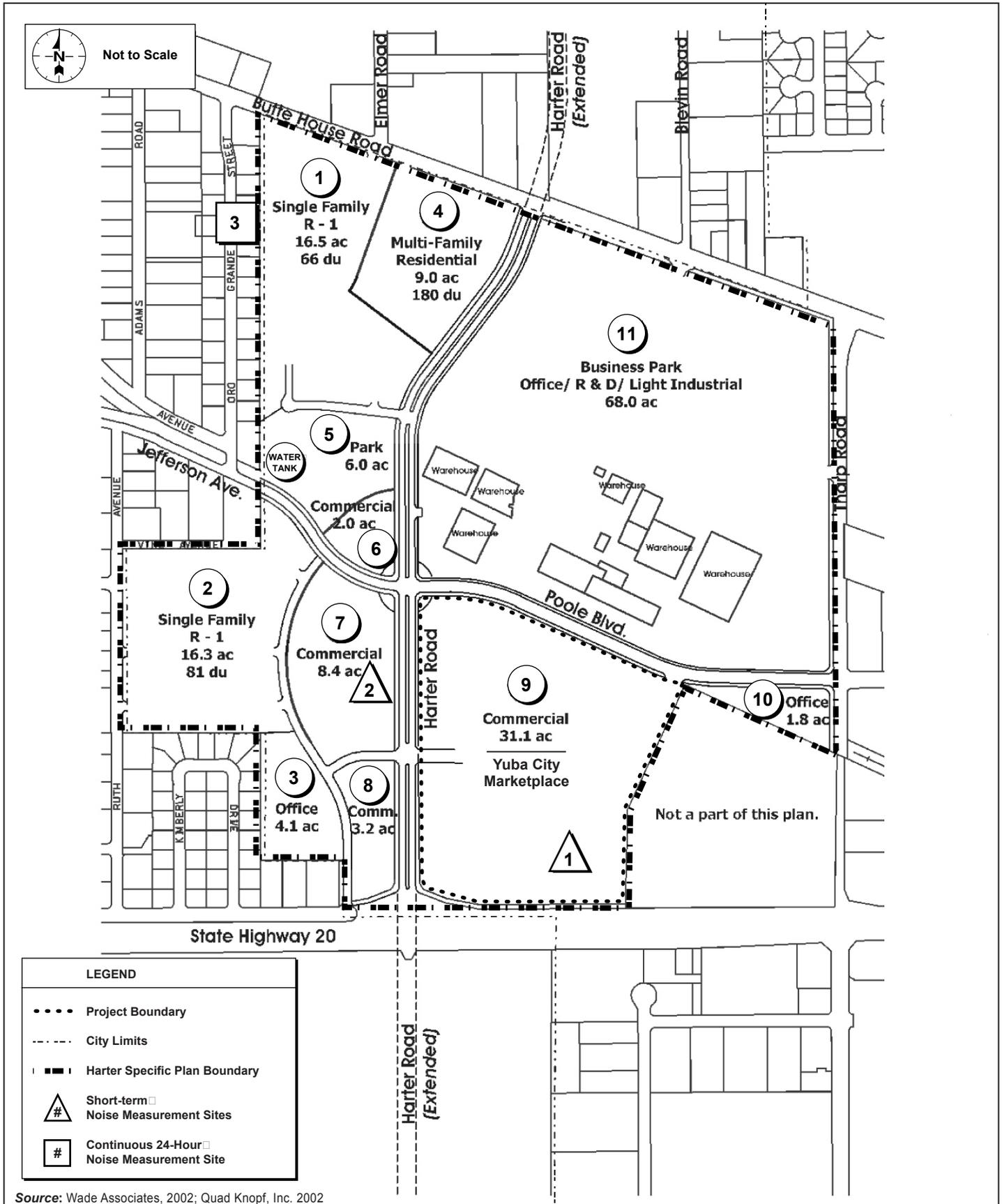
Existing Noise Environment in the Project Vicinity

Existing ambient noise levels in the vicinity of the project site are generally due to traffic along State Route 20 and local roadways, processing from the Harter Packer Co., construction activities, and some aircraft overflights.

To quantify existing ambient noise levels in the project vicinity, both continuous hourly noise level measurements and short-term noise level measurements were conducted. The measurements were conducted to determine the existing background noise levels, and for comparison to future noise levels. The background noise level measurements were conducted on June 27-28, 2001. It should be noted that during the noise measurement survey, the Harter Packing Company was not in full operation. Harter Packing Plant operations noise levels are described separately below. Figure 4.6-1 shows the noise measurement sites. Table 4.6-3 shows the summary of the noise measurement data, and Figure 4.6-2 shows the results of the continuous 24-hour traffic noise measurements.

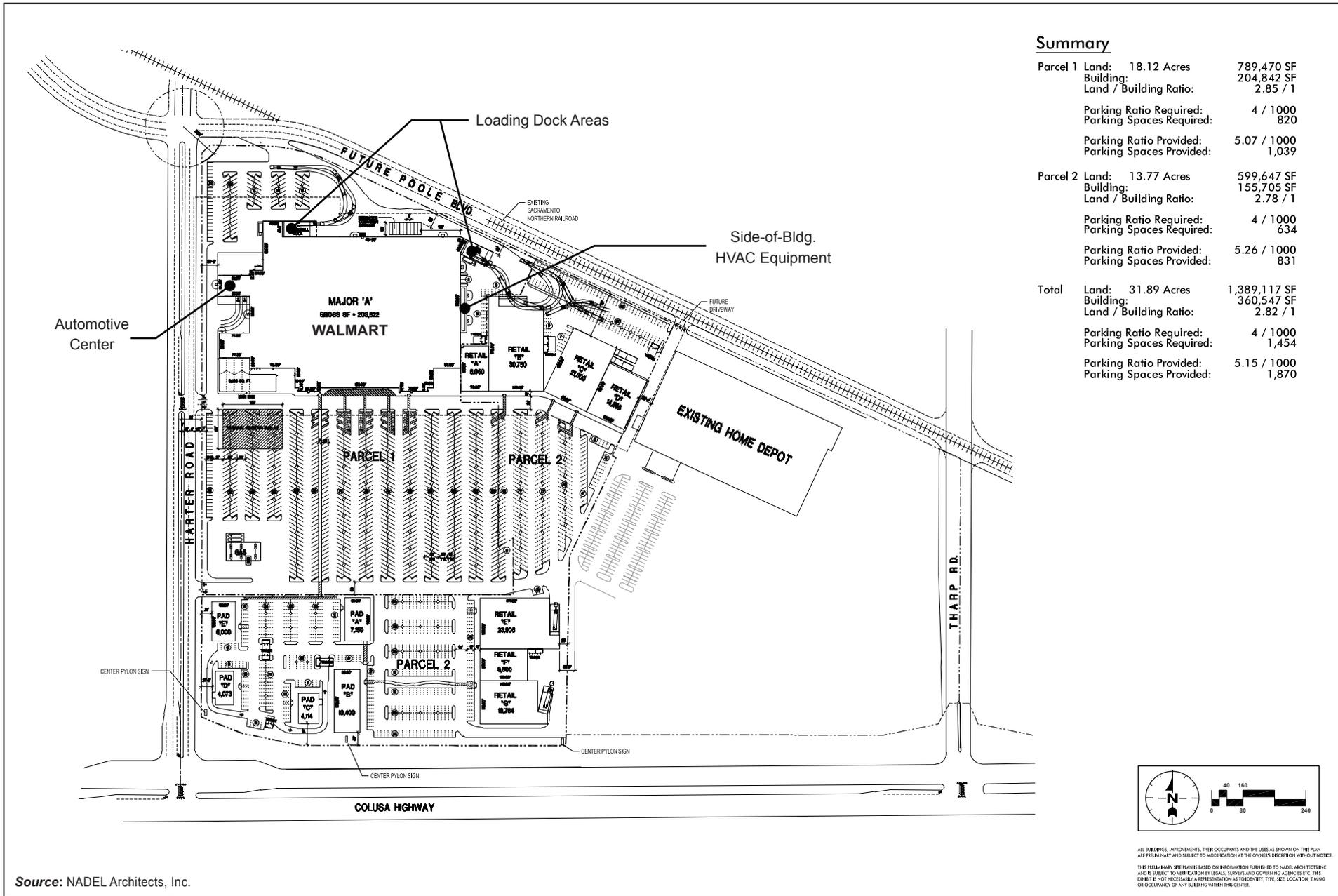
Existing Traffic Noise Levels

As a means of predicted traffic noise levels in the vicinity of the project site, Bollard & Brennan, Inc. uses the Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model (FHWA RD77-108). The FHWA model is currently the preferred method of predicting traffic noise levels by Caltrans and most cities and counties. The FHWA model was developed to predict hourly L_{eq} values, and is generally considered to be accurate within 1.5 dB. To predict L_{dn} values, it is necessary to determine the day/night traffic distribution, and adjust the traffic volume input data to yield an equivalent hourly traffic volume. To predict traffic noise levels, the FHWA model was used with traffic data for existing conditions, provided by KD Anderson traffic consultants. Table 4.6-4 shows the results of the FHWA model. Per the FHWA, traffic noise data is measured from the centerline of the road in order to account traffic noise in each direction.



Source: Wade Associates, 2002; Quad Knopf, Inc. 2002

FIGURE 4.6-1
Noise Measurement Locations



Source: NADEL Architects, Inc.



10818-00

FIGURE 4.6-2
Walmart Noise Source

TABLE 4.6-3								
SUMMARY OF EXISTING BACKGROUND NOISE MEASUREMENT DATA (HARTER PACKING PLANT NOT IN FULL OPERATION)								
Measured Hourly Noise Levels, dB (June 27-28, 2001)								
Site	Time	L _{dn}	Daytime (7:00 a.m. - 10:00 p.m.)			Nighttime (10:00 p.m. - 7:00 a.m.)		
			L _{eq}	L ₅₀	L _{max}	L _{eq}	L ₅₀	L _{max}
Site 1	2:50 p.m.	–	46.6 dB	42 dB	65.9 dB	–	–	–
Site 2	3:36 p.m.	–	44.4 dB	43 dB	59.9 dB	–	–	–
Site 3	24-hours	52.6 dB	49.7 dB	48 dB	64.6 dB	45.1 dB	43 dB	59.4 dB

* = Short-term noise measurement site.
** = Continuous 24-hour noise measurement sites. The daytime and nighttime hourly noise levels represent the average measured noise level during the noise measurement period.

TABLE 4.6-4			
PREDICTED EXISTING TRAFFIC NOISE LEVELS			
Roadway	*Noise Level at 100'	Distance to Traffic Noise Contour (feet)*	
		60 dB L _{dn}	65 dB L _{dn}
S.R. 20	68.1 dB	346	161
Butte House Road	61.8 dB	131	61
Tharp Road	52.7 dB	33	15
Harter Road	58.7 dB	82	38

* Distance to traffic noise contours is from the roadway centerline.

Existing Harter Packing Plant Operations

Operations at the Harter Packing Plant are somewhat seasonal in nature. During the winter months, the packing plant does not operate at full capacity. The packing plant operations increase in mid-July, with the peak season between mid-August to mid-October. Noise levels due to the packing plant operations have been found to be due to truck traffic and from on-site plant operations. Plant operations noise impacts are due primarily to boilers, related steam releases through a stack in the middle of the plant, and conveyor systems.

To quantify noise levels associated with the Harter Packing Plant, background noise level measurements were conducted when the plant was not in peak operation, and when the plant was operating during the peak season in August as discussed below. Both continuous and short-term noise level measurements were conducted. The following provides the results of the noise measurement survey.

Non-Peak Season Harter Packing Plant Noise Levels

To quantify existing ambient noise levels in the project vicinity, both continuous hourly noise level measurements and short-term noise level measurements were conducted. The noise level measurement data shown in Table 4.6-3 and in Figure 4.6-2 represent noise levels in the vicinity of the Harter Packing Plant during non-peak season operations.

Peak Season Harter Packing Plant Operations

Noise levels due to the packing plant operations have been found to be due to truck traffic and from on-site plant operations, as described earlier in this report. Bollard & Brennan, Inc. conducted noise level measurements during peak operations on August 23, 2001. Plant operations noise impacts are due primarily to boilers, related steam releases through a stack in the middle of the plant, and conveyor systems. Primary noise sources were found to be due to the boilers and conveyors on the south side of the plant. The noise due to steam releases from the stack is audible in all directions around the plant. The noise sources from the plant are elevated, which presents unique problems when trying to mitigate the noise at adjoining land uses. In addition, when the plant is in full operation, these noise sources operate continually during the daytime and nighttime hours. As the Yuba City General Plan Noise Element criteria for residential uses is 50 dB L_{eq} during the nighttime period, the location of this contour will be used for determining potential impacts associated with the plant.

Noise level measurements of the plant operations indicate that noise levels at a distance of 60 feet south of the noise sources was 73 dB L_{eq} . Based upon the noise measurement data, the predicted distance to the 50 dB L_{eq} noise level contour is 850 feet south from the edge of the plant.

Shielding of boilers and conveyors occurs to the east, west and north sides of the plant. Based upon observations and noise measurements conducted on the Specific Plan site, plant noise levels were not a concern to the north of the plant. However, west of the plant, noise levels due to steam releases from the stack were audible. Based upon noise level measurements to the west of the plant, the steam releases from the stack were approximately 45 dB L_{eq} at a distance of 1,400 feet from the stack. Therefore, the distance to the 50 dB L_{eq} contour to the west is approximately 800 feet from the center of the plant.

Trucks generally access the site from S.R. 20 and Harter Road. During the peak season up to 100 trucks per day enter and exit the site, with between four and five trucks per hour. Based upon noise level measurements conducted for tomato truck passbys, a typical noise level due to trucks on Harter Road is 84 dB SEL and approximately 80 dB L_{max} at a distance of 30 feet. Based upon observations, Bollard & Brennan, Inc. measured noise levels based on 10 trucks along Harter Road in a 30-minute period. Assuming that up to 20 truck passbys per hour could occur, the hourly noise level due to trucks is 61 dB L_{eq} at a distance of 30 feet. Therefore, the distance to the 50 dB L_{eq} contour is approximately 165 feet from the roadway centerline.

REGULATORY CONTEXT

State

Title 24 of the California Code of Regulations establishes standards governing interior noise levels that apply to all new multifamily residential units (hotels, motels, apartments, condominiums, and other attached dwellings) in California. These standards require that acoustical studies be performed prior to construction at residential building locations where the existing exterior L_{dn} exceeds 60 dBA. Such acoustical studies are required to establish mitigation measures that will limit maximum L_{dn} noise levels to 45 dBA in any habitable room.

Yuba City General Plan Noise Element

Table G-3 of the Yuba City Noise Element contains the City's basis for developing noise sensitive land use decisions and a guide for a community noise ordinance. The portions of that table which would be applicable to this project are reproduced below in Table 4.6-5.

Land Use	Daytime (7 am - 10 pm)	Nighttime (10 pm - 7 am)
Low Density Residential	50 dBA	50 dBA
High Density Residential	55 dBA	50 dBA
Neighborhood Commercial	55 dBA	55 dBA
Professional Office	55 dBA	55 dBA
Retail Commercial	60 dBA	55 dBA
* These are maximum hourly average noise levels for non-transportation noise sources. These noise levels are very similar to the old California Office of Noise Control Model Community Noise Ordinance (circa 1974). These standards are meant for loading docks, on-site mobile equipment (e.g. fork lifts) and other stationary noise sources.		

The Yuba City noise standards are somewhat unclear in that the title of the table in which they appear implies that they are maximum noise level standards, but the standards themselves are consistent with average noise level standards recommended by most cities and counties, as well as the State of California Model Community Noise Control Ordinance. Therefore, for this analysis the noise levels are recognized as an average, not a maximum.

In addition, the Yuba City standards do not provide guidance as to how the standards should be applied in noise-sensitive areas already affected by elevated noise, such as the residences located adjacent to State Route 20.

The criteria contained within Table 4.6-5 are hourly average noise level criteria, consistent with recommendations of the State of California Model Community Noise Control Ordinance, and are applicable to industrial or stationary noise source only and not vehicle traffic. Using this criteria is considered extremely restrictive for transportation noise sources such as roadway traffic. For traffic related noise source, the 24-hour average noise level criteria are used. The criteria are expressed as the "Level Day-Night" or L_{dn} . The L_{dn} descriptor is a 24-hour average noise level, which applies a +10 dB penalty to noise, which occurs during the nighttime hours (10 p.m. - 7 a.m.). The L_{dn} descriptor has been found to provide good correlation to the potential for annoyance due to roadway traffic noise. For residential uses, it is generally recognized that an L_{dn} value between 60 dB and 65 dB is considered to be acceptable. For the purposes of this analysis, traffic noise impacts will be judged using the 60 dB L_{dn} noise level criterion. Therefore, it is important to keep in mind that two criteria are used in this analysis, one for stationary sources and one for mobile sources (i.e., vehicle traffic).

The Hazards section of the Yuba City General Plan (Section III.G) contains the following relevant Goals and Policies:

Goal 4:

Preservation and enhancement of quality of life, including reasonable ambient noise level, of the residents of the Urban Area.

Policies

- 1) An environment and ambient noise level for residential areas that is conducive to good health and allows undisturbed indoor conversation, sleep and relaxation shall be provided.
- 2) Noise generating activities shall be required to mitigate their effect on adjoining or nearby noise sensitive uses.
- 3) Noise sensitive activities shall occur only in those areas with a suitable exterior noise level or to require such activities to include mitigation measures which would provide compatible indoor noise levels year-round.

General Plan Consistency: Through implementation of the Harter Specific Plan Design Guidelines which provides setbacks, wall and fence standards, and implementation of prescribed mitigation as discussed herein, the proposed project is considered consistent.

IMPACTS AND MITIGATION MEASURES

Method of Analysis

Future Traffic Noise Levels Prediction Methodology

As a means of determining future traffic noise levels, the FHWA Traffic Noise Prediction Model was used. Based upon future traffic volumes provided by the traffic consultant, the future Cumulative No Project and Cumulative With Project traffic noise levels were predicted for the local roadways. Tables 4.6-6 and 4.6-7 provide the results of the analysis.

PREDICTED CUMULATIVE NO PROJECT TRAFFIC NOISE LEVELS			
Roadway	*Noise Level at 100'	Distance to Traffic Noise Contour (feet)*	
		60 dB L _{dn}	65 dB L _{dn}
S.R. 20	69.5 dB	431	200
Butte House Road	64.3 dB	194	90
Tharp Road	58.3 dB	78	36
Harter Road	58.5 dB	79	37

* Distance to traffic noise contours is from the roadway centerline.

Roadway/Segment	*Noise Level at 100'	Distance to Traffic Noise Contour (feet)*	
		60 dB L _{dn}	65 dB L _{dn}
S.R. 20			
West of Harter Rd.	68.6 dB	372	173
East of Harter Rd.	70.3 dB	484	225
Butte House Road			
West of Harter Rd.	65.2 dB	223	104
East of Harter Rd.	65.1 dB	218	101
Tharp Road			
South of Poole	65.4 dB	230	107
North of Poole	59.3 dB	90	42
Harter Road			
South of Railroad ROW	64.3 dB	192	89
North of Railroad ROW	61.3 dB	122	57

* Distance to traffic noise contours is from the roadway centerline.

Future Commercial Use and Industrial Use Noise Prediction Methodology

As a means of determining future noise levels associated with potential and proposed commercial and industrial uses on the site, noise monitoring data, and standard modeling techniques were used.

There are a variety of noise sources, which may be associated with future development within the areas designated for commercial use or office/industrial use. Such uses/noise sources include, but are not limited to, commercial loading docks, parking lot noise, roof-top air handling equipment, and on-site truck circulation.

Loading Docks

Loading docks are likely to be used in commercial areas. Due to the elevated noise emissions of heavy trucks and the common practice of using loading docks during late night or early morning hours, adverse public reaction to loading dock usage is not uncommon. This is especially true if heavy trucks idle during unloading or if refrigeration trucks are parked in close proximity to residential boundaries.

Average noise levels for single idling trucks generally range from 60 to 65 dB L_{eq} at a distance of 100 feet, and maximum noise levels associated with heavy truck passages range from 70 to 75 dB L_{max} at a distance of 100 feet. Maximum noise levels generated by passages of medium duty delivery trucks generally range from 55 to 65 dB at a distance of 100 feet, depending on whether or not the driver is accelerating.

Air Handling Equipment

Generally air-handling equipment within an business park will be limited to roof-top heating, ventilating, and air conditioning (HVAC) systems. Noise levels due to HVAC systems can vary based upon the number of units used for cooling (Five 5-ton HVAC units will generally produce

more noise than one 25-ton unit), orientation of openings, type of fan, and the presence of sound suppression equipment such as acoustical hoods or silencers.

As a means of determining an estimate of noise levels due to HVAC systems, it can be assumed that for every 30-tons of cooling capacity an A-weighted sound power level of 97 dB is produced. However, the use of plenum fans have been found to reduce overall noise levels due to HVAC units by up to 15 dBA. Assuming an A-weighted sound power level of 97 dB, the distance to the daytime 50 dB L_{eq} noise level criterion is 225 feet. The distance to the nighttime 45 dB L_{eq} noise level criterion is 400 feet.

However, it should be noted that due to shielding from the edge of the roof top, and the inclusion of parapets will generally reduce overall noise levels considerably. When a five foot tall parapet is included in commercial building design, setbacks of 100 feet are generally sufficient to reduce overall noise levels to within acceptable levels. In addition, orienting fan openings away from residential areas, and including plenum fans will further reduce the potential for annoyance.

Future Harter Packing Plant Noise Prediction Methodology

For future Harter Packing Plant noise impacts, the noise monitoring data collected on the site was used. For general commercial uses and industrial uses, which have not specifically been identified, typical file noise level data for similar operations have been employed. Noise sources associated with the Harter Packing Plant include the on-site processing activities, and truck traffic associated with deliveries and the transporting of products.

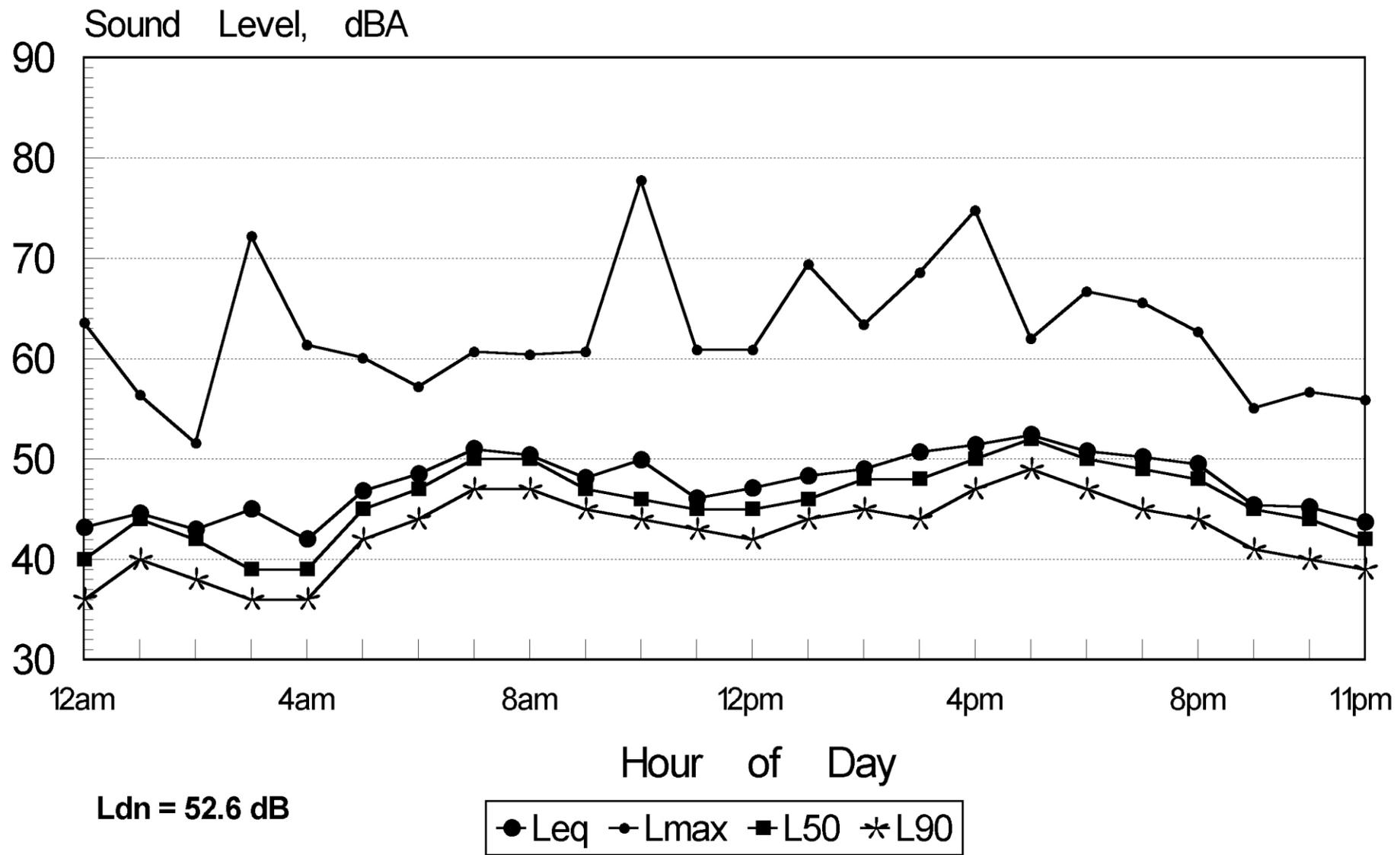
Background noise level measurements conducted within the project site in June indicate that operations at the Harter Packing Company did not produce significant noise levels. Further noise measurements in August during peak operations, which are discussed earlier in this report, indicate that noise levels at the proposed multi-family residential uses would be approximately 50 dB L_{eq} , which is considered to be an acceptable exterior noise level.

Future Wal-Mart Noise Prediction Methodology

There are a variety of noise sources associated with the development of a Wal-Mart store within Polygon 9 of the Harter Specific Plan (i.e., Yuba City Marketplace). These noise sources include on-site truck activity, loading dock activities, HVAC equipment operations, and automotive center activities. Each of these noise sources is discussed individually below. Refer to Figure 4.6-3.

Truck Traffic Noise

Based on Bollard and Brennan, Inc. file data for Wal-Mart stores truck activity at the proposed site will conservatively consist of approximately 10 semi-trailer truck deliveries per day. According to site plans, the on-site truck traffic would be routed around the rear of the commercial center, with truck traffic entering the site from Poole Boulevard, then traversing the north side of the building before exiting the site back onto Poole Boulevard, or continuing south along the east side of the building. As trucks enter the project site, they will be approximately 700 feet or more from the nearest residential backyards to the west. Generally truck passbys are relatively brief, and assuming half of the daily truck passbys occurred in a very busy hour, (reasonably conservative assumption),



Source: EIP Associates



10818-00

FIGURE 4.6-3
Noise Measurement Results

City of Yuba

they would generally produce hourly noise levels of approximately 55 dB L_{eq} and 75 dB L_{max} at a distance of 50 feet. Based upon this information, average and maximum on-site truck traffic noise levels at the nearest future residential backyards to the west are predicted to be approximately 38 dB L_{eq} and 58 dB L_{max} , respectively. These predicted noise levels would satisfy the most restrictive daytime/nighttime exterior average noise level standard of 50 dB L_{eq} applied by Yuba City at residential outdoor activity areas.

Loading Dock Noise

The site plans for this Wal-Mart indicate that this facility will include two separate loading dock areas along the north side of the building. The nearest loading dock area to the future residences to the west is located approximately 775 feet away. In addition, future residences to the west would be shielded from view of the loading docks by the Wal-Mart building itself.

The primary noise source associated with the loading dock area, shown in Figure 4.6-3, is the heavy trucks stopping (air brakes), backing into the loading docks (possible back-up beepers), and pulling out of the loading docks (revving engines). If the heavy truck engines idle while the trucks are being unloaded, then this would be an additional source of noise at this location. Once the trucks have backed into the loading dock, they are unloaded from the inside of the store using a fork lift or hand cart, and most of that unloading noise is contained within the building and truck trailer.

To determine typical loading dock noise levels associated with the proposed commercial center site, noise level measurement data recently collected for loading dock activities at similar loading dock configuration was used. These noise level measurements were conducted at a distance of 50 feet from the loading dock. During the one hour sample of loading dock noise levels, there were three semi-truck arrivals and four semi-truck departures, unloading activities, and one semi-truck passby on the service road.

The noise level measurements were conducted for a one hour period, and the noise measurements of the loading dock activities were confirmed to represent a typical busy hour of loading dock operations. The results of the loading dock noise measurements indicate that a typical busy hour generated a maximum noise level of approximately 80 dB L_{max} , and an average noise level of 55 dB L_{eq} , at the 50 foot reference distance.

At the nearest residential backyards, located approximately 775 feet to the west of the proposed loading dock, the predicted average and maximum noise levels would be reduced to approximately 31 dB L_{eq} and 56 dB L_{max} . These predicted noise levels would satisfy the most restrictive Yuba City daytime/nighttime average noise level standard of 50 dB L_{eq} applied at residential outdoor activity areas.

Heating, Ventilating, and Air Conditioning Equipment Noise

According to plans provided by the project architect, the Wal-Mart store will have HVAC equipment at two locations; on the roof of the building and along a portion of the eastern building facade. The noise generation of the HVAC equipment at both locations are evaluated below.

Rooftop Air Cooling/Heating Equipment

In order to predict noise levels generated by the roof-top HVAC system, the noise consultant obtained noise level measurements of the roof-top HVAC equipment at a similar Wal-Mart store on July 7, 2003 in Reno, Nevada. The major noise producing components of this system were measured on different sides at varying distances in order to quantify possible worst case noise levels. Based upon observations at this existing Wal-Mart store, and confirmed by architectural plans provided by the project architect, the HVAC system for maintaining comfortable shopping temperatures within the store will consist of packaged rooftop air conditioning systems. It is assumed that these units will generally be distributed evenly across the roof of the building. These HVAC units would be shielded from the view of adjacent residential areas by the roof-top parapets.

The nearest residential outdoor activity areas are located approximately 1,050 feet to the west of the Wal-Mart building roof center. At this distance, noise levels generated by the roof-top HVAC equipment are predicted to be approximately 43 dB without shielding from the roof-top parapets. These noise levels would satisfy the daytime/nighttime average noise level standard of 50 dB L_{eq} applied at residential outdoor activity areas. As adjacent land used to the north and south are not noise sensitive, they are not addressed here.

A part of the HVAC system is proposed to be located on the east side of the store, as indicated on Figure 4.6-3. To quantify the noise emissions of that equipment, the noise consultant conducted noise level measurements at a similar Wal-Mart store. At a distance of 50 feet, these HVAC units generated a noise level of approximately 66 dB L_{eq} at the time of monitoring. The nearest residences to the west would be completely shielded from this portion of the HVAC system by the intervening building facade. At the eastern boundary of the Harter Specific Plan, unmitigated average noise levels generated by HVAC equipment on the side of the store are predicted to be approximately 38 dB L_{eq} . Therefore, HVAC generated noise levels at any residences located to the east of the Harter Specific Plan boundary would be expected to comply with the applicable Yuba City noise standards.

Wal-Mart Automotive Center Noise

The project proposes an automotive service center on the west side of the building as shown on Figure 4.6-3. Potentially significant noise sources associated with auto service operations include air impact wrenches, tire breakers and air supply compressors. No significant noise producing activities are identified for any auto lubrication or battery changing operations, which may occur in this area. The noise generation of each of the components of the tire changing operations is discussed separately below.

Impact Wrench Noise Levels

A potentially significant noise source at the proposed auto maintenance facility would be the operation of air impact wrenches during tire changes. Based upon the noise consultant's file data, the 1/2" air wrenches which are used in the "quick change" bays typically produce a sound level of approximately 61 dB L_{eq} and 72.8 dB SEL at a distance of 100 feet from the entrance of the tire change bays. The average duration of use is 15 seconds per wheel. In addition, each wheel involves two actions (on/off).

Because the oil change/lubrication operations do not generate significant noise levels relative to the tire changing operations, the overall facility noise generation is directly related to the number of tires changed per day. Because the number of tires changed in any given day is variable, it was assumed that up to about 400 tire changes per day could occur at the proposed automotive service center on a very busy day, but typical operations would be expected to be less intense.

The residential backyard nearest to the automotive center is located at a distance of approximately 650 feet. Based on an assumed impact wrench usage of about 15 seconds per wheel, and a conservative assumption of 400 tire changes per day (with about 60 in a worst case hour), the predicted average noise level at the nearest residences is predicted to be approximately 42 dB L_{eq} . Because these noise levels would satisfy the Yuba City daytime and nighttime noise level standards, no noise mitigation measures appear to be warranted for this aspect of the proposed Auto Center operation.

Tire Breaker Noise Levels

Tire breakers are also a potentially significant noise source due to the rapid release of air pressure through a number of small holes adjacent to the tire sidewall. Noise produced by this type of pneumatic tire breaker reaches a brief maximum level of about 105 dB at 10 feet. The noise consultant has conducted noise level measurements of other tire breakers where the rapid air release has been eliminated and replaced with an air/hydraulic control system. These types of tire breakers produce a maximum noise level of approximately 74 dB at a distance of 10 feet from the operating tire breaker. For a worst-case estimate of tire-breaker noise generation, the noise consultant assumed that the louder type of tire breaker could be used at the proposed facility. Tire breakers are used twice for each tire removal/replacement operation. The average duration of use is approximately 20 seconds per tire.

The noise levels received at the nearest residences 650 feet to the west during tire breaker operations will depend on the degree by which the tire breaker operations are shielded from view of those residences. It is expected that all operation of tire breakers will take place inside the automotive center. Due to this shielding and the degree of separation between the automotive center and the nearest residential outdoor activity area, noise levels generated by tire breakers are not expected to have any significant impact at the nearest land sensitive uses.

Air Compressor Noise Levels

The noise produced by air supply compressors varies considerably with compressor size, type, and operating conditions. At similar tire maintenance facilities, the noise consultant has measured steady-state compressor noise levels of about 60 dB at a distance of 50 feet. The compressors typically cycle on and off intermittently during the work day to meet air supply demands. At the nearest proposed residences, located approximately 650 feet to the west, the worst-case noise level associated with compressor usage would be 38 dB assuming it is unshielded. Based on the Marketplace site plan, there is shielding of this equipment in the direction of the nearest proposed residences to the north. Nonetheless, this level would comply with the Yuba City daytime/nighttime noise level standard of 50 dB L_{eq} .

Construction Noise Impact Assessment Methodology

During the construction phases of the project, noise from construction activities would increase the noise environment in the immediate area. Activities involved in construction would generate noise levels ranging from 85 to 90 dB at a distance of 50 feet, as indicated by Table 4.6-8. Construction activities would be temporary in nature, typically occurring during normal working hours.

Type of Equipment	Maximum Level, dB at 50 feet
Bulldozers	87
Heavy Trucks	88
Backhoe	85
Pneumatic Tools	85

Source: Bollard and Brennan

Noise would also be generated during the construction phase by increased truck traffic on area roadways. A significant project-generated noise source would be truck traffic associated with transport of heavy materials and equipment to and from construction sites. This noise increase would be of short duration, and would likely occur primarily during daytime hours.

Standards of Significance

Generally, a project may have a significant effect on the environment if it will substantially increase the ambient noise levels for adjoining areas or expose people to severe noise levels. In practice, more specific professional standards have been developed. These standards state that a noise impact may be considered significant if it would generate noise that would conflict with local planning criteria or ordinances, or substantially increase noise levels at noise-sensitive land uses.

The potential increase in traffic noise from the project is a factor in determining significance. Research into the human perception of changes in sound level indicates the following:

- A 3-dB change is barely perceptible,
- A 5-dB change is clearly perceptible, and
- A 10-dB change is perceived as being twice or half as loud.

A limitation of using a single noise level increase value to evaluate noise impacts is that it fails to account for pre-project-noise conditions. Table 4.6-9 is based upon recommendations made by the Federal Interagency Committee on Noise (FICON) to provide guidance in the assessment of changes in ambient noise levels resulting from aircraft operations. The recommendations are based upon studies that relate aircraft noise levels to the percentage of persons highly annoyed by the noise. Although the FICON recommendations were specifically developed to assess aircraft noise impacts, it has been asserted by the acoustic industry that they are applicable to all sources of noise (especially vehicle traffic) described in terms of cumulative noise exposure metrics such as the Ldn.

Ambient Noise Level Without Project, L _{dn}	Increase Required for Significant Impact
<60 dB	+5.0 dB or more
60-65 dB	+3.0 dB or more
>65 dB	+1.5 dB or more

Source: Federal Interagency Committee on Noise (FICON)

According to Table 4.6-9, an increase in the traffic noise level of 1.5 dB or more would be significant where the ambient noise level exceeds 65 dB L_{dn}. The rationale for the Table 4.6-9 criteria is that, as ambient noise levels increase, a smaller increase in noise resulting from a project is sufficient to cause significant annoyance.

For this EIR, noise impacts associated with the proposed project would be considered significant if the following were to occur:

- a. The project-related traffic noise level increases are predicted to exceed the FICON standards shown in Table 4.6-9;
- b. Stationary noise sources in exceedance of the Yuba City General Plan Noise Element criteria of 50 dB L_{eq} for single family dwellings and 55 dB L_{eq} for multi-family dwellings; and, or
- c. Proposed residential uses are predicted to be exposed to traffic noise levels which exceed 60 dB L_{dn}.

Impacts and Mitigation Measures

4.6-1 Development within the project area will generate increased traffic on the local roadway system. This project-generated traffic is expected to result in traffic noise level increases over existing levels of more than 3 dB L_{dn} (but less than 5 dB L_{dn}) along Tharp Road and Harter Road.

