



County of Yolo

John Bencomo
DIRECTOR

PLANNING AND PUBLIC WORKS DEPARTMENT

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Woodland, CA 95695-2598
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PLANNING COMMISSION STAFF REPORT

FEBRUARY 9, 2012

FILE #2011-046: Amendment to the Planned Development No. 51 (PD-51) overlay zone to allow the establishment of a Love's Travel Center. The facility would include 13,000 square feet of buildings, consisting of two fast-food restaurants, a market, a tire barn, and 24 fuel pumps. Development would be served by an on-site domestic water system, waste water treatment pond, and storm water detention pond.

APPLICANT: Love's Truck Stops and Country Stores, Inc.
Attn: Kym Van Dyke
10601 North Pennsylvania Avenue
Post Office Box 26210
Oklahoma City, OK

OWNERS: Stars Holdings Co. LLC
Post Office Box 5728
Concord, CA. 94524

Richard and Suzanne Cordes
Post Office Box 685
Alamo, CA. 94507

LOCATION: The project is located at 28700 County Road 6, at the northwest corner of the interchange with Interstate 5, in the community of Dunnigan (APNs: 051-160-04 and -05)

SUPERVISOR DISTRICT: 5
(Supervisor Chamberlain)

GENERAL PLAN: Commercial General

ZONING: Highway Service Commercial –
Planned Development No. 51 (C-H/PD-51)

FLOOD ZONE: 0.2% chance annual flood hazard, X (area not within the 100-year or 500-year flood plains), and AE (area within the 100-year flood with a determined base flood elevation)

SOILS: Hillgate loam (HdA) (Class III); Myers clay (MS) (Class II); Sycamore complex (SV) (Class II); and Tehama loam (TaA) (Class II).

FIRE SEVERITY ZONE: None

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration

REPORT PREPARED BY:

David Morrison, Assistant Director

RECOMMENDED ACTIONS

That the Planning Commission recommend the following actions to the Board of Supervisors:

1. **HOLD** a public hearing and receive comments;
2. **ADOPT** the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines (Attachment C);
3. **ADOPT** the Findings (Attachment D);
4. **ADOPT** an Ordinance amending the Highway Service Commercial/Planned Development No. 51 (C-H/PD-51) Zone (Attachment E); and
5. **ADOPT** a Resolution to allocate 10 percent of future sales and gas tax revenues derived from the project site to the Special Road Maintenance District #3 (Attachment to be prepared prior to consideration by the Board of Supervisors).

REASONS FOR RECOMMENDED ACTIONS

The proposed project is consistent with both the 2030 General Plan, as well as the Dunnigan Community Plan. The travel center would provide 25 – 50 new jobs, which would improve the existing jobs/housing balance within Dunnigan. The Economic Development Manager estimates that the project could generate more than \$400,000 annually in new revenue to the County. The project would redevelop an existing abandoned gas station, including removal and clean-up of the underground fuel storage tanks.

As recommended, the project would also provide several community benefits. The new on-site water well, equipment, and right-of-way would be dedicated for future use in a municipal water system, if one is developed in the future. The northern 1.2 acres of the property would also be provided to the County in an irrevocable offer of dedication, for future development as the Dunnigan Open Space Area. Annexation of the site into the Dunnigan Road District and the County Service Area would bring additional revenues into these programs. Finally, staff is recommending that the Planning Commission recommend adoption of a resolution that would annually allocate ten percent of sales and gas tax revenues generated by the project (estimated at approximately \$41,000 per year) into the Dunnigan Road District, to be used for maintenance of local roads and roadside ditches within the community.

BACKGROUND

Project Description

The applicant has requested to develop an 18.8-acre site as a Love's Travel Center. This would include: two fast-food restaurants, a convenience market, a tire installation facility, and 24 fuel pumps (16 auto and 8 truck). The total building area is estimated at approximately 13,000 square feet, as follows.

- Love's Country Store – 6,280 square feet
- McDonald's – 3,027 square feet
- Tire Barn – 2,400 square feet

- Subway – 1,229 square feet

The site would operate 24-hours/day and employ between 25 and 50 people. There would be 120 truck parking spaces, 81 auto parking spaces, and 3 RV parking spaces. Tires would be sold and installed only; no repairs or oil changes would occur on site. No overnight centralized power/air conditioning facilities are proposed. There would be approximately 80,000 gallons of on-site fuel storage, which would be located above-ground. The applicant has also requested for approval of a 60-foot high free-standing sign.

The facility would be served by an on-site domestic water system, waste water treatment pond, and storm water detention pond. Access would be provided by a private driveway onto County Road 6.

Prior Approval

Ordinance No. 681.185, establishing Planned Development Overlay Zone No. 51 (PD-51) for the project site, was adopted by the Board of Supervisors on August 29, 2000 (Zone File No. 97-044). The applicant was Manilal, inc. The PD-51 Zone only applied to APN: 051-160-005, the northern parcel. The southern parcel (051-160-04) was under separate ownership at the time, and was operated as an active gas station. The purpose and intent of the PD-51 zone is to allow for the highway commercial development and subdivision of the project site. Principal, accessory, and conditional uses allowed under the PD-51 zone include those provided for in the C-H (Commercial Highway) Zone. Any highway service commercial subdivision within the PD-51 zone is subject to specific conditions of approval and mitigation measures.

The project originally approved for the PD-51 zone proposed a Tentative Subdivision Map for five parcels and a remainder on a 16.2-acre property. The site was to be developed into eight free-standing highway commercial uses, including three fast-food restaurants, a 12-pump service station, two sit-down family restaurants, a 60-room motel, and a general store. The proposed building area totaled approximately 45,000 square feet. Businesses would have been served by a private street, domestic water system, waste water treatment pond, and storm water detention pond.

As described in the Mitigated Negative Declaration certified for establishment of the PD-51 zone, commercial trucks and recreational vehicles were anticipated to make up a considerable portion of the overall trips generated by the proposed development. Mitigation Measure 6.d.1 specifically required the approval of a plan designating the number of truck spaces to be incorporated into the project, as well as circulation and turn-around design to ensure safe maneuvering by trucks using the facility.

The existing easement serving the northern property at the time was 40 feet wide. In order to develop the full street width needed to provide safe access to the project, a 60-foot easement was required, which necessitated the acquisition of 20 feet of easement from one of two adjoining landowners. Manilal Inc. was not able to secure the additional easement and applied for an extension of the Tentative Parcel Map, which was granted by the Planning Commission in November, 2003. A second request for an extension was made in 2004, as the additional easement has not yet been secured. The Planning Commission denied this request in October of 2004, based on the lack of progress shown by the applicant over the previous four years. The applicant appealed the Commission's decision. On December 14, 2004, the Board of Supervisors upheld the Commission's denial.

STAFF ANALYSIS

General Plan Consistency

There has been substantial confusion among some regarding whether the proposed project is consistent with the 2030 General Plan and/or the 2001 Dunnigan Community Plan. In particular, the interpretation has been expressed several times that truck-related commercial uses are limited to the Road 8 interchange within Dunnigan. This is true in so far as it relates to Expansion Areas 1 and 2. Expansion Area 1, located north of Road 6 and east of Interstate 5, was intended to primarily serve auto-related highway commercial uses. Expansion Area 2, located around the Road 8 / Interstate 5 interchange, was intended to serve truck-related commercial uses. However, the subject site is not included within either designated Expansion Area. The 2001 Dunnigan Community Plan considered the project site to be infill, not new growth. This was appropriate as the site at that time was an active gas service station. As such, the policies relating to auto and truck-related uses are not applicable to the project site.

Similarly, the interpretation has been made that the 2030 General Plan prohibits truck related uses in Dunnigan outside of the Road 8 / Interstate 5 interchange. Policy CC-3.10.D states that commercial trucking uses shall be concentrated at Road 8. It does not say that commercial trucking uses are limited to Road 8. This indicates that commercial trucking uses are allowed at other locations within the Dunnigan Community Plan area. Indeed, there are numerous policies in the 2030 General Plan which specifically encourage the development of tourist and highway commercial interchanges along Interstate 5. In addition, both the Dunnigan Community Plan and the 2030 General Plan, as well as the Yolo County Code, all acknowledge that the Planned Development overlay zone can be used to allow for a broader range of uses that would otherwise be allowed to occur.

The PD-51 zone, as it was originally established in 2000, intended that trucks would use the project. The County imposed a Condition of Approval at the time requiring the development of a plan to show where truck parking spaces would be located within the original development, as well as truck turning radii to ensure safe traffic movements for the cul-de-sac at the end of the private road. Although trucks were not the primary intended users of the proposed development in 2000, they were clearly included. The current proposal to amend the PD-51 zone would allow for more truck traffic than was proposed 12 years ago, but it is consistent with the history of allowing truck-related uses at this site.