Harter Specific Plan

At buildout, The Harter Specific Plan will generate 47,696 trips per day on local roadways. As a result of these trips, noise levels on project streets are anticipated to increase by 3 dB over the existing ambient noise level of 58.7 dB at 100 feet from the road center line. Based on Table 4.6-9, an increase in noise level that is 5 dB or less does not constitute a significant impact. This impact is considered a *less-than-significant impact*.

Yuba City Marketplace

The Yuba City Marketplace Plan will generate 21,018 trip ends per day on area roadways. As the trip ends associated with the Harter Specific Plan do not rise to a significant level, it stands to reason that half the number of trip ends would be considered *less than significant*.

Mitigation Measure

4.6-1 *None Required*

4.6-2 Future residential uses on polygons 1 and 4 in the Harter Specific Plan area, which are anticipated to be located within approximately 223 feet of the Butte House Road centerline and within 122 feet of the Harter Road centerline will be exposed to traffic noise levels in excess of 60 dB L_{dn}.

Harter Specific Plan

Polygons 1 and 4

Residential uses in polygons 1 and 4 include single and multifamily dwellings and are expected to be exposed to traffic noise levels in excess of 60 dB L_{dn}. This includes the noise attributed to truck traffic from the Harter Packing Company. Construction of eight-foot high masonry noise barriers as required by the Harter Specific Plan will be included in future residential development in Polygons 1 and 4 so that the 60 dB L_{dn} noise level as measured at the property line shall not be exceeded. However, as building elevation plans and road surface elevations are not available, there is uncertainty as to the effectiveness of the masonry wall in reducing the sound to 60 dB L_{dn}. Therefore, future traffic related noise impacts relative to Polygon 1 and 4 could be *potentially significant*.

Polygon 2

Future residential uses proposed in Polygon 2 will also be subject to traffic noise associated with the Harter Specific Plan buildout, but at a substantially lower level as compared to the noise from traffic that potentially impacts the residential land uses in Polygons 1 and 4. This is because the traffic flow on the street nearest Polygon 2 (between Polygon 2 and 7), and other minor internal streets within the Harter Specific Plan area west of Harter Road represents approximately 10 percent of the total traffic volume of the traffic generated by the Harter Specific Plan including the traffic generated by the Yuba City Marketplace. Table 4.7-6 shows the trip distribution characteristics of future development. Regardless, the applicant proposes in the Harter Specific Plan to include a berm on Polygon 7 and walls on Polygon 2 whereby traffic noise and the potential noise generated by the commercial uses in Polygon 7 do not adversely impact the residential land uses. Therefore, future traffic related noise impact relative to Polygon 2 is anticipated to be *less than significant*.

Yuba City Marketplace

The Yuba City Marketplace was evaluated as part of the Harter Specific Plan project by the noise consultant. Therefore, because the Yuba City Marketplace project is a component of the larger Harter Specific Plan project and this larger project was determined to have a *potentially significant*

impact relative to Polygons 1 and 4 and a *less-than-significant impact* relative to Polygon 2, the Yuba City Marketplace project would have the same level of impact relative to these polygons.

Mitigation Measure

The use of masonry walls is typical in addressing noise impacts. However, as the noise consultant cannot attest to the effectiveness of a masonry wall due to the uncertainty of future building elevations and road surface elevations, there must be assurance that future construction demonstrates to the City that mitigation will achieve a 60 dB performance standard.

Implementation of the following mitigation measure will reduce the potential noise impact related to Polygons 1 and 4 to a *less-than-significant level*. As indicated above, no additional mitigation is warranted for Polygon 2.

4.6-2

(HSP) Construction of eight-foot high masonry noise barriers as required by the Harter Specific Plan shall be included in future residential development. In addition, to assure attainment of the 60 dB performance standard as measured at the property lines is not exceeded, future applications for permits to construct future residential development in Polygons 1 and 4 shall be accompanied with a study or other mechanism that examines the proposed plans in conjunction with the 8-foot high masonry wall, or other design feature, that mitigates the noise impact so that the 60 dB level is not exceeded.

Based upon preliminary barrier calculations, a barrier of approximately 8-feet in height would be required along the property lines of proposed residential uses adjacent to Harter Road and Butte House Road.

4.6-2

(YCM) The Yuba City Marketplace applicant shall pay a prorated share of the cost of wall construction based on the percentage of vehicle trips generated by the Yuba City Marketplace as determined in the traffic report and/or traffic consultant.

4.6-3 Delivery Trucks. Development of the Wal-Mart store in Polygon 9 of the specific plan would result in on-site delivery truck activity that may generate excessive noise levels at the nearest residential areas to the west (approximately 700 feet).

Harter Specific Plan

Future residential uses proposed in Polygon 2 will be subject to delivery truck traffic noise, but at a substantially lower level as compared to the noise from traffic that potentially impacts the residential land uses in Polygons 1 and 4. This is because the traffic flow on the street between Polygons 2 and 7, and other internal streets within the Harter Specific Plan area represents approximately 10 percent of the total traffic volume of the traffic generated by the Harter Specific Plan including the traffic generated by the Yuba City Marketplace. Table 4.7-6 shows the trip distribution characteristics of future development. Regardless, the applicant proposes in the Harter Specific Plan to include a berm on Polygon 7 and walls on Polygon 2 whereby traffic noise and the potential noise generated by the commercial uses in Polygon 7 do not adversely impact the residential land uses. Therefore, future traffic related noise impacts relative to Polygon 2 is anticipated to be *less than significant*.

Yuba City Marketplace

Based on the noise consultant's file data for Wal-Mart stores, truck activity at the proposed site will conservatively consist of approximately 10 semi-trailer truck deliveries per day. According to site plans, the on-site truck traffic would be routed around the rear of the commercial center, with truck traffic entering the site from Poole Blvd., then traversing the north side of the building before exiting the site back onto Poole Blvd., or continuing south along the east side of the building. As trucks enter the project site, they will be approximately 700 feet or more from the nearest residential backyards. Generally, truck passbys are relatively brief, and assuming half of the daily truck passbys occurred in a very busy hour, (reasonably conservative assumption), they would generally produce hourly noise levels of approximately 55 dB L_{eq} and 75 dB L_{max} at a distance of 50 feet. Based upon this information, average and maximum on-site truck traffic noise levels at the nearest future residential backyards to the west are predicted to be approximately 38 dB L_{eq} and 58 dB L_{max} , respectively. Therefore, the noise levels will comply with the applicable Yuba City noise level standard of 50 dB L_{eq} at the nearest residential areas. This is considered to be a *less-than-significant impact*.

Mitigation Measure

None Required

4.6-4 Loading Docks. Operations at the proposed Wal-Mart store includes the use of loading docks at two different locations along the north side of the building. This may impact nearby residential areas.

Harter Specific Plan

Future residential uses proposed in Polygon 2 will be subject to potential loading dock noise associated with commercial activities in Polygon 7. The distance to future loading docks or other primary noise sources is unknown at this time because of the general nature of the Harter Specific Plan development (i.e., no specific uses are proposed outside of the Yuba City Marketplace project).

The primary noise source associated with the loading dock area is the heavy trucks stopping (air brakes), backing into the loading docks (possible back-up beepers), and pulling out of the loading docks (revving engines). If the heavy truck engines idle while the trucks are being unloaded, then this would be an additional source of noise at this location. Once the trucks have backed into the loading dock, they are unloaded from the inside of the store using a fork lift or hand cart, and most of that unloading noise is contained within the building and truck trailer.

To determine typical loading dock noise levels associated with future commercial land uses, noise level measurement data recently collected by the noise consultant for loading dock activities was used. These noise level measurements were conducted at a distance of 50 feet from the loading dock. During the one-hour sample of loading dock noise levels, there were three semi-truck arrivals and four semi-truck departures, unloading activities, and one semi-truck pass-by on an adjacent service road.

The noise level measurements were conducted for a one-hour period and the noise measurements of the loading dock activities were confirmed to represent a typical busy hour of loading dock

operations. The results of the loading dock noise measurements indicate that a typical busy hour generated a maximum noise level of approximately 80 dB L_{max} , and an average noise level of 55 dB L_{eq} , at a distance of 50 feet from the noise source.

As there is no specific project proposed in Polygon 7, it is appropriate to assume that there will be a potential noise impact to the adjacent future residential land uses in Polygon 2 as a result of loading dock noise. Therefore, future loading dock related noise impacts relative to Polygon 2 is anticipated to be ***potentially significant***.

Yuba City Marketplace

At the nearest residential backyards, located approximately 775 feet to the west of the proposed Wal-Mart loading dock, the predicted average and maximum noise levels would be reduced to approximately 31 dB L_{eq} and 56 dB L_{max} . Furthermore, the City has required screen walls at each of the loading docks facing the future residential project that will further reduce noise levels. Therefore, the noise levels will comply with the applicable Yuba City noise level standard of 50 dB L_{eq} at the nearest residential areas. This is considered to be a ***less-than-significant impact***.

Mitigation Measure

Implementation of the following mitigation will reduce the above impact to a *less-than-significant level* as this mitigation is prefaced on an existing noise threshold standard contained in the Yuba City General Plan Hazards section (Section III, page 5, Table G-3).

4.6-4

(HSP) For all future commercial uses in Polygon 7, a noise study will be conducted for any proposed use that includes loading docks. This noise study shall determine what the appropriate distance should be between the most easterly boundary of the residential land uses in Polygon 2 and the loading docks, or propose other mitigation measures in order that the dB L_{eq} at the property boundary does not exceed the Yuba City General Plan prescribed threshold of 50 dB L_{eq} .

4.6-5 HVAC. Development of the proposed Wal-Mart store would include the use of HVAC equipment in order to maintain comfortable shopping temperatures within the store. Noise generated by these units could potentially affect noise levels at the nearest residential outdoor activity area.

Harter Specific Plan

Future residential uses proposed in Polygon 2 will be subject to potential HVAC equipment noise associated with commercial activities in Polygon 7. The distance to future HVAC equipment is unknown at this time because of the general nature of the Harter Specific Plan development (i.e., no specific uses are proposed outside of the Yuba City Marketplace project). Without specific information it is appropriate to conclude that a potential impact could occur. Therefore, future HVAC equipment noise impacts relative to Polygon 2 is anticipated to be ***potentially significant***.

Yuba City Marketplace

The nearest residential outdoor activity areas are located approximately 775 to 1,050 feet to the west of the Wal-Mart building (775 from edge of building and 1,050 from roof center). At a distance of 1,050, noise levels generated by the rooftop HVAC equipment are predicted to be approximately 43 dB L_{eq} without shielding from the rooftop parapets, which are included as part of the store design. At 775 feet, the noise level is approximately 46 dB L_{eq} . These noise levels would satisfy the daytime/nighttime average noise level standard of 50 dB L_{eq} applied at residential outdoor activity areas at these distances.

A part of the HVAC system is proposed to be located on the east side of the store. At a distance of 50 feet, this HVAC equipment is anticipated to generate a noise level of approximately 66 dB L_{eq} . The nearest residences to west (775 feet) would be completely shielded from this portion of the HVAC system by the intervening building façade and screen walls. At the eastern boundary of the Harter Specific Plan, unmitigated average noise levels generated by HVAC equipment on the side of the store are predicted to be approximately 38 dB L_{eq} . Therefore, the noise levels will comply with the applicable Yuba City noise level standard of 50 dB L_{eq} at the nearest residential areas. This is considered to be a *less-than-significant impact*.

Mitigation Measure

Implementation of the following mitigation will reduce the above impact to a *less-than-significant level* as this mitigation is prefaced on an existing noise threshold standard contained in the Yuba City General Plan Hazards section (Section III, page 5, Table G-3).

4.6-5

(HSP) *For all future commercial uses in Polygon 7, a noise study will be conducted for any proposed use that includes HVAC equipment. This noise study shall determine what the appropriate distance should be or propose other mitigation measures between the most easterly boundary of the residential land uses in Polygon 2 and the HVAC equipment in order that the dB L_{eq} at the residential property boundary does not exceed the Yuba City General Plan prescribed threshold of 50 dB L_{eq} .*

4.6-6 Air Impact Wrenches. Development of the proposed Wal-Mart store would include the construction of an automotive center along the west side of the building. Activities at this automotive center would include the use of air impact wrenches during tire changes. This piece of equipment has been identified as a potentially significant noise source at the nearest residential outdoor activity area.

Harter Specific Plan

Future residential uses proposed in Polygon 2 will be subject to potential air impact wrench equipment noise associated with commercial activities in Polygon 7. The distance to this potential noise source is unknown at this time because of the general nature of the Harter Specific Plan development (i.e., no specific uses are proposed outside of the Yuba City Marketplace project). Without specific information it is appropriate to conclude that a potential impact could occur. Therefore, future air impact wrench equipment noise impacts relative to Polygon 2 is anticipated to be *potentially significant*.

Yuba City Marketplace

Based on the noise consultant's hourly noise level data collected for air impact wrenches of 61 dB L_{eq} , the worst case scenario of 400 tire changes per day at this auto center would generate impact wrench noise levels that would be approximately 42 dB L_{eq} at the nearest residences to the west (650 feet). These activities will take place within the automotive center building. Therefore, the noise levels will comply with the applicable Yuba City noise level standard of 50 dB L_{eq} at the nearest residential areas. This is considered to be a ***less-than-significant impact***.

Mitigation Measure

Implementation of the following mitigation will reduce the above impact to a *less-than-significant level* as this mitigation is prefaced on an existing noise threshold standard contained in the Yuba City General Plan Hazards section (Section III, page 5, Table G-3).

4.6-6

(HSP) *For all future commercial uses in Polygon 7, a noise study will be conducted for any proposed use that includes air impact wrenches. This noise study shall determine what the appropriate distance should be or propose other mitigation measures between the most easterly boundary of the residential land uses in Polygon 2 and the air impact wrenches should be in order that the dB L_{eq} at the property boundary does not exceed the Yuba City General Plan prescribed threshold of 50 dB L_{eq} .*

4.6-7 Tire Breakers. Activities at the proposed Wal-Mart store automotive center would include the use of tire breakers. This piece of equipment has been identified as a potentially significant noise source at the nearest residential outdoor activity area.

Harter Specific Plan

Future residential uses proposed in Polygon 2 will be subject to potential tire breaker equipment noise associated with commercial activities in Polygon 7. The distance to this potential noise source is unknown at this time because of the general nature of the Harter Specific Plan development (i.e., no specific uses are proposed outside of the Yuba City Marketplace project). Without specific information it is appropriate to conclude that a potential impact could occur. Therefore, future tire breaker equipment noise impacts relative to Polygon 2 is anticipated to be a ***potentially significant impact***.

Yuba City Marketplace

Based upon the noise consultants file data, tire breakers can generate up to 105 dB at 10 feet. Tire breakers during the worst case scenario could produce maximum noise levels of 70 dB at the nearest residences 650 feet to the west. Assuming that the tire breakers were used up to 30 times in an hour, the unshielded noise levels could exceed the Yuba City General Plan noise level criterion of 50 dB L_{eq} . This is considered a ***potentially significant impact***.

Mitigation Measure

Implementation of the following mitigation measure will reduce this impact to a ***less-than-significant level***.

4.6-7(a)
(YCM)

All tire breakers shall be located within the interior of the tire shops.

Implementation of the following mitigation will reduce the above impact to a ***less-than-significant level*** as this mitigation is prefaced on an existing noise threshold standard contained in the Yuba City General Plan Hazards section (Section III, page 5, Table G-3).

4.6-7(b)

(HSP) *For all future commercial uses in Polygon 7, a noise study will be conducted for any proposed use that includes tire breaker equipment. This noise study shall determine what the appropriate distance should be between the most easterly boundary of the residential land uses in Polygon 2 and the tire breaker equipment in order that the dB Leq at the property boundary does not exceed the Yuba City General Plan prescribed threshold of 50 dB Leq.*

4.6-8 Air Compressors. Activities at the proposed Wal-Mart store automotive center would include the use of air compressors. This equipment has been identified as a potentially significant noise source at the nearest residential outdoor activity area.

Harter Specific Plan

Future residential uses proposed in Polygon 2 will be subject to potential air compressor noise associated with commercial activities in Polygon 7. The distance to this potential noise source is unknown at this time because of the general nature of the Harter Specific Plan development (i.e., no specific uses are proposed outside of the Yuba City Marketplace project). Without specific information it is appropriate to conclude that a potential impact could occur. Therefore, future air compressor equipment noise impacts relative to Polygon 2 is anticipated to be ***potentially significant***.

Yuba City Marketplace

Based upon the noise consultant's file data collected for air compressors of 60 dB at 50 feet, and the relatively large distance between this equipment and the nearest residence to the west (650 feet), noise levels generated by air compressors would comply with the applicable Yuba City noise level standards of 50 dB L_{eq} at the nearest residential areas. Furthermore, these activities will take place within the automotive center building. This is considered to be a ***less-than-significant impact***.

Mitigation Measure

Implementation of the following mitigation will reduce the above impact to a ***less-than-significant level*** as this mitigation is prefaced on an existing noise threshold standard contained in the Yuba City General Plan Hazards section (Section III, page 5, Table G-3).

4.6-8

(HSP) *For all future commercial uses in Polygon 7, a noise study will be conducted for any proposed use that includes air compressors. This noise study shall determine what the appropriate distance should be between the most easterly boundary of the residential land uses in Polygon 2 and the air compressors noise should be in order*

that the dB L_{eq} at the property boundary does not exceed the Yuba City General Plan prescribed threshold of 50 dB L_{eq} .

4.6-9 Construction noise will result in elevated noise levels and may impact nearby residential areas.

Construction activities often require use of large mechanical equipment that generate noise levels ranging from 85 to 90 dB at a distance of 50 feet. Due to the relatively short distance between the existing noise-sensitive uses and the uses proposed, construction will result in periods of significant ambient noise level increases. Because construction activities could result in periods of elevated noise levels at existing residences, this impact is considered potentially significant.

Harter Specific Plan

This impact is relevant to the Harter Specific Plan because as this area builds out construction related noise will impact the adjacent existing residential areas. This is considered to be a ***potentially significant impact***.

Yuba City Marketplace

The Yuba City Marketplace project does not have residential uses adjacent to it. However, at its southwest corner it is approximately 400 feet from the nearest residential area (area fronting the north side Highway 20 and west of Harter Road). In addition, road construction associated with the Yuba City Marketplace will occur on Harter Road. This future road construction will be approximately 200 feet from this residential area. This is considered to be a ***potentially significant impact***.

Mitigation Measure

Implementation of this mitigation measure would reduce this impact to a *less-than-significant level*.

4.6-9

(HSP/YCM) Construction activities shall be restricted to the hours of 6 AM to 9 PM Monday through Saturday and 8 AM to 9 PM Sunday and State and Federal holidays.

Cumulative Impacts and Mitigation Measures

4.6-10 Project development could result in a cumulative increase in traffic noise levels on the street system in the project vicinity.

The proposed development of the Harter properties will generate increased traffic on the street system in the project vicinity. As indicated by a comparison of Tables 4.6-6 and 4.6-7, the project-generated traffic is expected to result in traffic noise level increases over cumulative levels ranging from 1 to 7 dB Ldn. Per Table 4.6-9, a substantial increase in traffic noise levels is defined as 1.5 to 5 dB, depending on the pre-project traffic noise level (e.g., if an existing dB reading is 58.3, table 4.6-9 indicates that a significant impact would occur if the noise level increased by 5.0 dB or more). Based on a comparison of Tables 4.6-6 and 4.6-7, the project-related traffic noise level increase would exceed those thresholds along Harter and Tharp roads only (i.e., Tharp Road goes from 58.3

dB to 65.4 dB; Harter Road goes from 58.5 dB to 64.3 dB). As Tharp Road is the only one of these two roads with sensitive receptors (i.e., the proposed Bel Aire Place 192-unit multiple-family project located at the southeast corner of Tharp and Butte House Road) particular attention to this road is required to determine if a potential cumulative impact exists relative to the Bel Aire project.

As indicated in Table 4.6-7, Tharp Road in the area of the Bel Aire project will not increase by the threshold level of significance (>5 dB). North of Poole Boulevard, Tharp Road cumulative noise levels go up to 59.3 dB. Tables 4.6-6 and 4.6-7 indicate that Tharp Road will go from 58.3 dB to 59.3 dB in the cumulative scenario with the proposed development of the Harter Specific Plan. As the threshold of significance for existing roads with dB measurements below 60 dB is 5.0 dB or more, no cumulative impact on any of these roads is anticipated. Therefore, cumulative noise impacts are considered to be **less than significant**.

4.7 TRANSPORTATION

4.7 TRANSPORTATION

INTRODUCTION

This Transportation and Circulation discussion is based on the July 11, 2003 transportation report prepared by KD Anderson, entitled *Traffic Impact Analysis for Harter Specific Plan Area*. The report is contained herein and the appendix to the transportation report is available upon request at the Yuba City Community Development Department. The appendix is a traffic model that supports the analysis and conclusions in the transportation report.

The purpose of this analysis is to identify the potential impacts of Proposed Project development within the context of current and future traffic conditions in western Yuba City. The analysis includes evaluation of existing circulation conditions in the area based on current a.m. and p.m. peak hour traffic volumes. The extent to which improvements for current conditions are already needed has been determined and included herein. The general characteristics of the Proposed Project have also been determined based on probable peak hour and daily trip generation, regional trip distribution and local trip assignment. Estimates have been made for the Yuba City Marketplace, as well as for the full Harter Specific Plan. Resulting Levels of Service have been identified at study intersections under “existing”, “existing plus Yuba City Marketplace”, “existing plus Specific Plan buildout”, “year 2023 without project” and “year 2023 with Specific Plan” conditions. The extent of mitigation measures needed to ensure satisfactory operation of the area street system under each alternative is also determined.

Analysis of the Harter Specific Plan area was included in a recent traffic study prepared for the adjoining Home Depot project¹, and in traffic studies prepared for the proposed Western Yuba City High School² and for Del Monte Square Commercial Park and Del Monte Ranch.³ The analysis that follows makes use of assumptions regarding trip distribution and assignment as well as cumulative background traffic volume growth rates contained in these studies.

ENVIRONMENTAL SETTING

Existing Street System

Regional access to the Harter Specific Plan Area is provided by several major roads. Colusa Avenue (SR 20) connects the project with the Yuba City -Marysville urban area and SR 99 to the east and with the balance of Sutter County to the west. Butte House Road links the project with northern Yuba City.

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- 1 Traffic Impact Study for the proposed Home Depot in Yuba City, Fehr & Peers Associates, 10/20/99.
 - 2 Traffic Impact Study for the proposed New High School in Yuba City, California, Fehr & Peers Associates, 4/16/01.
 - 3 Traffic Impact Study for the Del Monte Square Commercial Park and Del Monte Ranch, Fehr & Peers Associates, 10/2/02.

Local access will be via Harter Road, Tharp Road and via Poole Boulevard. The text that follows describes these facilities, as well as other roads in the area of the project.

Colusa Avenue (SR 20) is a major east-west route serving Yuba City and Marysville. In the vicinity of the project Colusa Avenue is a four-lane expressway with access limited to major signalized intersections. Ultimately this road is planned to be widened to a six-lane section. The most recent traffic counts available from Caltrans suggest that SR 20 in this area carries an *Average Daily Traffic (ADT)* volume of about 28,500 vehicles per day.

SR 99 is the major north-south route through Yuba City. This four-lane facility is located about 2 miles east of the Harter Specific Plan area and is accessed via the signalized SR 20/SR 99 intersection. SR 99 carries about 19,000 ADT south of SR 20.

Butte House Road is an east-west arterial street serving the northern Yuba City area. Butte House Road originates at an intersection with Gray Avenue east of SR 99 and continues westerly under the SR 99 freeway to the project site and on into rural Sutter county. Butte House Road is a two-lane road in the vicinity of the Harter Specific Plan Area. Butte House Road carries about 8,000 vehicles per day in the vicinity of the project.

Harter Road is a two-lane north south urban collector street that links Butte House Road with Colusa Avenue. The current traffic volume on Harter Road is about 4,000 vehicles per day. The Harter Avenue / Colusa Avenue intersection is signalized, while the Harter Avenue / Butte House Road intersection is controlled by a stop sign on the northbound Harter Road approach.

Harter Road currently terminates at Colusa Avenue. Harter Road is to be extended south to Lassen Boulevard to provide access to the new Yuba City Second High School and the City of Yuba City expects that the road may eventually be extended further south to provide a north-south route parallel to SR 99.

Tharp Road is a north-south urban collector street that extends southerly from Butte House Road along the east boundary of the plan area to Lassen Boulevard. The Union Pacific Railroad line crosses this two-lane road at the southeast corner of the specific plan boundary. Tharp Road was improved in conjunction with the recent Home Depot project, and improvements have widened Tharp Road in the area immediately north of Colusa Avenue. Tharp Road intersects Colusa Avenue at a signalized intersection, while the Tharp Road / Butte House Road intersection is controlled by a stop sign on the northbound Tharp Road approach.

Stabler Lane is a north-south arterial street that parallels SR 99 in the area between the Harter Specific Plan area and SR 99. Stabler Lane extends northerly from Colusa Avenue to Pease Road. South of Colusa Avenue, the road continues as Walton Avenue. The Colusa Avenue / Stabler Lane / Walton Avenue intersection is controlled by a traffic signal, as is the Stabler Lane and Poole Boulevard intersection with Butte House Road.

Civic Center Boulevard provides access to the area north of Colusa Avenue around City Hall. This four-lane street links SR 20 with Butte House Road.

El Margarita Road is a north-south collector street that extends southerly from SR 20 in the area west of the Specific Plan area. This two-lane road intersects Colusa Avenue at an intersection controlled by a stop sign on the northbound El Margarita Road approach.

Poole Boulevard is an east-west collector street that links Civic Center Drive with Tharp Road. This two-lane street carries about 1,000 vehicles per day west of Stabler Lane. The Poole Boulevard / Stabler Lane intersection is controlled by a traffic signal, while the Poole Boulevard / Tharp Road intersection is controlled by a stop sign on the westbound Poole Boulevard approach.

The **Colusa Avenue Frontage Roads** run parallel to SR 20 and provide access to properties on both sides of the highway. Originally some connections were located relatively close to the highway, but as development has occurred some of the frontage road connections have been moved from the highway to improve access and safety. The frontage road connection immediately east of Harter Road was moved to the north with the Home Depot project, but the west side connection remains relatively close to SR 20.

Existing Traffic Volumes

To quantify existing traffic conditions, a base of current peak hour traffic volume information was assembled from recent traffic studies and new traffic counts completed by this consultant. Year 2003 p.m. peak hour traffic counts collected by Fehr & Peers Associates in January 2003 were used to supplement traffic counts made on City streets by the transportation consultant in August 2001 and adjusted to the year 2003 based on recent growth trends on SR 99 (i.e., 2.6% annually). These traffic volume data, as well as current intersection traffic controls and lane geometry are presented in Figure 4.7-1.

Current Peak Hour Traffic Conditions

Current a.m. and p.m. peak hour Levels of Service were calculated at existing study intersections (Refer to the Technical Appendices for calculation worksheets available at the Yuba City Community Development Department) under the “Existing” conditions, and the results are presented in Table 4.7-1.

As shown, traffic conditions in the study area vary. Peak hour operating conditions at all of the study intersections meet the City's LOS C or Caltrans' LOS D standard. However, under existing conditions short periods of congestion do occur at the Colusa Avenue (SR 20) / SR 99 intersection. Regardless, none of the unsignalized intersections meets warrants for signalization.

Existing Transit System

The Yuba-Sutter Transit Authority provides bus service to Yuba and Sutter counties and their respective communities. At this time, the nearest transit service to the Harter property is the Route 5 bus. This bus operates five days per week and travels up Tharp Road to Butte House Road and then turn right to the east. There is one stop on Tharp Road near the intersection of Highway 20. With implementation of the Harter Specific Plan and the Yuba City Marketplace projects, the City and the Yuba-Sutter Transit Authority will require transit amenities and stops to be determined at a future date.

TABLE 4.7-1**EXISTING PEAK HOUR INTERSECTION LEVELS OF SERVICE**

Intersection	Control	AM Peak Hour		PM Peak Hour	
		Average Delay	LOS	Average Delay	LOS
1. Butte House Road / Harter Rd	NB Stop	11.9 sec	B	17.0 sec	C
2. Butte House Road / Tharp Road	NB Stop	15.0 sec	C	16.7 sec	C
3. Butte House Road / Stabler Lane	Signal	22.9 sec	C	24.4 sec	C
4. Tharp Road / Poole Boulevard	WB Stop	9.6 sec	A	10.8 sec	B
5. Stabler lane / Poole Boulevard	Signal	10.7 sec	B	11.5 sec	B
6. Colusa Avenue / El Margarita Rd	NB Stop	12.0 sec	B	12.0 sec	B
7. Colusa Avenue / Harter Road	Signal	13.7 sec	B	12.2 sec	B
8. Colusa Avenue / Tharp Road	Signal	16.6 sec	B	25.0 sec	C
9. Colusa Avenue / Stabler Lane	Signal	22.8 sec	C	28.4 sec	C
10. Colusa Avenue / Civic Center Boulevard	Signal	11.0 sec	B	17.0 sec	B
11. Colusa Avenue (SR 20) / SR 99	Signal	29.6 sec	C	32.2 sec	C

Existing Bicycle and Pedestrian Facilities

Bike and pedestrian infrastructure is addressed in the Yuba-Sutter Bikeway Master Plan report dated December 1995. This report was prepared by Fehr and Peers Associates under contract to the Feather River Air Quality Management District. It provides a blueprint for developing a bikeway system that includes both on- and off-street facilities. On-street facilities are known as Class 2 and 3 bike lanes. Off-street facilities are Class 1 bike lanes.

The Yuba-Sutter Bikeway Master Plan includes the following components:

- Bikeway Goals and Policies;
- Existing Conditions;
- Analysis of Demand;
- Proposed System;
- Costa and Funding; and
- Implementation.

The Yuba-Sutter Bikeway Master Plan is a regional, two-county bikeway master plan that focuses on providing bikeway connections between incorporated cities, adjacent counties and major regional destinations. The plan also identifies bikeway facilities that are consistent with the planned facilities in each city and in neighboring jurisdictions. When written in 1995, the Yuba-Sutter Bikeway Master Plan identified 20 miles of on-street facilities (defined as those facilities defined by standards of the State of California Department of Transportation). The Yuba-Sutter Bikeway Master Plan states that both counties can accommodate on-street bikeway facilities with minor widening. Further, the levee system offers a unique opportunity for developing Class 1 bike paths.

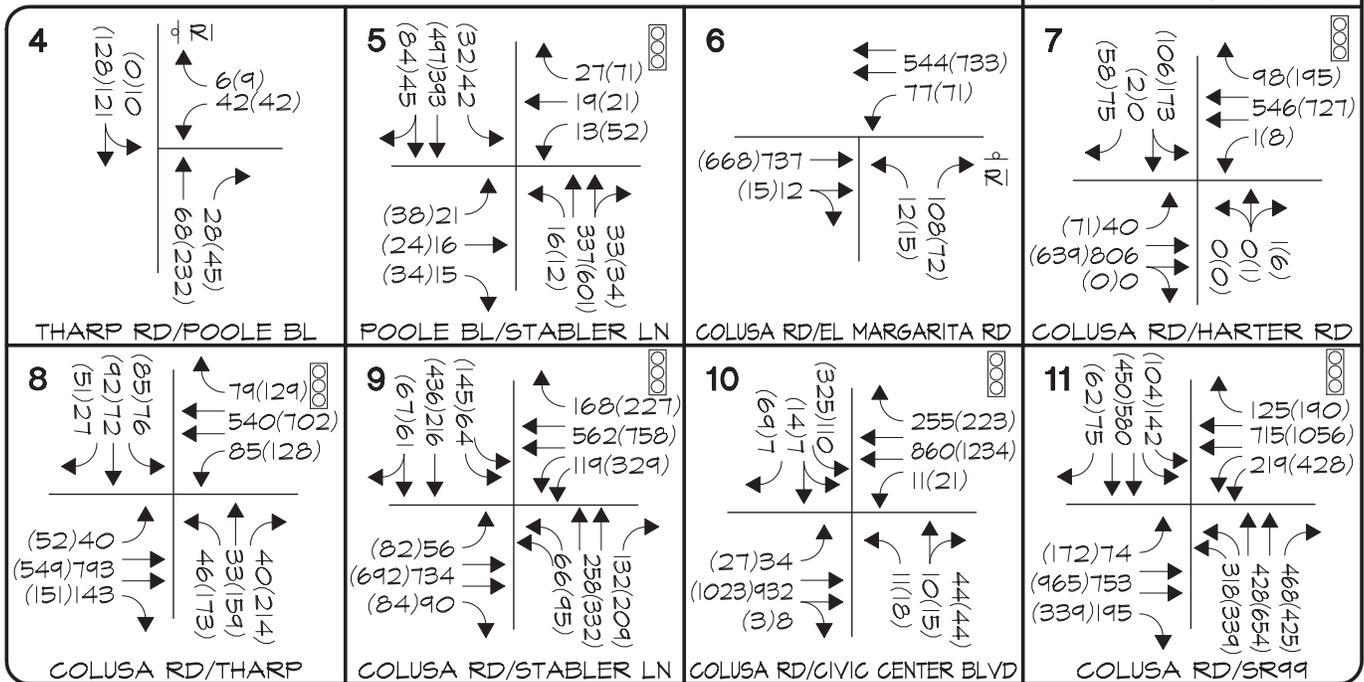
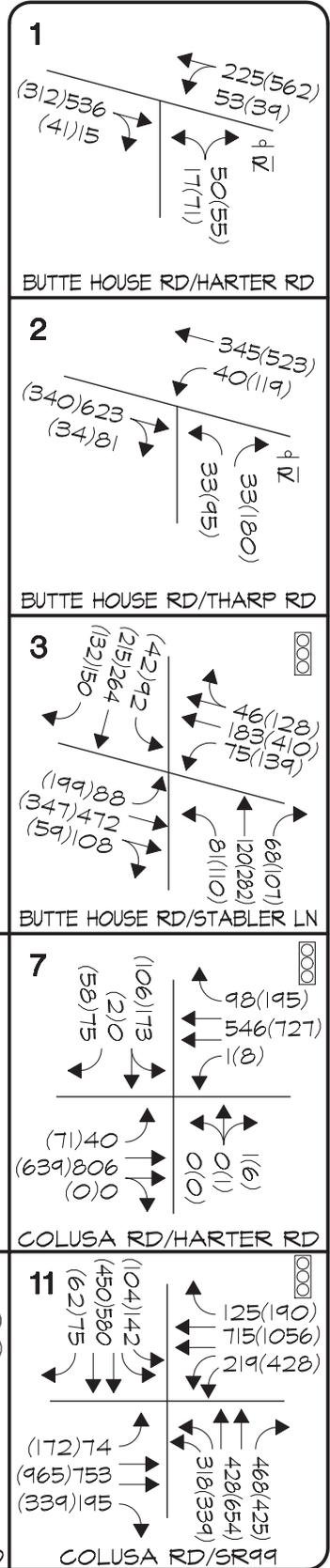
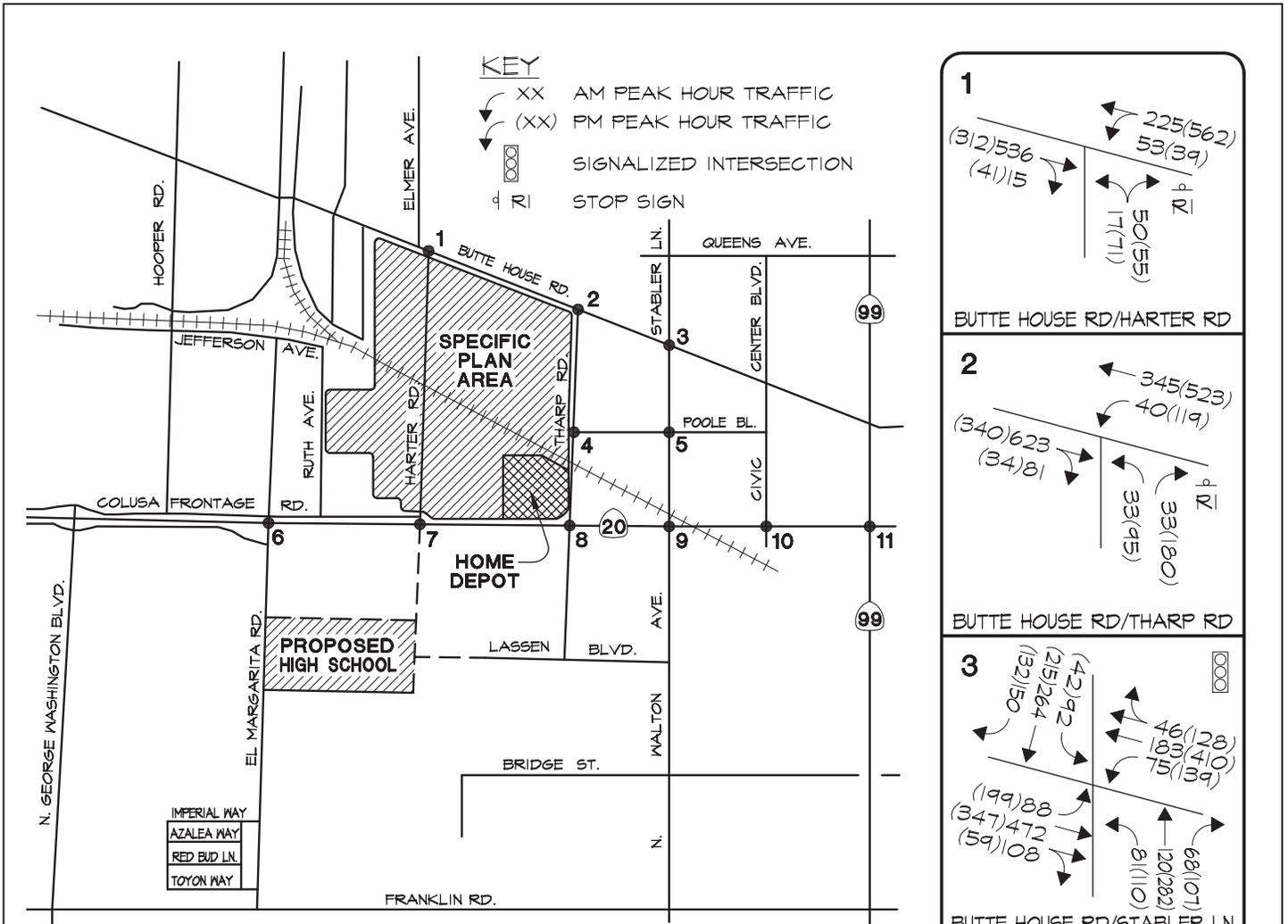


FIGURE 4.7-1
Existing Traffic Volumes and Lane Configurations

Not to Scale



As population and employment in Yuba and Sutter counties is expected to more than double by 2015 (Yuba-Sutter Bikeway Master Plan), implementing a bikeway system that is safe, comprehensive, and convenient will be important in encouraging residents to use a bicycle over other modes of travel. The Yuba-Sutter Bikeway Master Plan delineates existing and proposed bikeway routes and identifies a system with a total of 395 miles of bikeway facilities. The system not only connects each city in Yuba and Sutter counties, but it provides regional connections to six other counties including Butte County, Colusa County, Nevada County, Placer County, Sacramento County, and Yolo County. The majority of this system consists of Class 2 and 3 facilities, although approximately 17 new miles of Class 1 paths are proposed. The Yuba-Sutter Bikeway Master Plan designates Class 2 facilities in the Urban Area on collectors and arterials, especially where the average daily traffic volumes exceed 5,000. Outside the urban areas, Class 3 bike routes are the primary facilities because of the low traffic volumes.