Specific Plan Consistency

The 2030 Yolo Countywide General Plan includes policies that call for the development of a Specific Plan for the Dunnigan community. This includes 2,254 acres designated as "Specific Plan" in the 2030 General Plan, which applies to existing agricultural land proposed to be converted to urban development, as well as an additional 927 acres designated as "Specific Plan Overlay," which applies to the existing developed areas. The project site is designated as Specific Plan Overlay.

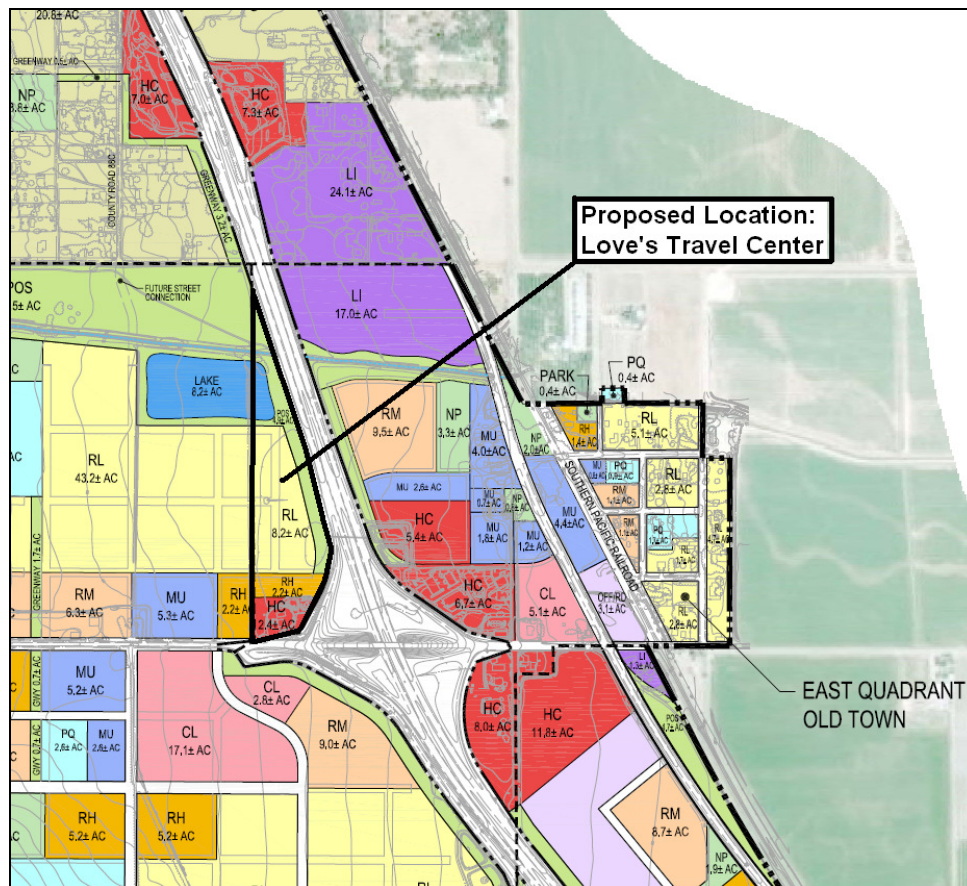
The Specific Plan would affect 3,181 acres, and would include up to 8,281 new residential units, and 700 acres of commercial and industrial development. Provisions will be included for municipal water, sewer, and storm drainage infrastructure, as well as amenities such as parks, schools, fire stations, a sheriff substation, library, grocery store, and medical services. The Specific Plan will include several policies and requirements to guide development within the Dunnigan area including: jobs/housing balance, jobs housing match, jobs housing phasing, vehicle miles traveled (VMT)

thresholds, mode split targets, water and energy efficiency requirements, smart growth design features, park development thresholds, residential density minimums and maximums, floor area ratios for non-residential uses, and many other community design goals.

includes several policies and requirements to guide development within the Dunnigan area including: jobs/housing balance, jobs housing match, jobs housing phasing, vehicle miles traveled (VMT) thresholds, mode split targets, water and energy efficiency requirements, smart growth design features, park development thresholds, residential density minimums and maximums, floor area ratios for non-residential uses, and many other community design goals.

The applicant for the Specific Plan initiated the process in 2009; however, it was later put on hold in early 2010. The process was revived in late 2011 and a complete application is expected in early 2012. The materials submitted to date include a draft land use plan. The first large phase of development within the Specific Plan would include approximately 2,500 residential units, approximately 125 acres of commercial and industrial development, wastewater treatment facility, storm water detention, municipal water system, roads, parks, and other associated infrastructure and amenities. The proposed Travel Center is located within the proposed first phase of development.

As shown on the graphic below, the proposed project site is designated in the draft Specific Plan land use map as HC (Highway Commercial), RH (Residential High Density), RL (Residential Low Density), Lake, and POS (Public Open Space). Although the proposed project would be consistent with the HC and a portion of the POS designation, it would be inconsistent with the remaining proposed land uses.



Road 6 is designed to serve as both the primary gateway to the Dunnigan community, as well as the “town center.” It is envisioned to consist of neighborhood serving retail and mixed use development. The location of an 18-acre truck stop and travel center would not complement this concept. However, it should be strongly emphasized that the Dunnigan Specific Plan is still in its preliminary stage. The application has not yet been accepted as complete. Although the concept land use map has received public input, the plan text and development standards have not yet been made available to the public. The draft Specific Plan has not undergone environmental, fiscal, or policy review. Nor has it been formally considered by either the Planning Commission or the Board of Supervisors. As the Specific Plan has not yet been adopted, it is not certain what land use designations will ultimately be assigned to the project site and surrounding lands. While a comparison of the proposed travel center with the draft Specific Plan is an informative exercise, consistency with the draft Specific Plan should not be used as the basis for a decision regarding the subject project.

Sign Height

As a part of their proposal, the applicant has requested a free-standing sign, 60 feet in height, at the southeast corner of the subject site. Section 8-2.2406 of the Yolo County Code limits the maximum height for a sign within the C-H zone to 40 feet. However, Section 8-2.2003 of the County Code allows proposed projects in the PD zone to exceed normally required height regulations, where the development will be improved by a deviation from the regulation. Given the line-of-sight characteristics of the project site from Interstate 5, the proposed development would benefit from the requested increased sign height.

Condition of Approval No. 22 allows for the free-standing, 60-foot high sign. It also requires the applicant to install a “Welcome to Dunnigan” sign above the advertising space, in exceedance of the 60-foot limit and the 200 square-foot area requirement.

Revenue Allocation

Policy E-3 of the 2001 Dunnigan Community Plan states that: “Increased revenues produced by development within the scope of the adopted Dunnigan General Plan, as amended, should be encouraged to be reinvested into the Dunnigan community for the establishment and/or provisions of sustained services for the Dunnigan community.” This concept was raised during approval by the Board of Supervisors of the Ritchie Brothers Auction Yard in 2003. At that time, the Board of Supervisors voluntarily pledged to allocate general fund money to address service deficiencies in the Dunnigan community. County funds were used to establish the Dunnigan Community Park and to assist with improvements for the Dunnigan Fire District. However, as the County began to encounter budget difficulties in the ensuing years, support ended.

One of the primary concerns expressed by Dunnigan residents in recent years has been local road conditions, including the maintenance of roadside drainages. These concerns are reflected in General Plan policy. Policy CI-3.17 states: “Ensure that funding for the long term maintenance of affected roads is provided by planned development.” Similarly, Action CI-A23 states: “Create special districts in Specific Plan areas and other areas where appropriate to fund the operation and maintenance of county roads.”

The Board of Supervisors created Special Road Maintenance District #3 (Dunnigan Road District) in August of 1972, wherein assessments are used to maintain existing roads within the Dunnigan community. The District is underfunded, given the scope of its present responsibilities. As a result,

staff will be recommending to the Board of Supervisors that they adopt a resolution directing the Auditor's office to annually allocate up to ten percent of the sales and gas tax revenue generated each year by the Love's Travel Center, to the Special Road Maintenance District #3, to maintain streets and roadside drainages within the Dunnigan community.

Although the applicant is required to widen and resurface County Road 6, the volume of future truck traffic will have an ongoing effect on maintaining local roads that serve the proposed Travel Center. With the realignment of transportation funds in recent years to regional projects, the availability of road maintenance funds has greatly diminished. Staff believes that one approach to ensure consistency with the above requirements would be to annex the subject property into Special Road Maintenance District #3. In addition, staff recommends that the Board of Supervisors adopt a resolution directing the County Auditor to allocate ten percent of the sales and gas tax annually generated by the Love's Travel Center directly to the District. This would provide revenues created by the project are reinvested back into Dunnigan, as expressed by Policy E-3 above. Providing an ongoing source of funds to maintain local roads would also provide consistency with Policy CI-3.17 and Action Ci-A23.

SUMMARY OF AGENCY COMMENTS

A Request for Comments was prepared and circulated to interested agencies for the proposed project from November 1, 2011, to November 18, 2011. Additionally, a Courtesy Notice was sent to property owners within 1,000 feet of the project site. The project was also reviewed at the Development Review Committee meeting on November 30, 2011, and again on January 25, 2012, to review the project's Conditions of Approval. The Initial Study/Mitigated Negative Declaration (MND) was circulated for a 30-day public review period beginning January 10, 2012, and ending on February 9, 2012. The Notice of Availability for the MND was sent to property owners within 1,000 feet of the project.

Comments received during the review period from interested agencies/parties are displayed in the table below and have been incorporated into the project as appropriate. Copies of all comment letters are provided in Attachment G.

Date	Agency	Comment	Response
November 1, 2011	Assessor	Before the two parcels can be merged, one parcel needs to be annexed into the Dunnigan Water District.	See Condition of Approval No. 46.
November 4, 2011	Deanna Kirkland	The proposed project is inconsistent with the draft Dunnigan Specific Plan. It should instead be located at Road 8.	Ms Kirkland's comments are noted. Staff believes that the project is consistent with the General Plan. The draft Specific Plan is still in its preliminary stages.
November 4, 2011	LAFCO	The remainder of the project site should be annexed into the Dunnigan Water District.	See Condition of Approval No. 46.

November 10, 2011	California Historical Resources Information System	An archaeological study should be conducted to identify cultural resources. The local Native American tribe should be contacted regarding the proposal. The on-site building should be assessed for its historic value.	See Condition of Approval Nos. 62-64, regarding cultural resource requirements. The building is not listed on the Yolo County Historic Resources Survey, or the State and/or Federal Register of Historic Places.
November 11, 2011	Bill Cotter	Road 6 is not an appropriate location for the proposed truck stop. It should be located at Road 8 and would conflict with the draft Dunnigan Specific Plan.	Staff believes that the project is consistent with the General Plan. The draft Specific Plan is still in its preliminary stages.
November 14, 2011	Garreth Schaad	The project should be denied, as truck oriented businesses should not be located at Road 6, and additional primary waste water treatment facilities should not be permitted. It also conflicts with the draft Dunnigan Specific Plan.	Mr. Schaad's comments are noted. Staff believes that the project is consistent with the General Plan. The draft Specific Plan is still in its preliminary stages.
November 18, 2011	Dunnigan Fire Protection District	The project should be located at Road 8. The District should approve a final fire hydrant plan. On-site water storage should be sized to supply fire apparatus. Knox box(es) should be included in the development plans. An emergency road should extend from Road 5 to Road 6. Auxiliary lanes should be constructed on I-5. A traffic signal should be installed on Road 6. Road 6 should be widened to four lanes.	The preferred location of the project is noted. The fire hydrant plan, water storage requirement, and Knox box are included in Condition of Approval Nos. 47 – 50. There is no road planned at this location between Roads 5 and 6. The conclusions reached in the traffic study (and accepted by both Caltrans and the County) do not warrant improvements to I-5 or a traffic signal. Although four lanes are not warranted, the applicant is required to

			construct a separate right turn lane on Road 6 (see Condition of Approval No. 68).
November 18, 2011	Yolo-Solano Air Quality Management District	The District suggests the incorporation of several features into the project, including signage informing drivers of idling limits; electrified truck parking; alternative fuel infrastructure; structures and landscaping should meet LEED standards, and bicycle parking should be provided on-site.	LEED standards are generally equivalent to the 2011 CalGreen Building Code, which is required under Condition of Approval No. 27. Provisions for signage, bicycle parking, and alternative fuel infrastructure are required under Condition of Approval No. 53.
November 18, 2011	Caltrans	There appears to be a contradiction in the traffic study between the cumulative analysis and 2035 conditions. An Encroachment Permit will be required for any work within the State right-of-way.	The traffic study has been revised to address the concern by Caltrans. The requirement for an Encroachment Permit is in Condition of Approval No. 56.
November 18, 2011	Dunnigan Water District	Access should be maintained to the on-site 30-inch water deliver line, for repairs and maintenance. The waste water pond should be adequately separated from the water line. There are concerns regarding the effect of the project on flooding in Dunnigan creek.	See Condition of Approval Nos. 17, 51, and 52.
December 5, 2011	Yolo County Natural Heritage Program	The proposed Swainsons hawk mitigation is acceptable	The comment is noted.
December 5, 2011	Environmental Health	Existing underground fuel tanks will need to be removed or placed back into service under permit.	See Condition of Approval No. 46.
January 3, 20112	Caltrans	The traffic study, as revised, has satisfied our prior concerns. We have no further comments.	The comment is noted.

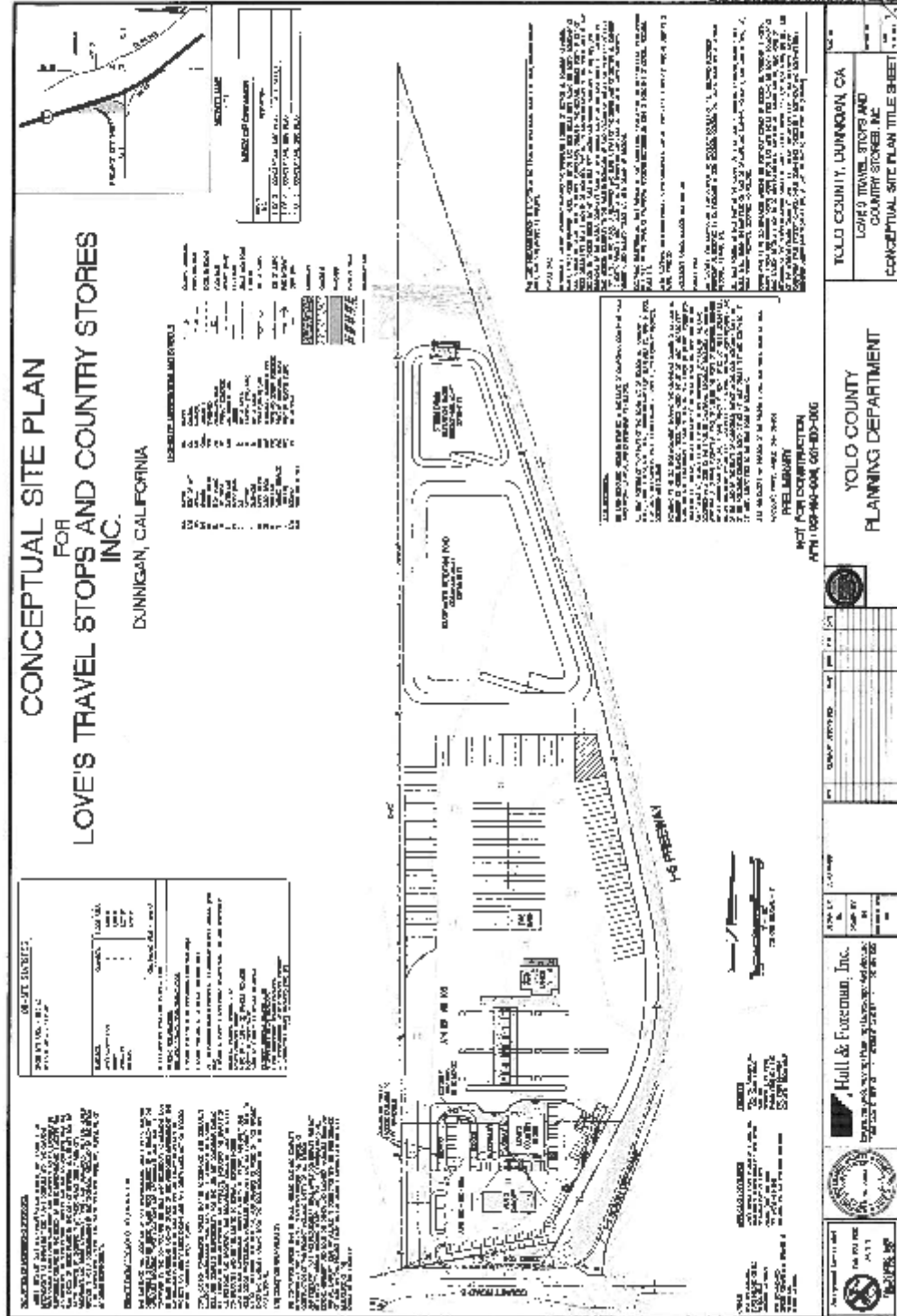
January 12, 2012	Yolo County Resource Conservation District	The proposed location of the truck stop is inconsistent with the General Plan. Monitoring wells should be required for the waste water treatment pond.	The District's comments are noted. Staff believes that the project is consistent with the General Plan. Regarding the waste water treatment plant, see Condition of Approval No. 69.
January 18, 2012	Karen Diepenbrock, on behalf of Grant Development	The proposed project is inconsistent with the General Plan and should instead be located at the County Road 8/ Interstate 5 interchange.	See detailed staff responses in Attachment F.
January 20, 2012	Yolo-Solano Air Quality Management District	The District suggests the incorporation of several features into the project, including signage informing drivers of idling limits; electrified truck parking; alternative fuel infrastructure; and structures and landscaping should meet LEED standards. They also note that Yolo County is in partial nonattainment for PM 2.5, and that alternative fuel infrastructure requires District permits.	LEED standards are generally equivalent to the 2011 CalGreen Building Code, which is required under Condition of Approval No. 27. Provisions for signage and alternative fuel infrastructure are required under Condition of Approval No. 53.
January 23, 2012	Central Valley Regional Water Quality Control Board	The proposed project may require a Construction Storm Water General Permit; Municipal Storm water Sewer System Permits; Industrial Storm Water Permit; Section 404 Permit; Section 401 Permit; and Waste Discharge Requirements.	See Condition of Approval Nos. 17, 34, 43, and 69.
January 30, 2012	Karen Diepenbrock, on behalf of Grant Development	The proposed project should be denied, as it is inconstant with the General Plan, and traffic impacts have not been adequately analyzed.	See detailed staff responses in Attachment F