The Yuba-Sutter Bikeway Master Plan also provides an implementation section that contains recommendations for constructing and operating the proposed bike system. This section includes a discussion of phasing and priorities for implementing specific routes and also contains discussion about design standards, bikeway system operations, marketing a bikeway system, and the environmental review process that should be followed as the proposed system is developed.

REGULATORY CONTEXT

State

California Department of Transportation Level of Service standard for State highways is LOS D.

Local

Goal 9:

Adequate streets and highways shall be provided and maintained to serve existing and future populations of the Urban Area.

Policy

- 1) It is the policy of the City that service levels shall not fall below Service Level C as defined for any street in the Urban Area.

Goal 10:

The goals, policies, objectives and implementation plan of the Hub Area Transit Authority shall be fulfilled.

Policy

- 1) The policy of the City is to assure that the HATA plan is implemented.
- 2) The policy of the City is to assure that additional transit opportunities are provided as is feasible.

Goal 11:

Bikeways should be provided to facilitate use of bicycles as alternative modes of transportation.

Policy

- 1) It is the policy of the City to develop and maintain bikeways in the Urban Area

The City of Yuba City General Plan has established LOS "C" measured over the peak hour as the standard for any street in the Urban Area. (General Plan, Section III, Public Services, p.10 and 18). The General Plan distinguishes between streets and highways in defining its transportation facilities. (General Plan, Section II. J., p.81). Highway 99 and State Route 20 are identified as part of the State highway system. The City interprets the LOS C standard as applying only to local streets over which it exercises control over improvements. The LOS standard for highways located within the City is LOS D under Caltrans standards and the County Congestion Management Plan because Caltrans has approval authority over improvements to highways.

General Plan Consistency: The proposed project does conform with the General Plan through implementation of prescribed mitigations.

IMPACTS AND MITIGATION MEASURES

Method of Analysis

To quantitatively evaluate traffic conditions and to provide a basis for comparison of operating conditions with and without project generated traffic, Levels of Service were determined at study area intersections.

“Level of Service” (LOS) is a quantitative measure of traffic operating conditions whereby a letter grade “A” through “F” is assigned to an intersection. LOS “A” through “F” represents progressively worsening traffic conditions. The characteristics associated with the various LOS for intersections are presented in Table 4.7-2.

Levels of Service were calculated for this study using the methodology contained in the *2000 Highway Capacity Manual*. The overall Level of Service for intersections was determined based on the average length of delays for all motorists at signalized intersections. At unsignalized intersections the Level of Service was predicated on the length of the average delay experienced by all motorists who must yield the right of way before turning or continuing through an intersection.

Though no transit service exists at the Harter Specific Plan area, future development will compel this service to be provided. As with all projects of this magnitude, transit will be provided through the City’s project conditions.

Trip Generation

The number of vehicle trips that are expected to be generated by development of the Harter Specific Plan has been estimated using typical trip generation rates that have been developed based on consideration of the nature and size of project land uses. Data compiled by the Institute of Transportation Engineers (ITE) and presented in the ITE publication *Trip Generation, 6th Edition* have been the source of trip generation rates for the uses within the Harter Specific Plan area. In the case of retail and office uses, rates based on building square footage are employed, and the publication suggests

Level of Service	Signalized Intersection	Unsignalized Intersection	Roadway (Daily)
“A”	Uncongested operations, all queues clear in a single-signal cycle. Delay \leq 10.0 sec	Little or no delay. Delay \leq 10 sec/veh	Completely free flow.
“B”	Uncongested operations, all queues clear in a single cycle. Delay $>$ 10.0 sec and \leq 20.0 sec	Short traffic delays. Delay $>$ 10 sec/veh and \leq 15 sec/veh	Free flow, presence of other vehicles noticeable.
“C”	Light congestion, occasional backups on critical approaches. Delay $>$ 20.0 sec and \leq 35.0 sec	Average traffic delays. Delay $>$ 15 sec/veh and \leq 25 sec/veh	Ability to maneuver and select operating speed affected.
“D”	Significant congestions of critical approaches but intersection functional. Cars required to wait through more than one cycle during short peaks. No long queues formed. Delay $>$ 35.0 sec and \leq 55.0 sec	Long traffic delays. Delay $>$ 25 sec/veh and \leq 35 sec/veh	Unstable flow, speeds and ability to maneuver restricted.
“E”	Severe congestion with some long standing queues on critical approaches. Blockage of intersection may occur if traffic signal does not provide for protected turning movements. Traffic queue may block nearby intersection(s) upstream of critical approach(es). Delay $>$ 55.0 sec and \leq 80.0 sec	Very long traffic delays, failure, and extreme congestion. Delay $>$ 35 sec/veh and \leq 50 sec/veh	At or near capacity, flow quite unstable.
“F”	Total breakdown, stop-and-go operation. Delay $>$ 80.0 sec	Intersection blocked by external causes. Delay $>$ 50 sec/veh	Forced flow, breakdown.

Source: 2000 *Highway Capacity Manual*.

that the rates for these uses vary in inverse proportion to the size of the use. To account for this relationship, general assumptions for building *Floor Area Ratio (FAR)* were made based the consultant’s experience with similar uses. Resulting rates were then interpolated on a “per acre” basis for those portions of the Harter Specific Plan area not included in the Yuba City Marketplace project. These rates are presented in Table 4.7-3.

A conservative approach was taken for estimating the amount of traffic associated with the Yuba City Marketplace project (total of 360,547 square feet). Applicable ITE rates for a shopping center of this size were identified, and these rates were applied to the retail space within the site. While it could be argued that the shopping center rates could be applied universally to all the uses within the center, separate estimates were made for the two fast food restaurants and for the gasoline sales in order to account for the higher trip generation characteristics of these uses. Therefore, 353,500 square feet of Retail Commercial shown in Tables 4.7-4 and 4.7-5 is segregated from 7,000 square feet of Fast Food Restaurant.

Resulting trip generation estimates for Yuba City Marketplace alone and for ultimate development of the Specific Plan are presented in Tables 4.7-4 and 4.7-5, respectively. As shown, if the entire site was developed, the Harter Specific Plan could be expected to generate 47,696 daily trips. Of that total about 2,788 trips are expected during the a.m. peak hour and 4,658 trips could occur during the p.m. peak hour.

TABLE 4.7-3

TRIP GENERATION RATES

Land Use	Unit	Trip Per Unit						
		Daily	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Retail Commercial (31.1 ac site)	1,000 sf	44.10	0.60	0.38	0.98	1.99	2.16	4.15
Retail Commercial (8.4 ac site)	Acre	766.33	11.00	7.08	18.08	33.87	36.59	70.46
Retail Commercial (3.2 ac site)	Acre	1,081.49	16.23	10.45	26.68	46.94	50.97	97.90
Retail Commercial (2.0 ac site)	Acre	1,279.12	19.65	12.55	32.20	55.11	59.70	114.81
Gasoline Sales	Fueling position	162.78	5.03	5.03	10.06	6.69	6.69	13.38
Fast Food Restaurant	Ksf	496.12	25.43	24.43	49.86	17.41	16.07	33.48
Business Park	Acre	150.0	15.7	3.2	18.9	3.3	13.5	16.8
Office (4.1 ac site)	Acre	200.44	24.34	3.32	27.66	5.78	28.21	33.99
Office (1.8 ac site)	Acre	242.63	28.76	3.92	32.69	10.18	49.68	59.86
Single Family Residential	dwelling	9.5	0.19	0.55	0.74	0.66	0.35	1.01
Multiple Family Residential	dwelling	6.6	0.1	0.4	0.5	0.4	0.2	0.6

Retail rates assume a 0.25 FAR, Office rates assume a 0.30 FAR

TABLE 4.7-4

YUBA CITY MARKETPLACE

Land Use	Quantity	Trip Per Unit						
		Daily	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Retail Commercial (31.1 ac site)	353.55 ksf	15,592	212	134	346	704	764	1,468
Pass By Trips			32	20	52 (15%)	197	214	411 (28%)
Net New Trips			180	114	294	507	550	1,057
Gasoline Sales	12 Fueling positions	1,953	60	60	120	80	80	160
Pass By Trips			37	37	74 (62%)	33	34	67 (42%)
Net New Trips			23	23	46	47	46	93
Fast Food Restaurant	7.0 Ksf	3,473	178	171	349	122	112	234
Pass By Trips			87	84	171 (49%)	61	56	117 (50%)
Net New Trips			91	87	178	61	56	117
TOTAL GROSS TRIP ENDS		21,018	450	365	815	906	956	1,862
TOTAL PASS BY TRIPS			156	141	297	291	304	595
TOTAL NEW TRIPS			294	224	518	615	652	1,267

Retail Pass By Trips from Figure 5.5, ITE Trip Generation Handbook

Land Use	Quantity	Trip Per Unit						
		Daily	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Retail Commercial (31.1 ac site)	353.55 ksf	15,592	212	134	346	704	764	1,468
Pass By Trips			32	20	52 (15%)	197	214	411 (28%)
Net New Trips			180	114	294	507	550	1,057
Retail Commercial (8.4 ac site)	8.4 acres	6,437	92	60	152	285	307	592
Pass By Trips			14	9	23 (15%)	114	123	236 (40%)
Net New Trips			78	51	129	171	184	356
Retail Commercial (3.2 ac site)	3.2 Acres	3,460	52	33	85	150	163	313
Pass By Trips			8	5	13 (15%)	90	98	188 (60%)
Net New Trips			44	28	72	60	65	125
Retail Commercial (2.0 ac site)	2.0 Acres	2,558	39	25	64	110	119	229
Pass By Trips			6	4	10 (15%)	66	71	137 (60%)
Net New Trips			33	21	54	44	48	92
Gasoline Sales	12 Fueling positions	1,953	60	60	120	80	80	160
Pass By Trips			37	37	74 (62%)	33	34	67 (42%)
Net New Trips			23	23	46	47	46	93
Fast Food Restaurant	7.0 Ksf	3,473	178	171	349	122	112	234
Pass By Trips			87	84	171 (49%)	61	56	117 (50%)
Net New Trips			91	87	178	61	56	117
Business Park	68 Acres	10,200	1,068	218	1,286	224	918	1,142
Office (4.1 ac site)	Acre	822	100	14	114	24	115	139
Office (1.8 ac site)	Acre	437	52	7	59	18	89	108
Single Family Residential	165 du's	1,576	31	92	123	108	58	166
Multiple Family Residential	180 du's	1,188	18	72	90	72	36	108
TOTAL GROSS TRIP ENDS		47,696	1,902	886	2,788	1,897	2,761	4,658
TOTAL PASS BY TRIPS			184	159	343	561	596	1,157
TOTAL NEW TRIPS			1,718	727	2,445	1,336	2,165	3,501
LESS EXISTING CANNERY USES					72			92

Retail Pass By Trips from Figure 5.5, ITE Trip Generation Handbook

The existing cannery operations already generate traffic, especially during the harvest season. Based on observations of other tomato canneries in the Central Valley, it is estimated that this use already generates about 72 a.m. and 92 p.m. peak hour trips. With full project development these trips would be eliminated.

Trip Distribution

The regional distribution of project trips was derived from information presented in the Home Depot Traffic Study (Fehr & Peers, 1999) and reflects the location of residences within the trade

area of Harter Specific Plan uses, and the location of employment centers, schools and other uses. As shown in Table 4.7-6, the majority of the “new” trips attracted to the site will be oriented to the east. This distribution of traffic is applicable to the Harter Specific Plan and the Yuba City Marketplace projects.

Direction	Route	Percentage
North	Stabler Lane	4.5%
	SR 99	9.0%
East	SR 20	18%
	Butte House Road	13.5%
South	SR 99	9%
	Walton Avenue	13.5%
West	SR 20	9%
	Butte House Road	9%
	Frontage Road	4.5%
Internal	Various public streets within the plan area	10%
Total		100%

When the Harter Specific Plan area is built out, a portion of the project’s trips will be made between the various uses within the area. Some trips will be made between residential, office and retail uses. Other trips will be made between the various separate retail centers that will be constructed as the plan area develops. When the plan area is built out, about 10% of the project trips generation will remain on Harter Specific Plan area streets as “internal” trips, however, these trips will not reach SR 20. This allocation was not, however, assumed for the initial condition (i.e., Yuba City Marketplace only).

Planned Improvements

The Harter Specific Plan indicates that various streets will be provided as the Plan area is built out. However, not every street will be constructed immediately. The text that follows notes the improvements that have been assumed to be in place for this analysis.

Improvements With Yuba City Marketplace

When the Yuba City Marketplace is constructed it is assumed that the Colusa Highway Frontage Road will be relocated. The western portion of the road will be relocated to align with the main access Yuba City Marketplace access intersection on Harter Road. The eastern portion of the road will be eliminated but access through the Yuba City Marketplace will be maintained.

When the Yuba City Marketplace is developed a short portion of the Poole Boulevard extension will be constructed from Harter Road east towards the railroad tracks to provide secondary access to the Yuba City Marketplace. However, the road will not initially extend to Tharp Road.

Improvements With the Harter Specific Plan

When the Harter Specific Plan is fully built out, Harter Road will be realigned as noted in the Specific Plan and Poole Boulevard will be completed through the Plan area. While the eventual extension of Poole Boulevard westerly to Jefferson Boulevard is accommodated by the Harter Specific plan, to present a conservative estimate of project impacts, this connection has not been assumed until the cumulative impact analysis.

Traffic Operations Analysis

Conditions accompanying development of the Harter Specific Plan were identified by superimposing project trips onto current background traffic. Traffic volume projections have been made for the initial development of Yuba City Marketplace alone, as well as for build out of the Specific Plan. Figure 4.7-2 and 4.7-3 present “Existing plus Yuba City Marketplace” and “Existing plus Harter Specific Plan Buildout” a.m. and p.m. peak hour traffic volumes, respectively.

For this impact analysis only the improvements indicated in Figures 4.7-2 and 4.7-3 have been assumed to be constructed. No improvements have been assumed to be made to the configuration of the various public street intersections included in this study. Resulting peak hour Levels of Service are presented in Tables 4.7-7 and 4.7-8.

Standards of Significance

For the purposes of this EIR, an impact is considered significant if the Proposed Project would:

- change the level of service from acceptable (LOS A, B or C) to unacceptable (LOS D, E, or F) on City roadways or intersections;
- change the level of service from acceptable (LOS A, B, C, D) to unacceptable (LOS E or F) on SR 20 and 99 (standard for state highways), consistent with Caltrans standards;
- substantially exacerbate congestion on roadways or intersections that already (or are projected to) operate at unacceptable levels;
- substantially result in unmet transit demand within the study area;
- substantially interfere with existing or planned transit, bicycle, or pedestrian facilities in the study area; or
- substantially increase the potential for conflicts between vehicles, pedestrians, and bicyclists.

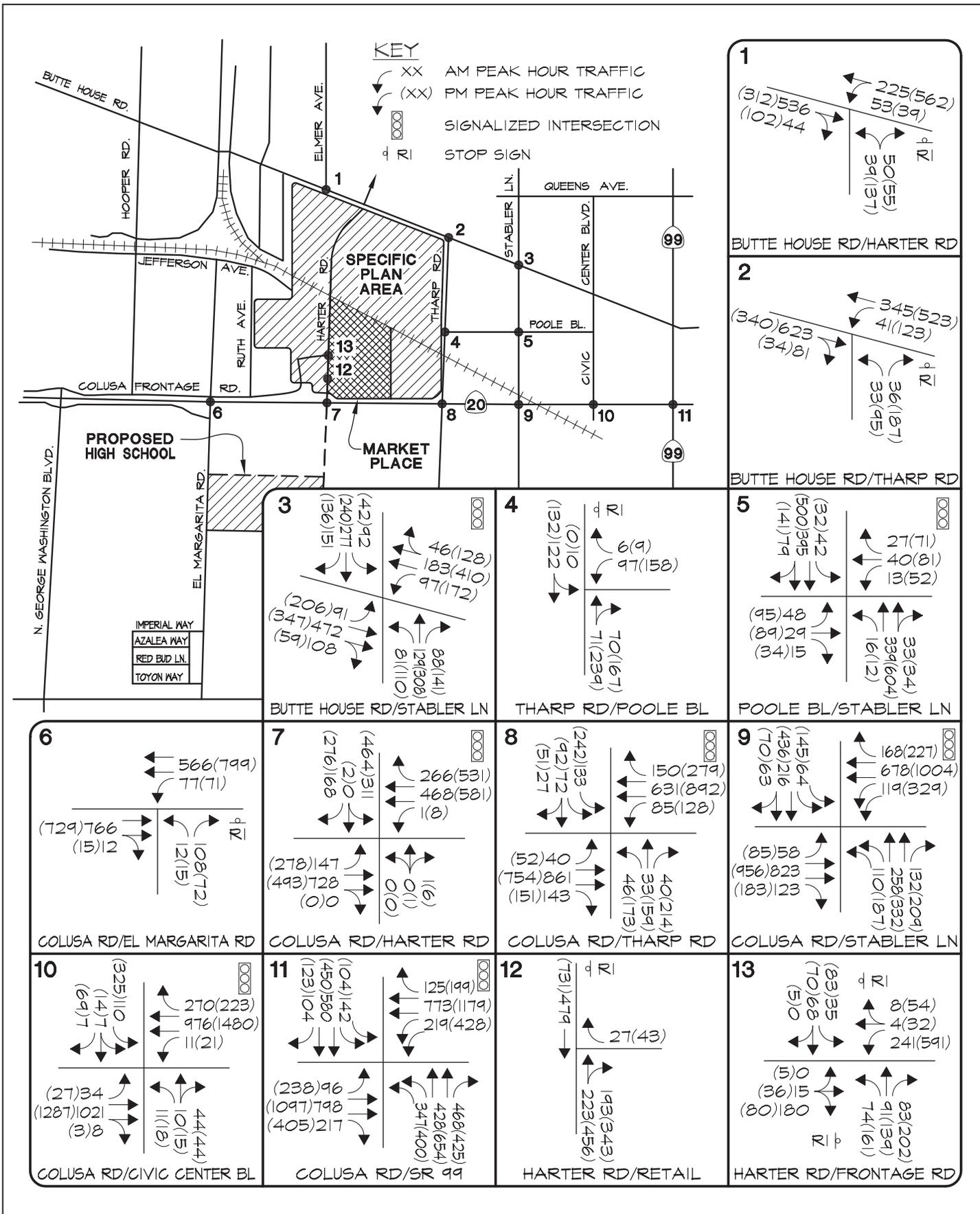


FIGURE 4.7-2
Existing Plus Yuba City Marketplace Only

Not to Scale



00000-00

Source: KD Anderson, July 2003

Harter Specific Plan - Yuba City 10818-00

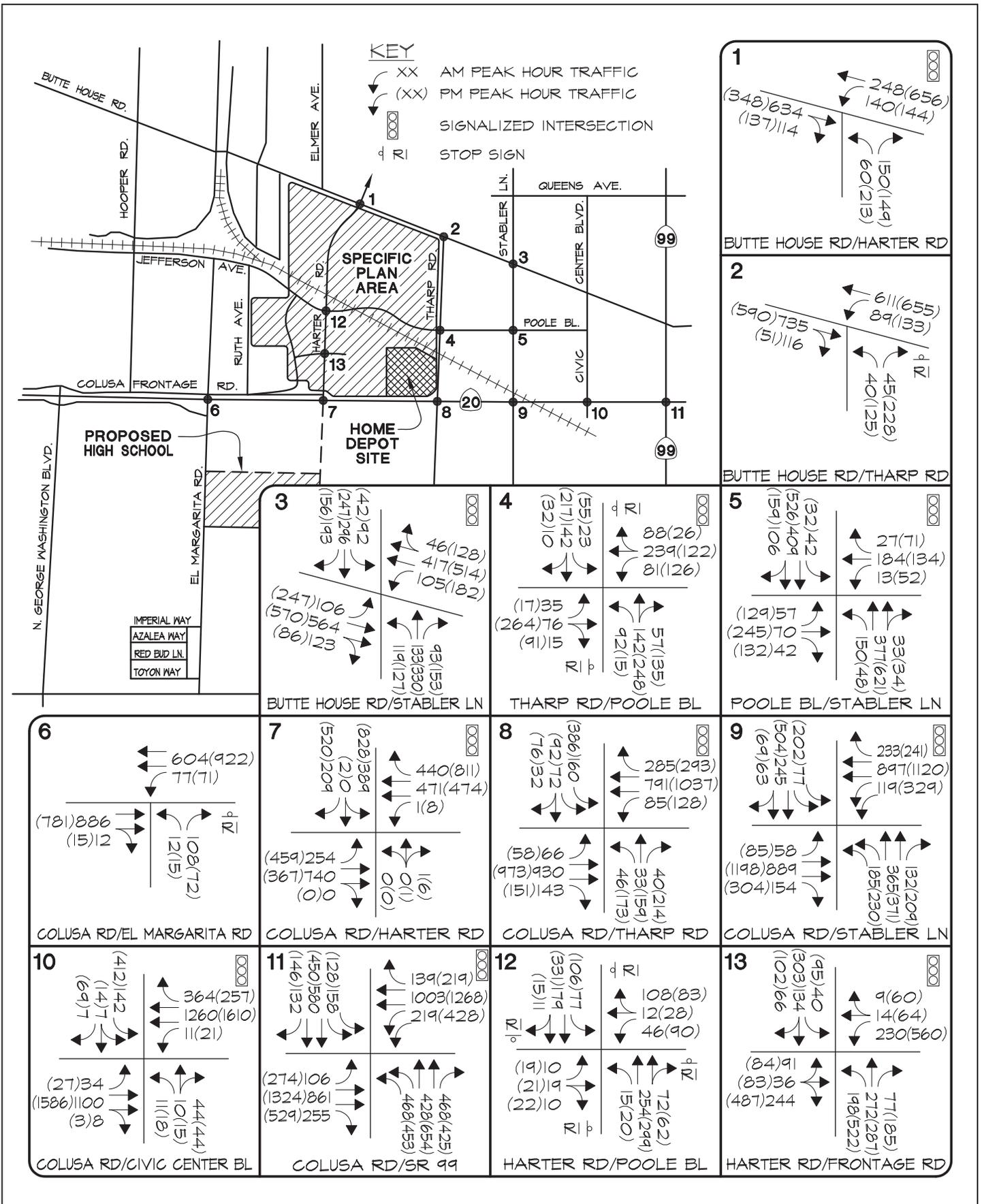


FIGURE 4.7-3
Existing Plus Harter Specific Plan Buildout

Not to Scale



10818-00

Source: KD Anderson, July 2003

Harter Specific Plan - Yuba City 10818-00



TABLE 4.7-7

EXISTING PLUS YUBA CITY MARKETPLACE ONLY INTERSECTION LEVELS OF SERVICE

Intersection	Control	AM Peak Hour				PM Peak Hour					
		Base		Plus Project		Base		Plus Project			
		Average Delay (seconds)	LOS	Average Delay (seconds)	LOS	Average Delay (seconds)	LOS	Unmitigated		Mitigated	
								Average Delay (seconds)	LOS	Average Delay (seconds)	LOS
1. Butte House Road / Harter Rd	NB Stop	11.9	B	13.9	B	17.0	C	28.7	D	11.0	B
2. Butte House Road / Tharp Road	NB Stop	15.0	C	15.0	C	16.7	B	16.8	C		
3. Butte House Road / Stabler Lane	Signal	22.9	C	23.4	C	24.4	C	24.7	C		
4. Tharp Road / Poole Boulevard	WB Stop	9.6	A	10.2	B	10.8	B	13.0	B		
5. Stabler lane / Poole Boulevard	Signal	10.7	B	13.7	B	11.5	B	16.5	B		
6. Colusa Avenue / El Margarita Rd	NB Stop	12.0	B	12.2	B	12.0	B	12.6	B		
7. Colusa Avenue / Harter Road	Signal	13.7	B	20.0	B	12.2	B	23.9	C		
8. Colusa Avenue / Tharp Road	Signal	16.6	B	16.1	B	25.0	C	24.4	C		
9. Colusa Avenue / Stabler Lane	Signal	22.8	C	22.7	C	28.4	C	30.1	C		
10. Colusa Avenue / Civic Center Boulevard	Signal	11.0	B	10.5	B	17.0	C	17.5	C		
11. Colusa Avenue (SR 20) / SR 99*	Signal	29.6	C	30.3	C	32.2	C	35.4	D		
13. Harter Rd / Frontage Road	EB/WB Stop	n.a.		18.0	C	n.a.		406.9	F	21.6	C

*Note: Mitigation is not relevant to Colussa Avenue (Hwy 20) because this is a State route and it has a LOS standard of D.

TABLE 4.7-8

EXISTING PLUS HARTER SPECIFIC PLAN INTERSECTION LEVELS OF SERVICE

Intersection	Control	AM Peak Hour				PM Peak Hour					
		Base		Plus Project		Base		Plus Project			
		Average Delay (seconds)	LOS	Average Delay (seconds)	LOS	Average Delay (seconds)	LOS	Unmitigated		Mitigated	
								Average Delay (seconds)	LOS	Average Delay (seconds)	LOS
1. Butte House Road / Harter Rd	Signal	7.7	A	16.0	B	7.6	A	14.9	B		
2. Butte House Road / Tharp Road	NB Stop	15.0	C	22.3	C	16.7	B	60.5	F	13.5	B
3. Butte House Road / Stabler Lane	Signal	22.9	C	24.3	C	24.4	C	25.7	C		
4. Tharp Road / Poole Boulevard	WB Stop	9.6	A	20.9	C	10.8	B	131.7	F	24.9	C
5. Stabler lane / Poole Boulevard	Signal	10.7	B	21.3	C	11.5	B	20.3	C		
6. Colusa Avenue / El Margarita Rd	NB Stop	12.0	B	13.3	B	12.0	B	13.4	C		
7. Colusa Avenue / Harter Road*	Signal	13.7	B	21.4	C	12.2	B	45.9	D		
8. Colusa Avenue / Tharp Road	Signal	16.6	B	15.8	B	25.0	C	26.0	C		
9. Colusa Avenue / Stabler Lane	Signal	22.8	C	24.0	C	28.4	C	34.5	C		
10. Colusa Ave / Civic Center Boulevard	Signal	11.0	B	10.7	B	17.0	C	21.3	C		
11. Colusa Avenue (SR 20) / SR 99*	Signal	29.6	C	32.4	C	32.2	C	40.5	D		
12. Harter Rd / Poole Boulevard	All-Way Stop			9.8	A			11.4	B		
13. Harter Rd / Frontage Road	Signal	n.a.		28.3	C	n.a.		206.2	F	32.5	C

*Note: Mitigation is not relevant to Colusa Avenue (Hwy 20) because this is a state route and it has a LOS standard of D.

Impacts and Mitigation Measures

Harter Specific Plan

4.7-1 Development of the Harter Specific Plan will result in peak hour Levels of Service in excess of the City of Yuba City's LOS C standard at the following intersections.

- a. Butte House Road/Tharp Roads**
- b. Poole Boulevard/Tharp Road**
- c. Yuba City Marketplace main entry/Harter Road**

These intersections are projected to operate at LOS F with full buildout of the Specific Plan. This is considered a *potentially significant impact*.

Mitigation Measure

Implementation of the following measures will reduce the above impact to a *less-than-significant level*.

4.7-1(a)
(HSP)

Signalize the Butte House Road/Tharp Road intersection when traffic signal warrants are met. With this level of improvement the intersection will operate at LOS B (average delay 13.5 sec). This improvement is included in the City of Yuba City Traffic Fee program, and applicable costs should be credited to the developer if the improvement is installed with the project.

4.7-1(b)
(HSP)

Install a traffic signal at the Poole Boulevard/Tharp Road intersection when traffic signal warrants are met with standard City of Yuba City intersection improvements (i.e., left turn lanes). With this improvement the intersection will operate at LOS C (average delay 24.9 sec).

4.7-1(c)
(HSP)

Prior to occupancy, install the auxiliary lanes noted in the table below at the Yuba City Marketplace main entry/Harter Road intersection:

Approach	Total Lanes	Description
Northbound	5	Dual left turns (2), through (2), right turn (1)
Southbound	3	Left turn (1), through (1), through + right turn (1)
Eastbound	2	Left turn+through (1), right turn (1)
Westbound	3	Left turn (1), left turn+through (1), right turn (1)

With this level of improvement at all of the above listed intersections, they will operate at LOS C (average delay 32.5 sec).

Yuba City Marketplace

4.7-2 Development of the Yuba City Marketplace will result in peak hour Level of Service in excess of the City of Yuba City's LOS C standard at the following intersections.

- a. **Butte House Road/Harter Road**
- b. **Yuba City Marketplace main entry/Harter Road**

These intersections are projected to operate at LOS D or worse if current stop sign controls are retained. This is considered a *potentially significant impact*.

Mitigation Measures

Implementation of the following measures will reduce the above impact to a *less-than-significant level*.

4.7-2(a)
(YCM)

Signalize the Butte House Road/Harter Road intersection and realign this intersection per city requirements. With signalization, the intersection would operate at LOS A (average delay 9.7 sec).

4.7-2(b)
(YCM)

A traffic signal and elements of the improvements ultimately planned for Harter Road, as part of the overall Harter Specific Plan would be required to deliver LOS C or better conditions. When traffic signal warrants are met, signalize the Yuba City Marketplace main entry/Harter Road intersection and install the following improvements at the intersection:

Approach	Total Lanes	Description
Northbound	3	Left turn (1), through (1), right turn (1)
Southbound	2	Left turn (1), through + right turn (1)
Eastbound	1	Left+through+right turn (1)
Westbound	2	Left turn (1), through+right turn (1)

With this level of improvement the intersection would operate at LOS C (average delay 21.6 sec).

4.7-3 The proposed Class 1 bike paths flanking Poole Boulevard and Harter Road could conflict with commercial, residential and industrial uses.

Harter Specific Plan

Ideally, Class 1 bike routes are used in areas with little or no cross traffic as it is safer for cyclists and does not require multiple stops that impede flow of bicycle traffic. The applicant proposes Class 1 paths on one side of Poole Boulevard between Tharp Road and Harter Road and then to the other side of Poole Boulevard west of Harter Road. Also proposed is a Class 1 path on the west side of Harter Road the length of the Harter Specific Plan area. Installing Class 1 paths in a dense urban area with multiple driveway crossings creates potential conflicts between cyclists and motorists at each intersection where cyclists cross. Furthermore, it is not practical to have a Class 1 switch from

one side of a road to another. With this type of configuration cyclists must go from one side of a large, multi-lane intersection to another via pedestrian crosswalks. This is considered a ***potentially significant impact***.

Mitigation Measure

Implementation of the following measure will reduce the above impact to a *less-than-significant level*.

4.7-3 *The applicant shall design the bike facilities within the Harter Specific Plan area and within the Yuba City Marketplace project based on the recommendations of a qualified transportation engineer with experience in designing bicycle infrastructure.*

Options exist in developing the bicycle infrastructure whereby intersections are wired to permit cyclists to override the normal signalization sequence whereby diagonal crossings are made safe.

Cumulative Impacts and Mitigation Measures

Background Assumptions

The impacts of developing the Harter Specific Plan have been evaluated within the context of cumulative traffic conditions occurring in the year 2023. This background condition reflects local development and regional traffic growth, as well as the development of selected portions of the regional circulation system.

Regional Traffic Volume Growth / Local Development

The original Home Depot traffic study (Fehr & Peers, 1999) reviewed Yuba Sutter Traffic Model projections for this area based on information contained in the Yuba-Sutter travel demand-forecasting model. At that time modeled and baseline traffic volume projections indicated that future growth would best be approximated through the use of a uniform traffic volume growth rate, and the identified growth rate (i.e., 2.6% annually) was carried forward to the year 2022 at each intersection.

To create 2023 baseline traffic volumes it was necessary to add the traffic generated by other approved/pending projects in the area of the Harter Specific Plan. In addition to the proposed Harter Specific Plan, the Del Monte Square Commercial Park and Del Monte Ranch projects have been approved by the City of Yuba City. The Del Monte Square project includes the Yuba High School District's second High School campus in the area south of SR 20 and west of the future extension of Harter Road. In addition to the high school, Del Monte Square will include a church, 11 acres of retail, 21 acres of office and 4.5 acres of residential development. Del Monte Ranch is to include 139 residential units, 13 acres of Light Industrial uses and 2.65 acres of retail.

A trip generation, distribution and assignment analysis was conducted for these projects using the assumptions contained in the traffic study prepared for this area. The approved uses in these areas are projected to generate 2,016 new trips during the a.m. peak hour and 2,032 new trips during the p.m. peak hour (refer to Appendix for Trip Generation summary). These trips were assigned to the local street network and superimposed onto the future base forecast.

Circulation System Improvements

The extent of local and regional circulation improvement assumed for the year 2023 was determined based on information in the *2025 Metropolitan Transportation Plan (MTP)* (Sacramento Area Council of Governments, July 2002) and direction from the City of Yuba City. Only those regional improvements included in the MTP or included as part of a neighboring approved project have been assumed:

- SR 20 (Colusa Avenue - Widen from four lanes to six lanes from Walton Ave to Rocca Way), and
- Harter Road completed from SR 20 to Lassen Boulevard.

The proposed Harter Specific Plan accommodates other regional circulation system improvements that could eventually alter regional circulation patterns, but this study does not assume their completion since funding is not yet secured. For example, City of Yuba City staff has suggested that Harter Road could eventually be extended to the south beyond Lassen Boulevard to create a route parallel to SR 99. Similarly, staff has suggested that Harter Road could be extended to the north to Pease Road to provide additional access to the residential areas north of Queens Avenue. However, while the Specific Plan circulation system has been aligned to accommodate a future Harter Road extension to the north, for this analysis neither roadway extension has been assumed to be completed by the year 2023.

The City of Yuba City is proceeding with other studies that will help to define long-term city-wide patterns, identify beneficial circulation system improvements and allocate the costs of improvements to all benefiting parties. The City of Yuba City is in the process of updating its General Plan including the Circulation Element. As part of that work citywide development is being considered and the benefits of routes such as the Harter Road extension are being evaluated. The City is also pursuing an SR 20 Corridor Study. This study will identify both short term and long term improvements to the state highway and suggest a methodology for allocating the cost of these improvements.

Year 2023 Traffic Conditions

Year 2023 traffic volume projections were made with and without the proposed Harter Specific Plan. Base year 2023 conditions are presented in Figure 4.7-4. “Plus project” conditions were identified by superimposing trips generated by the Harter Specific Plan onto the base condition, and the results are presented in Figure 4.7-5. Note that these two figures do not represent post-project conditions with project mitigations, but Figure 4.7-6 does.

Table 4.7-9 compares peak hour Levels of Service at study intersections under the base and plus project conditions.