January 30, 2012	Dunnigan Advisory Committee	The Advisory Committee recommends denial of the proposed project, because it is inconsistent with the General Plan, creates safety hazards, and is not consistent with future development plans for the community.	See detailed staff responses in Attachment F.
February 1, 2012	Pierce Joint Unified School District	The Dunnigan Specific Plan proposes the area west of I-5 and north of Road 6 as the future site of the first elementary school. The area south of Road 6 is proposed as the site of the first middle school. Allowing a truck stop in close proximity to schools seems short sighted. The southern end of Dunnigan seems more suitable for this type of development. The Pierce Joint Unified School District opposes the proposed project.	There currently is no school officially planned for Dunnigan. There are proposals in the draft Dunnigan Specific Plan for an elementary school that would be located 1,600 feet west of the project site, as well as a middle school that would be located 1,800 feet southwest of the project site. However, the draft Dunnigan Specific Plan has not undergone environmental review or public review and has not been adopted by the County Board of Supervisors. Nor has a facilities plan for any new Dunnigan schools been approved by the Pierce Joint Unified School District

ATTACHMENTS

- A: Site Plan
- B: Location Map
- C: Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan
- D: Findings
- E: Ordinance Amending the Planned Development No. 51 (PD-51) overlay zone
- F: Detailed Staff Responses to Correspondence
- G: Correspondence (on file with Planning and Public Works)

SITE PLAN



CONCEPTUAL SITE PLAN
FOR
LOVE'S TRAVEL STOPS AND COUNTRY STORES
INC.
DUNNIGAN, CALIFORNIA

DE-SET SERVICES

DATE	BY	REVISIONS
11/15/07	WJG	ISSUED FOR PERMITS
11/15/07	WJG	REVISED PER COMMENTS

1. THIS SITE PLAN IS A CONCEPTUAL DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE LOCAL AGENCIES. 2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AGENCIES. 3. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AGENCIES. 4. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AGENCIES. 5. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AGENCIES.

USE-SCHEDULE: LANDSCAPE ARCHITECTURE AND CIVIL ENGINEERING

NO.	DATE	DESCRIPTION
1	11/15/07	ISSUED FOR PERMITS
2	11/15/07	REVISED PER COMMENTS

THIS SITE PLAN IS A CONCEPTUAL DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE LOCAL AGENCIES. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AGENCIES. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AGENCIES. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AGENCIES.

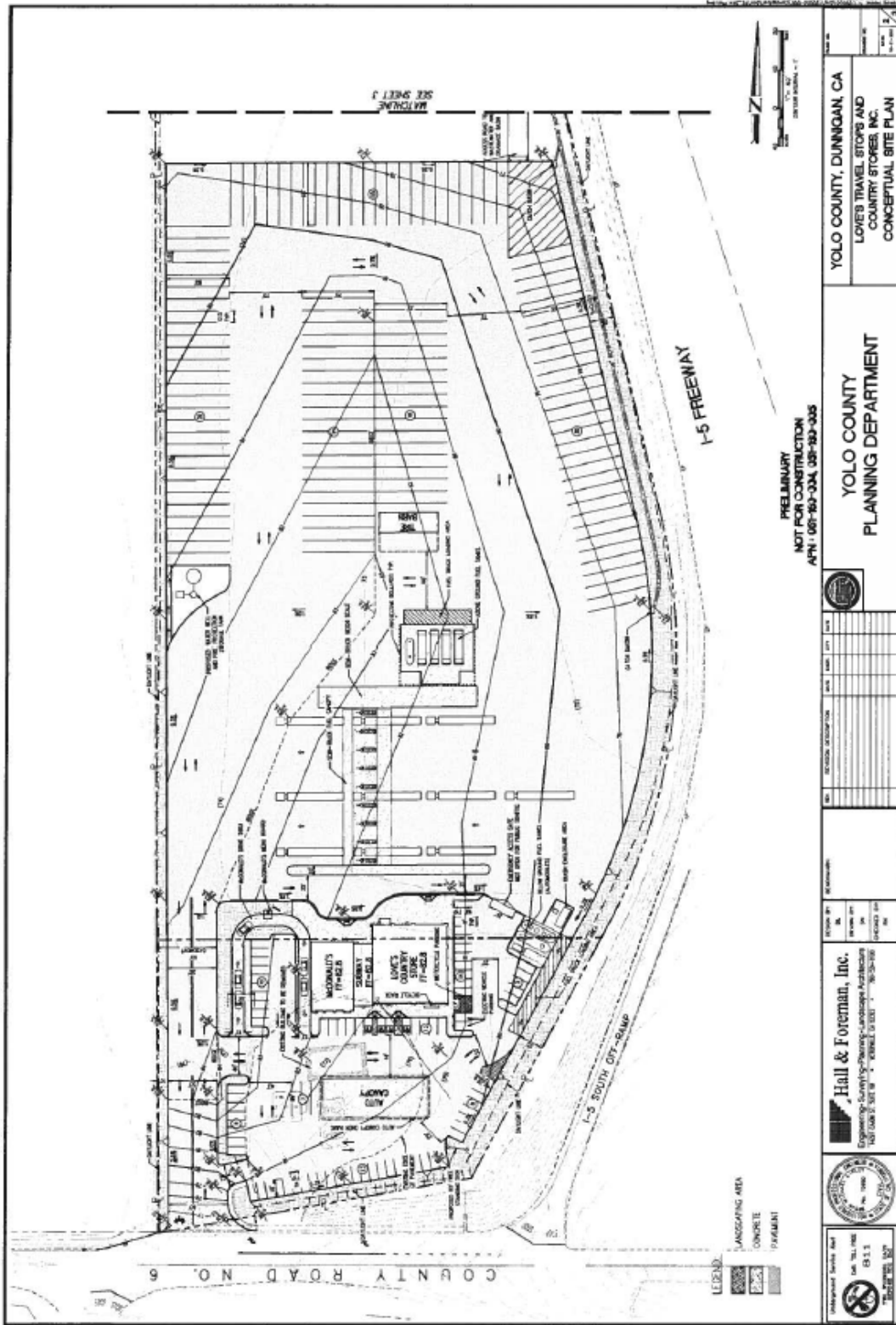
YOLO COUNTY, DUNNIGAN, CA
LOVE'S TRAVEL STOPS AND COUNTRY STORES INC.
CONCEPTUAL SITE PLAN TITLE SHEET

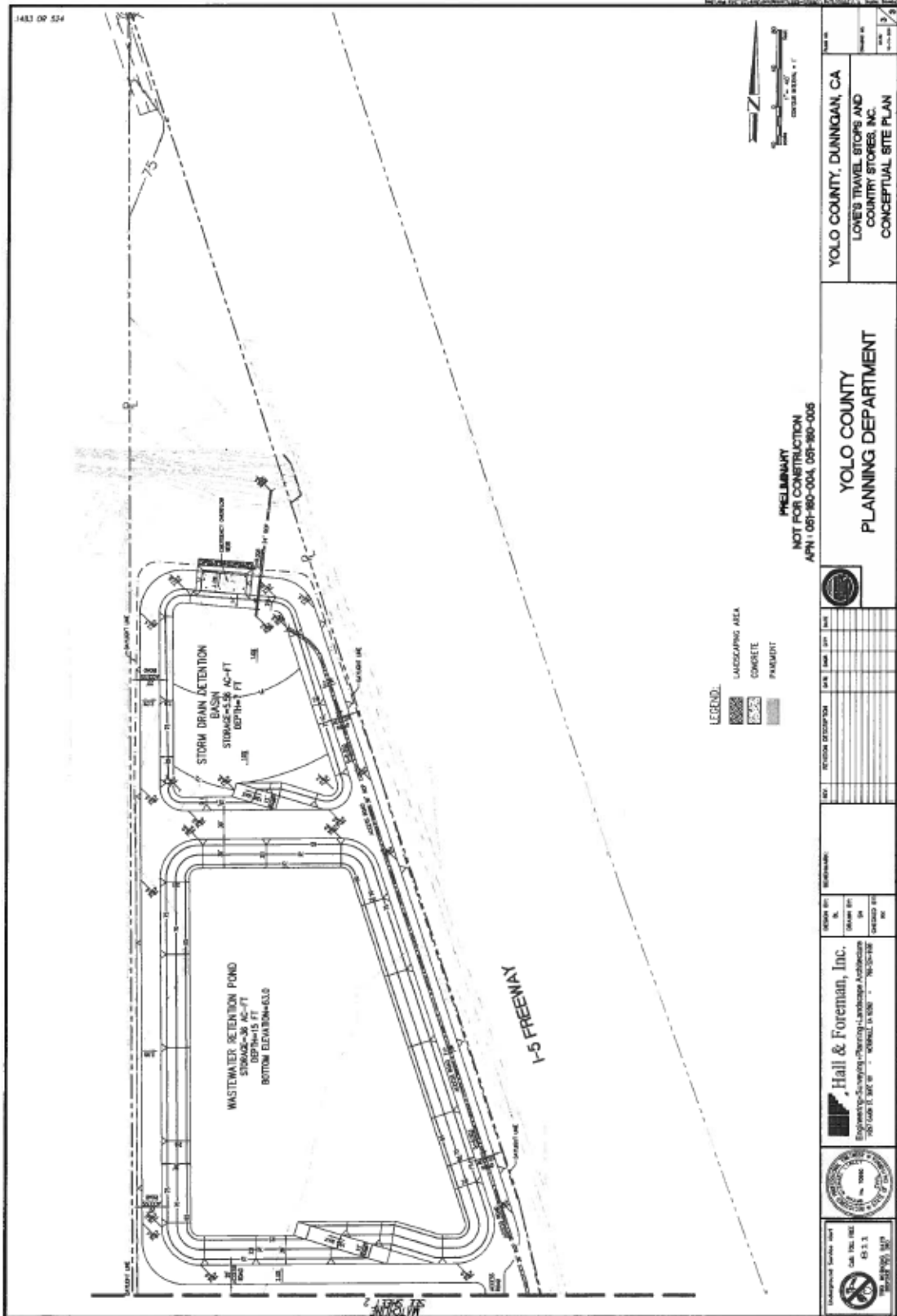
YOLO COUNTY
PLANNING DEPARTMENT



NO.	DATE	DESCRIPTION
1	11/15/07	ISSUED FOR PERMITS
2	11/15/07	REVISED PER COMMENTS

Hall & Foreman, Inc.
REGISTERED PROFESSIONAL ENGINEER
NO. 45117
CIVIL ENGINEERING
1400 H STREET, SUITE 200
DUNNIGAN, CA 95928
TEL: 916-845-3333
WWW.HALLANDFOREMAN.COM





PRELIMINARY
NOT FOR CONSTRUCTION
APN 1 051-880-004, 051-880-005



NO.	REVISION DESCRIPTION	DATE	BY

NO.	REVISION

Hall & Foreman, Inc.
Engineering • Surveying • Planning • Landscape Architecture
2601 CALIFORNIA ST., SUITE 200 • WASHINGTON, DC 20004
(202) 546-6000 • FAX (202) 546-6001

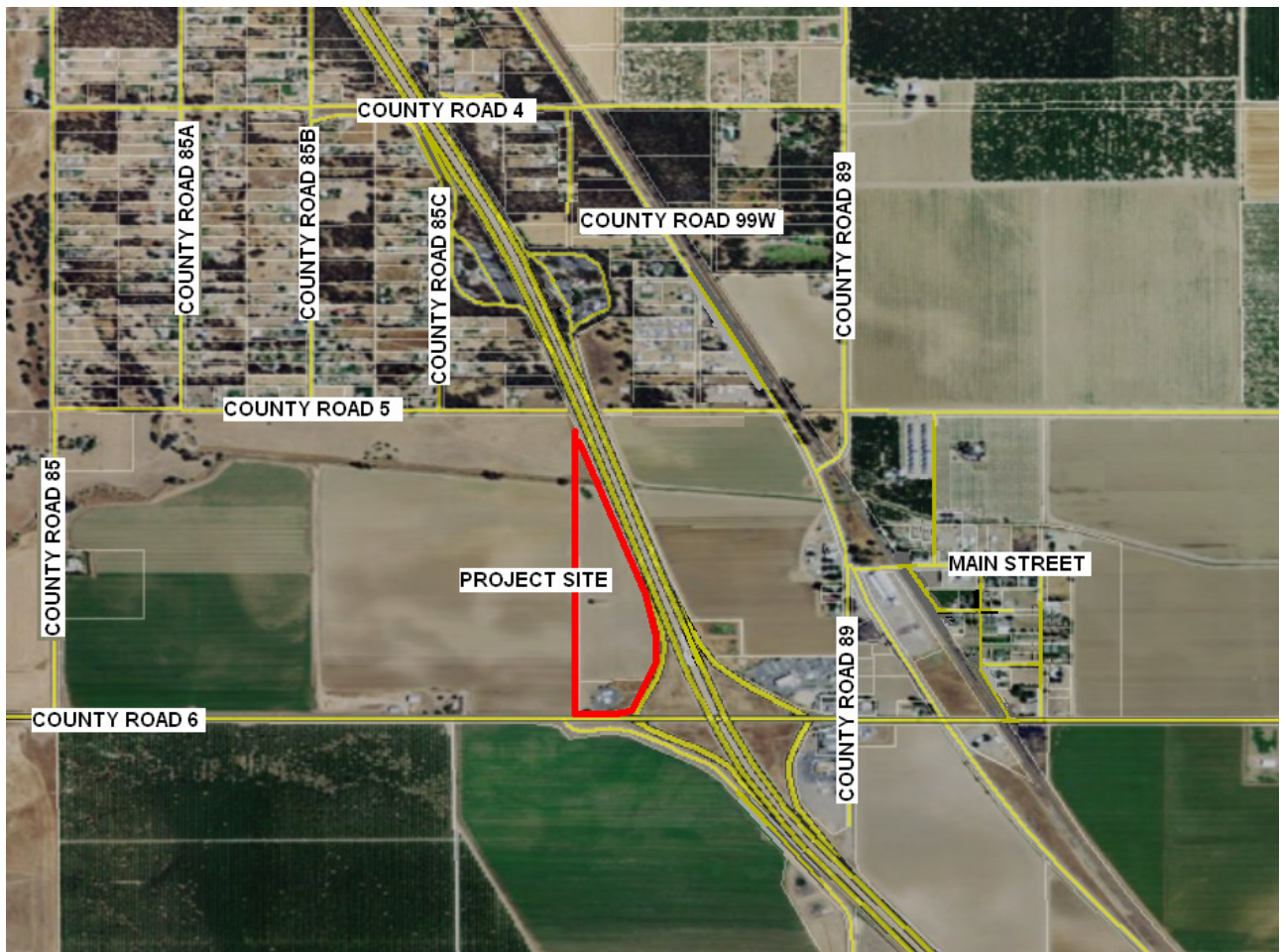


Map/Graphic Scale: 1" = 100'-0"
Date: 11/15/05
Sheet No.: 1 of 3
Project No.: 051-880-004