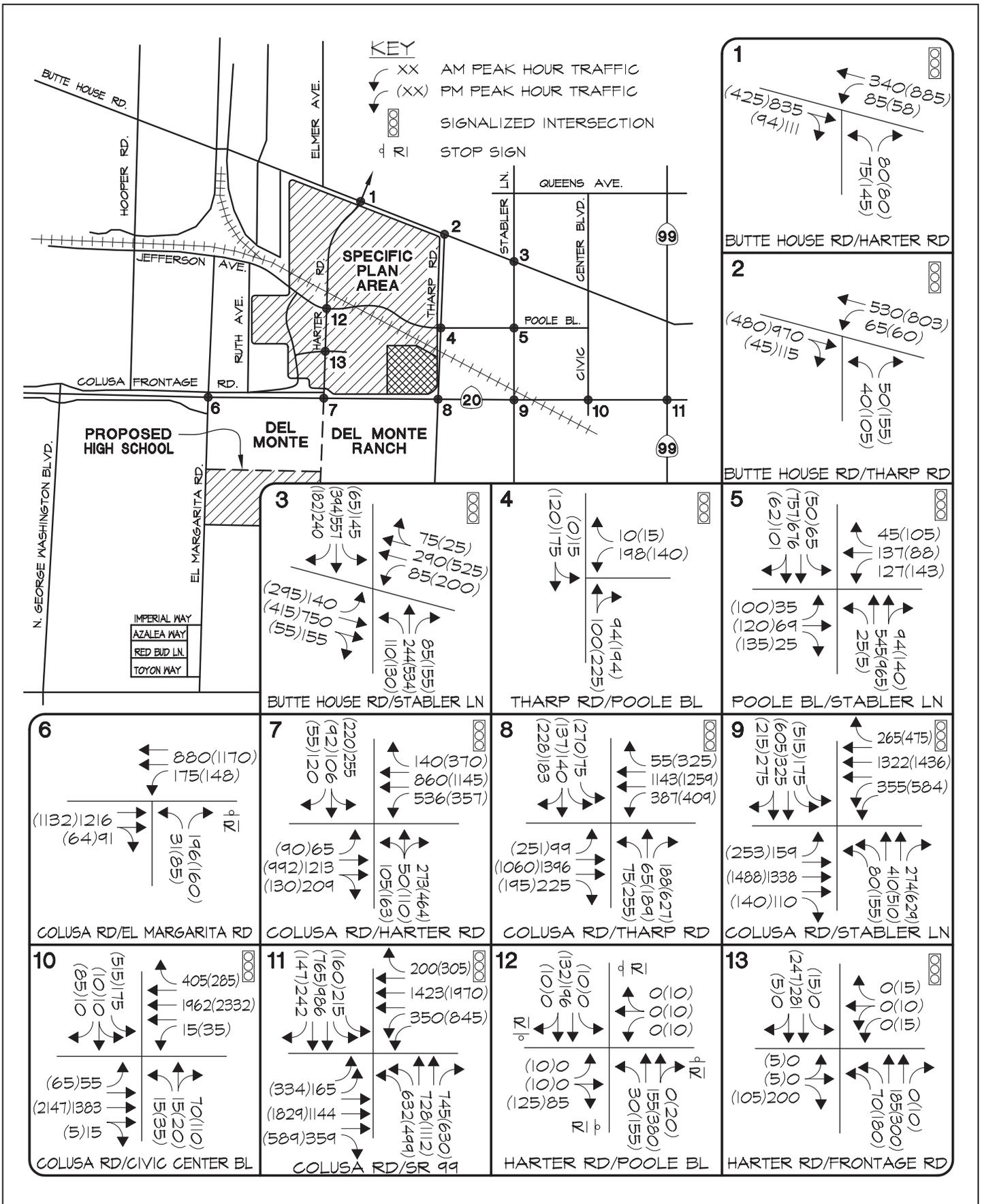


FIGURE 4.7-4
Cumulative Base Traffic Volumes and Lane Configurations

Not to Scale



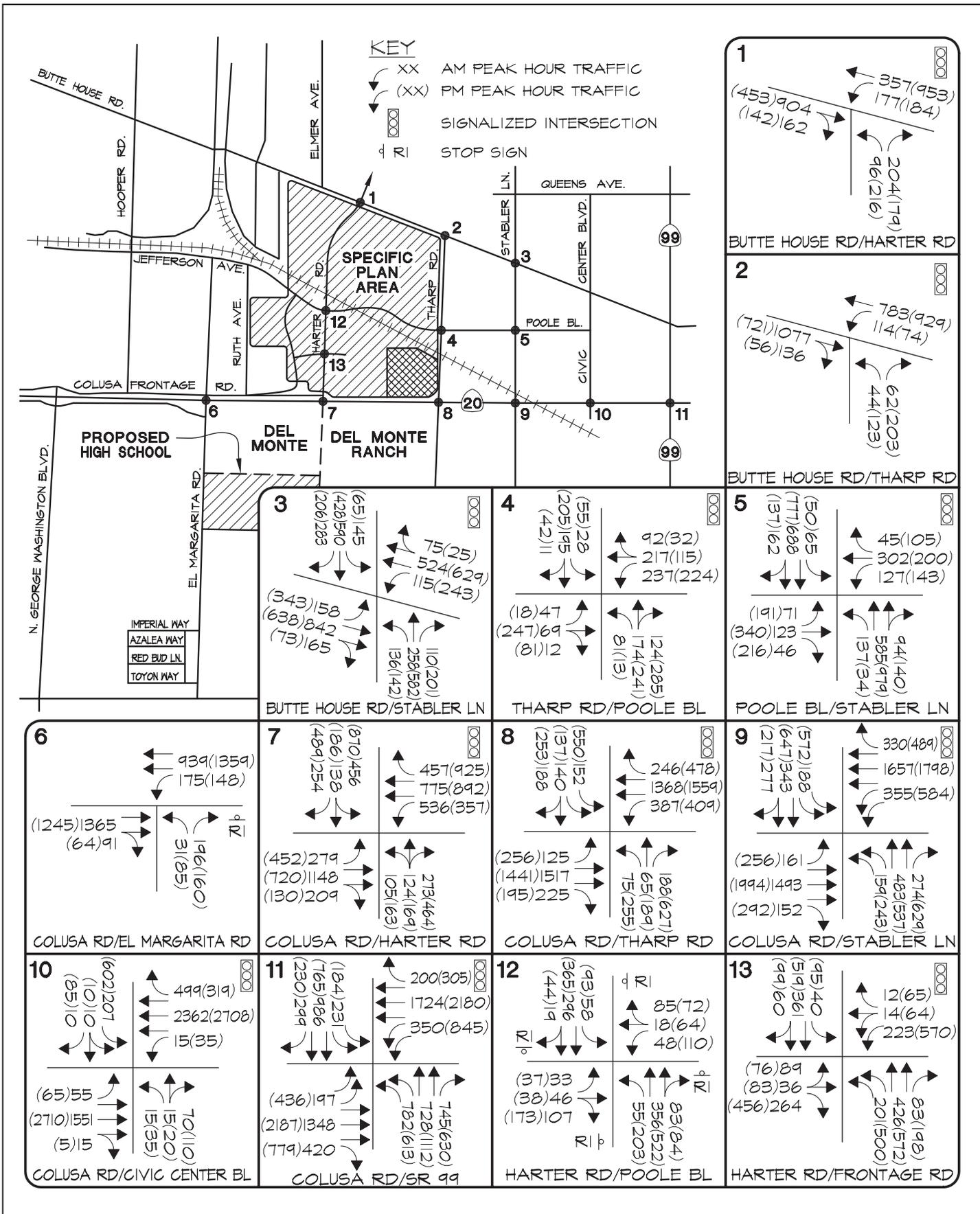


FIGURE 4.7-5
Cumulative Plus Project Traffic Volumes and Lane Configurations

Not to Scale



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Source: KD Anderson, July 2003

Harter Specific Plan - Yuba City 10818-00



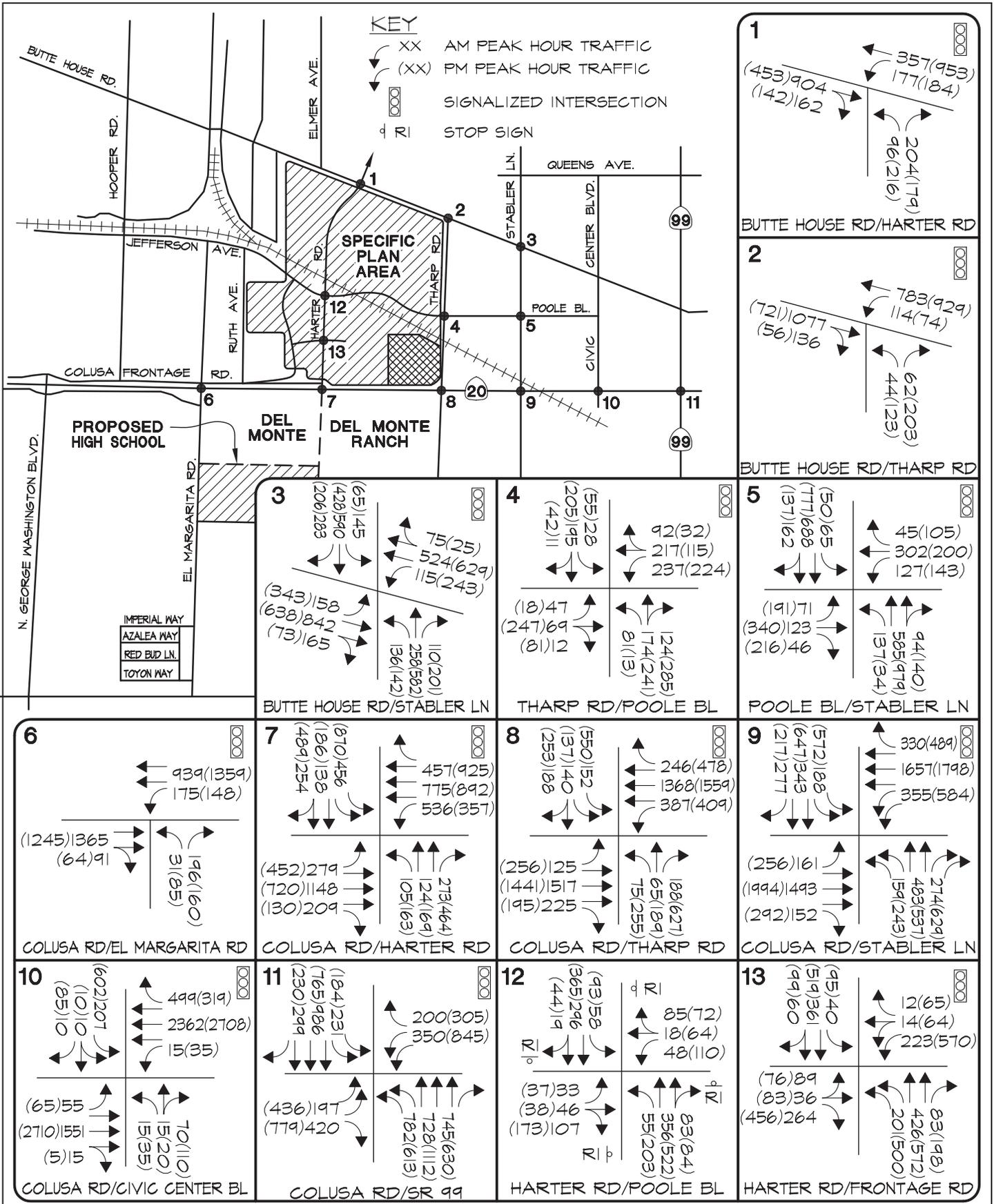


FIGURE 4.7-6
Cumulative Plus Project Traffic Volumes and Mitigated Lane Configuration

Not to Scale



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Source: KD Anderson, July 2003

Harter Specific Plan - Yuba City 10818-00

TABLE 4.7-9

YEAR 2023 PLUS HARTER SPECIFIC PLAN INTERSECTION LEVELS OF SERVICE

Intersection	Control	AM Peak Hour				PM Peak Hour					
		Base		Plus Project		Base		Plus Project			
		Average Delay (seconds)	LOS	Average Delay (seconds)	LOS	Average Delay (seconds)	LOS	Unmitigated		Mitigated	
								Average Delay (seconds)	LOS	Average Delay (seconds)	LOS
1. Butte House Road / Harter Rd	Signal	11.4	B	22.1	C	10.0	B	15.5	B		
2. Butte House Road / Tharp Road	Signal	9.4	A	14.1	B	10.3	B	12.6	B		
3. Butte House Road / Stabler Lane	Signal	28.0	C	32.5	C	29.0	C	33.8	C		
4. Tharp Road / Poole Boulevard	Signal	16.0	B	23.4	C	11.4	B	30.9	C		
5. Stabler Lane / Poole Boulevard	Signal	17.1	B	23.5	C	18.5	B	24.9	C		
6. Colusa Avenue / El Margarita Rd	NB Stop	38.3	E	56.5	F	173.9	F	277.9	F	10.2	B
7. Colusa Avenue / Harter Road	Signal	154.1	F	194.7	F	133.0	F	319.1	F	54.2	D
8. Colusa Avenue / Tharp Road	Signal	32.8	C	34.9	D	47.0	D	81.2	F	46.6	D
9. Colusa Avenue / Stabler Lane	Signal	29.0	C	30.6	C	48.4	D	72.8	E	50.0	D
10. Colusa Ave / Civic Center Boulevard	Signal	12.1	B	12.7	B	24.1	C	33.2	C		
11. Colusa Avenue (SR 20) / SR 99	Signal	40.1	D	54.9	D	69.1	E	97.7	F	53.5	D
12. Harter Rd / Poole Boulevard	All-Way Stop	n.a.		12.6	B	n.a.		19.5	C		
13. Harter Rd / Frontage Road	Signal	15.6	B	20.6	C	12.3	B	33.8	C		

Note: Mitigated p.m. peak hour conditions are presented since projected volumes are higher in the p.m. than in the a.m. Thus, mitigation for p.m. impacts would deliver similar or better a.m. results.

4.7-4 Cumulative development with and without the Harter Specific Plan will result in conditions in excess of the Caltrans' LOS D standard at the following intersections. (Through the Congestion Management Plan, LOS D is the Yuba City standard for State Highways 20 & 99)

- a. Highway 20/El Margarita Road
- b. Highway 20/Harter Road
- c. Highway 20/Tharp Road
- d. Highway 20/Stabler Lane
- e. Highway 20/Highway 99

Motorists are projected to experience delays which are indicative of levels worse than LOS D. This is considered a *potentially significant impact*.

Mitigation Measures

Implementation of the following measures will reduce the above impact to a *less-than-significant level*.

4.7-4(a)

(HSP/YCM) *Installation of a traffic signal at the Highway 20/El Margarita Road intersection would be required whether the Harter Specific Plan proceeds or not. Install Traffic Signal when warranted. Signalization of the intersection will result in LOS B conditions with and without the Harter Specific Plan. Development within the Specific Plan area shall contribute its fair share to the cost of this improvement based on its "pro rata" share of future traffic volumes. However, if the City of Yuba City adopts a uniform program for funding improvements to the SR 20 corridor, development in the Harter Specific Plan shall contribute its fair share through an adopted fee program. Such fee programs will be part of the project's Finance Plan which will outline when the installation improvements will occur. In the case the developer installs infrastructure in advance of the SR20 fee program, the developer could receive credit against future SR20 Fee Program fees. This will require that traffic counts be conducted at the intersection to determine when signals are warranted. The city Engineering department will be responsible for determining when the signals are warranted.*

4.7-4(b)

(HSP/YCM) *Additional lanes will be needed at the Highway 20/Harter Road intersection to achieve LOS D at this intersection whether the Harter Specific Plan proceeds or not. Modify the intersection to provide the following geometry:*

Approach	Total Lanes	Description
Northbound	4	left turn (1), through lanes (2), right turn (1)
Southbound	4	Two left turns (2), through (1), through + right turn (1)
Eastbound	5	Left turn (1) through lanes (3), right turn (1)
Westbound	5	Left turn (1), through lanes(3), right turn (1)

The actual lane configuration on Highway 20 will be determined by Caltrans.

4.7-4(c)

(HSP/YCM) *Modify the Highway 20/Tharp Road intersection to provide the following geometry:*

Approach	Total Lanes	Description
Northbound	3	left turn (1), through lane (1), right turn (1)
Southbound	3	Two left turns (2), through + right turn (1)
Eastbound	5	Left turn (1) through lanes (3), right turn (1)
Westbound	5	Left turn (1), through lanes(3), right turn (1)

4.7-4(d)

(HSP/YCM) *Additional lanes will be needed at the Highway 20/Stabler Lane intersection to achieve the LOS D standard. Modify the intersection to provide the following geometry:*

Approach	Total Lanes	Description
Northbound	6	Dual left turn lanes (2), through (2), right turn lanes (2)
Southbound	5	Two left turns (2), through (2), right turn lane (1)
Eastbound	5	Left turn (1) through lanes (3), right turn (1)
Westbound	6	Dual left turn lanes (2), through lanes(3), right turn (1)

4.7-4(e)

(HSP/YCM) *Construct a grade separated interchange Highway 20/Highway 99 intersection providing the following geometry at the centerpoint intersection (Urban Interchange):*

Approach	Total Lanes	Description
Northbound	6	Dual left turn lanes (2), through (3), right turn lane (1)
Southbound	6	Dual left turns (2), through (3), right turn lane (1)
Eastbound	3	Dual left turn lanes (2), right turn (1)
Westbound	3	Dual left turn lanes (2), right turn (1)

As it relates to mitigations 4.7-4(b-e), With this level of improvement all intersections on Highway 20 will operate at LOS D during the p.m. peak hour, which meets the minimum Caltrans LOS standard. All development within the Harter Specific Plan (includes Yuba City Marketplace) shall contribute its fair share to the cost of these improvements based on its "pro rata" share of future traffic volumes. However, if the City of Yuba City adopts a uniform program for funding improvements to the Highway 20 corridor, development in the Harter Specific Plan shall contribute its fair share through an adopted fee program.

All improvements constructed in the state right of way will require Caltrans approval and are subject to Caltrans encroachment permit requirements.

4.7-5 Cumulative Traffic Conditions could result in on-site traffic congestion at the main Yuba City Marketplace entrance on Harter Road.

As development occurs within the Harter Specific Plan, individual projects will be required to meet City standards for access to public roads. As a site plan exists for the Marketplace, it is appropriate to confirm the adequacy of site access and to consider access for other commercial uses along Harter Road.

Harter Road Intersection Spacing / Access

The proposed Harter Specific Plan relocates the existing SR 20 frontage road intersection and creates a new Poole Boulevard intersection on Harter Road. The Harter Specific Plan also provides Harter Road access to residential uses and to the Business Park areas south of Butte House Road.

The distance between intersections on Harter Road is relatively short, and with signalization of the relocated Frontage Road intersection it will be important to control access in this area in order to ensure efficient coordinated traffic flow between intersections. Measures have also been taken in Specific Plan development to maximize the capacity of new intersections in order to shorten the length of queues. For example, dual left turn lanes are planned on the southbound Harter Road approach to the SR 20 intersection and on the northbound approach to the relocated Frontage Road intersection. With these improvements the projected maximum southbound and northbound left turn queues in the year 2023 will be 500 feet and 300 feet long respectively. These queues can be accommodated but could eventually fill the available storage area. Similarly, northbound right lanes are planned on Harter Road approaching the relocated Frontage Road intersection, and right turn only access. While not needed solely to meet Level of Service standards, this auxiliary lane will ensure that the queue of northbound through traffic does not extend southerly to the SR 20 intersection.

To ensure that Harter Road works efficiently in the future, additional private access connections should be minimized. Access meeting City standards for spacing and separation from intersections should be permitted, but ideally additional access in the area between Colusa Avenue and the Frontage Road should be discouraged.

Yuba City Marketplace Access

The access to Yuba City Marketplace is generally directed to Harter Road, although alternative access will also be available. When Poole Boulevard is extended to Harter Road, secondary access to Poole Boulevard will be available. Reciprocal access through the adjoining Home Depot retail center to Tharp Road will also be available.

Because most of the traffic exiting the Yuba City Marketplace will leave via the main signalized access on Harter Road, it is important that the site layout accommodate the heavy traffic movements expected at this location. Review of cumulative plus Harter Specific Plan traffic volume projections reveals that during the p.m. peak hour westbound traffic in the two left turn lanes could extend back in a queue that reached 325 feet into the site. This queue could approach but should not reach the main pedestrian crossing near the anchor tenant's entrance. However, such a queue could make it difficult to access the parking aisles immediately adjoining Harter Road.

This is considered a *potentially significant impact*.

Mitigation Measure

Implementation of the following measure will reduce the above impact to a *less-than-significant level*.

- 4.7-5 *Under cumulative conditions the volume of traffic at the main access could result in congestion at the parking aisle connections. Modify the Yuba City Marketplace plan to provide an adequate driveway throat. Three existing lanes should be provided on the westbound approach to Harter Road. The plan should limit access to intersecting parking aisles within this area using a raised median island in a manner that is acceptable to the City of Yuba City.*

4.8 UTILITY AND SERVICE SYSTEMS – WATER SUPPLY

4.8 UTILITY AND SERVICE SYSTEMS – WATER SUPPLY

This section of the DEIR describes the Yuba City water source and conveyance infrastructure only. This section identifies the anticipated demand for these services resulting from the implementation of the Harter Specific Plan – Yuba City Marketplace project and the water suppliers service area, and evaluates the ability of service providers to meet projected demand. Public services and facilities such as schools, parks, fire and police service, solid waste, and wastewater are discussed in the Initial Study only because they were determined not to be significant to warrant discussion in the DEIR. The reader is referred to the attached Initial Study (Appendix A) for a discussion of the environmental issues excluded herein. Public services such as storm drainage is discussed separately in Section 4.5 – *Hydrology*.

This section of the DEIR is based entirely on the information contained in the Yuba City 2000 Urban Water Management Plan (hereinafter “UWMP”)

ENVIRONMENTAL SETTING

Yuba City Current Water Use and Water Sources

Yuba City is located within the northern Sacramento Valley. Summers are typically hot and dry, winters mild with moderate rainfall. Typically, all rain occurs between October and May. Average rainfall is 22 inches per year.

Prior to 1969, Yuba City obtained its water supply from groundwater. The water was hard and contained high levels of sulfides, iron, and manganese. In 1965, the citizens passed a bond issue to construct a new surface water treatment plant. The plant began operating in 1969. The groundwater wells are still in place, but have not been used for many years.

Yuba City operates a municipal water system for residential, commercial, and industrial needs within its city limits. Water service is provided, with few exceptions, to all residents within the city limits. Currently, Yuba City has approximately 9,965 active connections as of May 15, 2003.¹ There are an additional 263 inactive service connections. Yuba City currently treats approximately 24 million gallons per day (mgd) at its water treatment plant, which is scheduled to be increased to 36 mgd around the year 2007 on the fast track, or as many as 10 years. The timing for this capacity increase is based on the approximately 5,000 residential units within the City’s Sphere of Influence that are currently obtaining groundwater through private wells. Because this groundwater contains high levels of arsenic, there is a significant health and political issue involved in getting 5,000 units switched to surface water sources (i.e., Yuba City Feather River water source).²

1 Rosemary Nagy, personal e-mail communication, June 27, 2003

2 Bill Lewis, personal communication, July 11, 2003

Directly to the west of the existing city limits in Sutter County and within the Yuba City Sphere of Influence, there is significant residential development. It is anticipated that most of the Sphere of Influence will be incorporated within the next ten to twenty years. Most residents in the Sphere of Influence obtain their water from either private wells or the Hillcrest Water Company.

Hillcrest Water Company was recently purchased by Yuba City. Yuba City and Hillcrest Water Company water lines are very near each other along the west city boundary. Some Hillcrest Water Company customers are literally next door to Yuba City water customers. Hillcrest Water Company uses groundwater as its water source. During the past droughts, Hillcrest Water Company wells were able to adequately meet the needs of their customers. If inadequate surface water were available to meet the needs of Yuba City, a minimal amount of pipe could be added to interconnect the two districts. In the event of emergency water shortage, contracts for water delivery could be negotiated with the Hillcrest Water Company (Ibid.). The City has set aside financial reserves for such an emergency water purchase. The UWMP does not address the water needs of the Hillcrest Water Company jurisdiction.

There are a limited number of connections outside the city limits, but within the sphere of influence. Yuba City is in the process of converting from a flat rate system to a metered system. As of May 15, 2003, 9,913 are metered and 52 are on a flat rate. In the older portions of the town, it may not be possible to meter all accounts due to multiple accounts on a single service, unknown locations of service, and other reasons.³

Water Sources

Since 1969, the source of surface water has been the Feather River. Water is extracted from the Feather River, north of the confluence with the Yuba River. Upstream dams on all forks of the Feather River control flow in the Feather River. Oroville Dam is the primary upstream control. The California Department of Water Resources operates Oroville Reservoir, 3,500,000 acre-feet capacity, for the State Water Project (SWP). This represents over sixty percent of the total SWP storage. The SWP maintains contracts of over 4,000,000 acre-feet. Due to the critical nature of water supply by the SWP, there is an extremely small chance of the Feather River flow being so low that water could not be withdrawn. This results in a high reliability water source (Ibid.).

Oroville Dam was completed in 1967. Since the dam's completion, there has always been a sufficient flow in the Feather River to allow withdrawal. This includes the drought periods of the 1970's and 1980's. In the event of a catastrophic problem that prevented any release from Lake Oroville, Yuba City would be vulnerable to significant mandatory water conservation and would likely use its array of standby wells. Yuba City maintains adequate water rights contracts to meet the needs of its customers through at least 2010 under severe drought conditions. The current contract with the Yuba County Water District (YCWD) expires in 2010.

Yuba City has four surface water supply contracts and limited supply from back-up water wells. These water contracts and sources are as follows:

- State Water Resource Control Board Permit 14045 – Feather River,

3 Yuba City Urban Water Management Plan, 2000.

- State Water Resource Control Board Permit 18558 - Feather River,
- Yuba County Water District - Feather River,
- Department of Water Resources, State Water Project - Feather River, and
- Back-up water wells.

SWRCB Permit Number 14045

In 1964, Yuba City obtained the right to appropriate from the Feather River, pursuant to Application 18025, Permit 14045 that states, “15.6 cubic feet per second by direct diversion to be diverted from January 1 to about July 1 and from about September 1 to December 31 of each year.” Except for summer months, this permit is the basis of the Yuba City supply. Because it is one of the older permits, drought restrictions have only been applied twice. This occurred during the 1977 drought, records do not indicate the degree of curtailment, and again in 1992, when the water could not be diverted in June. There is no cost for water taken under this contract. Without curtailment, this Permit can provide up to 9,373 acre-feet per year.

SWRCB Permit Number 18558

This permit allows the direct diversion of up to 21.0 cfs from the Feather River except during July, August, and September. The permit was issued in 1978, and has a much lower priority and more restrictions than Permit 14045. The Permit is subject to Term 91 curtailments. During normal runoff years, the permit diversion is curtailed in mid June. During below normal runoff years, the permit is curtailed in mid May. Water was drawn from this permit for the first time in 2000. This permit will become more valuable as the winter water usage exceeds the demands of Permit 14045. There is no cost for water taken under this contract. The permit limits annual withdrawal to 9,000 acre-feet per year; monthly total without the limit is 11,371 acre-feet.

Yuba County Water District

Yuba City negotiated a contract for water supply with YCWD originally in 1965. Amendments were made to the contract in 1970 and 1980. The agreement provides for direct diversion from the Feather River totaling 4,500 acre-feet per year through the year 2010.

This contract is important in that it provides a base summer water supply. Supply under this contract has never been curtailed or limited.

This contract will either be renegotiated or replaced prior to the expiration in 2010. It is anticipated that the new contract would be an amount of at least 15,000 acre-feet beginning in 2015 (UWMP).

Department of Water Resources, State Water Project

This contract remains in force through 2038. Maximum allowable allocation is 9,600 acre-feet per year. The contract is presently used to supplement YCWD during the months of July and August. Water from this contract can be used in any month. From 1996 through 2000, the water drawn on this contract has averaged 975 acre-feet per year, or approximately ten percent of full allocation.

Increased long-term water demands, due to larger service area and increased number of customers, will necessitate obtaining additional surface water supply contracts.

Table 4.8-1 provides current and projected water supply information. This table assumes that none of the contracts for surface water are curtailed and does not include any contribution from back-up water wells.

Water Supply Sources	2000	2005	2010	2015	2020
SWRCB Permit 14045	9,373	9,373	9,373	9,373	9,373
SWRCB Permit 18558	9,000	9,000	9,000	9,000	9,000
Yuba County Water District	4,500	4,500	4,500	0	0
State Water Project	9,600	9,600	9,600	9,600	9,600
Future Water Rights			10,000	15,000	15,000
Total	32,473	32,473	42,473	42,973	42,973

Source: UWMP

Back-up Water Wells

Yuba City maintains four water wells that have a capacity of approximately 8.5 millions gallons per day. One well is located at the water treatment plant, the other three are in the distribution system. The distribution system wells are available for use in the event of an extreme water shortage. These wells all meet current primary water standards, but have not been used due to high levels of iron, manganese, hardness, and sulfides. In the event of a significant water shortage, these wells could be blended with the available treated surface water to meet customers' aesthetic demands.

Other Water Sources

In 1985 Yuba City had entered into an agreement with Oroville Wyandotte Irrigation District (hereinafter "OWID") to meet the full summer needs through 2035. The OWID opted to cancel the contract in 1997 for technical reasons. It is anticipated that those problems can be overcome and the contract reinstated. Once a new contract is in place, the State Water Project contract can be eliminated, resulting in a more reliable summer water supply.

In the event of insufficient surface water, Yuba City would supplement with existing groundwater wells it currently owns, but chooses not to operate, or purchase emergency surface water.

Existing Project Site Water Use

The future location of the Harter Specific Plan – Yuba City Marketplace project has two operating wells for use by the cannery, or subsequent industrial food processing uses. There is a 10,000-gallon water storage tank adjacent to each well site.⁴

⁴ Yuba City Harter Specific Plan EIR October 2002.

REGULATORY CONTEXT

Federal

Federal Regulations are not relevant to this discussion.

State

On October 10, 2001, the Governor signed into law two bills requiring cities and counties to consider the availability of water supplies when making certain types of land use decisions. Senate Bill 221 prohibits cities and counties from approving new subdivision creating more than 500 new residential units unless it can be shown that an adequate water supply is available to serve the new residents. Senate Bill 610 requires cities and counties to review detailed water supply assessment report as part of the environmental review process for various types of large development projects.

Preceding SB 221 and 610 is SB 901. SB 901 (circa 1995) amended several provisions of CEQA, the Government Code, and the Water Code in an effort to require local governments to coordinate with local water supply agencies when considering certain types of development projects. The planning framework established by SB 901 provides the backdrop against which Senate Bills 221 and 610 were passed.

SB 901 added part 2.10 to the State Water Code, requiring the city or county preparing an EIR for a “qualifying project” to ask each potential water supplier for a “water supply assessment”, based on the supplier’s most recent UWMP, indicating whether the suppliers can meet the needs of the project. Part 2.10 also requires the lead agency to determine whether there are sufficient water supplies available to meet the anticipated demand of the project. Thus, it is up to the city or county, not the water supplier, to determine if adequate water supply exists. These requirements are pertinent to certain types of criteria. The relevant criterion in this case is “mixed-use project that demand as much or more water than a 500-unit residential project”. Review of the Proposed Project’s anticipated water use relative to the water use of a 500-unit residential project indicates that the Harter Specific Plan – Yuba City Marketplace projects would exceed the 500 residential unit threshold so the UWMP document findings must be incorporated in this EIR. SB 610 extends the range of projects that are subject to Part 2.10 of the State Water Code. SB 221 adds two provisions to the Subdivision Map Act designed to prohibit cities and counties from approving a new “subdivision” as defined by SB 221, unless a public water supplier verifies, or the land use authority finds, that there is a “sufficient water supply” available to serve it. SB 221 also amends the Development Agreement law. “Subdivision”, per SB 221, means any proposed residential development that would account for an increase of ten percent or more in the number of the public water system’s existing service connections. Other aspects of SB 610 and SB 221 are important but not relevant to this case and therefore not discussed herein. For more detail about the aforementioned Senate Bills, the reader is referred to their local library, or State government agencies.

Local

The following goals and policies address water supply.

Yuba City General Plan

Goal 4:

Provision of adequate water quality and quantity to the Urban Area.

Policy

- 1) It is the policy of the City that urban residents should enjoy access to good quality water in adequate quantities to provide for domestic, industrial and fire protection needs.

General Plan Consistency: Through adequate water infrastructure planning the proposed project would be adequately served, therefore the proposed project is considered consistent.

IMPACTS AND MITIGATION MEASURES

Method of Analysis

To determine a project's potential impacts requires knowledge of the projected water use of the project relative to the availability of water. Under Environmental Setting above, the information provides background of past, existing and projected future conditions, with which an analysis can be based.

The Harter Specific Plan – Yuba City Marketplace project was reviewed for water use relative to the availability of water as discussed in the UWMP and summarized above. Based on the UWMP indicating that adequate water exists for future development based on increased take of water from the Feather River (up to 36 mgd) and, or use of groundwater augmented with surface water to meet the customer's aesthetic demand, adequate water appears to be available for the Harter Specific Plan – Yuba City Marketplace project.

Standards of Significance

For the purposes of this DEIR, an impact is considered significant if the Proposed Project would:

- Exceed anticipated water supply; or
- Exceed existing and, or planned treatment, storage or distribution systems.

Impacts and Mitigation Measures

4.8-1 Water use could exceed water supply

Harter Specific Plan

Development of the Harter Specific Plan project (herein defined for purposes of this water discussion as the area including the Yuba City Marketplace project site) will require a water supply of approximately 582,240 - 610,800 gallons per day (gpd) (652 to 684 acre-feet per year (afy)) for the Harter Specific Plan area and 93,000 gpd (104 afy) for the Yuba City Marketplace, which is calculated in Table 4.8-2.

TABLE 4.8-2	
PROPOSED WATER USAGE	
Development type	Proposed water use* (gallons per day/acre-feet per year)
Harter Specific Plan	
Commercial, office and light industrial, 107 acres @ 3,000 gallons per acre per day (138 ac. – 31 ac. Yuba City Marketplace project)	321,000 gpd (360 afy)
Residential, 311-345 units @ 2.8 persons per unit, 300 gallons per capita per day	261,240-289,800 gpd (293-325 afy)
Total	582,240-610,800 gpd (652 to 684 afy)
Yuba City Marketplace	
Commercial, office and light industrial, 31 acres @ 3,000 gallons per acre per day	93,000 gpd (104 afy)
Total	93,000 gpd (104 afy)
Note: *Estimate. Source: Quad Knopf in consultation with Yuba City Engineering and Public Works staff (Yuba City Harter Specific Plan EIR)	

Past, Current and Future Water Use

Table 4.8-3 summarizes past, current and projected water use. Projected water use incorporates water use in Yuba City based on anticipated future development and the current land use designations.

TABLE 4.8-3							
PAST, CURRENT AND PROJECTED WATER USE							
ACRE-FEET PER YEAR							
Water Use Sector	1990	1995	2000	2005	2010	2015	2020
Single Family Residential (metered)	N/A	2546	3855	5265	6065	7015	8140
Multi Family (metered)	N/A	1396	1633	2375	2725	3140	3625
Commercial	N/A	N/A	2161	3095	3545	4080	4715
Industrial	N/A	1503	1834	2110	2425	2790	3210
Landscape	N/A	N/A	568	785	910	1055	1230
Construction	N/A	N/A	28	30	30	35	35
Backwash and Settled Material at Water Plant	N/A	N/A	477	630	830	1100	1450
Unmetered and Unaccounted Water	N/A	N/A	1064	910	1070	1185	1295
Total	9095	10239	11620	15200	17600	20400	23700
Source: UWMP							

Supply and Demand

Table 4.8-4 compares current water supply and demand during a normal year. It indicates that in average years, Yuba City water contracts far exceed the expected demands. This is based on the assumption that Permits 14045 and 18558 are renewed with current conditions and the Yuba County Water District contract is either replaced or renewed when it expires in 2010.

	2000	2005	2010	2015	2020
Available Raw Water Supply	32,573	32,573	32,573	32,573	32,573
Demand	11,620	15,200	17,600	20,400	23,700
Difference	20,953	17,373	14,973	12,173	8,873
Source: UWMP					

Table 4.8-5 projects raw water supply and demands through the year 2020 for normal, single dry, and multiple wet years. These tables indicate that the total water supply exceeds demand through 2020, even during the third year of multiple dry years.

			Multiple Dry Water Years		
	Average Water Year	Single Dry Water Year	Year 1	Year 2	Year 3
Supply Totals					
All Years	32,573	30,653	30,653	29,213	26,845
2000 Demand Totals	11,620	11,620	11,620	11,620	11,620
Difference	20,953	19,033	19,033	17,593	15,255
2005 Demand Totals	15,200	15,200	15,200	15,200	15,200
Difference	17,373	15,453	15,453	14,013	11,645
2010 Demand Totals	17,600	17,600	17,600	17,600	17,600
Difference	14,973	13,053	13,053	11,613	9,245
2015 Demand Totals	20,400	20,400	20,400	20,400	20,400
Difference	12,173	10,253	10,253	8,813	6,445
2020 Demand Totals	23,700	23,700	23,700	23,700	23,700
Difference	8,873	6,953	6,953	5,513	3,145
Source: UWMP					

However, water shortages are anticipated to occur sooner than indicated in the above tables due to the nature of Yuba City raw water supply contracts. For example, Permit 14045 and 18558 are not available during the summer months. Winter month water supply contracts far exceed expected demands well beyond 2020. Summer raw water supply is met with the YCWD and SWP contracts. The Yuba County contract has never been curtailed and is considered a very reliable water source. This contract expires in 2010. The State Water Project contract is not as reliable during dry years and curtailments are regularly enacted.

May through September are critical water months for Yuba City in determining adequate water supply. Table 4.8-6 indicates the supply and projected demands during these five months. The table indicates that Yuba City maintains adequate water contracts to meet summer demands in a three year dry period through approximately 2014. The demand projections do not take into account any water conservation efforts that would be taking place. As stated previously, Yuba City currently treats 24 mgd at its water treatment plant, which is scheduled to be increased to 36 mgd within the next ten years. This increase in water supply will substantially change the demand comparison results in Tables 4.8-5 and 4.8-6 in a positive way.