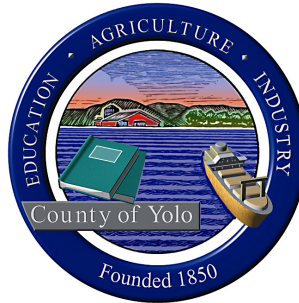
YOLO COUNTY, DUNNINGAN, CA
LOWE'S TRAVEL STOPS AND
COUNTRY STORES, INC.
CONCEPTUAL SITE PLAN

YOLO COUNTY
PLANNING DEPARTMENT

LOCATION MAP



ATTACHMENT “C”



**YOLO COUNTY
PLANNING & PUBLIC WORKS DEPARTMENT**

**INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION
ZONE FILE # 2011-046**

LOVE’S TRAVEL STOP AND COUNTRY STORE

January 10, 2012

Initial Environmental Study/Negative Declaration

1. **Project Title:** Zone File #2011-0046 (Love's Travel Stop and Country Store)
2. **Lead Agency Name and Address:**
Yolo County Planning and Public Works Department
292 West Beamer Street
Woodland, CA 95695
3. **Contact Person, Phone Number, E-Mail:**
David Morrison, Assistant Director
(530) 666-8041
david.morrison @yolocounty.org
4. **Project Location:** The project is located at the northwest corner of County Road 6 and Interstate 5, in the town of Dunnigan.
5. **Project Sponsor's Name and Address:**
Love's Truck Stops and Country Stores, Inc.
Attn: Kym Van Dyke
10601 North Pennsylvania Avenue
Post Office Box 26210
Oklahoma City, OK 73126
6. **Owners:**
Stars Holdings Co. LLC
Post Office Box 5728
Concord, CA. 94524

Richard and Suzanne Cordes
Post Office Box 685
Alamo, CA. 94507
7. **General Plan Designation(s):** Commercial General/Specific Plan Overlay
8. **Zoning:** Commercial Highway/Planned Development No. 51 (C-H/PD-51)
9. **Project Summary:** See attached summary on following pages
10. **Surrounding Land Uses and Setting:**

Relation To Project	Land Use	Zoning	General Plan Designation
Project Site	Inactive Service Station, Fallow Agricultural Land, and Open Space	Commercial Highway (C-H)/ Planned Development No. 51	Commercial General/ Specific Plan Overlay
North	Rural Residential	Rural Suburban – 43,000 Square Foot Minimum Lot Size – Minimum 100 Foot Lot Width (RS-B43/100)	Rural Residential/ Specific Plan Overlay

South	Agricultural Row Crops	Agricultural General (A-1)	Specific Plan
East	Interstate 5, Commercial Highway, and Agricultural Row Crops	Commercial Highway (C-H)	Commercial General/ Specific Plan Overlay
West	Agricultural Row Crops	Agricultural General (A-1)	Specific Plan

- 10. Other public agencies whose approval is required:** Yolo County Public Works Division; Yolo County Building Division; Yolo County Environmental Health Division; Local Agency Formation Commission; Central Valley Regional Water Quality Control Board; Yolo-Solano Air Quality Management District; California Department of Transportation; and California Department of Health.
- 11. Other Project Assumptions:** The Initial Study assumes compliance with all applicable State, Federal, and Local Codes and Regulations including, but not limited to, County of Yolo Improvement Standards, the California Building Code, the State Health and Safety Code, and the State Public Resources Code.

Introduction

The lead agency is the public agency with primary responsibility over a proposed project. In accordance with state CEQA Guidelines 15051(b)(1), “the lead agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose.” The lead agency for the proposed project is Yolo County.

The term “project” is defined by CEQA as the whole of an action that has the potential, directly or ultimately, to result in a physical change to the environment (CEQA Guidelines Section 15378). This includes all phases of a project that are reasonably foreseeable, and all related projects that are directly linked to the project.

The “project” which is the subject of this Environmental Initial Study involves the following: a Rezoning to Amend the Planned Development No. 51 (PD-51) Overlay Zone; and subsequent applications for ministerial permits to construct a truck and travel center. Each of these components is described below.

The County has determined that an MND is the appropriate level of CEQA review for the proposed project. Potentially significant impacts have been identified in this MND related to cultural and biological resources. A lead agency prepares an MND when an initial review of the project identified potentially significant effects, but revisions in the project plans have been agreed to by the applicant that would avoid or mitigate those effects to a point where clearly no significant impact to the environment would occur, and there is no substantial evidence to determine that a project may have a significant effect on the environment. This MND follows the methods and format proposed in Appendix G of the CEQA Guidelines and relies on expert opinion based on facts, technical studies, and other substantial evidence to document its findings.

This MND has been prepared in accordance with California Environmental Quality Act (CEQA), Public Resources Code 21000 et seq., and the state CEQA Guidelines, Title 14 California Code of Regulations (CCR).

Project Description

Application

The applicant has requested to develop an 18.8-acre site as a Love's Travel Center. This would include: two fast-food restaurants (McDonald's and Subway), a convenience market, a tire barn, and 24 fuel pumps (16 auto and 8 truck). The total building area is estimated at 13,000 square feet. The site would operate 24-hours/day and employ between 25 and 50 people. There would be 120 truck parking spaces, 81 auto parking spaces, and 3 RV parking spaces. Tires would be sold and installed only; no repairs or oil changes would occur on site. No overnight centralized power/air conditioning facilities are proposed. There would be approximately 80,000 gallons of on-site fuel storage, which would be located above-ground. The applicant has also requested for approval of a 60-foot high free-standing sign.

The facility would be served by an on-site domestic water system, waste water treatment pond, and storm water detention pond. The Central Valley Regional Water Quality Control Board has waived the requirement for lined wastewater ponds, based on the soil infiltration rates. Access would be provided by a private driveway onto County Road 6.

Requested Approvals

The applicant will require the following approvals and authorizations from Yolo County in order to implement the proposed project:

- Approval of an amendment to the Planned Development No. 51 (PD-51) Overlay Zone as it applies to the project site;
- Deletion of mitigation measures and conditions of approval associated with Zone File 97-044 which are no longer relevant to the project as currently proposed;
- Lot Merger to combine the two legal parcels referenced by Assessor Parcel Numbers 051-160-004 and 051-160-005 into a single legal parcel;
- Approval of a Hazardous Materials Business Plan for the handling, storage, and use of hazardous materials on the project site;
- Approval of a Flood Hazard Development Permit to allow for construction of the emergency weir within the 100-year floodplain associated with Dunnigan Creek;
- Approval of an Encroachment Permit to allow for driveway and roadway improvements within the right-of-way of County Road 6;
- Approval of Building Permit and Grading Plans to construct the proposed travel center and improvements;
- Issuance of a Demolition Permit to remove existing buildings and structures at the project site.

In addition, the following public entities and agencies may require review of the project or may have jurisdiction or permitting authority over the project, including but not limited to the following:

- Approval of a 404 Permit by the U.S. Army Corps of Engineers for the emergency weir;
- Approval of a 1600 Permit (Streambed Alteration Agreement) by the California Department of Fish and Game for the emergency weir;

- Approval by the Local Agency Formation Commission to annex the northern 16 acre parcel into the Dunnigan Water District;
- Approval of a Waste Discharge Permit by the Regional Water Quality Control Board, Central Valley Region for the waste water treatment ponds and the storm water detention pond, also approval of a 401 Permit for the emergency weir;
- Approval of an Encroachment Permit from Caltrans for work within the right-of-way for Interstate 5;
- Approval by the California Department of Public Health for the public water system;
- Approval of a Permit to Operate by the Yolo-Solano Air Quality Management District for the fuel storage and dispensing, and associated operations.

Relevant Plans and Ordinances

The Dunnigan Community Plan (DCP) was adopted by the Yolo County Board of Supervisors in February of 2001. The DCP establishes goals, policies, and actions specific to land use and development in the Dunnigan community. The DCP designates the project site as Highway Service Commercial. Among the DCP policies relevant to the proposed project include, but are not limited to, the following:

D-LU.17: The highway service commercial designation shall allow all of the uses described in Section 8-2.1502 and 8-2.1504 of the County Zoning Regulations subject to approval of a Planned Development (PD) application, which may modify the range of allowable uses in particular cases.

D-D.9: Under an approved planned development project, lot size and configuration, required yards, building height, lot coverage, and parking may be specified for the project without conformance to County standards if one or more of the following findings can be made:

1. The project provides facilities or amenities suited to a particular occupancy group (such as low-income groups, the handicapped or elderly) which would be infeasible under conventional development standards.
2. Features of the particular design achieve the intent of conventional development standards (adequate parking, compatibility with surrounding neighborhood character, etc.) as well or better than the standards themselves.
3. The project provides exceptional public benefits such as parking, open space, landscaping, public art, or other amenities that would not be feasible under conventional development standards.