			Multiple Dry Water Years		
	Average Water Year	Single Dry Water Year	Year 1	Year 2	Year 3
Supply Totals - All Years	18,900	16,354	16,354	12,720	11,280
2000 Demand Totals	7,250	7,250	7,250	7,250	7,250
Difference	11,650	9,104	9,104	5,470	4,030
2005 Demand Totals	8,405	8,405	8,405	8,405	8,405
Difference	10,495	7,949	7,949	4,315	2,875
2010 Demand Totals	9,742	9,742	9,742	9,742	9,742
Difference	9,158	6,612	6,612	2,978	1,538
2015 Demand Totals	11,295	11,295	11,295	11,295	11,295
Difference	7,605	5,059	5,059	1,425	-15*
2020 Demand Totals	13,095	13,095	13,095	13,095	13,095
Difference	5,805	3,259	3,259	-375*	-1815*
* Note – The negative forecast does not account for the planned expansion of the water treatment plant per the UWMP. The planned expansion of the Water Treatment Plant by 12 mgd will result in there being no significant impact relative to the availability of water.					
<i>Source:</i> UWMP					

Estimated future curtailments during multiple dry years is less than those actually encountered in 1992. In 1992 the State Water Project delivered less than 15 percent of the total contracted water to its customers. This resulted in potential shortages June through August 1992. This plan assumes

the SWP is reduced to 50 percent allocation, due to SWP operational changes implemented including the Monterey Agreement. There is a possibility that the SWP could again deliver less than 50 percent of contractual allocation. Therefore, in this scenario water shortages would occur sooner than 2014.

Based on the above discussion, the anticipated water use relating to development of the Harter Specific Plan can be accommodated by the City's existing water treatment facility. However, the existing distribution system must be supplemented, as proposed by the applicant, by additional transmission and storage facilities before significant major development of the project site can occur. As development proceeds, a three million gallon water tank will be built to store water for the Harter Specific Plan area and adjacent areas. Transmission lines will be installed at the time of road development in order to not disturb the roads for pipeline installation in the future. The water tank will be built on approximately one acre adjacent to the park located on the west side of the Harter Specific Plan area. The applicant has agreed to dedicate the one-acre to the City for the water tank in Polygon 5. Such dedication will occur prior to issuance of any building permits for Harter Specific Plan development. Water transmission pipelines will be installed from the water treatment plant in the northeast part of the City to the water tank (refer to Figure 2-9 for visual explanation of water transmission pipeline). As this pipeline will be installed in existing and proposed roadways, no secondary environmental impacts are anticipated.

Current water supply to the City is 32,473 acre-feet per year (afy). Harter Specific Plan demand is 652 to 684 afy. Yuba City Marketplace demand is 104 afy. Current demand in the City without the project is 15,200 afy; with both Harter Specific Plan and Yuba City Marketplace, the total demand will be 15,852 to 15,884 afy. It is assumed that the current water use (15,200 is derived from the UWMP) does not include the Harter Specific Plan/Yuba City Marketplace development.

An overall expansion of system capacity by 12 million gallons per day is scheduled. The additional storage capacity necessary to serve the project site as well as the distribution system has been incorporated into the project. Therefore, with adequate water available to the project, *a less-than-significant impact* to the water treatment facility will result.

Yuba City Marketplace

Development of the Yuba City Marketplace project will require a water supply of approximately 93,000 gpd (104 afy). As there will be an overall expansion of the water system capacity by 12 million gallons per day in the next ten years and being this water exceeds current Citywide water use and project water use, the proposed project will not exceed the water supply. As is the case with the Harter Specific Plan, *a less-than-significant impact* is anticipated.

Mitigation Measure

None required.

Cumulative Impacts and Mitigation Measures

4.8-2 Harter Specific Plan and Yuba City Marketplace development and cumulative development may exceed water supply.

For both the Harter Specific Plan and Yuba City Marketplace projects and the Yuba City buildout (under the current 1989 General Plan and under the pending revised General Plan), the UWMP indicates there to be adequate water supply using Feather River water and, or groundwater augmented with Feather River water. With these sources, it is anticipated that for Yuba City development, for the period ending 2020 and a substantial period of time thereafter, that adequate water supply will exist and that no significant impact will occur. Though in dry years the water supply may run out around the year 2014, this is unlikely to occur as the City will be expanding its water supply from 24 mgd to 36 mgd within the next ten years.

4.9 ECONOMIC AND SOCIAL EFFECTS

4.9 ECONOMIC AND SOCIAL EFFECTS

CEQA provides that economic changes resulting from a project are not to be treated as significant environmental effects (CEQA Guidelines section 15131(a)). Economic effects of a project require analysis only when there is substantial evidence that the Project's economic impact may lead to a significant adverse physical change in the environment, such as physical deterioration of structures and blight (CEQA Guidelines section 15064(e)). Case law states:

"CEQA and its implementing guidelines make it clear that social and economic effects are not to be considered a significant environmental effect and need be considered only to the extent they . . . , on the **basis of substantial evidence**, are **reasonably likely** to result in physical change to the environment." (Friends of Davis, 83 Cal.App.4th at 1021 (emphasis added).)

The Harter Specific Plan and Yuba City Marketplace include the various types of commercial and retail development, including a Wal-Mart Supercenter. Based on detailed information about the City's economic conditions provided by the City¹ (summarized below), there is no substantial evidence that the Project's economic impacts (if any) are reasonably likely to cause significant adverse physical deterioration of existing structures or blight in the City. Based on evidence in the record, this potential impact is determined to be less than significant.

Although CEQA does not require the analysis of economic impacts of the project, the following information is presented to explain the basis for the conclusion that any potential economic change resulting from the Project are not reasonably likely to result in a significant adverse physical changes. In summary, based on information about economic conditions in the City, the EIR considered whether the proposed project would result in significant adverse physical impacts due to economic impacts on Downtown businesses and existing businesses (specifically, retailers and groceries), and the resulting vacancy of the existing Wal-Mart store (which will be replaced by the proposed Wal-Mart under the Yuba City Marketplace). The EIR concludes that there will be no significant adverse physical change resulting from any potential economic impacts.

Analysis of Potential Significant Adverse Physical Impact On Downtown Area Due to Economic Impacts

In 1992, the City adopted the Central City Specific Plan for the downtown area of Yuba City based on a finding of existing blight. The downtown area is defined as the area bound by Walnut Street to the west, Colusa Avenue to the north, Shasta Street to the east, and Bridge Street to the south. The City created the Specific Plan to revitalize the downtown area, which had become blighted after businesses began leaving the area in the late 1980's when The Mall of Yuba City was built in 1989 at

1 The information about the City's economic conditions is based on various plans and documents provided by the City and communications with City officials.

the corner of Highway 20 and 99 in northwest Yuba City. This exodus from downtown began before the existing Wal-Mart store was approved in 1992. Therefore, the blighted conditions existed before the existing Wal-Mart was operating. Further study of the downtown area to establish that it is blighted, when the City has already publicly made the determination and adopted a specific plan, is not necessary. In addition, since the Wal-Mart store has been operating in the City, the conditions in the downtown area have actually improved due to the implementation of the Central City Specific Plan. Any impacts of the proposed Wal-Mart under the Yuba City Marketplace have already occurred based on the operation of the existing store for the past 11 years.

Since the late 1980's, the City has used public funds to revitalize the downtown area these funds have been spent on rehabilitating older building and subsidizing the location or relocation of businesses into the downtown area. The businesses that are locating in the downtown area are smaller, specialty shop retail and services that attract customers because of their quality service and unique goods. The Specific Plan promotes locating this type of retail in the downtown area – retail that does not, and is not intended to, compete with the “Big Box Retailers.” The City is using public funds to help these smaller retailers find their “niche” in the Yuba City market. As a result of the City's efforts, the downtown area is beginning to revitalize as the existing businesses are thriving and more and more small-scale and specialty retail users are expressing interest in locating within the downtown area. Recently, the 14-screen multiplex theater project has been approved in the downtown area and is expected to be operating in 2005. This project is expected to further enhance the economic conditions in downtown.

Although the Central City Specific Plan targets the elimination of existing blight in downtown, the City does not have a goal or policy under the Specific Plan or General Plan that encourages the concentration of commercial uses in only the downtown area of the City. As a result, commercial uses are spread throughout the City. The City has recently approved the construction of significant retail projects outside the downtown area, including Home Depot and Walgreens. By allowing commercial uses in different areas of the City, the City has created both community and regional commercial centers that provide City and County residents with easy access to commercial goods. It also serves to limit traffic and other impacts on the City by dispersing vehicle trips instead of concentrating them all in one area of the City. Locating a large-scale retailer in the downtown area is not only inconsistent with the Specific Plan but also potentially infeasible given the physical constraints of the downtown area. Traffic patterns, existing buildings and utilities would all need to be rebuilt or significantly modified to accommodate a development similar to the Yuba City Marketplace in downtown.

The type of retail proposed by the project is not likely to compete with existing downtown businesses. The project proposes a community and regional service commercial use. This type of development is consistent with the long-term plans of the City and was not envisioned within the downtown area. As discussed above, smaller, specialty shop retail and services are the type of businesses located in the downtown area and do not compete with big-box retailers.

Most of the competition between businesses in the proposed project and downtown business already exists. There is an existing Wal-Mart in the City and other big box retailers such as Home Depot, Target, K-Mart, J. C. Penney, Sears, Gottchalks and Winer. As this existing competition is not adversely impacting the establishment of businesses in the downtown area, it is unlikely that the construction of the proposed project and new Wal-Mart retail store would exacerbate the competition or have any new significant impact. The construction of a grocery component to the

Wal-Mart store is also unlikely to impact competition since there are no general grocery stores in the downtown area. The only establishments in the downtown area that sell groceries sell limited specialty grocery items and cater to consumers seeking quality service and unique goods.

In conclusion, under CEQA, a study of the possible environmental effects resulting from a project's economic effects only needs to be undertaken if the record discloses substantial evidence showing that any economic changes are "*reasonably likely to result* in physical change to the environment." As the record does not disclose substantial evidence that the Harter Specific Plan and Yuba City Marketplace will result in economic changes that are reasonably likely to result in significant adverse physical change to the environment (e.g., abandoned or underutilized buildings and physical blight), no further study is necessary and this impact is determined to be less than significant.

Analysis of Potential Significant Adverse Physical Impact On Existing Retail (including groceries) outside Downtown Area Due to Economic Impacts

The Initial Study considered whether the proposed project would draw commerce away from existing established retail and grocery businesses such that a significant number of buildings in a limited area would be abandoned or underutilized resulting in physical blight. Based on the information available, it is not reasonably likely that the proposed project will result in a significant amount of physical deterioration of existing businesses and building in the City.

There will be more than sufficient demand for existing, proposed and future commercial development in the City due to expected population growth within the City and surrounding area (including the residential development that is part of the project). The population of Yuba City is presently growing at a rate of 2.5 percent per year. Presently, 500 new homes are being developed within the City limits and another several hundred are being proposed for future development, including between 311 and 345 residential units in the Harter Specific Plan area. These figures do not include the growth or development also occurring in other areas of Yuba County (such as Marysville) adjacent to the City, which utilize the commercial and retail development in the City. This growth in population both in the City and surrounding areas will result in a steady increase in demand for retail and commercial services, including groceries. The development of a new commercial development, including grocery store, will help meet that demand. The project's commercial development will compete with the existing retail and grocery stores. With regard to groceries, the only grocery sales associated with the project are sales within the proposed Wal-Mart Supercenter. Market survey information shows that Wal-Mart Supercenters draw costumers from a regional area, a different market than the market for the other grocery stores in Yuba City whose customer base are more local. Further, since the existing retail and large grocery businesses are dispersed throughout the City and serve different areas of the City, any potential business closures will not be concentrated in one area creating blight. In rapidly growing communities like Yuba City, these vacancies are likely to be filled with new uses – uses that may or may not compete with the project's commercial tenants.

The economic impacts of the general retail sales (i.e., non-grocery) of the proposed Wal-Mart will not be any new or different from the impacts that already exist from the Wal-Mart store presently operating in the City. Therefore, the project will not create any new significant impacts in this regard. The existing Wal-Mart store has been operating for 11 years and has not created business closures and physical blight with regard to other retailers in the City. Wal-Mart co-exists with several other large-scale retail stores including Target, Home Depot, K-Mart, J.C. Penney, Sears,

Gottchalks and Winer. The relocation of the Wal-Mart store to a new location should not modify the competition that already exists between retailers – retailers that are thriving despite the competition. It will, however, create new competition between Wal-Mart and existing grocery stores and smaller community-markets in the City since Wal-Mart intends to sell groceries at its new location. The City currently has five large-scale grocery stores located throughout the City. These stores serve a community or neighborhood market and are dispersed throughout the City. The Winer opened in the past several years to meet increased demand. The new competition from the grocery component of the Wal-Mart Supercenter should not result in physical deterioration or blight for several reasons. As discussed above, the anticipated growth in population in the City and surrounding communities indicates that this new store should meet the anticipated increased demand for grocery services. The market base for a Wal-Mart Supercenter is regional which is different from the market base of the community-serving markets already located in the City. Even if the limited closure of existing groceries does occur (which is not anticipated based on the evidence), blight will not result because any building vacancies will likely be filled with new tenants due to the rapid growth that Yuba City is experiencing. Further, since existing grocery stores are not concentrated in a single area of the City, blight conditions will not result from the closure of limited stores in non -adjacent locations in the City.

In conclusion, under CEQA, a study of the possible environmental effects resulting from a project's economic effects only needs to be undertaken if the record discloses substantial evidence showing that any economic changes are “*reasonably likely to result* in physical change to the environment.” As the record does not disclose substantial evidence that the Harter Specific Plan and Yuba City Marketplace will result in economic changes that are reasonably likely to result in significant adverse physical change to the environment (ex. abandoned or underutilized buildings and physical blight), no further study is necessary and this impact is determined to be less than significant.

Analysis of Potential Significant Adverse Physical Impact Due To Closure of Existing Wal-Mart Store

The Initial Study analyzed whether the relocation of the existing Wal-Mart retail store to the Yuba City Marketplace will result in significant adverse physical environmental impacts due to the closing of the existing store. Based on the evidence, the closing of the existing Wal-Mart store will not result in significant physical deterioration or physical blight.

As discussed above, the population of Yuba City is growing. This growth is fueling the local economy and resulting in new business opportunities, including new retail businesses. Wal-Mart is actively marketing the existing Wal-Mart Store for re-tenanting. This re-tenanting would occur after Wal-Mart ceases operations at its existing store and relocates to its new store within the Yuba City Marketplace. Given Yuba City's growth, this building should be re-tenanted. Presently, Yuba City has no large commercial building vacancies capable of containing a large-scale retail operation. The closing of the Wal-Mart store provides an opportunity for a large-scale commercial business to locate in Yuba City. Because the existing retail store should be re-tenanted it should not become deteriorated or result in physical blight. Further, the closure of a single store in the City would not result in blight under CEQA.

In conclusion, under CEQA, a study of the possible environmental effects resulting from a project's economic effects only needs to be undertaken if the record discloses substantial evidence showing that any economic changes are “*reasonably likely to result* in physical change to the environment.” As

the record does not disclose substantial evidence that the closing of the existing Wal-Mart store due to the Yuba City Marketplace will result in economic changes that are reasonably likely to result in significant adverse physical change to the environment, no further study is necessary and this impact is determined to be less than significant.

5.0 CEQA CONSIDERATIONS

5.0 CEQA CONSIDERATIONS

SIGNIFICANT AND UNAVOIDABLE IMPACTS

This section summarizes project specific environmental impacts determined to be significant and unavoidable [CEQA Guidelines Section 15126.2(b)].

Significant and unavoidable project specific impacts identified in this recirculated DEIR include the following:

1. Development of the proposed project will result in the loss of 130 acres of Farmland of Statewide Importance.
2. Construction activities would generate ROG and NO_x emissions that could exceed the air district thresholds (Refer to Air Quality Impact 4.2-2).
3. Operation emissions of criteria pollutants would exceed the air district thresholds (Refer to Air Quality Impact 4.2-3).
4. Future residents within the project area could be exposed to a Toxic Air Contaminants risk that exceeds the 10 in 1 million threshold (Refer to Air Quality Impact 4.2-5).

These impacts are discussed in detail in Sections 4-1, Agricultural Resources, and 4-2, Air Quality, of this DEIR.

SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL IMPACTS

Under CEQA, an EIR must analyze the extent to which a project's primary and secondary effects would commit resources to uses that future generations will probably be unable to reverse and only in connection with any of the following activities [CEQA Guidelines Section 15126.2(c); 15127]:

- a. The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;
- b. The adoption by a local agency formation commission of a resolution making determinations; or
- c. A project which will be subject to the requirement for preparing an environmental impact statement pursuant to the requirements of the National Environmental Policy Act of 1969.

In the case of the Harter Specific Plan and Yuba City Marketplace projects, criteria "a" above is applicable because the applicant proposes an amendment to the existing Yuba City General Plan. The specifics of this amendment are discussed in the Project Description section of this DEIR.

The Harter properties have historically been used for food production. Now the Harter Specific Plan and Yuba City Marketplace projects are proposed to replace the food production that has occurred on the property for over 50 years. As indicated in the Project Description section, orchards were planted and then replaced with row crops. Row crops were in turn replaced with livestock grasses. In as much as livestock feed (grass) is considered “food” (indirectly it is because the livestock that feeds on the grass eventually becomes food for humans), the implementation of the Harter Specific Plan and Yuba City Marketplace projects will result in the permanent removal of the land from agricultural production. Other significant irreversible impacts include an increase in total emissions of toxic air contaminants and other criteria air pollutants because of increased vehicle activity and truck trips relating to construction activity (Impact 4.2-2) and operational emissions (Impact 4.2-3 and 4.2-5).

GROWTH-INDUCING IMPACTS

To comply with CEQA, an EIR must discuss the ways in which the Proposed Project will affect economic and commercial growth in the vicinity of the project and how that growth will, in turn, affect the surrounding environment [CEQA Guidelines Section 15126.2(d)]. Under CEQA, this growth is not to be considered necessarily detrimental, beneficial, or of significant consequence. Induced growth is considered a significant impact only if it affects (directly or indirectly) the ability of agencies to provide needed public services, or if it can be demonstrated that the potential growth, in some other way, significantly affects the environment.

Introduction to Growth Inducement Issues

Growth can be induced in a number of ways, including through the elimination of obstacles to growth, or through the stimulation of economic activity within the region. The discussion of the removal of obstacles to growth relates directly to the removal of infrastructure limitations (typically through the provision of additional capacity or supply), or the reduction or elimination of regulatory constraints on growth that could result in growth unforeseen at the time of project approval.

Elimination of Obstacles to Growth

The elimination of either physical or regulatory obstacles to growth is considered to be a growth-inducing effect. A physical obstacle to growth typically involves the lack of public service infrastructure. The extension of public service infrastructure, including roadways, water mains, and sewer lines, into areas that are not currently provided with these services would be expected to support new development. Similarly, the elimination or change to a regulatory obstacle, including existing growth and development policies, could result in new growth.

Economic Effects

Increased Demand on Secondary Markets

Development (residential or employment-generating uses) typically generates a secondary or indirect demand for other goods and services. The secondary or economic change can be quantified by an economic multiplier, which is an economic term used to describe inter-relationships among various sectors of the economy. One aspect of the multiplier effect is the potential catalytic force a project

can have on satellite or follow-up development because it creates a demand or market to be served (e.g., neighborhood commercial development around residential development).

Increased Pressure on Land Use Intensification

Unforeseen future development can be spurred by the construction of certain projects that have the effect of creating unique and currently unmet market demands, or by creating economic incentive for future projects by substantially increasing surrounding property values. These types of impacts are most often identified for projects developed in areas that are currently lacking a full spectrum of economic activity. For example, newly developing office areas may be lacking in a full range of support commercial uses; this support commercial demand can cause increased pressure for rezones or general plan amendments aimed at providing adequate land to accommodate businesses seeking to serve the unmet demand.

Growth-Inducing Effects of the Proposed Project

Elimination of Obstacles to Growth

Development in the Harter Specific Plan area and the Yuba City Marketplace project is not anticipated to eliminate any existing obstacles to growth. The development of the Harter Specific Plan area and the Yuba City Marketplace is considered “in-fill” in that the property is surrounded by urban development and vacant land to the south that is currently subject to applications for development (e.g., Del Monte Square and Del Monte Ranch). The Harter Specific Plan area and the Yuba City Marketplace will require extension of existing sewer and water lines to the site. Providing this infrastructure to the site is not considered growth inducing but is part of the planned development of this area of the City as allowed in the existing General Plan.

Increased Demand on Secondary Markets

Development in the Harter Specific Plan area and the Yuba City Marketplace project will result in the development scenario indicated below in Table 5-1. Future residents who would reside in the Harter Specific Plan area would require secondary support uses, including neighborhood commercial, and personal services. In general, an additional dollar spent in the county for these goods and services is re-spent on additional goods and services (due to the “multiplier” effect). Therefore, the anticipated increase in spending on secondary and support services could increase growth pressures in the region. However, because the project site is in an urbanized area, most goods and services are already available. These services are built in as part of the Harter Specific Plan development and Yuba City Marketplace.

Increased Pressure on Land Use Intensification

Development in the Harter Specific Plan area and the Yuba City Marketplace project will result in the construction of residences, neighborhood commercial uses, and substantial employment generating uses, such as industrial and office. Adjacent properties are developed with residential and commercial uses, and will not be subject to increased development pressures. Vacant properties to the south are currently proposed for commercial, religious and public facilities (new high school). Therefore, the development of the Harter Specific Plan area and the Yuba City Marketplace will not

Polygon	Zoning	Land Use	Density*	Gross Acreage	Units
1	R-1 (SP)	Single Family Residential	4-5	16.5	66-83
2	R-1 (SP)	Single Family Residential	4-5	16.3	65-82
3	C-O (SP)	Office Commercial		4.1	
4	R-3 (SP)	Multi-Family Residential	20	9.0	180
5	PF (SP)	Park/Water Tank		6.0	
6	C-1 (SP)	Commercial		2.0	
7	C-2 (SP)	Commercial		8.4	
8	C-3 (SP)	Commercial		3.2	
9	C-2 (SP)	Yuba City Marketplace		31.1	360,000s.f.
10	C-O (SP)	Office Commercial		1.8	
11	C-M(SP)	Business Park/Light Industrial		68.0	
-	-	Total Road Right of Way		13.6	
TOTAL				180.0±	311-345
*Densities shown are in units per acre, and are averages used for planning purposes. Actual development density may be within the range provided in the <i>Yuba City Urban Area General Plan</i> .					

increase the pressure on the City to intensify the land use designations and zoning on adjacent or nearby properties. However, the Harter Specific Plan and Yuba City Marketplace projects are expected to encourage population growth as the commercial development will create employment opportunities, which then creates the need for new housing. This will then ultimately fulfill development as allowed in the City's General Plan.

CUMULATIVE IMPACTS

CEQA requires that an EIR contain an assessment of the cumulative impacts that could be associated with the proposed project. This assessment involves examining project-related effects on the environment in the context of similar effects that have been caused by past or existing projects, and the anticipated effects of future projects. Even when project-related impacts are individually minor, the cumulative effects of these impacts, in combination with the impacts of other projects, could be significant under CEQA and must be addressed [CEQA Guidelines, section 15130 and 15355(b)].

An EIR must discuss the "cumulative impacts" of a project when its incremental effect will be cumulatively considerable. This means that the incremental effects of the individual project would be considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects (section 15065(c)).

CEQA Guidelines section 15355 defines cumulative impacts as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." This section states further that "[I]ndividual effects may be changes resulting from a single project or a number of separate projects." "The cumulative impact from several projects is [defined as] the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable

probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.”

Section 15130(a)(3) states also that an EIR may determine that a project’s contribution to a significant cumulative impact will be rendered less than cumulatively considerable, and thus not significant, if a project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact.

Section 15130(b) indicates that the level of detail of the cumulative analysis need not be as great as for the project impact analyses, that it should reflect the severity of the impacts and their likelihood of occurrence, and that it should be focused, practical, and reasonable.

To be adequate, a discussion of cumulative effects must include the following elements:

1. Either (a) a list of past, present and probable future projects, including, if necessary, those outside the agency’s control, or (b) a summary of projections contained in an adopted general plan or related planning document, or in a prior adopted or certified environmental document, which described or evaluated regional or area-wide conditions contributing to the cumulative impact, provided that such documents are referenced and made available for public inspection at a specified location;
2. A summary of the individual projects’ expected environmental effects, with specific reference to additional information stating where such information is available; and
3. A reasonable analysis of all of the relevant projects’ cumulative impacts, with an examination of reasonable, feasible options for mitigating or avoiding the project’s contribution to such effects (section 15130[b]).

For some projects, the only feasible mitigation measures will involve the adoption of ordinances or regulations, rather than the imposition of conditions on a project-by-project basis (section 15130[c]).

Development Considered in Cumulative Impact Analysis

For this cumulative analysis a “summary of projections” approach is used combined with a project list of known projects. This section considers growth in the region as represented by the adopted General Plan or other planning document such as the Yuba City Housing Element.

Planned Development

Yuba City’s current General Plan sunsets in the year 2005. For this reason, the City is currently updating its General Plan. The current urban area is approximately 11 square miles. Per City Staff, the revised General plan will encompass the sphere of influence and urban area of approximately 23 square miles. Though a new General Plan is underway, the existing and approved Yuba City general Plan is applicable to this discussion.

In Yuba City, aside of the Harter Specific Plan and the Yuba City Marketplace project, there is the neighboring commercial center that is building out (the Home Depot site), the Del Monte Square Commercial Center and the Del Monte Ranch to the south, the Bel Aire Place 192-unit multiple

family housing development at the southeast corner of Tharp and Butte House roads, a 27 unit single-family subdivision to the north called the Signature Estates, and the 61-unit Summerhill Estates residential subdivision.

The Del Monte Ranch project was recently approved by the City of Yuba City. Also pending is the Del Monte Square Commercial Park annexation which includes the Yuba City Unified School District's second High School campus in the area south of SR 20 and west of the future extension of Harter Road. In addition to the high school, Del Monte Square will include a church, 11 acres of retail, 21 acres of office and 4.5 acres of residential development. Del Monte Ranch is to include 139 residential units, 13 acres of Light Industrial uses and 2.65 acres of retail. These projects are on the south side of Highway 20. Existing Yuba City General Plan land uses (i.e., surrounding land uses) are shown in Figure 2-4.

In Sutter County, pending projects include the 228-unit Walnut Park Estates single-family residential project on a 63-acre parcel in the Terra Buena area (North Township Road at Highway 20), and the 3,500-acre South County Specific Plan. The Walnut Park project includes a two-acre commercial zone and the project application was submitted to the City for annexation. The South County project is currently undergoing environmental review and will include industrial and commercial uses only. Of this 3,500 acres, 155 acres is currently used by industrial land uses. The remaining 3,345 acres is in agricultural production (predominantly rice). As a result of these aforementioned projects, the net loss of agricultural land in Sutter County is estimated to be 3,408 acres over the next 10-15 years.¹

Another approach to determining potential cumulative impacts is to consider the anticipated population increase as determined in the current Yuba City Housing Element. The current Housing Element was adopted in June 2003 and states that the projected population growth in the City and County during the period between 2000 and 2020 will be 2.5 percent per year (per the Housing Element, the annual growth rate in the City from 1990 to 2000 was 3 percent). The Housing Element indicates that 59,910 people will live in the City. In Sutter County, the population in 2020 will be 121,640 and based on a 2.2 percent per year population increase during the same period (per the Housing Element, the annual growth rate in the County from 1990 to 2000 was 2.1 percent). The Housing Element also states the total number of housing units in the City in 2020 will be 22,807. The current number of housing units is 13,912, which is an increase of 8,895 units.

Urban development in Sutter County is controlled by current Sutter County policy in the Public Facilities and Services section of the Sutter County General Plan Policy Document. Policy 3.C-1.A. New Land Divisions, states "urban and suburban development within the Yuba City sphere of influence shall rely on public wastewater systems". As is currently the case, all urban development in the Yuba City Sphere of Influence is required to connect to the City's wastewater treatment plant. Outside the Sphere of Influence, no urban subdivision is allowed by the County though agricultural subdivisions are allowed at 20 acre or 80 acre minimum depending on soil conditions.²

1 Dale Follas, personal communication, August 22, 2003).

2 Dale Follas, personal communication, September 9, 2003.

Cumulative Impact Assessment

The basis of the cumulative analysis varies by technical area. For example, traffic and noise analyses assumes development that is planned and/or anticipated in Yuba City and Sutter County, because each of these jurisdictions are the primary contributors to traffic on local and regional roadways. Cumulative air quality impacts are evaluated against conditions in the Sacramento Valley Air Basin because emissions are free-flowing throughout that basin, as opposed to traffic, which is geographically and relatively limited. Similarly, the hydrology and water quality cumulative analysis considers the watersheds that receive runoff from the project site. The public services is based on the City's Urban Water Management Plan assumptions and discussion with City staff (e.g., the expansion of the water treatment plant from 24 mgd to 36 mgd is premised on the 5,000 existing residential/commercial units in the City's Sphere of Influence connecting to the City water system within the next ten years. The source of water for these 5,000 connections is contaminated with arsenic and conversion to the City's water infrastructure and water source will take political cooperation to overcome the financial issues associated with switching people over to a single water purveyor).

Cumulative development would result in cumulative impacts on some resources that would be significant and more severe than impacts caused by the project alone. Significant unavoidable cumulative impacts would occur for the following:

- Loss of Agricultural land
- Air emissions – construction
- Air emissions – operational
- Air emissions – Toxic diesel emission

Impacts in all areas except air quality and agricultural resources are mitigable with the measures identified in Chapter 4. It should be noted that for each of these subject areas, the potential for significant cumulative impacts already exists, regardless of whether or not the Harter Specific Plan and Yuba City Marketplace are approved.

Following is a summary of cumulative impacts for each issue area discussed in the recirculated DEIR. Other issues contained in the Initial Study Checklist are not included in this discussion because they were not determined to be significant issues warranting further analysis in the DEIR

Agricultural Resources

- Development of the Harter Specific Plan – Yuba City Marketplace project, in combination with other cumulative development as allowed in the existing General Plan and the General Plan update, would contribute to the loss of Farmland Of Statewide Importance.

Air Quality

- Cumulative emissions of ozone precursors and PM₁₀ will contribute to the cumulative degradation of air quality; and

- Cumulative emissions of TAC will expose sensitive receptors to a cumulative TAC risk that exceeds the 10 in 1 million threshold.

Cultural Resources

- Cultural resources were found on the Harter properties (i.e., the Harter residence), which includes the Yuba City Marketplace project but were found not to be significant. However, there is a remote possibility that something could be found during construction. In light of there being no existing conditions and the remote possibility of any resources being found, the cumulative impacts of this project vis-à-vis cultural resources throughout the City and County that may exist and may be impacted by other developments at another time are considered to be less than significant. This conclusion implies that cumulative impacts would essentially be the same whether or not the Yuba City Marketplace or Harter Specific Plan projects are implemented.

Hazards and Hazardous Materials

- The cumulative impacts of the Harter Specific Plan-Yuba City Marketplace project vis-à-vis the use of hazardous materials throughout the City and County are considered less than significant. The nature of hazards is that there is an underlying potential for an accident (e.g., hazardous spill), but an occurrence may not necessarily occur. This conclusion implies that cumulative impacts would essentially be the same whether or not the Yuba City Marketplace or Harter Specific Plan projects are implemented.

Hydrology

- The Harter Specific Plan – Yuba City Marketplace project, in combination with cumulative development in Yuba City and Sutter County will generate stormwater runoff that could exceed the drainage capacity of canal segments and canal road crossings and contribute to flooding. The county has an established mechanism to identify insufficient capacity, collect fees, and make physical changes to the system through the Zone 6 Resolution. Cumulative impacts are not anticipated.

Noise

- The Harter Specific Plan – Yuba City Marketplace project will generate noise that is primarily vehicle related and to a lesser extent directly related to the future land uses (e.g., noise generated by automobile service facilities). Implementation of the prescribed mitigations will limit cumulative impacts to a less-than-significant level.

Transportation and Circulation

- The project would result in degraded intersection levels of service at a variety of intersections. Through application of prescribed mitigations, the impacts are reduced to a less-than-significant level.

Utility and Service Systems – Water Supply

- For both the Harter Specific Plan and Yuba City Marketplace projects and the Yuba City buildout (under the current 1989 General Plan and under the pending revised General Plan), the UWMP indicates there to be adequate water supply using Feather River water and, or groundwater augmented with Feather River water. With these sources, it is anticipated that for the period ending 2020 and a substantial period of time thereafter, that adequate water supply will exist and that no significant impact will occur.

6.0 PROJECT ALTERNATIVES

6.0 PROJECT ALTERNATIVES

INTRODUCTION

The primary intent of the alternatives evaluation in an EIR, as stated in Section 15126.6 (c) of the State CEQA Guidelines, is to ensure that “the range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects.” CEQA Guidelines Section 15162.6(b) states that the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.” An EIR must describe a range of reasonable alternatives to the Proposed Project (or to its location) that could feasibly attain most of the basic objectives of the project. The feasibility of an alternative may be determined based on a variety of factors including, but not limited to, site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and site accessibility and control (CEQA Guidelines Section 15126.6(f)(1)).

The choice of alternatives is guided primarily by the need both to reduce or eliminate project impacts and to achieve project objectives. The objectives of the project were used to identify appropriate alternatives. As stated in Chapter 2, Project Description, the Harter Specific Plan development objectives are to:

- Provide additional residential land meeting Yuba City standards and needs;
- Provide additional employment opportunities within the City;
- Create business park and commercial development opportunities and enhance the physical environment of the City;
- Create an efficient circulation pattern on the west side of the City; and
- Create a well planned mixed use development in the *Harter Specific Plan* area.

The following are the specific objectives of Yuba City in preparing, adopting and implementing the *Harter Specific Plan*:

- Ensure that development is compatible and complementary with existing and future uses of land within and in the vicinity of the Specific Plan area.
- Enhance economic development efforts in the western portion of the city through the creation of commercial and light industrial development opportunities.

- Enhance and improve the City's image through careful design of the *Harter Specific Plan* area and by ensuring high quality development.
- Protection of the quality of life enjoyed by existing and future residents within and in the vicinity of the *Harter Specific Plan* area.
- Improvement of the delivery of services in the western portion of the city and in particular within the *Harter Specific Plan* area.
- Improvement of circulation patterns on the west side of the city and in particular within the *Harter Specific Plan* area.
- Locate commercial development within a designated commercial area that is complementary to and compatible with the City's civic core located ½ mile to the east, while providing shopping and job opportunities.
- Develop accessibility through improvements in the circulation system, including upgrades to Harter Road, extension of Poole Boulevard from Harter Road to Tharp Road, development of a Class I bike trail along Poole Boulevard extension and Harter Road, and encouragement of a pedestrian link with the civic center.
- Develop commercial parcels with high quality building and site design according to *City of Yuba City Design Guidelines* and buffer commercial uses from existing and proposed residential uses.
- Develop commercial areas and parking facilities in accordance with City guidelines for lighting, signage and parking to protect nearby residential areas from excessive light, glare, headlights, and noise.
- Develop accessible employment opportunities through creation of business, office, commercial and light industrial uses and through development of nearby housing opportunities.

The project-specific significant and unavoidable impacts that would result from project implementation are:

1. Development of the proposed project will result in the loss of 130 acres of Farmland of Statewide Importance (refer to Agricultural Reserves, 4.1-1).
2. Construction activities would generate ROG and NO_x emissions that could exceed the air district thresholds (Refer to Air Quality Impact 4.2-2).
3. Operation emissions of criteria pollutants would exceed the air district thresholds (Refer to Air Quality Impact 4.2-3).

4. Future residents within the project area could be exposed to a Toxic Air Contaminants risk that exceeds the 10 in 1 million threshold (Refer to Air Quality Impact 4.2-5).

ALTERNATIVES CONSIDERED AND ELIMINATED FROM FURTHER ANALYSIS

In developing the alternatives, primary consideration was given to reducing significant unmitigable impacts. For this DEIR, no alternatives beyond those discussed herein were considered and eliminated from further analysis.

ALTERNATIVES ANALYZED

This section provides a description of the alternatives to the Proposed Project analyzed in this DEIR and presents how specific impacts differ in severity from those associated with the project. For the most part, significant impacts of the alternatives can be mitigated by measures identified in Chapter 4, which contains the environmental analysis of the Proposed Project.

The City of Yuba City may adopt an alternative in lieu of the Proposed Project, and this chapter is intended to assist decision-makers in their assessment of appropriate use of the project area. As such, the four alternatives that are analyzed in this EIR, in addition to fulfilling the requirements of CEQA, provide policy options for development of the project area. The alternatives are:

Alternative 1 - No Project/No Build. In this scenario, “No Project” means the Harter Specific Plan and the Yuba City Marketplace projects are not developed. In this scenario, the cannery operation and the use of acreage for water disposal and the cultivation of grass for livestock may continue.

Alternative 2 - Development Consistent with the General Plan (or No Project/No Action). In this scenario, the site would be developed under existing General Plan land use and zoning designations. Land uses include light industrial, residential and agricultural. In this alternative scenario, the City requires no action, other than to process permits under the existing General Plan and zoning designations. Refer to Table 6-1 for existing land use designations and potential development.

DEVELOPMENT CONSISTENT WITH GENERAL PLAN – NO ACTION		
Land Use	Gross Acreage	Units
Agricultural Holding	70	-
Residential	14	56-70*
Light Industrial	80	871,200 sf**
Total Road Right of Way	16	-
Total	180 ±	
* assumes 4-5 units per acre.		
** assumes 25 percent building lot coverage		

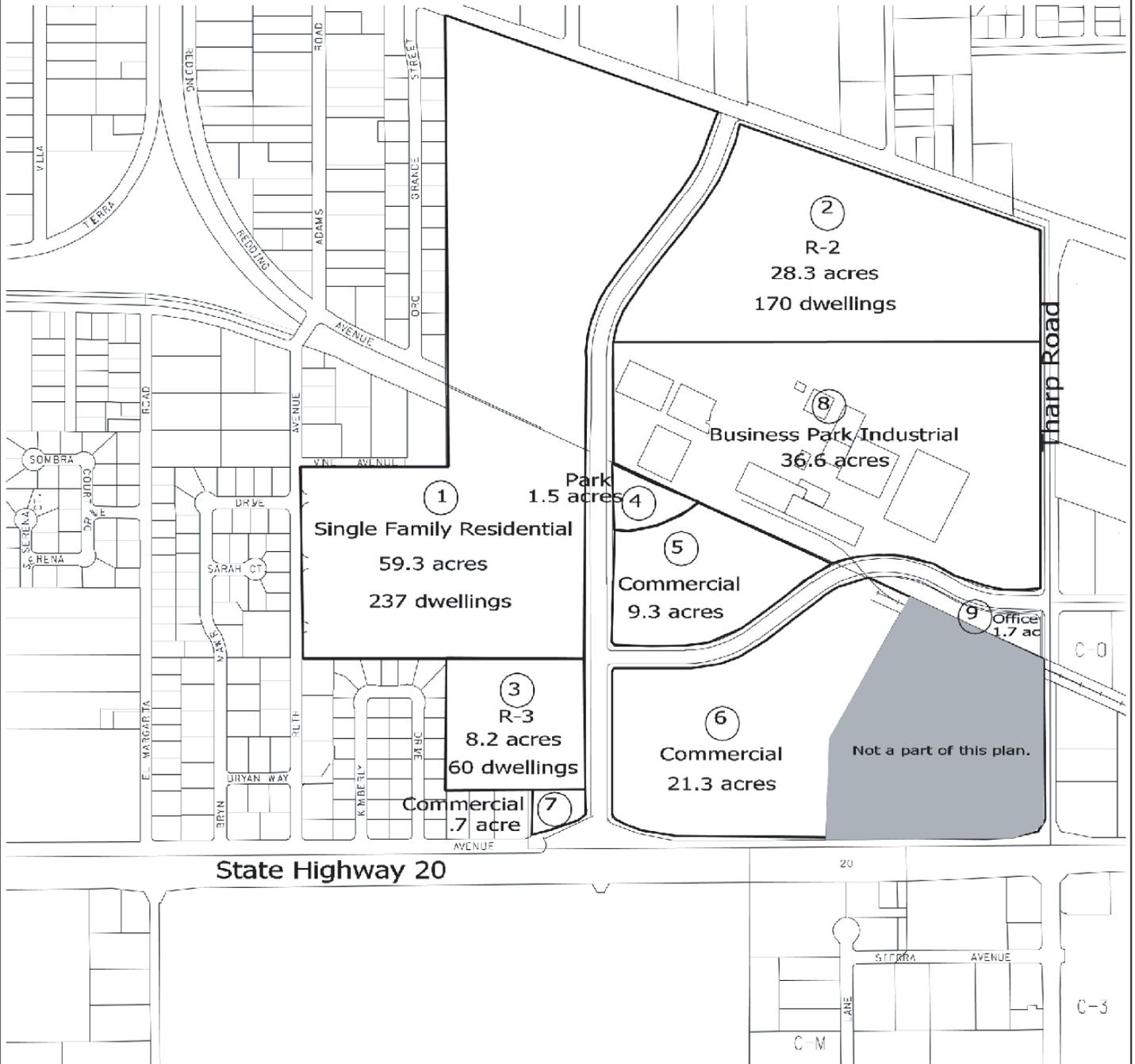
Alternative 3 - Industrial Reuse Alternative. In this scenario, the cannery and packing house would cease operations immediately. The balance of the Harter Specific Plan area would be used as proposed under the Harter Specific Plan. Rather than demolishing all of the existing structures, some of the cannery and packing house structures would be retained. For example, the three newer warehouse buildings along Harter Road would be remodeled for other uses such as office space or research and development. The three older warehouses on the east side of the property would continue to be used as warehouses. The cannery buildings would be removed and the acreage north of the cannery would be developed as a business park. The railroad tracks and spurs would be removed, facilitating the construction of Poole Boulevard. This alternative has the same characteristics as those of the Harter Specific Plan. As this alternative is similar to the proposed project, refer to Table 2-1 for the land use assignments.

Alternative 4 - Continuation of Cannery Operations Alternative. In this scenario, the cannery and packing house would continue to operate. Cannery waste would be piped off-site for disposal. The railroad grade and spur would be retained. The property west of Harter Road would be developed for residential, office, commercial, and a park as proposed under the Harter Specific Plan. The remainder of the acreage in Polygon 11 (i.e., Yuba City Marketplace) would be used as proposed in the Harter Specific Plan. The commercial area south of the railroad would be developed as proposed with the exception of the 1.8-acre area located at the southwest corner of Tharp Road and the Poole Boulevard alignment due to limited access. Poole Boulevard would not be extended west to Harter Road. This alternative has the same characteristics as those of the Harter Specific Plan. As this alternative is similar to the proposed project, refer to Table 2-1 for the land use assignments.

Alternative 5 - Design Alternative. Under this alternative, the mix of land uses would be similar to the proposed project but the design of the site and acreage per land use type would change. Selected cannery buildings (approximately six) would be reused as warehouses, office space, or some similar use as part of a 36.6-acre business park (office/research and development/light industrial) north of the railroad and between Harter Road and Tharp Road. The railroad would end near the eastern spur. Poole Boulevard would cross the eastern railroad spur, curving south through commercial development to intersect with Harter Road. A small 1.5 acre park or open space area would be developed southeast of the current intersection of the railroad with Harter Road. Commercial acreage east of Harter Road would include 9.3 acres between the park and Poole Boulevard, 21.5 acres south of Poole, and 1.7 acres north of the railroad and south of Poole at Tharp. The 28.3 acres north of the business park would be developed residentially (R-2) between the newly aligned Harter Road, Tharp Road and Butte House Road.

The west side of Harter Road would be developed with $59\pm$ acres of single-family residential (R-1), $8\pm$ acres of multiple family (R-3), and 0.7 acres commercial. The total proposed land use acreage by category for this alternative is listed in Table 6-2. Figure 6-1 shows the proposed land use configuration of this particular alternative.

Alternative 6 - Other Site. An alternative site was considered to address potential mitigation of the accrued impacts associated with the proposed project. A discussion of alternative sites occurred with Brian Trudgeon of the Yuba City Community Development



Source: Wade Associates, 2002; Quad Knopf, Inc. 2002



FIGURE 6-1
Proposed Design Alternative

TABLE 6-2**PROPOSED DESIGN ALTERNATIVE**

Parcel*	Zoning	Land Use	Density	Gross Acreage	Units
1	R-1 (SP)	Single Family Residential	4	59.3	237
2	R-2 (SP)	Single Family Residential	6	28.3	170
3	R-3 (SP)	Multi-Family Residential	7-8	8.2	60
4	R-3 (SP)	Park/Water Tank		1.5	
5	C-1 (SP)	Commercial		9.3	
6	C-2 (SP)	Commercial		21.3	
7	C-2 (SP)	Commercial		0.7	
8	M-1 (SP)	Business Park/Light Industrial		36.6	
9	C-O (SP)	Office Commercial		1.7	
		Total Road Right of Way		13.2	
Total				180.0±	467

* Parcel as shown on Figure 4.1-1. Source: Wade Associates, January 2002.

Department. Three theoretical sites were considered: 30-, 100-, and 180-acres. No sites in these configurations exist in the current Yuba City boundaries or its sphere. Considering that an alternative site selection must be premised in reducing impacts, selection of property in county jurisdiction could not result in fewer impacts because no properties are currently designated in county land use plans to accommodate such a development nor is infrastructure available in County jurisdiction to accommodate such a large commercial project.

A comparison of each alternative's land uses is included in Table 6-3. A summary of the comparison of alternatives discussed herein is included in Table 6-4. A discussion of the Environmentally Superior Alternative is at the end of this section.

TABLE 6-3**COMPARISON OF ALTERNATIVE LAND USES**

Land Use	Alternative 2	Alternative 3	Alternative 4	Alternative 5	Alternative 6	Proposed Project**
Residential	14	41.8	41.8	95.8	same as proposed project	41.8
Commercial (includes office)	--	50.6	48.8*	33	same as proposed project	50.6
Industrial	80	68	68	36.6	same as proposed project	68
Agriculture	70	--	--	--	same as proposed project	--

* Excludes polygon 10 (1.8 acre).
** Includes Yuba City Marketplace project.

Resource	Proposed Project	Alternative 1 No Project	Alternative 2 Consistent with General Plan	Alternative 3 Industrial Reuse	Alternative 4 Continue Cannery Operation	Alternative 5 Alternative Design	Alternative 6 Other Site
Agriculture	SU	LS/MM	SU	SU	SU	SU	SU+
Air Quality	SU	LS	SU-	SU	SU	SU-	SU+
Cultural Resources	LS	LS	LS	LS	LS	LS	LS
Hazards	LS	LS-	LS	LS	LS	LS-	LS
Hydrology	LS/MM	LS	LS/MM-	LS/MM	LS/MM	LS/MM	LS/MM
Noise	LS/MM	LS	LS/MM	LS/MM	LS/MM	LS/MM	SU+
Transportation	LS/MM	LS-	LS/MM-	LS/MM	LS/MM	LS/MM-	SU+
Utility and Services	LS	LS-	LS-	LS	LS	LS-	NA
LS	=	All impacts would be less than significant, no mitigation required.					
LS/MM	=	All impacts would be less than significant after mitigation.					
SU	=	One or more impacts would be significant and unavoidable, even after mitigation.					
-	=	Alternative impacts are less severe than the Proposed Project.					
+	=	Alternative impacts are more severe than the Proposed Project.					
Where no + or - is indicated, impacts of the Proposed Project and the Alternative are identical or very similar.							

Alternative 1: No Project/No Build Alternative

CEQA requires the evaluation of the comparative impacts of the “No Project” alternative (CEQA Guidelines Section 15126.6(e)(1)). The No Project/No Build alternative would allow no development on the project site, and the existing uses on the site may continue unchanged. The site-specific impacts of the No Project/No Build alternative are best described by the conditions presented in the existing setting sections of Chapter 4 of this DEIR.

For the purposes of this analysis, the No Project/No Build alternative assumes that Yuba City would not approve the Harter Specific Plan and Yuba City Marketplace. Therefore, the project, as proposed, would not be constructed, and the conditions that would be assumed in the future would be based on reasonable expectations about what would occur under current plans and consistent with available infrastructure and community services.

Consistency with Applicant and City Objectives

This alternative would not support the objectives of the applicant, which is to construct homes and develop commercial and light industrial land. The city’s objective to eventually develop this property would also be thwarted by this alternative.

Alternative 2: Development Consistent with the General Plan

Under this “no action” alternative, it is assumed that the project site would be developed consistent with the designations in the Yuba City General Plan. This alternative requires no action by the City except to permit future uses that are consistent with existing land use designations and zoning. The

property is currently designated Agricultural Holding (AH) and Light Industrial (LI). An approximately 14-acre area on the westernmost portion of the project site (a portion of the 16.3-acre Polygon 2) is designated Low Density Residential (LDR) and could be developed under this classification. The cannery operation is assumed to continue in this alternative. Agriculture represents approximately 70 acres of the existing Harter property. Industrial represents approximately 80 acres of the Harter property.

The Agricultural Holding designation is applied to rural or undeveloped areas on an interim basis where it is apparent that more intensive suburban or urban development would occur.¹ This district allows property to be used for agricultural purposes until more intensive development occurs. Therefore, even in a “no project” alternative scenario there is the possibility that urban development could eventually occur for the acreage designated Agricultural Holding. Nonetheless, because no other land uses are reasonably foreseeable at this time (other than the proposed project), this analysis assumes the AG designated land is used for agriculture.

Agricultural Resources

As indicated in the current General Plan land use map, in this alternative approximately 70 acres remain in agricultural production, 14 acres would be used for low-density residential and approximately 80 acres would be used for light industrial uses (leaving approximately 15 acres of the 180 acres for internal roads). The Harter Specific Plan and Yuba City Marketplace will result in the loss of 70 acres of agricultural land. Under this alternative scenario 70 acres of agricultural land are preserved thereby this alternative results in a lesser impact to agricultural resources relative to the proposed project.

Air Quality

This alternative would result in no retail commercial development, which would substantially reduce the quantity of vehicle trips and associated emissions relative to development of the Harter Specific Plan (refer to table 6-3 for a comparison of alternative land uses). The premise that this alternative would result in lower air emissions is based on retail commercial land uses resulting in substantially more vehicle trips relative to light industrial land uses. For example, as indicated in Table 4.7-3, light industrial land uses generate approximately 150 vehicle trips per acre and retail commercial can generate 766 to 1,279 vehicle trips per acre. At the same time, under this alternative there is more acreage designated Light Industrial (80 acres versus 68 acres in the Harter Specific Plan and 31.1 acres in the Yuba City Marketplace), so air emissions related to industrial uses would be expected to be higher. These industrial emissions are subject to control by the local air district and are not considered to be significant source of emissions. However, because the total vehicle trips are so high associated with retail commercial uses, this alternative would have, overall, lower emissions, thus a lower impact relative to the proposed project.

Cultural Resources

Aside from the cannery buildings, railroad tracks, and the four residences, discussed in the proposed project impacts and which were not determined to be significant resources, no significant cultural

1 Yuba City Zoning ordinance, Article 25.

resources were found on the Harter Specific Plan and Yuba City Marketplace projects, (total of 180 acres) so their impact on known resources would be the same under the project or this alternative. However, because less ground would be disturbed under this alternative (94 acres; not counting 70 acres of agricultural land) relative to the proposed project, the potential disturbance to, or destruction of unknown, subsurface paleontological, historic, or prehistoric resources would be reduced.

Hazards and Hazardous Materials

Hazardous materials use could be increased in this scenario because the amount of land designated for Light Industrial use is greater than currently proposed in the Harter Specific Plan and Yuba City Marketplace projects (80 acres versus 68 acres). However, similar to the proposed project, the level of impact is not expected to be significant on account of the existing State and local protocols for using, storing and securing hazardous materials.

Hydrology

There would be a substantial reduction in off-site drainage flows resulting from this alternative relative to the proposed project because of the reduction in impervious surfaces due to the retention of approximately 70 acres of agricultural land. Regardless, as this alternative would substantially increase impervious surfacing relative to the existing conditions, the mitigation prescribed in Section 4 – Hydrology, would be required of future development because there remains the potential for off-site flooding.

Noise

In this alternative, Light Industrial land use would cover the largest area (estimated to be 80 acres). Industrial uses are more likely to create noise associated with fabrication, heating, cooling, drying, etc. Industrial activity is also associated with a higher percentage of heavy trucks as a total of all vehicle trips (eight percent versus one percent for retail commercial)² relative to retail commercial. However, industrial land uses generate substantially fewer vehicle trips relative to retail commercial land use (150 per acre versus 755 to 1,279 per acre) and the relatively higher number of diesel trucks is offset by the substantially higher number of passenger vehicles, especially with the prevalence of “modified” noisy passenger vehicles on area roadways and the higher number of medium delivery trucks. Sporadic train activity is expected to continue under this alternative because of the cannery and future industrial activity. Historically, trains serving the cannery are scheduled on a daily to weekly basis, particularly the peak canning operating season, which is mid-July to mid-October. The trains generally consist of approximately eight to nine cars. During non-peak months, the train operates on an as needed basis, but operating approximately one day a week. With the cannery operation closed, train trips are eliminated. However, the ongoing operation of the cannery is not precluded in this alternative. Therefore, the train is expected to generate noise but its intermittent characteristics and the fact that it has been an ongoing part of the Yuba City and Sutter County ambient noisescape for over 50 years qualifies this noise as “insignificant”. Comparatively, this alternative (with train operations) is similar to the proposed Harter Specific Plan with train

2 K.D. Anderson. *Harter Specific Plan Traffic Analysis*. July 2003.

operations. Therefore, this alternative does not increase train related noise relative to existing conditions, or relative to the proposed project with the cannery continuing operations.

Traffic and Circulation

Because development allowed per the General Plan is industrial, agricultural and residential, the make up of the vehicle trips would be substantially different from what is currently proposed. As this alternative has substantially less retail commercial and the nature of the industrial land use is less intense in terms of volume of traffic, this alternative would result in fewer vehicle trips. For example, industrial land uses generate approximately 150 vehicle trips per day per acre, whereas retail commercial generates 766 to 1,279 vehicle trips per day per acre. Therefore, it is anticipated that fewer impacts would result from land uses allowed by the current General Plan.

Utilities and Service Systems: Water Supply

There was no significant impact identified with water resources associated with the proposed project. Development of the Harter Specific Plan project would require a water supply of approximately 582,240 - 610,800 gallons per day (652 to 684 acre-feet per year) for the Harter Specific Plan area and 93,000 gpd (104 acre-feet per y) for the Yuba City Marketplace. This is calculated in Table 4.6-2. This alternative would generate a water demand of 160,00 gallons per day, or 179.2 acre-feet per year. The residential component of this alternative would generate a demand of 15,680 gallons per day, or 17.5 acre-feet per year. The agricultural land is projected to continue using the cannery operation as a source of water. As the agricultural water use is from the existing on-site wells, this is not accounted for in the water use analysis vis-à-vis the Urban Water Management Plan. As there is adequate water supply to serve the proposed project according to the Urban Water Management Plan, and this alternative would use less water, it is concluded that adequate water is available for this alternative.

CEQA Considerations

Growth Inducement

This alternative is consistent with the land use as currently allowed under the General Plan. Therefore, this alternative would not induce growth beyond the levels already assumed in the General Plan.

Significant Irreversible Impacts

This alternative would result in irreversible impacts related to loss of agricultural land and an increase in total emissions of toxic air contaminants and other criteria air pollutants because of increased vehicle activity and truck trips. Regardless, this alternative would have a lesser degree of impact because there remains 70 acres of agricultural land.

Cumulative Impact

Though at a lesser level, this alternative would contribute to cumulative impacts relating to air quality and loss of farmland. All other cumulative environmental issues are considered less-than-significant. Overall, cumulative impacts are anticipated to be lower with this alternative because

more agricultural acreage is retained and the acreage of Light Industrial generates substantially less vehicle trips and fewer emissions.

Consistency with Applicant and City Objectives

This alternative could be construed to meet part of the objectives of the applicant relating to light industrial development and housing. However, no commercial development would occur in this alternative. In this alternative light industrial uses are more predominant than the proposed project and housing is diminished. The area designated AH would remain in agricultural production. The city's objective to eventually develop this property entirely for urban uses would also be thwarted by this alternative.

Alternative 3: Industrial Reuse Alternative

Under this alternative, the site would be developed as proposed under the Harter Specific Plan and Yuba City Marketplace, except that cannery/packing house operations would cease and some of the warehouse structures would be reused for other storage and, or industrial purposes. This alternative has the same characteristics as those of the Harter Specific Plan, except that the cannery operation ceases and is replaced with another unknown industrial use. Refer to Table 2-1 for the land use assignments for this alternative and Table 6-3 for a comparison of all alternative land uses.

Agricultural Resources

This alternative, as with the Harter Specific Plan and Yuba City Marketplace, would result in the conversion of approximately 135 acres of agricultural land to urban use. The impact relative to Harter Specific Plan and Yuba City Marketplace would therefore be the same.

Air Quality

This alternative, as with the proposed project, would result in the generation of new emissions due to construction activity, new vehicle trips and/or new industrial operations on the site. Impacts would remain significant and unavoidable. The impact relative to Harter Specific Plan and Yuba City Marketplace is the same because this alternative is the same as the proposed project except that the cannery shuts down and is replaced with another industrial use, which could have lesser, similar or greater air emissions. Under this alternative, elimination of the cannery operation would not necessarily reduce air emissions.

Cultural Resources

Aside from the cannery buildings, railroad tracks, and the four existing residences discussed in the proposed project impacts and which were not determined to be significant resources, no cultural resources were found on the Harter Specific Plan and Yuba City Marketplace projects, (total of 180 acres) so their impact on known resources would be the same under the project, or this alternative. This alternative is essentially the same as the proposed project except for the cannery operation is replaced with an unknown industrial user.

Hazards and Hazardous Wastes

This alternative would result in the potential exposure to hazardous materials used by industries in processing activities and/or the routine storage, transport or disposal of such materials. Potential hazards from the cannery/packing house would no longer exist under this alternative but could be replaced with new hazards depending on the new industrial use. However, similar to the proposed project, the level of impact is not expected to be significant on account of the existing State and local protocols for using, storing and securing hazardous materials.

Hydrology

Under this alternative, impervious surfaces would change the drainage patterns and increase the rate or amount of surface runoff. This alternative would result in the same amount of impervious surfaces as the proposed project. The cannery would operate but cannery wastes would no longer be disposed on site but would be treated at the local treatment plant. Degradation of surface water from construction activities could also occur, but would be mitigated as is the case with the proposed project with implementation of NPDES. As for off-site drainage, impacts are potentially significant, but could be mitigated to a less than significant level through downstream drainage channel expansion.

Noise

Development in this scenario is expected to be approximately the same as the noise levels associated with the Harter Specific Plan and Yuba City Marketplace projects because of the similar characteristics of this alternative. Under this alternative, vehicle trips are estimated to be approximately 97 percent of the proposed project. Mitigations prescribed in this recirculated DEIR would be relevant to this alternative if implemented.

Traffic and Circulation

As noted in Table 6-5, development of this project alternative would result in similar trip generation relative to the Harter Specific Plan and Yuba City Marketplace. This alternative would generate about 97 percent of the trips attributed to Harter Specific Plan and Yuba City Marketplace. Because their trip generation estimates are similar, the “industrial re-use” alternative would have impacts and mitigation requirements that are the same as those associated with the proposed plan.³

Utilities and Service Systems: Water Supply

There was no significant impact identified with water resources associated with the proposed project. Development of the Harter Specific Plan project would require a water supply of approximately 582,240 - 610,800 gallons per day (652 to 684 acre-feet per year) for the Harter Specific Plan area and 93,000 gpd (104 acre-feet per year) for the Yuba City Marketplace. This is calculated in Table 4.6-2. This alternative would generate a similar water demand. As there is adequate water supply to serve the proposed project according to the Urban Water Management Plan, and this alternative is expected to use the same amount of water, it is concluded that adequate water is available for this alternative.

3 K.D. Anderson. *Harter Specific Plan Traffic Analysis*. July 2003

TABLE 6-5

**HARTER SPECIFIC PLAN TRIP GENERATION -
INDUSTRIAL REUSE ALTERNATIVE**

Land Use	Quantity	Trip Per Unit						
		Daily	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Retail Commercial (31.1 ac site)	353.55 ksf	15,592	212	134	346	704	764	1,468
Pass By Trips			32	20	52 (15%)	197	214	411 (28%)
Net New Trips			180	114	294	507	550	1,057
Retail Commercial (8.4 ac site)	8.4 acres	6,437	92	60	152	285	307	592
Pass By Trips			14	9	23 (15%)	114	123	236(40%)
Net New Trips			78	51	129	171	184	356
Retail Commercial (3.2 ac site)	3.2 Acres	3,460	52	33	85	150	163	313
Pass By Trips			8	5	13 (15%)	90	98	188(60%)
Net New Trips			44	28	72	60	65	125
Retail Commercial (2.0 ac site)	2.0 Acres	2,558	39	25	64	110	119	229
Pass By Trips			6	4	10 (15%)	66	71	137(60%)
Net New Trips			33	21	54	44	48	92
Gasoline Sales	12 Fueling positions	1,953	60	60	120	80	80	160
Pass By Trips			37	37	74 (62%)	33	34	67 (42%)
Net New Trips			23	23	46	47	46	93
Fast Food Restaurant	7.0 ksf	3,473	178	171	349	122	112	234
Pass By Trips			87	84	171 (49%)	61	56	117 (50%)
Net New Trips			91	87	178	61	56	117
Business Park	52.8 acres	7,920	829	169	998	174	713	886
Office (4.1 ac site)	Acre	822	100	14	114	24	115	139
Warehousing	15.2 acres	870	110	42	152	47	88	135
Office (1.8 ac site)	Acre	437	52	7	59	18	89	108
Single Family Residential	165 du's	1,576	31	92	123	108	58	166
Multiple Family Residential	180 du's	1,188	18	72	90	72	36	108
TOTAL GROSS TRIP ENDS		46,286	1,773	879	2,652	1,894	2,644	4,538
TOTAL PASS BY TRIPS			184	159	343	561	596	1,157
TOTAL NEW TRIPS			1,589	720	2,309	1,333	2,048	3,381
LESS EXISTING CANNERY USES					72			92

Source: K.D. Anderson 2003

CEQA Considerations

Growth Inducement

This alternative is similar to the Harter Specific Plan and Yuba City Marketplace project except that the cannery operation ceases and is replaced with an other industrial use. As this alternative is similar to the Harter Specific Plan and Yuba City Marketplace project it is expected that the growth inducement issues would be the same. This recirculated DEIR does not identify the Harter Specific Plan and Yuba City Marketplace project to be growth inducing. Therefore, this alternative would not induce growth beyond that associated with the Harter Specific Plan and Yuba City Marketplace project.

Significant Irreversible Impacts

This alternative would result in irreversible impacts related to loss of agricultural land and an increase in total emissions of toxic air contaminants and other criteria air pollutants because of increased vehicle activity and truck trips. Because this alternative is similar to the Harter Specific Plan and Yuba City Marketplace project, it is expected to have the same irreversible impact.

Cumulative Impact

As this alternative is similar to the Harter Specific Plan and Yuba City Marketplace project, this alternative would contribute to the same level of cumulative impacts relating to the loss of agricultural land and air quality. All other cumulative environmental issues are considered less-than-significant.

Consistency with Applicant and City Objectives

This alternative could be construed to meet all of the objectives of the applicant to include housing, light industrial and commercial uses, though the cannery operation is shut down and the remnant building used for other industrial purposes. The city's objective to eventually develop this property entirely for urban uses is supported by this alternative.

Alternative 4: Continuation of Cannery Operations Alternative

Under this alternative, the cannery and packing house would continue to operate. Cannery waste would be piped off-site for disposal. The railroad grade and spur would be retained which allow cannery operations to continue. The property west of Harter Road would be developed for residential, office, commercial, and a park as proposed under the Harter Specific Plan. The remainder of the acreage in Polygon 11 would be used as proposed in the Harter Specific Plan. Poole Boulevard would not be extended west from Tharp Road to Harter Road. Other than these modifications, this alternative has the same characteristics as those of the Harter Specific Plan. Refer to Table 2-1 for the land use assignments for this alternative and Table 6-3 for a comparison of all alternative land uses.

Agricultural Resources

This alternative, as with the Harter Specific Plan and Yuba City Marketplace, would result in the conversion of approximately 135 acres of agricultural land to urban use. The impact relative to Harter Specific Plan and Yuba City Marketplace would therefore be the same.

Air Quality

This alternative, as with the proposed project, would result in the generation of new emissions due to construction activity, new vehicle trips and/or new industrial operations on the site. Impacts would remain significant and unavoidable because the same land uses would occur under this alternative, except that Poole Road would not connect from Tharp to Harter roads. This alternative would generate 78 percent of the trips generated by the proposed project. Therefore, the air quality impact relative to Harter Specific Plan and Yuba City Marketplace is slightly less.

Cultural Resources

Aside from the cannery buildings, railroad tracks, and the four existing residences discussed in the proposed project impacts and which were not determined to be significant resources, no cultural resources were found on the Harter Specific Plan and Yuba City Marketplace projects, (total of 180 acres) so their impact on known resources would be the same under the project, or this alternative. This alternative is essentially the same as the proposed project because it is assumed that the cannery operation continues.

Hazards and Hazardous Wastes

This alternative would result in the potential exposure to hazardous materials used by industries in processing activities and/or the routine storage, transport or disposal of such materials. Potential hazards from the cannery/packing house would continue under this alternative. However, similar to the proposed project, the level of impact is not expected to be significant on account of the existing State and local protocols for using, storing and securing hazardous materials.

Hydrology

Under this alternative, impervious surfaces would change the drainage patterns and increase the rate or amount of surface runoff. This alternative would result in the same amount of impervious surfaces as the proposed project. The cannery would operate but cannery wastes would no longer be disposed on site but would be treated at the Yuba City treatment plant. Degradation of surface water from construction activities could also occur, but would be mitigated as is the case with the proposed project with implementation of NPDES. As for off-site drainage, impacts are potentially significant, but could be mitigated to a less than significant level through downstream drainage channel expansion.

Noise

Development under this alternative is expected to have noise levels slightly less than those associated with the Harter Specific Plan and Yuba City Marketplace projects because, as indicated by the transportation consultant, this alternative generates 78 percent of the vehicle trips generated by

the proposed project. As indicated by the noise consultant a 20 percent change in the amount of vehicle trips will decrease or increase traffic noise of less than 1 dB. Therefore, though the vehicle trips are slightly less in this scenario, the 22 percent reduction in traffic volumes in this scenario will not reduce noise substantially. In addition, construction related noise will remain the same and noise levels from potential future activities in various future industrial parks could result in the same type of impacts as the proposed Harter Specific Plan (e.g., tire breakers and air wrenches).

Traffic and Circulation

As noted in Table 6-6, development of the project alternatives would result in incrementally less trip generation than would accompany the proposed project. This alternative would generate about 78 percent of the external trips associated with the proposed Harter Specific Plan and Yuba City Marketplace.⁴

However, development of this alternative would not result in substantially different improvement requirements for the Harter Specific Plan area street system. Harter Road would still need to be widened to a four-lane section because of regional development. Due to the development of retail commercial flanking SR 20 and the elimination of the Poole Boulevard extension, auxiliary turn lanes would still be required at Harter Road intersections.⁵

Utilities and Service Systems: Water Supply

There was no significant impact identified with water resources associated with the proposed project. Development of the Harter Specific Plan project would require a water supply of approximately 582,240 - 610,800 gallons per day (652 to 684 acre-feet per year) for the Harter Specific Plan area and 93,000 gpd (104 acre-feet per y) for the Yuba City Marketplace. This is calculated in Table 4.6-2. This alternative would generate a similar water demand if we assume that the proposed project would still have an operating cannery, or similar large water user. As there is adequate water supply to serve the proposed project according to the Urban Water Management Plan, and this alternative is expected to use the same amount of water, it is concluded that adequate water is available for this alternative.

CEQA Considerations

Growth Inducement

This alternative is similar to the Harter Specific Plan and Yuba City Marketplace project in that the cannery continues operation. As this alternative is similar to the Harter Specific Plan and Yuba City Marketplace project it is expected that the growth inducement issues would be the same. This recirculated DEIR does not identify the Harter Specific Plan and Yuba City Marketplace project to be growth inducing. Therefore, this alternative would not induce growth beyond that associated with the Harter Specific Plan and Yuba City Marketplace project. Refer to the Cumulative Impacts discussion in Section 5 of this report.

4 K.D. Anderson. *Harter Specific Plan Traffic Impact Analysis*. July 2003.

5 Ibid.

Land Use	Quantity	Trip Per Unit						
		Daily	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Retail Commercial (31.1 ac site)	353.55 ksf	155928	212	134	346	704	764	1,468
Pass By Trips			32	20	52 (15%)	197	214	411 (28%)
Net New Trips			180	114	294	507	550	1,057
Retail Commercial (8.4 ac site)	8.4 acres	6,437	92	60	152	285	307	592
Pass By Trips			14	9	23 (15%)	114	123	236(40%)
Net New Trips			78	51	129	171	184	356
Retail Commercial (3.2 ac site)	3.2 Acres	3,460	52	33	85	150	163	313
Pass By Trips			8	5	13 (15%)	90	98	188(60%)
Net New Trips			44	28	72	60	65	125
Retail Commercial (2.0 ac site)	2.0 Acres	2,558	39	25	64	110	119	229
Pass By Trips			6	4	10 (15%)	66	71	137(60%)
Net New Trips			33	21	54	44	48	92
Gasoline Sales	12 Fueling positions	1,953	60	60	120	80	80	160
Pass By Trips			37	37	74 (62%)	33	34	67 (42%)
Net New Trips			23	23	46	47	46	93
Fast Food Restaurant	7.0 Ksf	3,473	178	171	349	122	112	234
Pass By Trips			87	84	171 (49%)	61	56	117 (50%)
Net New Trips			91	87	178	61	56	117
Office (4.1 ac site)	Acre	822	100	14	114	24	115	139
Single Family Residential	165 du's	1,576	31	92	123	108	58	166
Multiple Family Residential	180 du's	1,188	18	72	90	72	36	108
TOTAL GROSS TRIP ENDS		37,059	782	662	1,443	1,655	1,754	3,409
TOTAL PASS BY TRIPS			184	159	343	561	596	1,157
TOTAL NEW TRIPS			598	502	1,100	1,094	1,158	2,252

Source: K.D. Anderson 2003

Significant Irreversible Impacts

This alternative would result in irreversible impacts related to loss of agricultural land and an increase in total emissions of toxic air contaminants and other criteria air pollutants because of increased vehicle activity and truck trips. However, this alternative has is similar to the Harter Specific Plan and Yuba City Marketplace project, it is expected to have the same irreversible impact.

Cumulative Impact

As this alternative is similar to the Harter Specific Plan and Yuba City Marketplace project, this alternative would contribute to the same level of cumulative impacts relating to the loss of

agricultural land and air quality. All other cumulative environmental issues are considered less-than-significant.

Consistency with Applicant and City Objectives

This alternative could be construed to meet all of the objectives of the applicant to include housing, light industrial and commercial uses. The existing cannery operation continues to operate in this alternative. The city's objective to eventually develop this property entirely for urban uses is supported by this alternative.

Alternative 5: Design Alternative

Under this alternative, the Harter Specific Plan would be developed with an alternative design. Selected cannery buildings (approximately six) would be reused as warehouses, office space, or some similar use as part of a 36.6-acre business park (office/research and development/light industrial) north of the railroad and between Harter Road and Tharp Road. The railroad would end near the eastern spur. Poole Boulevard would cross the eastern railroad spur, curving south through commercial development to intersect with Harter Road. A small 1.5 acre park or open space area would be developed southeast of the current intersection of the railroad with Harter Road. Commercial acreage east of Harter Road would include 9.3 acres between the park and Poole Boulevard, 21.5 acres south of Poole, and 1.7 acres north of the railroad and south of Poole at Tharp. The 28.3 acres north of the business park would be developed residentially (R-2) between the newly aligned Harter Road, Tharp Road and Butte House Road. Table 6-2 summarizes this alternative project information.

Agricultural Resources

This alternative, as with the Harter Specific Plan and Yuba City Marketplace, would result in the conversion of approximately 135 acres of agricultural land to urban use. Therefore, the impact relative to Harter Specific Plan and Yuba City Marketplace would be the same.

Air Quality

This alternative, as with the proposed project, would result in the generation of new emissions due to construction activity, new vehicle trips and/or new industrial operations on the site. Impacts would remain significant and unavoidable but with lower emissions. The total acreage of retail commercial in this alternative is 30.6 acres versus 44.7 acres associated with the proposed project. This alternative would generate 65 percent of the vehicle trips generated by the proposed project. Therefore, the air quality impact of this alternative relative to the proposed project is less.

Cultural Resources

Aside from the cannery buildings, railroad tracks, and the four existing residences discussed in the proposed project impacts and which were not determined to be significant resources, no cultural resources were found on the Harter Specific Plan and Yuba City Marketplace projects, (total of 180

6 Ibid.

acres) so their impact on known resources would be the same under the project, or this alternative. This alternative is essentially the same as the proposed project in terms of land area disturbed.

Hazards and Hazardous Wastes

This alternative would result in the potential exposure to hazardous materials used by industries in processing activities and/or the routine storage, transport or disposal of such materials. Potential hazards from the cannery/packing house would continue to exist but at a lesser level because of the reduced commercial acreage. However, similar to the proposed project, the level of impact is not expected to be significant on account of the existing State and local protocols for using, storing and securing hazardous materials.

Hydrology

Under this alternative, impervious surfaces would change the drainage patterns and increase the rate or amount of surface runoff. This alternative would result in the same amount of impervious surfaces as the proposed project. The cannery could continue to operate in this alternative but cannery wastes would no longer be disposed on site but would be treated at the Yuba City treatment plant. Degradation of surface water from construction activities could also occur, but would be mitigated as is the case with the proposed project with implementation of NPDES. As for off-site drainage, impacts are potentially significant, but could be mitigated to a less than significant level through downstream drainage channel expansion.

Noise

Development under this alternative would result in 35 percent less traffic related noise impacts because there is less retail commercial development in this alternative (Ibid.). Seasonal noise from the rail spur would be eliminated. The lesser amount of commercial acreage in this alternative would result in fewer vehicle trips to the property and fewer truck trips. This would reduce ambient noise levels on area roadways commensurate with the reduction of vehicles. As indicated by the noise consultant a 20 percent change in the amount of vehicle trips will decrease or increase traffic noise of less than 1 dB. This alternative generates 65 percent of vehicle trips relative to the proposed project. Therefore, it is expected that this alternative would reduce noise levels approximately 2 dB relative to the proposed project.

Traffic and Circulation

As noted in Table 6-7, development of this alternative would result in fewer trips than the proposed project. This alternative would generate about 65 percent of the trips associated with the proposed plan.

Development of the “design” alternative would not result in substantially different improvement requirements for the Specific Plan area street system. Harter Road would still need to be widened to a four-lane section because of regional development. Due to the development of retail commercial flanking SR 20 and the elimination of the Poole Boulevard extension, auxiliary turn lanes would still be required at Harter Road intersections.