The 2030 Countywide General Plan (2030 GP) was adopted by the Yolo County Board of Supervisors in November of 2009. The 2030 GP establishes goals, policies, and actions that address land use and development throughout the unincorporated area. The 2030 GP designates the project site as Commercial General. Among the 2030 GP policies relevant to the proposed project include, but are not limited to, the following:

Policy CC-1.8 Screen visually obtrusive activities and facilities such as infrastructure and utility facilities, storage yards, outdoor parking and display areas, along highways, freeways, roads and trails.

Policy CC-3.1: Require that a Specific Plan be prepared for the entire area within the growth boundary for the communities of Dunnigan, Knights Landing and Madison, to replace each of the existing Area General Plans, as shown in Figure LU-4. The growth allowed in Elkhorn shall also require a Specific Plan.

Policy CC-3.10: Continue to concentrate new commercial trucking uses at the County Road 8 and Interstate 5 interchange.

Policy CC-2.4 Emphasize the unincorporated communities as retail, service and employment centers for local residents, as well as residents of surrounding rural (agricultural) areas. Where appropriate, include economic development in the unincorporated communities that serves intra-county and regional tourism.

Policy CC-2.6 Encourage infill development and the appropriate redevelopment of vacant and underutilized properties within existing unincorporated communities and prioritize infill projects over development on land at the planned community edge.

Policy CC-2.10 Strive to achieve a minimum jobs/housing balance of 1.2 jobs for every dwelling unit on average within each unincorporated community, to the greatest extent feasible.

Policy CC-2.12 Strive to create an average yield community-wide of 16 jobs per acre for industrial, commercial and other job-generating land uses.

Policy CC-2.14 Encourage local hiring and buying practices within local communities and within the County as a whole, including County operations, where legally and economically feasible.

Policy CC-2.16 Require the following sustainable design standards as appropriate for projects located within the growth boundaries of the unincorporated communities:

- X. Protect and preserve to the greatest feasible extent creeks, riparian areas and other biological values within or adjoining an area.
- Y. Incorporate low-water use appliances, drought tolerant landscaping and other water efficient features.
- BB. Include recharging stations, preferred parking, and other incentives for alternative energy vehicles.

Policy CC-3.9 Encourage developers to show significant net benefit to the community, after accounting for all mandated capital and operational costs, including but not limited to the items listed in Table LU-11 (Community Planning Guidelines) to provide minimum quality of life services and sustainability standards.

Policy CC-4.4 Encourage all new construction to be zero net energy by combining building energy efficiency design features with on-site clean distributed generation so as to result in no net purchases from the electricity or gas grid.

Policy CC-4.6 Encourage all new residences to exceed Title 24 energy standards by at least 15 percent, and encourage all new commercial buildings to exceed Title 24 by at least 20 percent

Policy CC-4.27 Design highway service commercial uses at identified rural interchanges to preserve surrounding agriculture, rural character, scenic quality and the natural environment.

Policy CC-4.28 Provide appropriate buffers or barriers between incompatible residential and non-residential uses. The last-built use shall be responsible for design and construction (and/or other related costs) of the buffer/barrier.

Policy CC-4.29 Non-residential corner lots in the downtown and other "gateway" settings shall receive special design treatment which may include enhanced landscaping, entry features that establish community identity, fountains, plazas, enhanced pedestrian furniture (bench and arbor) or similar features. Corner residential lots are encouraged to have duplex or other multi-family units with entries on each street face.

Previous Approvals

Zone File No. 97-044, including Ordinance No. 681.185, regarding Planned Development Overlay Zone No. 51 (PD-51) was adopted by the Board of Supervisors on August 29, 2000. The purpose and intent of the PD-51 zone is to allow for the highway commercial development and subdivision of the project site. Principal, accessory, and conditional uses allowed under the PD-51 zone include those provided for in the C-H (Commercial Highway) Zone. Any highway service commercial subdivision within the PD-51 zone is subject to specific conditions of approval and mitigation measures.

The project originally approved for the PD-51 Zone proposed a Tentative Subdivision Map for five parcels and a remainder on a 16.2-acre property. The site was to be developed into eight freestanding highway commercial uses, including three fast-food restaurants, a 12-pump service station, two sit-down family restaurants, a 60-room motel, and a general store. The proposed building area totaled approximately 45,000 square feet. Businesses would have been served by a private street, domestic water system, waste water treatment pond, and storm water detention pond.

Mitigation Measures Proposed to be Deleted

The following mitigation measures which were certified as a part of the Mitigated Negative Declaration for Zone File 97-44 are no longer relevant to the current proposed project. The majority of the prior approved mitigation measures establish requirements and standards for a private road on the project site, which would have served several separate legal parcels. The current application proposes to develop the entire site as a single facility and does not include a private road as a part of the project design. Other mitigation measures address changes that were required to County Road 6 in response to the previously approved private road. The last mitigation measure listed below concerns a noise study for an on-site hotel that was approved as a part of Zone File 97-044. The current application does not include a hotel, therefore, this measure is no longer required.

Measure 6.b.4:

No later than the submittal of engineered improvement plans to the Planning and Public Works Department, as required by Mitigation Measures 6.b.1 and 6.b.2, the applicant shall provide for review and approval a stop sign and string plan for the project access road and CR 6 intersection for southbound project traffic. The stop sign and striping plan shall be subject to review and approval by the Director of the Planning and Public Works Department and the Dunnigan Fire District prior to final map recordation. The applicant shall install the stop sign and stripe accordingly concurrent with construction of site and infrastructure improvements. Stop signing and striping shall be completed prior to issuance of the first building permit.

Measure 6.b.5:

No later than the submittal of engineered improvement plans to the Planning and Public Works Department, as required by Mitigation Measures 6.b.1 and 6.b.2, the applicant shall provide for review and approval a CR 6 eastbound speed zone signing plan. A sufficient quantity of signs shall be proposed and installed on County Road 6 by the applicant providing ample warning to oncoming eastbound vehicles regarding the approaching reduced speed limit zone, and with the actual posted speed limit sign located at an adequate distance to the west of the project site access road/CR 6 intersection. The speed signing plan shall be subject to review and approval by the Director of the Planning and Public Works Department prior to final map recordation. The applicant shall be responsible for installation of all signs concurrent with construction of site and infrastructure improvements. All speed control signs shall be installed prior to issuance of the first building permit.

Measure 6.c.1:

No later than the submitted of engineered improvement plans to the Planning and Public Works

Department, as required by Mitigation Measures 6.b.1 and 6.b.2, the applicant shall provide for review and approval an emergency service vehicle signing, marking, and striping plan for the proposed private access road. The entire length of the proposed access road shall be posted as “No Parking,” west and east sides. The final signing plan, including the quantity and frequency of “No Parking” signs, shall be subject to review and approval by the Director of the Planning and Public Works Department and the Dunnigan Fire District prior to final map recordation.

Measure 6.c.2:

No later than the submittal of each Site Plan review application to the Planning and Public Works Department, the applicant shall provide for review and approval an emergency service vehicle signing, marking and striping plan for the entire parcel including provision for painted and posted “Fire Lanes” and “No Parking” areas. The plan shall provide for a design to allow for connection to subsequently developed parcels and shall include any interim means of emergency access, if necessary. At a minimum, all designated “Fire Lanes” shall be constructed and maintained as an all-weather surface adequate to support large fire apparatus. The final emergency access plan shall be subject to review and approval by the Director of the Planning and Public Works Department and the Dunnigan Fire District prior to building permit issuance.

Measure 6.d.1:

No later than the submittal of engineered improvement plans to the Planning and Public Works Department, as required by Mitigation Measures 6.b.1 and 6.b.2, the applicant shall provide for review and approval a master semi-truck and RV parking lot plan to be constructed adjacent to the proposed cul-de-sac bulb, and on the proposed “Designated Remainder,” located at the north end of the subdivision. The parking lot shall be designed to provide a sufficient quantity of semi-truck and RV parking spaces based on the proposed mix of land uses, and have ample circulation and turn-around area for the purpose of maneuvering. The parking lot plan shall be subject to review and approval by the Director of the Planning and Public Works Department prior to final map recordation. The applicant shall construct the semi-truck and RV parking lot concurrent with construction of site and infrastructure improvements. The parking lot shall be completed prior to issuance of the first building permit.