Land Use	Quantity	Trips						
		Daily	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Retail Commercial (21.3 ac)	232.00 ksf	11,710	161	103	264	525	569	1,094
Pass By Trips			24	15	39 (15%)	158	171	329 (30%)
New Trips			137	88	225	367	398	765
Retail Commercial (9.3 ac)	101.30 ksf	6,874	98	63	161	303	330	633
Pass By Trips			15	9	24 (15%)	115	125	240 (38%)
New Trips			83	54	137	188	205	393
Retail Commercial (0.7 ac)	7.62 ksf	1,302	21	13	34	55	60	115
Pass by Trips			3	2	5 (15%)	33	36	69 (60%)
New Trips			18	11	29	22	24	46
Business Park	36.6 acre	5,490	575	117	692	121	494	615
Office	1.7 acres	412	41	7	48	10	48	58
Single Family Residential	467 du's	5,044	29	88	117	88	59	147
Park	1.5 acre	2	0	0	0	0	0	0
TOTAL GROSS TRIP ENDS		30,834	925	391	1,316	1,102	1,560	2,662
LESS PASS BY TRIPS			42	26	68	306	332	638
TOTAL NEW TRIPS			883	365	1,248	796	1,228	2,024
LESS CANNERY TRIPS								
RETAIL PASS-BY								

Source: K.D. Anderson 2003

Utilities and Service Systems: Water Supply

There was no significant impact identified with water resources. Development of the Harter Specific Plan project would require a water supply of approximately 582,240 - 610,800 gallons per day (652 to 684 acre-feet per year) for the Harter Specific Plan area and 93,000 gpd (104 acre-feet per year) for the Yuba City Marketplace. This is calculated in Table 4.6-2. Under this alternative, water use is expected to be approximately 146.5 acre-feet per year for the residential land use and 156 acre-feet for the commercial, office and industrial land uses (includes the Yuba City Marketplace property) (total of 302.5 acre-feet per year). As there is adequate water supply to serve the proposed project according to the Urban Water Management Plan, and this alternative is expected to use less water, it is concluded that adequate water is available for this alternative.

CEQA Considerations

Growth Inducement

This alternative substantially decreases retail commercial area, increases the total number of residential units, and slightly decreases total acreage of light industrial land. As this alternative has lesser intensity land uses relative to the Harter Specific Plan and Yuba City Marketplace project, and

as the recirculated DEIR does not identify the Harter Specific Plan and Yuba City Marketplace project to be growth inducing, this alternative would not induce growth beyond that associated with the Harter Specific Plan and Yuba City Marketplace project. Refer to the Cumulative Impacts discussion in Section 5 of this report.

Significant Irreversible Impacts

This alternative would result in irreversible impacts related to loss of agricultural land and an increase in total emissions of toxic air contaminants and other criteria air pollutants because of increased vehicle activity and truck trips. This alternative is less intensive relative to the Harter Specific Plan and Yuba City Marketplace project, but will have the same irreversible impact but to a less extent.

Cumulative Impact

Though this alternative does not have as intense an impact as the Harter Specific Plan and Yuba City Marketplace project, this alternative would still contribute to the cumulative impacts relating to the loss of agricultural land and air quality. All other cumulative environmental issues are considered less-than-significant.

Consistency with Applicant and City Objectives

This alternative does not meet the entirety of the applicant's objectives because there is substantially less commercial and light-industrial area as indicated in Figure 6-1. This alternative could also be considered the residential alternative because there is more residential development than what the applicant proposes. The city's objective is to urbanize this property, therefore this alternative would be consistent with the City's land use plan.

Alternative 6: Alternative Site

Based on discussion with Brian Trudgeon of the Yuba City Community Development Department, we have established that there are no 30, 100 or 180-acre parcels in Yuba City available to accommodate the equivalent of the proposed Harter Specific Plan (180 acres) or the Yuba City Marketplace (30 acres). A 100-acre area was also considered in this scenario only because it is an intermediate acreage and could potentially meet a part of the project objectives.

As part of the review for this Alternative Site section, we reviewed the City's current General Plan update diagram as depicted in the October 2003 Yuba City General Plan Update newsletter. The Yuba City "Planning Area" depicted in this newsletter shows future residential and public land uses and scattered locations for Community Commercial, Neighborhood commercial, Office and Office Park, Business, Technology and Light Industrial, as well as Manufacturing, Processing and Warehousing. This "Planning Area" is conceptual at this time and not approved by Yuba City.

For this alternative discussion we assume for comparison purposes that there is a theoretical 180 acres in County jurisdiction outside of the City's current Sphere of Influence and that the acreage found is productive agricultural land and that it is zoned for agricultural uses only with no pending, or anticipated changes to this zoning. The following discussion addresses each environmental issue systematically in the context of our understanding that there is 180 acres of agricultural land.

Agriculture

As this alternative would convert 180 acres of existing productive agricultural land that is not surrounded by urban development and is not and will not be zoned for urban development, this alternative is determined to have a greater impact to agricultural resources than the proposed project site.

Air Quality

As this alternative would convert 180 acres of existing productive agricultural land that is not surrounded by urban development, this alternative is determined to have a worse air quality impact relative to that of the proposed project. This is because this site would not be connected to adequate public transit infrastructure and would not be located adjacent to a major road such as Highway 20 and Highway 99. Existing roads in this scenario would not be adequate for the projected traffic, thus traffic would be congested, slow and associated emissions relative high.

Cultural Resources

As this alternative location is theoretical and the existence of cultural resources on such a site is speculative we assume that this alternative would result in no greater or less impact than the existing project. It is reasonable to assume that this 180-acre alternative site, as is the case on the Harter site, may have an older home, homes or historical structures pertinent to the agricultural history of the region.

Hazards and Hazardous Waste

As this alternative location is theoretical but located on productive agricultural land, this alternative site is assumed to have contaminated soils and contaminated groundwater associated with many years of agricultural production. Therefore, this alternative is assumed to have potential contaminated soils that will require remediation.

Hydrology

This alternative would result in the same amount of impervious surfacing as the proposed project but as this theoretical alternative site is in County jurisdiction and is not zoned for commercial development nor is it planned for conversion to commercial use, there are no existing planning documents that address and accommodate drainage from this site. This results in this alternative having a more significant impact to drainage infrastructure relative to the existing project site, which is accommodated in the regional drainage planning documents.

Noise

As this particular alternative is theoretically located in County jurisdiction, it is anticipated that noise would be less an issue because of the absence of housing.

Traffic and Circulation

This alternative is theorized to result in greater transportation impacts because it would be located in an area of the County least capable of accommodating heavy auto and truck traffic. New roads and road widening would be required for this alternative and with new road construction and widening could be an assortment of potential impacts that are unavoidable and significant.

Utilities and Service Systems: Water Supply

There was no significant impact identified with water resources associated with the proposed project. Development of the Harter Specific Plan project would require a water supply of approximately 582,240 - 610,800 gallons per day (652 to 684 acre-feet per year) for the Harter Specific Plan area and 93,000 gpd (104 acre-feet per y) for the Yuba City Marketplace. This is calculated in Table 4.6-2. This alternative would generate a similar water demand if we assume that this alternative would have an operating cannery, or similar large water user. As there is adequate water supply to serve the proposed project according to the Urban Water Management Plan, and this alternative is expected to use the same amount of water, it is concluded that adequate water is available for this alternative. However, the availability of water to the site from the City sources would require substantial new water pipe construction and with it major growth inducement issues.

Utilities and Service Systems: Wastewater Treatment

As there are no wastewater treatment facilities for uses outside the city limits, this particular project component would require major infrastructure extension to connect to the City wastewater treatment plant, therefore this alternative would result in substantially greater impacts relative to the proposed project vis-à-vis wastewater infrastructure.

CEQA Considerations

Growth Inducement

Because this alternative site is in County jurisdiction where road, water, wastewater, and drainage infrastructure does not currently exist to accommodate this size of project, there would be expected to be a significant growth inducing impact associated with infrastructure construction.

Significant Irreversible Impacts

This alternative would result in irreversible impacts related to loss of agricultural land and an increase in total emissions of toxic air contaminants and other criteria air pollutants because of increased vehicle activity and truck trips. As this particular alternative site is in County jurisdiction where existing infrastructure will not accommodate this size of development and the displacement of productive agricultural land is more significant, this alternative is expected to have greater irreversible impacts.

Cumulative Impact

As this alternative is similar to the Harter Specific Plan and Yuba City Marketplace project, this alternative would contribute to the same level of cumulative impacts relating to the loss of

agricultural land and air quality. However, as this alternative is not accommodated in existing drainage plans and no drainage infrastructure plans are under development to accommodate a 180-acre area of impervious surfacing outside of the Yuba City, the drainage issue in the context of cumulative impacts is more significant than the proposed project. All other cumulative environmental issues are considered less-than-significant.

Consistency with Applicant and City Objectives

This alternative does not meet the applicant's or the City's objectives as stated in the Project Description section of this EIR. The following are the specific objectives of Yuba City in preparing, adopting and implementing the *Harter Specific Plan*:

- Ensure that development is compatible and complementary with existing and future uses of land within and in the vicinity of the Specific Plan area.
- Enhance economic development efforts in the western portion of the city through the creation of commercial and light industrial development opportunities.
- Enhance and improve the City's image through careful design of the *Harter Specific Plan* area and by ensuring high quality development.
- Protection of the quality of life enjoyed by existing and future residents within and in the vicinity of the *Harter Specific Plan* area.
- Improvement of the delivery of services in the western portion of the city and in particular within the *Harter Specific Plan* area.
- Improvement of circulation patterns on the west side of the city and in particular within the *Harter Specific Plan* area.
- Locate commercial development within a designated commercial area that is complementary to and compatible with the City's civic core located ½ mile to the east, while providing shopping and job opportunities.
- Develop accessibility through improvements in the circulation system, including upgrades to Harter Road, extension of Poole Boulevard from Harter Road to Tharp Road, development of a Class I bike trail along Poole Boulevard extension and Harter Road, and encouragement of a pedestrian link with the civic center.

The proposed project does not support any of these goals and objectives, as it would be located in County jurisdiction. Based on the above discussion of this alternative, this alternative would not serve as an appropriate mitigation to project impacts.

Environmentally Superior Alternative

An EIR is required to identify the environmentally superior alternative from among the range of reasonable alternatives that are evaluated. Section (d)(2) of the CEQA Guidelines requires that an

environmentally superior alternative be designated and states that “if the environmentally superior alternative is the ‘no project’ alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.”

Based on the alternatives analysis herein, it appears that the “Development Consistent with the General Plan” would result in the least number of impacts. Associated with this alternative are fewer vehicle trips, lower emissions and less noise. The other alternatives (excluding the “No Project” alternative) would have similar impacts, or slightly less impact relative to the Harter Specific Plan and Yuba City Marketplace project.

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7.0 REFERENCES

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APPENDICES

Appendix A

Initial Study

ENVIRONMENTAL CHECKLIST

I. BACKGROUND

1. Project Title: Harter Specific Plan – Yuba City Marketplace EIR
2. Lead Agency Name and Address: City of Yuba City
Community Development Department
1201 Civic Center Boulevard
Yuba City, California 95993
3. Contact Person and Phone Number: Brian Trudgeon
Senior Planner
530-822-4704
trudgeon@yubacity.net
4. Project Location: See Project Description in the attached recirculated DEIR
5. Project Sponsor's Name and Address: Gary Brown
Brown Group, Inc.
8777 North Gainey Center Drive, Suite 200
Scottsdale, Arizona 85258

Harter Packing Company, LLC
1321 Harter Road
Yuba City, California 95993
6. General Plan Designation: Community Commercial,
Light Industrial, Agricultural Holding,
Low Density Residential
7. Zoning: C-2; A-H; M-I
8. Description of Project: See project description in the recirculated DEIR
9. Surrounding Land Uses and Setting: See Surrounding Land Uses in Section 2 of the recirculated DEIR.
10. Other Public Agencies Whose Approval is Required: See section titled Other Public Agencies Whose Approval is Required in recirculated DEIR.

II. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- | | | |
|--|--|--|
| <input type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Agriculture Resources | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input checked="" type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance | |

The above checked highlighted issues are those that are discussed in the recirculated DEIR. All other environmental issues are discussed herein.

III. DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the applicant. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR OR NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

Printed Name

For

IV. ENVIRONMENTAL CHECKLIST

Introduction

The following Checklist contains the environmental checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the impacts of the proposed project. A discussion follows each environmental issue identified in the checklist. Included in each discussion are project-specific mitigation measures recommended as appropriate as part of the proposed project.

For this checklist, the following designations are used:

Potentially Significant Impact: An impact that could be significant, and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.

Potentially Significant With Mitigation Incorporated: An impact that requires mitigation to reduce the impact to a less-than significant level.

Less-Than-Significant Impact: Any impact that would not be considered significant under CEQA relative to existing standards.

No Impact: The project would not have any impact.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
1. AESTHETICS. <i>Would the project:</i>				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

a-c. As described in the Project Description section of the DEIR, the property is surrounded on three sides by urban development. This surrounding development is primarily commercial and residential. In addition, development on the south boundary of the Harter properties and across Highway 20 is pending and includes commercial, quasi-public (i.e., church facilities) and a new high school. The property itself has been cultivated with orchards, crops and feed grass for many years. The Harter cannery is located on a portion of the site. Therefore, the overall use of the property has been industrial and agricultural. As there is substantial existing and proposed urban development around the property, the property is now considered “in-fill”.

Based on a site visit conducted on June 25, 2003 and review of the existing Yuba City General Plan, there are no aesthetic features on the site such as rock outcrops, historic buildings, or scenic vistas. However, the Harter Specific Plan property contains a variety of ornamental shade trees that flank Butte House, Harter and Tharp roads (oleanders) and

surround the old Harter residence at the Harter Road/railroad intersection. The three existing homes on the south boundary of the Yuba City Marketplace project fronting Highway 20 are also shrouded by a variety of shade tree species. The existing healthy trees could be preserved by the developer of the Yuba City Marketplace and the Harter Specific Plan and may be used in lieu of planting new trees per Zoning Regulation 8-5.6004. The Harter residence shade trees could be preserved in place, or perhaps relocated on site and used in the Polygon 6 commercial area, and/or Polygon 5 park area to enhance the overall aesthetics of the development. The City has a variety of landscaping issues to address with the developers of the Yuba City Marketplace and Harter Specific Plan development. These issues are not significant environmental issues and are not pertinent to physical changes to the environment.

- d. Glare is caused by light reflections from pavement, vehicles, and building materials, such as reflective glass and polished surfaces. Glare naturally occurs and man-made. The preponderance of glare in an urban setting, which is relevant to this DEIR, relates to parking lot light fixtures (e.g., shopping center lighting and auto-mall lighting), commercial land use lighting (e.g., gas stations) and from vehicle lights on heavily traveled roadways (e.g., Highway 20). These sources of glare effect the area intended to be illuminated and typically effect areas distant from the area intended to be illuminated because of the height and intensity of the light fixtures.

In sufficient quantity, urban lighting “lights up” the nighttime sky and reduces the visibility of astronomical features, such as stars and comets. For some communities this is a significant issue primarily because of the importance attached to astronomical features. Though “the nighttime sky” is not a particularly important issue in Yuba City, Article 58 of the Zoning Regulations sets standards so as not to produce obtrusive glare onto the public right-of-way or adjoining properties.

The development of the Harter Specific Plan includes residential and commercial development. The Yuba City Marketplace project includes development of commercial buildings only and includes large expanses of parking area. Both projects are subject to

Article 58. Implementation of Article 58 of the Yuba City Zoning Regulations is a de facto mitigation for any potential uncontrolled glare.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<p>2. AGRICULTURE RESOURCES: <i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:</i></p>				
<p>a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program in the California Resources Agency, to non-agricultural use?</p>	■	□	□	□
<p>b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>	□	□	□	■
<p>c. Involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland, to non-agricultural use?</p>	□	□	□	■

Discussion

- a. The loss of approximately 135 acres of productive agricultural land (total Harter Specific Plan project area is 180 acres) is considered a significant impact. This impact is proposed to be offset through implementation of mitigation as described in the Harter Specific Plan – Yuba City Marketplace EIR. Refer to the recirculated DEIR for a discussion of this issue.

- b. Based on a conversation with Brian Trudgeon, AICP, Senior Planner, Yuba City Community Development Department, the property is not subject to the Williamson Act, nor are properties surrounding the project site in agricultural production.

- c. The project site is surrounded by urban development on three sides and vacant land on the fourth side (south side). Though these properties to the south are currently vacant and fallow, they were once cultivated. Due to there being applications for development on these properties, development of the Harter Specific Plan and Yuba City Marketplace will not result in these properties converting to non-ag use.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<p>3. AIR QUALITY. <i>Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations:</i> <i>Would the project:</i></p>				
<p>a. Conflict with or obstruct implementation of the applicable air quality plan?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>d. Expose sensitive receptors to substantial pollutant concentrations?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>e. Create objectionable odors affecting a substantial number of people?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

a-d. The above air quality issues are discussed in the recirculated DEIR.

e. When the Harter Cannery was processing fruit and canning there would be residual fruit skins in the processing water, which was then used for flood irrigation. This water was then the source of objectionable odors. This method of irrigation has been replaced with spray irrigation, which does not result in objectionable odors. Therefore, this impact would be **less than significant.**

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
4. BIOLOGICAL RESOURCES.				
<i>Would the project:</i>				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	□	□	□	■

Discussion

a–f. The project site and surrounding area have been used for agricultural, residential, commercial and light industrial land uses. A records search of the Yuba City, Gilsizer Sough, Sutter and Olivehurst 7.5 minute quadrangles for the California Native Plant Society (CNPS) Electronic Inventory (CNPS 2000) and the California Natural Diversity Database (CDFG 2001) was conducted by Quad-Knopf for the previous EIR. Based on the searches conducted by Quad-Knopf biological staff for the Yuba City Harter Specific Plan EIR, no species of concern were found likely to exist on or in the immediate vicinity of the site. Field observations confirmed that no wildlife habitat appears to exist on the site. The site was also checked for the Swainson’s hawk through the Natural Diversity Data Base by EIP Associates for this recirculated DEIR and this record search concluded that this species does not exist on this site. Additionally, the site does not contain riparian areas or qualifying wetlands. The Harter Specific Plan does not conflict with any local policies or ordinances protecting biological resources. There is no relevant Habitat Conservation Plan for the property because of the absence of important plants and wildlife on the Harter properties.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
5. CULTURAL RESOURCES.				
<i>Would the project:</i>				
a. Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- a, b. Historical or archaeological resources were identified on the Harter Specific Plan or Yuba City Marketplace properties. These are discussed in the EIR.
- c. The Harter properties are on what is known as the Modesto formation alluvial terrace and fan deposits. These are young Pleistocene in age. The terraces are remnants of the beds of ancient rivers that cut across the region. The fans are deltas deposited on land at the base steep bluffs (rather than standing bodies of water). These deposits are not conducive to fossil preservation therefore there is very little potential for paleontological resources.¹
- d. It is possible that buried prehistoric resources exist on this property, but have been obscured by the vegetation or by historic use of the project area. This is a **potentially significant impact**, which is addressed in the recirculated DEIR.

1 Dr. George Burwasser, personal communication, July 19, 2003.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
6. GEOLOGY AND SOILS.				
<i>Would the project:</i>				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist - Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in substantial soil erosion, or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soils, as defined in Table 18-1-13 of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a–d. Based upon a report of the U.S. Department of Agriculture Natural Resource Conservation Service (NRCS) entitled *Soil Survey of Sutter County, California* (1988), the soils within the vicinity of the project area have been classified as Conejo-Tisdale complex. The Conejo-Tisdale unit is 45 percent Conejo loam and 40 percent Tisdale clay loam with the two intricately intermingled. The Conejo soil is deep and well drained, while the Tisdale soil is moderately deep and well drained. Both soils formed in alluvium derived from mixed sources. Permeability of the Conejo soil is moderately slow, available water capacity is moderate to high, runoff is very slow, and the hazard of water erosion is slight. The Tisdale has moderately slow permeability. Permeability of the Tisdale soil is moderately slow, available water capacity is low to moderate, runoff is slow, and the hazard of water erosion is slight. If this soil is used for homesite development, the main limitation is the potential for onsite sewage disposal system failure.

The California Division of Mines and Geology (CDMG) maintains an earthquake database that identifies epicenters within 100 kilometers of the *Harter Specific Plan* area. These epicenters are located southwest in the eastern Coast Range, the central area of the Sacramento Valley, and to the east and northeast in the Sierra Nevada. The historical pattern of seismic activity in Sutter and Yuba counties has generally been characterized as a scattering of small magnitude (<5.5) earthquakes generally located near concealed and mapped faults. The fault zones within 100 km of the study area that are currently zoned as active by the CDMG under the Alquist-Priolo Special Studies Zone Act include the Cleveland Hill Fault (38 km north-northeast), the Green Valley Fault (98 km southwest), and the Hunting Creek Fault (70 km west).

Review of available information indicates that no faults with a surface expression have been mapped in the *Harter Specific Plan* area. Special Publication 42 (Fault-Rupture Hazard Zones in California, [CDMG] revised 1997) indicates that fault zones previously mapped in the area are not included in a fault-rupture hazard zone (Alquist-Priolo Earthquake Fault Zones).

Liquefaction is the transformation of saturated granular material from a solid to a liquid caused by a rapid increase in liquid pore pressure brought about by ground shaking. According to groundwater levels reported by the California Department of Water Resources for the past several years, depth to groundwater is generally less than 20 feet below the surface in the Yuba City area. The proposed development area should not be susceptible to liquefaction under the current groundwater regime.

Mass movement or landslide refers to the downward movement of rock and soil due to gravity once they have been displaced from their normal positions. The topography of the project site is nearly flat. No indications were observed during the site visit to suggest the potential for landslides, mudflows, or slope instability.

Fine-grained soil and clay are subject to seismic settlement and differential compaction. Areas underlain by low-density silts and clays associated with fluvial depositional environments are susceptible to seismically-induced settlement. These environments include old lakes, sloughs, swamps, and streambeds. The potential for differential compaction is highest and occurs over the largest areas during “great” earthquakes, which are magnitude 8 or greater. As noted above, the historical pattern of seismic activity in Sutter and Yuba counties has generally been characterized as a scattering of small magnitude (<5.5) earthquakes. Therefore, the potential for seismic settlement and differential compaction is considered low for the *Harter Specific Plan* area.

A seiche is a wave motion in an inland body of water generated by sustained ground shaking from an earthquake. The wave motion can increase in intensity with prolonged shaking until it reaches the natural period of the body of water. These periods usually are a few minutes long resulting from major and great earthquakes. Losses due to flooding or dam failure from seiche are possible with extended duration of ground shaking at a frequency constructive with the period of the body of water. Because the project site is located in an area rated low to moderate for groundshaking and no inland bodies of water are proximate, the likelihood of this occurrence is considered low.

Subsidence is the sinking of the ground surface usually resulting from groundwater withdrawal or other subsurface collapse or extraction. The Yuba City area is not known to have experienced significant subsidence or subsequent constraints to development due to subsidence. Based on current conditions, land subsidence within the project site is judged to be unlikely.

Expansive soils are soils that increase in volume (swell) when their moisture content is increased. These soils also tend to decrease in volume (shrinkage) when their moisture content is decreased. The change in volume (swell or shrinkage) is influenced by the initial moisture content of the soils, the quantity of moisture content change, the type of clay in the soil, and the percentage of clay particles in the soil. NRCS rates the shrink/swell potential for soil types using a scale from none to very high. The potential for construction on soils with an NRCS-described shrink/swell potential of high or very high should be considered potentially significant. Based on this classification system, the on-site soils have been rated as having a moderate shrink-swell potential. Any impact associated with expansive soils is considered to be **less than significant**.

The site is relatively flat with no significant slopes. NRCS rates the erosion potential for soil types using a scale from none to very high. The potential for disturbance of soils with an NRCS-described erosion potential of high or very high should be considered potentially significant. Based on the erosion hazard classification system utilized by the NRCS, the hazard of water erosion of soil in the Specific Plan area is slight.

- e. Development within the Specific Plan area will connect to the City sewer so that there will be **no impact** resulting from the use of septic tanks.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
7. HAZARDS AND HAZARDOUS MATERIALS.				
<i>Would the project:</i>				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a, b. Hazardous and Hazardous Materials are discussed in the EIR.

The gas station and refueling trucks could be constructed as a hazard though accidents associated with these uses are rare and do not rise to a level of “significance.” Regardless, storage and dispensing of fuel is subject to State regulations and control; therefore, the potential for hazardous conditions that could result in accidents, injury, or death is considered less than significant.

The Yuba City Market Place project includes a gas station that includes underground storage of gasoline. The installation and inspection of storage tanks is the responsibility of the Sutter County Community Services Department through the State Water Resources Control Board. Specifically, Title 23, CCR Chapter 16, Article 3, pertains to new tank construction and installation. Through these regulations administered through local public agencies (in this case Sutter County), any potential hazard associated with underground storage tanks is addressed and considered to be a less-than-significant-impact.

c. The nearest school is the Yuba City High School (under construction) which is approximately 1/2 mile from the south boundary line of the Harter properties. Therefore, there is **no potential impact**.

- d. Parcels within the *Harter Specific Plan* area are not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, the CERCLIS list of existing hazardous materials sites for the Yuba City area, or on California's Cal-Sites, or LUST list.² However, as indicated in the 1998 Phase 1 report, the Harter Cannery area (excludes the Yuba City Marketplace project) was on the Underground Storage Tank (UST) list. The Harter Cannery buildings at 1321 Harter Road remain on this UST list.³ The Yuba City Marketplace project is not on any of the lists.⁴
- e, f. The Specific Plan area is not located within two miles of an airport or in the vicinity of a private airstrip. Implementation of the *Harter Specific Plan* will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, nor will it expose people or structures to risk involving wildland fires.
- g. There is no indication that the project would interfere with an emergency plan.
- h. The project is cultivated whereby the fire threat is minimal and the project is surrounded by urban development.

2 Law Engineering and Environmental Services. *Phase 1 Environmental Site Assessment, Harter Packing Company.* April 14, 1998.

3 Twining Laboratories. *Phase 1 Environmental Site Assessment.* February 10 and 20, 2003.

4 Ibid.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
8. HYDROLOGY AND WATER QUALITY				
<i>Would the project:</i>				
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (i.e., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
h. Place within a 100-year floodplain structures, which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a, c, f. The following is a summary of the regulatory context under which issues associated with water quality and drainage is managed at the federal, state, and local level.

Federal

Water Quality

Section 303 of the federal Clean Water Act (CWA) requires states to adopt water quality standards for all surface water of the United States. Where multiple uses exist, water quality standards must protect the most sensitive use. Water quality standards are typically numeric, although narrative criteria based upon biomonitoring methods may be employed where numerical standards cannot be established or where they are needed to supplement numerical standards.

Title 40 of the Code of Federal Regulations (40 CFR) includes U.S. Environmental Protection Agency (EPA) regulations to implement the National Pollutant Discharge Elimination System (NPDES) permit system, which was established in the CWA to regulate municipal and industrial discharges to surface waters of the U.S. Each NPDES permit contains limits on allowable concentrations and mass emissions of pollutants contained in the discharge. Sections 401 and 402 of the CWA contain general requirements regarding

NPDES permits. Section 307 of the CWA describes the factors that EPA must consider in setting effluent limits for priority pollutants.

Two types of non-point source discharges⁵ are controlled by the NPDES program – non-point source discharges caused by general construction activities and the general quality of stormwater in municipal stormwater systems (either as part of a combined system or as a separate system in which runoff is carried through a developed conveyance system to specific discharge locations). The goal of the NPDES non-point source regulations is to improve the quality of stormwater discharged to receiving waters to the “maximum extent practicable” through the use of best management practices (BMPs). BMPs can include the development and implementation of various practices including educational measures (workshops informing public of what impacts result when household chemicals are dumped into storm drains), regulatory measures (local authority of drainage facility design), public policy measures (label storm drain inlets as to impacts of dumping on receiving waters) and structural measures (filter strips, grass swales and detention ponds).

The 1987 amendments to the CWA directed the federal EPA to implement the stormwater program in two phases. Phase 1 addressed discharges from large (population 250,000 or above) and medium (population 100,000 to 250,000) municipalities and certain industrial activities. Phase 2 addresses all other discharges defined by EPA that are not included in Phase 1, and construction activities that affect one to five acres. The Phase 2 regulations were published in the Federal Register on December 8, 1999.

State

Water Quality

The State Water Resources Control Board (SWRCB) and the Regional Water Quality Control Board (RWQCB) are responsible for ensuring implementation and compliance with the provisions of the federal CWA, California’s Porter-Cologne Water Quality Control Act,

5 Non-point sources diffuse and originate over a wide area rather than from a definable point. Non-point pollution often enters receiving water in the form of surface runoff and is not conveyed by way of pipelines or discrete conveyances.

and NPDES programs. Along with the SWRCB and RWQCB, water quality protection is the responsibility of numerous water supply and wastewater management agencies, as well as city and county governments, and requires the coordinated efforts of these various entities.

The project area is situated within the jurisdiction of the Central Valley Region of the RWQCB (Region 5). The Central Valley RWQCB (CVRWQCB) has the authority to implement water quality protection standards through the issuance of permits for discharges to waters at locations within its jurisdiction. Water quality objectives for the Sacramento River and its tributaries (e.g., Feather River and tributary creeks and drainage canals) are specified in *The Water Quality Control Plan for the Sacramento River Basin and San Joaquin River Basin* (Basin Plan) prepared by the CVRWQCB in compliance with the federal CWA and the State Porter-Cologne Water Quality Control Act.⁶ The Basin Plan establishes water quality objectives, and implementation programs to meet stated objectives and to protect the beneficial uses of water in the Sacramento-San Joaquin River Basin. Because Yuba City is located within the CVRWQCB's jurisdiction, all discharges to surface water or groundwater are subject to the Basin Plan requirements.

Beneficial uses for the Sacramento River include municipal and domestic supply, agricultural supply, recreation, and aquatic and wildlife habitat. These beneficial uses also apply to the Feather River and its tributaries because these ultimately discharge to the Sacramento River.

Construction Site Runoff Management

The SWRCB adopted a State-wide general NPDES permit for stormwater discharges associated with construction activity (known as a "General Permit") in August 1999. Performance standards for obtaining and complying with the General Permit are described in NPDES General Permit No. CAS000002, Waste Discharge Requirements, Order No. 99-08-DWQ. The General Permit was modified in April 2001 (SWRCB Resolution No. 2001-046) to require permittees to implement specific sampling and analytical procedures to determine whether the BMPs used at the construction site are effective.

6 California Regional Water Quality Control Board, Central Valley Region, *The Water Quality Control Plan (Basin Plan) [for] the Sacramento River Basin and the San Joaquin River Basin*, 4th edition, 1998.

Under the General Permit, the State requires that any construction activity affecting one or more acres must obtain a General Construction Activity Stormwater Permit.

Examples of typical construction BMPs completed in SWPPPs include: using temporary mulching, seeding (e.g., hydromulch), or other suitable stabilization measures to protect uncovered soils; storing materials and equipment to ensure that spills or leaks cannot enter the storm drain system or surface water; developing and implementing a spill prevention and cleanup plan; installing traps, filters, or other devices at drop inlets to prevent contaminants from entering storm drains; and using barriers, such as straw bales or plastic, to minimize the amount of uncontrolled runoff that could enter drains or surface water. The discharger must also install structural controls, such as sediment control, as necessary, which will constitute Best Available Technologies (BAT) to achieve compliance with water quality standards.

Urban Runoff Management

Yuba City is not currently required to operate under a NPDES Municipal Stormwater Permit because the jurisdiction did not meet the federal EPA criteria for Phase 1 compliance at the time that permit was adopted. However, discharges of urban runoff will be regulated under Phase 2 through promulgation of the recently adopted regulations (March 2003) applicable to smaller dischargers. The General Permit will require the City to develop, implement, and enforce a stormwater management program. Such a program is now in place and is discussed below.

The SWRCB was required to issue general permits for the NPDES Phase 2-regulated jurisdictions by December 8, 2002, and Phase 2 jurisdictions were required to obtain permit coverage by March 10, 2003. Fully implemented Phase 2 programs must be in place by the end of the first permit term, typically five years. On January 28, 2003, U.S. Court of Appeals for the 9th Circuit published an opinion (decision) remanding three aspects of the Phase 2 Rule concerning the issuance of Notice of Intent (NOIs) under the rule's general permitting scheme (*Environmental Defense Center v. U.S. Environmental Protection Agency*). As a result of this

decision, the SWRCB has decided to delay issuance of the State permit. The Court's decision may require revisions to the application requirements, and the SWRCB is awaiting information from the federal EPA regarding compliance with the decision. Consequently, the SWRCB may not adopt a general permit by March 10, 2003.⁷ A new submittal date for permit applications has not been determined; however, the Yuba City has initiated the process of developing a program to implement the Phase 2 requirements, as discussed in more detail, below.

Post-construction measures would require the City to implement structural and non-structural BMPs that would mimic pre-development quantity and quality runoff conditions from new development and redevelopment areas. Structural BMPs include engineered features that provide some treatment, such as vegetative drainage ways, detention infiltration ponds, constructed wetlands, or filtration basins and sand filters. A BMP may be City/drainage area-wide or site-specific. Non-structural BMPs are typically non-engineered management measures such as administrative and education programs focused on pollution prevention and source control. Under Phase 2, development affecting an area of one acre or more is required to incorporate structural BMPs appropriate to the type of development, taking into account local and regional drainage and water quality considerations.

Local

Yuba City – Sutter County Storm Water Management Program

As indicated above, the City was required to apply for coverage under the Phase 2 program by March 10, 2003 through a Notice of Intent (NOI). Though the discussion herein is specific to Yuba City, the *Storm Water Management Program* was developed jointly by Yuba City and Sutter County.

With its NOI, Yuba City must develop and submit a Storm Water Management Plan (SWMP) describing the City's program. In light of the 9th Circuit Court's decision, Phase 2-

⁷ State Water Resources Control Board. Phase II Small Municipal Separate Storm Sewer (MS4) Program, SWRCB website, accessed February 11, 2003.

regulated jurisdictions, such as Yuba City, may choose to submit an NOI package, even though there may not be an adopted permit or NOI form. Regardless of the uncertainty of the process as described above, the SWRCB is encouraging Phase 2 jurisdictions to continue to develop their stormwater management plans.

The Yuba City -Sutter County SWMP outlines a comprehensive set of priorities, activities, and strategies that comprise minimum control measures (MCMs) and BMPs intended to address the Phase 2 requirements, with the goal of reducing the quantity of pollutants in stormwater to the maximum extent practicable. The components of the SWMP will become effective when the State issues the permits.

The SWMP identifies the activities to implement the following six minimum control measures required under the General Permit: public education and outreach, public participation and involvement, illicit discharge detection and elimination, construction site runoff control, post construction storm water management, and municipal operations. Some typical types of public educations and outreach may include a stormwater hotline, website, storm drain stenciling, and other programs. Public meetings and presentations, volunteer water quality monitoring groups, and community cleanup days are some of the elements of the public involvement component.

Typical sources of illicit discharges that the program will be designed to control include car washes, radiator flushing, unauthorized industrial discharges, chemical spills, and others. The plan to detect and address non-stormwater discharges is developed in consideration of the staff and resources available. In general, however, it includes elements to identify problems, locate sources, take corrective action, and provide documentation. For the construction site runoff element, Yuba City will implement and enforce a program to reduce pollutants in runoff from construction sites one acre or larger. Review of site/construction plans, site inspections, enforcement, and sanctions to ensure compliance are major components of this program. Yuba City will create a new ordinance consistent with the SWMP.

Yuba City will have as part of the overall program a new development and redevelopment minimum control measure for post-construction controls that will include BMPs to address both the quality and quantity issues associated with new development. In general, this program will provide a regulatory mechanism, structural and non-structural control strategies, and long-term operation and maintenance of controls. The SWMP includes language for developing criteria for volume and flow control design parameters for structural controls such as detention ponds, vegetative areas, and runoff pretreatment. Yuba City will also adopt a new ordinance for post-construction runoff controls requiring post-construction controls on new development and the authority to inspect privately-owned controls approved by Yuba City and maintenance of the controls. Stormwater controls would initially be evaluated during plan checks, then observed and inspected by City staff. Prior to final approval, the owner of the stormwater control structure will be required to submit an operations and maintenance manual and a proposed maintenance schedule. Additional detail on post-construction controls is provided in the SWMP, which is available for review at Yuba City offices.

As part of the SWMP, the program will be further developed to include appropriate controls to address the specific needs and characteristics of Yuba City's municipal operations. Yuba City is preparing an ordinance per the SWMP that will provide BMPs that can be implemented within the Yuba City municipal operations context to reduce stormwater pollutants. The procedures will be updated as BMPs change or improve.

Construction Dewatering

Clean or relatively pollutant-free wastewater that poses little or no threat to water quality may be discharged directly to surface water under certain conditions. In addition to the State General Construction Activity Permit, the CVRWQCB has also adopted a general NPDES permit for short-term discharges of small volumes of wastewater from certain construction-related activities. Permit conditions for the discharge of these types of wastewaters to surface water are specified in "General Order for Dewatering and Other Low-Threat Discharges to Surface Waters" (Order No. 5-00-175, NPDES No. CAG995001). Discharges may be covered by the permit provided they are (1) either four months or less in

duration, or (2) the average dry weather discharge does not exceed 0.25 million gallons per day. Construction dewatering, well development water, pump/well testing, and miscellaneous dewatering/low-threat discharges are among the types of discharges that may be covered by the permit. The general permit also specifies standards for testing, monitoring, and reporting, receiving water limitations, and discharge prohibitions. In the case of the Harter Specific Plan – Yuba City Marketplace project, there is no well development or pump/well testing.

With the aforementioned mandatory NPDES protocol relating to the quality of stormwater runoff from the Harter Specific Plan – Yuba City Marketplace project, the potential project impacts are reduced to a **less-than-significant level**. No additional discussion or mitigations are warranted.

- b. The recirculated DEIR includes a discussion of the Harter Specific Plan and Yuba City Marketplace water use. Water to the site will be provided by Yuba City via its water conveyance infrastructure and the Feather River. Two existing wells on the Harter properties will remain and will be used for continuing operation of the cannery business for an indefinite period of time.

- d, e. It has been determined that there is the potential for on- and, or off-site flooding and potential of drainage infrastructure capacity to be overwhelmed. This issue is discussed in the recirculated DEIR.

- g, h, i. The Federal Emergency Management Agency (FEMA) is responsible for determining flood elevations and floodplain boundaries based on U.S. Army Corps of Engineers studies. FEMA is also responsible for distributing the Flood Insurance Rate Maps (FIRMS), which are used in the National Flood Insurance Program (NFIP). These maps identify the locations of special flood hazard areas, including the 100-year floodplain.

FEMA allows non-residential development in the floodplain; however, construction activities are restricted within the flood hazard areas depending upon the potential for

flooding within each area. Federal regulations governing development in a floodplain are set forth in Title 44, Part 60 of the Code of Federal Regulations (CFR).

A review of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) indicates that the Specific Plan area is not within a 100-year or 500-year floodplain area. No flooding related impacts would result from implementation of the *Harter Specific Plan*. [FEMA Community Panel Map number 0603940095B].

- j. A seiche is a wave motion in an inland body of water generated by sustained ground shaking from an earthquake. The wave motion can increase in intensity with prolonged shaking until it reaches the natural period of the body of water. These periods usually are a few minutes long resulting from major and great earthquakes. Losses due to flooding or dam failure from seiche are possible with extended duration of ground shaking at a frequency constructive with the period of the body of water. Because the project site is located in an area rated low to moderate for groundshaking and no inland bodies of water are proximate, the likelihood of this occurrence is considered low.

The potential for flooding due to dam and/or levee failure is a regional issue and is not directly related to the implementation of the *Harter Specific Plan*. As discussed above, the Specific Plan area is not subject to inundation by seiche, tsunami, mudflow, and is not located in the 100-year flood zone.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
9. LAND USE AND PLANNING				
<i>Would the project:</i>				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating on environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Conflict with adopted land use plan goals, objectives, standards and, or policies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a. The project site is bordered by State Highway 20 and light industrial uses to the south, low density residential to the west, Butte House Road and medium density residential to the north, and a mix of uses to include medium density, commercial, professional and industrial uses to the east. A large home improvement retail store (Home Depot) and a restaurant are located immediately east of the project site between the Yuba City Marketplace project site and Tharp Road. This area of the city is transitioning to urban uses as allowed in the Yuba City General Plan and would not divide an established community; therefore, there would be **no impact** on land use and planning.

- b. The project includes an amendment to the existing General Plan designation of Agricultural Holding and Light Industrial. With approval of the project, the future uses will be Low Density Residential (LDR), Medium Density Residential (MDR), Public and Quasi-Public (P), Light Industrial (LI) and Community Commercial (CC). An approximate 12-acre area on the westernmost portion of the project site will remain Low Density Residential (LDR).

The *Harter Specific Plan* is intended to implement the *Yuba City Urban Area General Plan*. As such, the *Harter Specific Plan* provides for the orderly and systematic development of the area, consistent with the *Yuba City Urban Area General Plan* and implementing ordinances (e.g., Design Guidelines, Zoning and Subdivision ordinances). Adoption of the *Harter Specific Plan* will not conflict with applicable land use plans, policies or regulations, nor will it conflict with any habitat conservation plan.

- c. As indicated in the Yuba City General Plan, there are no habitat conservation areas in the project site, or surrounding properties, so **no impact** would result from project implementation. This issue will not be addressed in the DEIR.
- d. The Yuba City General Plan and the Yuba City Harter Specific Plan are both relevant to the proposed project. However, where the Specific Plan policies and standards are more restrictive or specific than those in the General Plan, the Specific Plan shall prevail.

Yuba City General Plan

This analysis assumes that the General Plan amendment proposed as part of this project is approved. If not, the project would present a correspondingly inconsistent issue with the existing General Plan.

The Yuba City General Plan includes Land Use goals (a-e) and policy statements (a-i). The stated goals and policies of the General Plan Land Use element are as follows:

Land Use Goals

- a. Establishment and preservation of adequate space for community growth.
- b. Refinement of existing and future development to assure compatibility.
- c. Promotion of accessibility between home, job, shopping, education, recreation, and social and cultural facilities and between industry an workers, materials, power, and markets.

- d. Economical use of community resources to accomplish the most improvement at the lowest cost.
- e. Separation of incompatible usage and association of compatible and mutually beneficial uses.

Land Use Policies

- a. Areas designated on the attached General Plan Land Use Map, 1988, [and as amended since 1988] shall be developed in accordance with the designation specified on the following table [General Plan Designation Table].
- b. Compatible uses not specified in the Table may be established if permitted by zoning.
- c. Development of the Urban Area shall include infill of undeveloped parcels.
- d. Development shall be compatible with other policies of this plan.
- e. Consolidation of existing commercial development shall be encouraged.
- f. Development of the urban fringe should not occur.
- g. Non-conforming uses shall be encouraged to redevelop to be compatible with the General Plan designation.
- h. Parcels should be accumulated to create adequate building sites.
- i. Subdivision of commercial land will be discouraged.

The following is a systematic review of project consistency with each of the above stated Land Use goals and policies.

Land Use Goals – Consistency Analysis

Land Use Goal A: Establishment and preservation of adequate space for community growth.

Consistency Analysis: The Harter Specific Plan is consistent with this goal because it proposes urban development within the City General Plan Urban Area. Also, the proposal includes a mix of residential and commercial uses promoting balanced growth within the City.

Land Use Goal B: Refinement of existing and future developments to assure compatibility.

Consistency Analysis: The Yuba City General Plan encourages the separation of incompatible uses but provides that "In a compact urban area, however, there must be a mix of uses" (Yuba City General Plan, Land Use Element, Section III (E) - Land Use, pg. 2, para. 1). The Harter Specific Plan area is an infill area surrounded by existing residential, industrial and commercial development. Accordingly, it is in a compact urban area and the General Plan provides that in such circumstances requirements can be imposed on development (i.e., design, setback and other requirements) to increase compatibility between uses. The Harter Specific Plan also addresses this compatibility issue and the proposed project was designed to incorporate adequate separation between the proposed uses and with off-site uses.

For example, the location of the cannery in the Harter Specific Plan area provides a sufficient buffer between the cannery and residential uses. Figure 3.1 in the Harter Specific Plan indicates that the Cannery buildings are located immediately adjacent to the commercial areas and the parks. While residential is located across Harter Road, the residential is to the north of the existing cannery buildings (Harter Specific Plan, Figure 3.1). The cannery is not anticipated to expand so no risk exists that the cannery could be located immediately adjacent to the residential uses. Also, certain design requirements are incorporated into the Harter Specific Plan (i.e., sound walls) to alleviate any noise impact to the residential area from the cannery or trucks, including trucks that may be accessing the site for other tenants.

Of the variety of potential conflicts, noise is of foremost concern. As indicated in the recirculated EIR noise discussion (section 4.6), the existing plant operations create noise levels that are significant. However, the distance to the nearest residential areas are such that the noise level that eventually reaches these areas is diminished to a level that is not significant. All potential noise impacts identified have been mitigated to a less than significant level through prescribed mitigation measures. The reader is referred to the Noise section in the recirculated EIR.

Another compatibility issue relates to odor associated with flood irrigation from the cannery operations. This irrigation has been eliminated through incorporation of spray irrigation, which has ceased since the recent closure of the cannery operation. This is discussed in the Project Description under Wastewater Collection, Treatment and Disposal commencing on page 2-5 of the recirculated EIR.

Land Use Goal C: Promotion of accessibility between home, job, shopping, education, recreation, and social and cultural facilities and between industry and workers, materials, power, and markets.

Consistency Analysis: The Harter Specific Plan is a mixture of residential, commercial, business park, light industrial and park uses which promotes proximity between housing, jobs and shopping consistent with this goal. The Plan area is also proximate to educational, cultural and recreational facilities.

Land Use Goal D: Economical use of community resources to accomplish the most improvement at the lowest cost.

Consistency Analysis: The project is required to either construct required improvements at its own cost or contribute its fair share to the cost of required improvements consistent with this policy, to the extent it is applicable.

Land Use Goal E: Separation of incompatible uses and association of compatible and mutually beneficial uses.

Consistency Analysis: Refer to above consistency analysis for goal B.

Land Use Policies - Consistency Analysis

Land Use Policy A: Areas designated on the attached General Plan Land Use Map, 1988, [amended] shall be developed in accordance with the designation specified on the following table [General Plan Designation Table].

Consistency Analysis: The proposed project will be consistent with the underlying designations upon approval of the project, which includes amending the designation Agricultural Holding designation to residential uses, commercial, office and other land uses. The project is consistent with the Harter Specific Plan and the General Plan as the General Plan anticipates conversion of the Agricultural Holding to urban uses.

Land Use Policy B: Compatible uses not specified in the Table may be established if permitted by zoning.

Consistency Analysis: With the approval of the proposed General Plan Amendment, the proposed uses will be consistent with those of the General Plan Designation Table found in Section III- Land Use of the General Plan.

Land Use Policy C: Development of the Urban Area shall include infill of undeveloped parcels.

Consistency Analysis: The project site is located within the Urban Area under the General Plan, on the western edge of Yuba City. Although the Yuba City limit line is the property boundary on the west side boundary of the Harter Specific Plan project site, it is essentially an infill project as discussed in the preceding paragraph, and is bordered by residential and other forms of development that have occurred in the unincorporated Yuba City area in County jurisdiction.

The project site is bordered by State Highway 20 and light industrial uses to the south, low density residential to the west, Butte House Road and medium density residential to the north, and a mix of uses to include medium density, commercial, professional and industrial uses to the east. A home improvement retail store (Home Depot), restaurants and small retail center are located immediately east of the Plan Area between the Yuba City Marketplace project site and Tharp Road.

In addition to the proposed Harter Specific Plan, the Del Monte Ranch project has been recently approved by the City of Yuba City. The Del Monte Square project, which is also pending and undergoing annexation to the city, includes the Yuba High School District's second High School campus in the area south of SR 20 and west of the future extension of Harter Road. In addition to the high school, Del Monte Square will include a church, 11 acres of retail, 21 acres of office and 4.5 acres of residential development. Del Monte Ranch is to include 139 residential units, 13 acres of Light Industrial uses and 2.65 acres of retail. These projects are on the south side of Highway 20. Existing Yuba City General Plan land uses (i.e., surrounding land uses) are shown in Figure 2-4 of the recirculated EIR.

Land Use Policy D: Development shall be compatible with other policies of this plan.

Consistency Analysis: The recirculated EIR systematically reviews all relevant General Plan policies in each of the environmental discussion section's *Regulatory Context* sections. The reader is referred to these EIR sections where this consistency analysis occurs.

Land Use Policy E: Consolidation of existing commercial development shall be encouraged.

Consistency Analysis: This policy does not appear to be relevant to the project.

Land Use Policy F: Development of the urban fringe should not occur.

Consistency Analysis: The project is consistent with this policy since commercial development currently exists to the north, south, and east of the project site. Therefore, redesignation of a portion of the site to commercial is consistent because significant commercial activity already exists in the area and the policy does not preclude the redesignation of properties to commercial.

Land Use Policy G: Non-conforming uses shall be encouraged to redevelop to be compatible with the General Plan designation.

Consistency Analysis: The Yuba City General Plan addresses non-conforming uses where it discourages nonconforming uses but-also states that "[f]or those activities or uses which are nonconforming as to the General Plan, policies have been developed which clarify the rights to continue, operate and maintain this type of nonconforming use" (Yuba City General Plan. Section III – *Land Use*, Section G – *Non-Conforming Uses*, page 11). The Yuba City General Plan also encourages the "[r]edevelopment of existing industrial areas should be encouraged," which is exactly what the Harter Specific Plan proposes. (Yuba City General Plan. Section III – *Land Use*, page 9). In fact, the Harter Specific Plan complies with General Plan Land Use Policy G, which states that "[n]on-conforming uses shall be encouraged to redevelop to be compatible with the General Plan designation", because under the Harter Specific plan the existing cannery and packing house "will eventually be phased out to allow for the development of a business park" (Yuba City General Plan. Section III – *Land Use*, page. 12; Harter Specific Plan pgs. 3-6). Furthermore, the proposed redesignation of the cannery site from Light Industrial to Business Park/Light Industrial does not change the legal status of the cannery; both designations allow light industrial uses.

Land Use Policy H: Parcels should be accumulated to create adequate building sites.

Consistency Analysis: This policy has to do with consolidation of properties in order to create market opportunities for commercial and, or residential projects. As the proposed project consists of a large land area (180 acres), it is consistent with this policy because adequate building sites are provided.

Land Use Policy I: Subdivision of commercial land will be discouraged.

Consistency Analysis: This policy is not relevant to the project because the project does not include a subdivision; only a lot line adjustment is requested which will result in the same number of parcels as presently exist.

Harter Specific Plan

The Yuba City Harter Specific Plan includes a variety of policies addressing General Policies, Public Services, Parks and Open Space, Traffic Circulation System, Public Utilities, Project Development, and Design Guidelines (the design guidelines are in Appendix A of the Harter Specific Plan).

The following policies are applicable to the Specific Plan area in its entirety:

General Policies

- G-1. The Land Use Plan Diagram (Figure 2-4 in the recirculated EIR) [...] shall be regarded as prescribing the distribution of land uses for the Specific Plan area. The locations and patterns of arterial and collector streets shall be regarded as fixed by the Circulation Plan Diagram (Figure 2-7 in the recirculated EIR). Unless otherwise prescribed by this Specific Plan, the network of local streets and on-site circulation characteristics for any segment of the Specific Plan area shall be subject to City review and approval of specific development plans and designs.
- G-2. Development standards as set out in this Specific Plan and in other City plans, policies and ordinances adopted and in effect at the time of any development review shall be applied to all projects in the Specific Plan area, to ensure the highest possible quality and character of development. The relevant provisions of the *Yuba City Urban Area General Plan*, *Yuba City Zoning Regulations* and *City of Yuba City Design Guidelines* shall apply to all development and uses in the Specific Plan area, except where the standards and conditions prescribed by this Specific Plan are more restrictive, in which case this Specific Plan shall prevail.
- G-3. The ultimate goal of the Specific Plan is to provide for the orderly and systematic development of the Specific plan area compatible and complimentary to the rest of the City of Yuba City. Subsequent development in the Specific Plan area must be consistent with the livable cities and smart growth concepts embodied in the City's design guidelines.

- G-4 The *Harter Specific Plan Design Guidelines* define the overall vision for the development of the Specific Plan area and establish a framework that supports high quality design. Subsequent development in the Specific Plan area must be consistent with this vision.
- G-5 The Specific Plan will be applicable to all future development in the Specific Plan area and shall be enforceable upon all future owners and/or developers of the properties included within its boundaries.
- G-6 All costs for public improvements and facilities required to support any development within the Specific Plan area, including costs for improvements and facilities that may be required "off-site" and which can reasonably be attributed to Specific Plan area development, shall be borne by such development. Such costs will be recovered by the City through appropriate and effective funding mechanisms identified in this Specific Plan.
- G-7 Implementation of this Specific Plan shall be closely coordinated with the adoption and implementation of other plans and community development programs of the City. This Specific Plan provides a more detailed level of planning prior to issuance of entitlements. Consequently, projects in conformance with this Specific Plan should not require subsequent traffic studies or environmental review, unless such review is specifically mandated by the California Environmental Quality Act.
- G-8 The following policies relate to land use compatibility with the cannery:
1. Buffers between different adjacent land uses shall be in accordance with the Guidelines established in the *Hatter Specific Plan Design Guidelines*, the City's Design Guidelines and City's Zoning Regulations.
 2. Development of the Business Park and Commercial land uses within the Specific Plan area must be consistent with the *Harter Specific Plan Design Guidelines* and designed in a manner to minimize land use conflicts.

Consistency Analysis: The proposed project is designed and planned to be consistent with the above eight policies. The project plans and the recirculated EIR support this conclusion.

Public Services

Development of the Specific Plan area will include the creation of considerable public improvements both on and off-site. Similarly, the introduction of new commercial, office, business park, and residential development will create increased demand for public services. The following paragraphs of this section describe the scope and nature of plan-related public facilities and discuss the manner in which essential public services will be provided to the Specific Plan area.

- PS-1 Five acres shall be dedicated to the City for park space as shown in Figure 2-3 in the recirculated EIR. Park improvements shall be constructed by the City using citywide impact fees. The city shall be responsible for maintenance of the park.
- PS-2 Domestic water will be supplied to new development in the Specific Plan area by the City of Yuba City in accordance with Figure 2-9 in the recirculated EIR. Water system improvements meeting city design standards shall be dedicated to the City by the initial and subsequent developers. Insofar as both on and off-site improvements benefit other land owners, a share of the costs of water infrastructure shall be reimbursed to the developer upon the issuance of entitlements to benefiting subsequent developments.
- PS-3 Engineering and development of sufficient on-site drainage infrastructure meeting City and County requirements shall be incorporated into individual project design.
- PS-4 Wastewater collection, treatment and disposal shall be obtained from the City of Yuba City. Wastewater collection system improvements shall be constructed in accordance with Figure 2-8 in the recirculated EIR. Wastewater system improvements meeting city design standards shall be dedicated to the City by the

initial and subsequent developers. Insofar as both on and off-site improvements benefit other land owners, a share of the costs of wastewater infrastructure shall be reimbursed to the developer upon the issuance of entitlements to benefiting subsequent developments.

PS-5 Existing topography of the Plan Area is virtually flat. All on-site drainage from the parcels within the Harter Specific Plan planning area shall flow into the 84-inch concrete storm drain constructed as part of the Home Depot project. This storm drain is located within the present railroad right-of-way. Storm water will ultimately flow to the west where it will flow into the Live Oak Canal. Drainage system design shall comply with City drainage standards and be designed to flow away from road rights of way.

PS-6 The City shall require dedication of the one-acre area reserved for a water tank prior to the recordation of a final subdivision map in the plan area.

Consistency Analysis: The proposed project is designed and planned to be consistent with the above policies. The project plans and the recirculated EIR support this conclusion.

Parks, Open Space and Landscaping

OS-1 The overall landscaping plan for the *Harter Specific Plan* area is shown in Figure A-3 of the *Harter Specific Plan* Design Guidelines. Project developers will be required to construct landscaping as prescribed in the *Harter Specific Plan* Guidelines. Insofar as both on and off-site improvements benefit other land owners in the vicinity of the *Harter Specific Plan*, a share of the costs shall be reimbursed to the initial developer upon the issuance of entitlements to benefiting subsequent developments.

OS-2 The City shall ensure the continuous maintenance of landscaped and other open space areas through the establishment of a lighting and landscaping district or other equitable funding mechanism or exaction.

OS-3 On or off-site community public space is required by the City as a condition of developing a commercial development. As an alternative to providing on-site community public space, the City shall allow project developers to dedicate and develop to city specifications 10,000 square feet of off-site community public space in the 2.0 acre commercial area shown in Polygon 6 in Figure 2-3 in the recirculated EIR.

OS-4 The City shall require dedication of the five-acre area reserved for a neighborhood park prior to the recordation of a final subdivision map in the Specific Plan area.

Consistency Analysis: The proposed project is designed and planned to be consistent with the above eight policies. The project plans and the recirculated EIR support this conclusion.

Traffic Circulation System

Traffic circulation issues raised by the plan fall primarily into one of two categories: the internal circulation system required to accommodate the Specific Plan project traffic and the relationship of plan-generated traffic to required traffic circulation system improvements on surrounding streets and roads. Offsite road improvements will primarily occur in the future as State Highway 20 is widened from 4 to 6 lanes.

The internal traffic circulation system for the *Harter Specific Plan* has been established on the basis of the type and intensity of land uses prescribed by the specific plan circulation issues. The plan calls for the majority of traffic-circulation improvements to be on-site.

T-1 All new facilities shall be designed to operate at the level of service or better as established in the *Yuba City Urban Area General Plan* for a period of 20 years.

Consistency Analysis: The proposed project is designed and planned to be consistent with the above eight policy. The project plans and the recirculated EIR support this conclusion.

Public Utilities

PU-1 All new public utilities installed in the *Harter Specific Plan* planning area to serve development shall be underground, in conformance with city standards. Undergrounding shall be the responsibility of the developer(s). Easements shall be provided by each developer as required to access and maintain underground utilities.

Consistency Analysis: The proposed project is designed and planned to be consistent with the above eight policy.

Project Development

Timing, need and development of public services, facilities, utilities, roads, streets, landscaping and other improvements will be required upon development of each individual use. All required facilities, improvements and acceptable levels of service as determined by the City will be required prior to the issuance of certificates of occupancy. In addition to necessary off-site improvements, on-site improvements as determined by the City will be required.

D-1 Poole Boulevard shall be completed to a point 200 feet eastward, or as far as possible, of its intersection with Harter Road prior to issuance of certificates of occupancy for Polygon 9 (i.e., Yuba City Marketplace project) as shown in Figures 24 and 2-5. The placement or reconstruction of utilities and other public facilities in the right-of-way shall be completed prior to issuance of certificates of occupancy.

D-2 Final sewer and water line sizing shall be determined by the City Engineer based on City standards and plans. These lines will be placed concurrently with road construction and improvements. The sewer main will be constructed and extend south of the Plan Area approximately 1,500 feet to a proposed lift station along a future extension of Harter Road. In the event the lift station has not been constructed at the time of need, developers in the planning area shall initially pay the cost of its development and be reimbursed by subsequent developers in accordance with City procedures.

- D-3 A Class 1 bike path shall be developed to city standards from the west edge of the Plan Area to the Harter Road and Poole Boulevard intersection.
- D-4 The Poole Boulevard extension shall be constructed concurrently with required and appropriately sized utilities and city infrastructure from the Tharp Road/Poole Boulevard intersection and extend west approximately 300 feet. This extension shall be completed prior to the issuance of certificates of occupancy for the 1.8-ac office site (Polygon 10).
- D-5 The construction of the remainder of Poole Boulevard shall be completed prior to the issuance of a certificate of occupancy for any new buildings on the south one-half of Polygon 11 or completion of arrangements for the required posted security and the method and timing of construction are otherwise made that are agreeable to the city. The city shall require payment of fees for the acquisition of railroad right of way and construction of Poole Boulevard to city standards.
- D-6 Construction of the Jefferson Avenue extension eastward from the west edge of the Plan Area shall be completed prior to the issuance of certificates of occupancy for Polygons 2, 6, and 7 as indicated in Figure 2-3 in the recirculated EIR. This will include water, sewer, drainage and a bike path developed to City standards.
- D-7 Infrastructure costs will be negotiated by project developers and the appropriate City Department and (or) related agencies prior to development taking place using standard city and (or) agency procedures and funding mechanisms.

Consistency Analysis: The proposed project is designed and planned to be consistent with the above eight policies. The project plans and the recirculated EIR support this conclusion.

Housing Element

The Harter Specific Plan provides for the development of at least 311 and perhaps as many as 345 new multiple-family residential and/or single-family residential units. Approximately 131 to 165 of these new units will be for single-family residential use and approximately 180 of these units will be for multiple-family residential. The multiple family residential, while not necessarily low income, does accommodate lower income families and individuals and therefore satisfies the requirement of the General Plan Housing Element to provide a balanced housing stock.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
10. MINERAL RESOURCES.				
<i>Would the project:</i>				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■

Discussion

a, b. The General Plan was reviewed to determine if the property was designated as a potential mineral resources site; it was not. Furthermore, the site has been cultivated for many years and is now surrounded on three sides by residential and commercial development. The fourth side of the Harter properties is flanked by Highway 20 and future urban uses to the south of Highway 20. For example, a high school and large religious complex are proposed on the south side of the project site across Highway 20 (i.e., Del Monte Square Commercial Park and Del Monte Ranch projects).

The Surface Mining and Reclamation Act of 1975 (SMARA) requires the State Geologist to inventory and classify selected mineral resources within California. The overall goal of the classification and designation process is to provide information to local decision-makers regarding the planning and development of lands that contain significant mineral resources. Pursuant to SMARA, in 1986 the California Division of Mines and Geology issued Special Report 132, Mineral Land Classification: Portland Cement and Concrete-Grade Aggregate in the Yuba City-Marysville Production-Consumption Area. This report found no significant or substantial deposits in Sutter County.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
11. NOISE.				
<i>Would the project result in:</i>				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a-d. The recirculated DEIR contains a noise discussion addressing these issues.

- e, f. There is no airport or airfield in proximity where this would be an issue. The nearest airfield is approximately 2.5 miles east.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
12. POPULATION AND HOUSING.				
<i>Would the project:</i>				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a. The proposed project includes residential and commercial uses as described in the Project Description section of the attached recirculated DEIR. In addition to the proposed 165 single-family dwelling units and 180 multi-family dwelling units, the Harter Specific Plan – Yuba City Marketplace place projects include 360,000 square feet of commercial space (Yuba City Marketplace project), an additional 13.6 acres of retail space, a 12-station gas station, and 68 acres of business park in the Harter Specific Plan area. This amount of development will assure population growth in terms of construction jobs and permanent retail and service jobs. As is typically the case with commercial shopping centers, these uses are developed in response to growing demand, which is the result of a growing residential population. Therefore, it can be construed that the commercial components of the Harter Specific Plan development are population serving as opposed to population generating. This particular project is also expanding residential opportunities in the community with the inclusion of 345 residential units. Both the residential and commercial aspects of this project are fulfilling the Yuba City General Plan buildout. No potential impacts are anticipated from this development.

- b,c. The future development of the Harter Specific Plan property will result in removal of four homes. Based on three residents per unit, there would be 12 people displaced. Because all property is owned by the developers and the current tenants are aware of their pending departure, this is not a substantial impact. These homes will be replaced with 345 proposed homes.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<p>13. PUBLIC SERVICES. <i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i></p>				
a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a, b. The Harter Specific Plan and Yuba City Marketplace will increase the number of residential units in the City by approximately 345 units, and will increase population and square footage of commercial and industrial land uses. Whether this will result in physical changes to the environment is dependent on whether the Harter Specific Plan and Yuba City Marketplace will cause a need for new physical facilities, which in turn could create potential impacts.

The need for additional fire and police services is assured. More people and more structures (whether residential or commercial) will incrementally increase the number of calls to the Yuba City Fire and Police departments. Review of the Harter Specific Plan EIR (Quad-Knopf 2002) (note that the Quad-Knopf EIR included what is now the Yuba City Marketplace project but at that time no application for the Yuba City Marketplace had been submitted) by the aforementioned public agency’s staff indicates that there would be increased demand for services but that new facilities would not be warranted. In addition, any future staffing needs are proposed to be addressed in the pending Yuba City General

Plan update. As there will be no new facilities constructed to service the site, no physical changes to the environment are anticipated.

- c. There are no anticipated direct or indirect physical changes to the environment as a result of Harter Specific Plan and Yuba City Marketplace projects. Currently, all residential, commercial and industrial projects in the City must pay the state mandated minimum school impact fees at the building permit stage.

- d. The Harter Specific Plan includes a six-acre recreational parcel (Polygon 5), which includes a water tank site. Per the Subdivision Map Act (California Government Code Section 66477), the dedication of land, or the payment of fees, or both, shall not exceed the proportionate amount necessary to provide three acres of park area per 1,000 persons residing within a subdivision, unless the amount of existing neighborhood and community park area, as calculated pursuant to this subdivision [i.e., CGCS 66477] exceeds that limit, in which case the legislative body [Yuba City City Council] may adopt the calculated amount as a higher standard not to exceed five acres per 1,000 persons residing within a subdivision.

As the development of the Harter properties will result in the construction of up to 345 new residential units and there being 2.8 person per units (Cal. Dept. of Finance 2003), buildout of the residential component of the Harter Specific Plan will result in approximately 966 new residents. Using the Subdivision Map Act recreational requirements, the applicant would be responsible for at least three acres of parkland dedication. With the six acres proposed (minus area for the water tank) by the applicant, the overall quality, ambience and aesthetic of the Harter Specific Plan project will be enhanced.

- e. No other public facilities are known to be relevant to the proposed project.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
14. RECREATION.				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

a, b. The Harter Specific Plan area includes a park area in Polygon 5 which meets the requirement of the Subdivision Map Act. The anticipated population associated with the development of the Harter Specific Plan and population growth in the City will be adequately served. **No impacts** are anticipated associated with this park area.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
15. TRANSPORTATION/TRAFFIC				
<i>Would the project:</i>				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a, b. The above traffic impacts are discussed in the recirculated DEIR.

c-g. These issues are not pertinent to the proposed project because there are no airports or airfields in proximity to the project site that would result in changes in air traffic patterns.

No design features are proposed with the Harter Specific Plan with which an impact analysis could be made. However, the Yuba City Marketplace project is a “project” in that an application with a site plan has been submitted to the City. Review of the site plan indicates there to be no particular hazard. As it pertains to the Harter Specific Plan, emergency access, parking and alternative transportation are anticipated to be a less-than-significant issue. Transit service will eventually be provided by Yuba-Sutter Transit.⁸ The Yuba City Marketplace also appears to be adequate in regards to emergency access, parking and alternative transportation. Issues c-g are not discussed in the recirculated DEIR.

8 Keith Martin, Transit Manager, Yuba-Sutter Transit, states in a letter to Denis Cook of the Yuba City CDD, dated 12/13/02, that transit services shall be required to be provided on site.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
16. UTILITIES AND SERVICE SYSTEMS.				
<i>Would the project:</i>				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Comply with federal, state, and local statutes, and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

a, b. The City's wastewater treatment facility has a 7.0 million gallon per day (mgd) dry-weather permitted capacity. The wet weather permitted capacity is 11 mgd. Dry- and wet-weather capacity is differentiated because during the wet weather season sewer systems are more likely to be subjected to increased water flow from local flooding (e.g., flood water enters the sewer system via manholes), or illegally connected storm drains. A permit to expand the dry-weather capacity of the sewer treatment plant to 9.0 mgd is anticipated through more efficient use of the facilities. The correlating wet weather capacity would be 14-15 mgd.⁹ Permits to operate and change the capacity of treatment plants in California is the responsibility of the RWQCB. In this case, the RWQCB has premised the permit to allow a capacity of 9 mgd on Yuba City completing its GP update and supporting infrastructure studies. The existing wastewater flow to the treatment plant is approximately 5.8 mgd.¹⁰ Therefore, at present, the existing remaining capacity is approximately 1.2 mgd.

The full development of the *Harter Specific Plan* area, including the Yuba City Marketplace project is anticipated to result in wastewater flows of approximately 363,080-372,600 gallons per day, which is calculated as follows:

PROPOSED WASTEWATER FLOWS	
Development Type	Proposed Wastewater Flows* (gallons per acre per day)
Commercial, office, and light industrial, 138 acres @ 2,000 gpd per acre per day (Yuba City Marketplace. 31ac. @ 2,000 gpd = 62,000 gpd)	276,000 gpd
Residential, 311-345 units @ 2.8 persons per unit, 100 gallons per capita per day	87,080-96,600 gpd
Total (includes the Yuba City Marketplace project)	363,080-372,600 gpd
*Estimate. Source: Yuba City Harter Specific Plan EIR. Quad Knopf. 2002.	

Wastewater treatment for this project is within the existing capacity of the wastewater treatment plant and can be served by the existing capacity.¹¹ The Yuba City Marketplace project will be on line in less than two years and adequate capacity is available. The Harter

9 Bill Lewis, personal communication, July 11, 2003.
 10 Ibid.
 11 Bill Lewis, personal communication, July 11, 2003.

Specific Plan area is anticipated to be built out in approximately 10 years and will also have capacity if measured by the 7 mgd, or the 9 mgd capacity.¹²

Sewer lines will be extended into the Specific Plan area to accommodate development. This is addressed in the recirculated DEIR project description. The City will install the lift station and private developers will be responsible for constructing sewer collection lines. Sewer lines will be installed concurrently with roadway improvements.

As this infrastructure will be placed under existing roads there are no anticipated physical changes to the environment.

Development on the Harter properties will not require the construction or expansion of wastewater treatment facilities; therefore, there will be no impact. All development in Yuba City is required to pay sewer impact fees, which are used for maintenance and expansion of the wastewater infrastructure.

The recirculated DEIR contains a full discussion of the water supply and conveyance infrastructure. Adequate water supply exists for development of the Harter properties. Refer to the Utility and Service System section of the DEIR.

- c, d. The recirculated DEIR contains a full discussion of the drainage infrastructure. Refer to the Hydrology and Water Quality section of the DEIR.
- e. Wastewater generated by the project and wastewater treatment capacity is adequate. Refer to the preceding discussion a, b.
- f, g. A private company, Yuba-Sutter Disposal Inc. (YSDI), provides solid waste collection service to the City including the Harter properties. The Harter Cannery operation creates a sludge which is hauled by a contract hauler and transported offsite where it is used as a soil amendment for agricultural land.

12 Ibid.

YSDI opened a new Class III landfill on Ostrom Road in Yuba County in 1995, which has an approximate capacity of 6.5 million tons and a life expectancy of approximately 40 more years. The project will be served by a landfill with sufficient permitted capacity to accommodate the solid waste disposal needs and no impact is identified.¹³

13 Quad-Knopf. Yuba City Harter Specific Plan EIR. October 2002.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
17. MANDATORY FINDINGS OF SIGNIFICANCE.				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- a. The project is determined to not have a potential significant impact as it relates to flora and fauna. However, it is possible that buried prehistoric resources exist on this property, but have been obscured by the vegetation or by historic use of the project area. This is a **potentially significant impact**, which is addressed in the recirculated DEIR.

- b. The recirculated DEIR discusses cumulative impacts.
- c. The recirculated DEIR identifies impacts that are substantial and unavoidable.

Appendix B

Summary of Revisions

Summary of Revisions in the Recirculated EIR

Per CEQA Section 15088.5(g), when recirculating a revised EIR the lead agency shall summarize the revisions made to the previously circulated draft EIR.

The impetus for the recirculated EIR is the City of Yuba City having received an application for a retail commercial project for a 31.1-acre portion of the Harter Specific Plan area after release of the Yuba City Harter Specific Plan Draft EIR prepared by Quad-Knopf and because of public comments and a desire on the part of the City to combine projects in one document. The Yuba City Harter Specific Plan Draft EIR was dated October 2002. A detailed description of the characteristics of the Harter Specific Plan – Yuba City Marketplace EIR is provided in Sections 1 and 2 of the recirculated EIR.

The application submitted to Yuba City is for the Yuba City Marketplace project, which includes a 203,622 square foot Walmart store. The total retail square footage for the Yuba City Marketplace is 360,547, which includes freestanding fast food buildings, other freestanding retail commercial buildings, a gas station, and the standard parking areas and internal street circulation. As a result of this application for the Marketplace project, the discussion in the EIR released in October 2002 had to be revised to incorporate the new Marketplace project information. Therefore, the recirculated EIR includes a program level analysis relating to the Harter Specific Plan and a project level analysis relating to the Yuba City Marketplace project.

The following summarizes the revisions made to the October 2002 Draft EIR and incorporated in the current recirculated EIR.

Agricultural Resources

The previous EIR did not consider the loss of the 130 acres of agricultural land to be a significant issue. This EIR does consider it a significant issue. Whereas the previous EIR concludes that the property is “adjacent to a major highway and is physically divided into four pieces by a major urban roadway (Harter Road) and a railroad right-of-way, which preclude the property from being farmed as a unit. [...] On-site soils are rated as Class III, which limits the types of crops that can be grown. These limitations are not conducive to maintenance of farmland”.

The previous EIR does not account for the historical record of cultivation of food crops on the Harter properties going back to the 1860’s, nor the fact that the property is classified as “Farmland of Statewide Importance”. This classification is one of the CEQA criterion for determining a level of significance. However, no mitigation is provided in this recirculated EIR, as it was determined that replacing this agricultural land with land of equal or greater value would not be possible. The reason for not providing mitigation is discussed in the Agricultural section of this EIR.

Air Quality

This section of the recirculated EIR is generally contains the same level of information as the previous EIR. However, the recirculated EIR identifies toxic air contaminants (TAC) associated with diesel emissions to be a significant and unavoidable impact.

Cultural Resources

This section of the recirculated EIR includes the Cultural Resources analysis in the body of the EIR and includes a greater level of detail relating to the Harter residence and the other three existing on-site residences. No significant impacts are identified in the recirculated EIR.

Hazards and Hazardous Materials

This section of the recirculated EIR increases the level of detail relative to the previous EIR by providing background federal, State and local regulations and includes additional impact discussion relating to emergency response.

Hydrology

This section of the recirculated EIR discusses in detail the local and regional hydrological setting by citing numerous existing documents and provides an expanded discussion of project impacts and mitigation. Most importantly, this section includes a discussion of the future water source available to the project for a 20-year period and during multiple-year droughts.

Noise

This section of the recirculated EIR provides greater detail as there is a specific project associated with the Yuba City Marketplace project.

Transportation

This section of the recirculated EIR provides greater detail as there is a specific project associated with the Yuba City Marketplace project.

Utility and Service Systems – Water Supply

This section of the recirculated EIR provides an expanded discussion of water availability and supply and wastewater treatment system capacity.