Measure 6.e.1:

No later than the submittal of engineering improvement plans to the Planning and Public Works Department, as required by Mitigation Measures 6.b.1 and 6.b.2, the applicant shall provide for review and approval, sidewalks along the west and east sides of the proposed project cul-de-sac. Final sidewalk designs shall be subject to review and approval by the Director of the Planning and Public Works Department prior to final map recordation. The applicant shall construct the sidewalks concurrent with construction of the site and infrastructure improvements. Construction of the sidewalks shall be completed prior to issuance of the first building permit.

Measure 10.b.1:

To ascertain noise attenuation methods as required by the Uniform Building Code (UBC), prior to building permit issuance for a motel facility, the applicant shall submit to the Planning and Public Works Department complete data and current measurements of existing noise levels for I-5 including travel lanes and the southbound I-5 off-ramp. The measurements shall be taken by a qualified professional noise/acoustical firm, and as determined by the Director of the Planning and Public Works Department, shall be of adequate length and duration and be from the motel building site, east building elevation, nearest to I-5.

**FIGURE 1
VICINITY MAP**

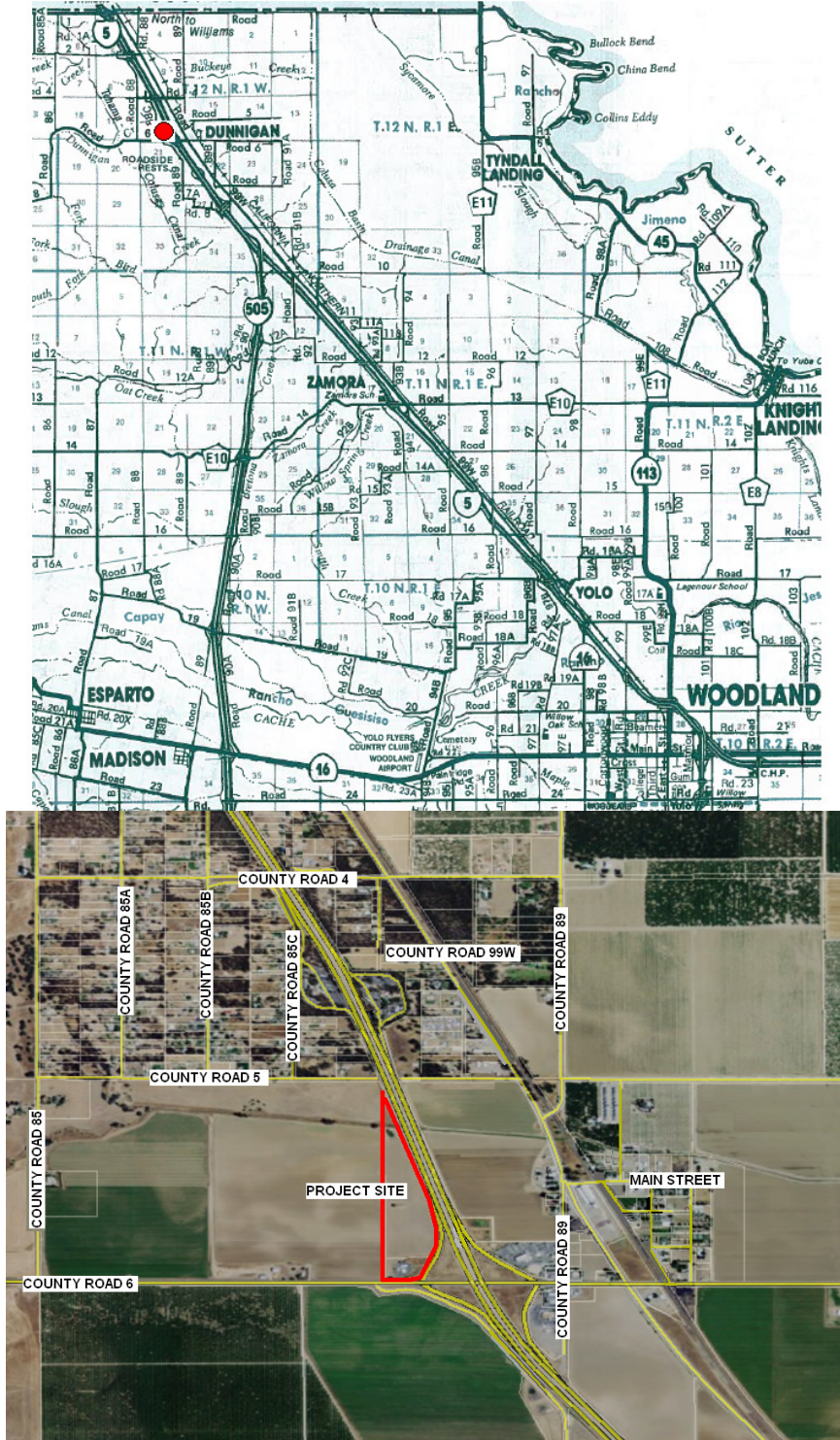
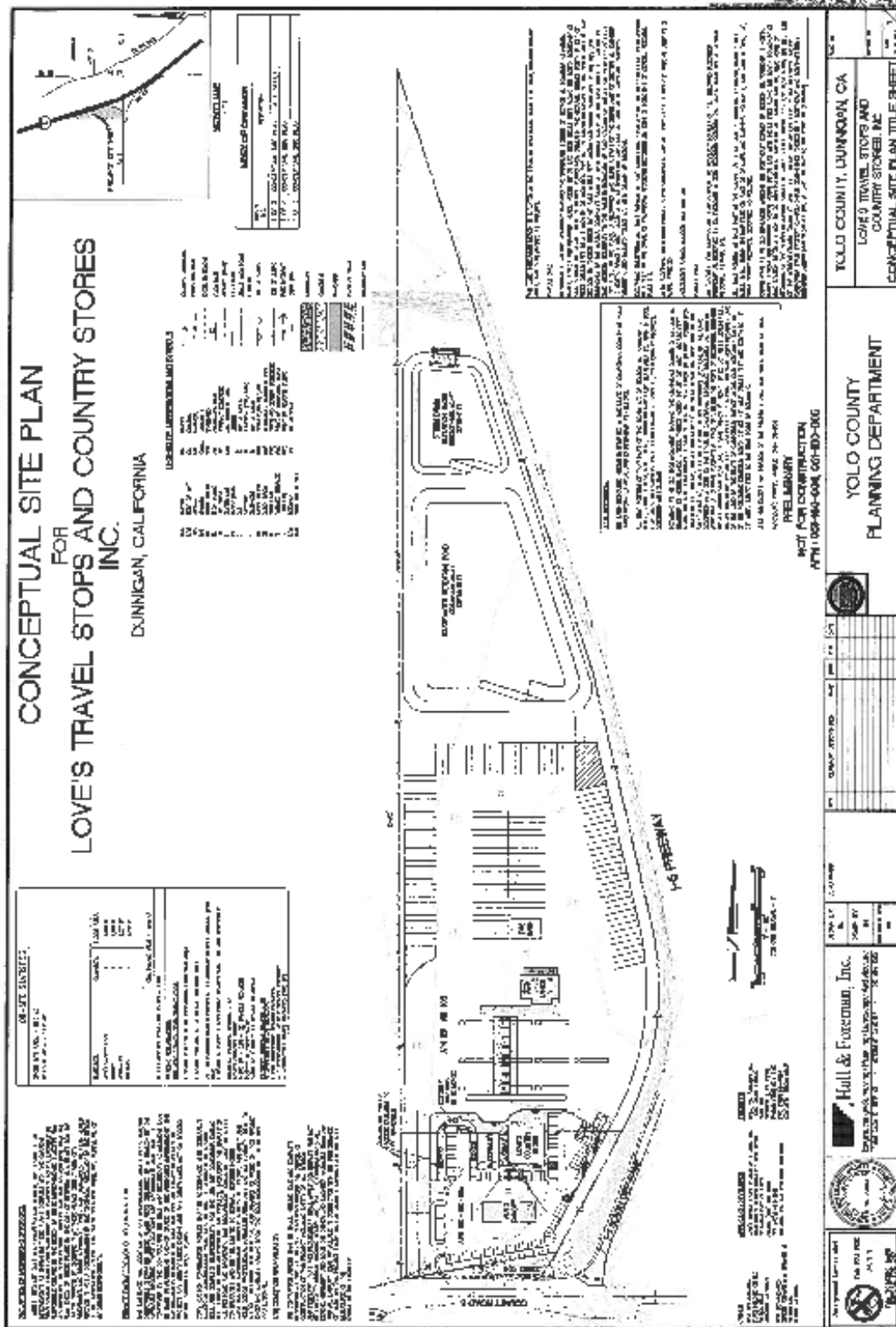
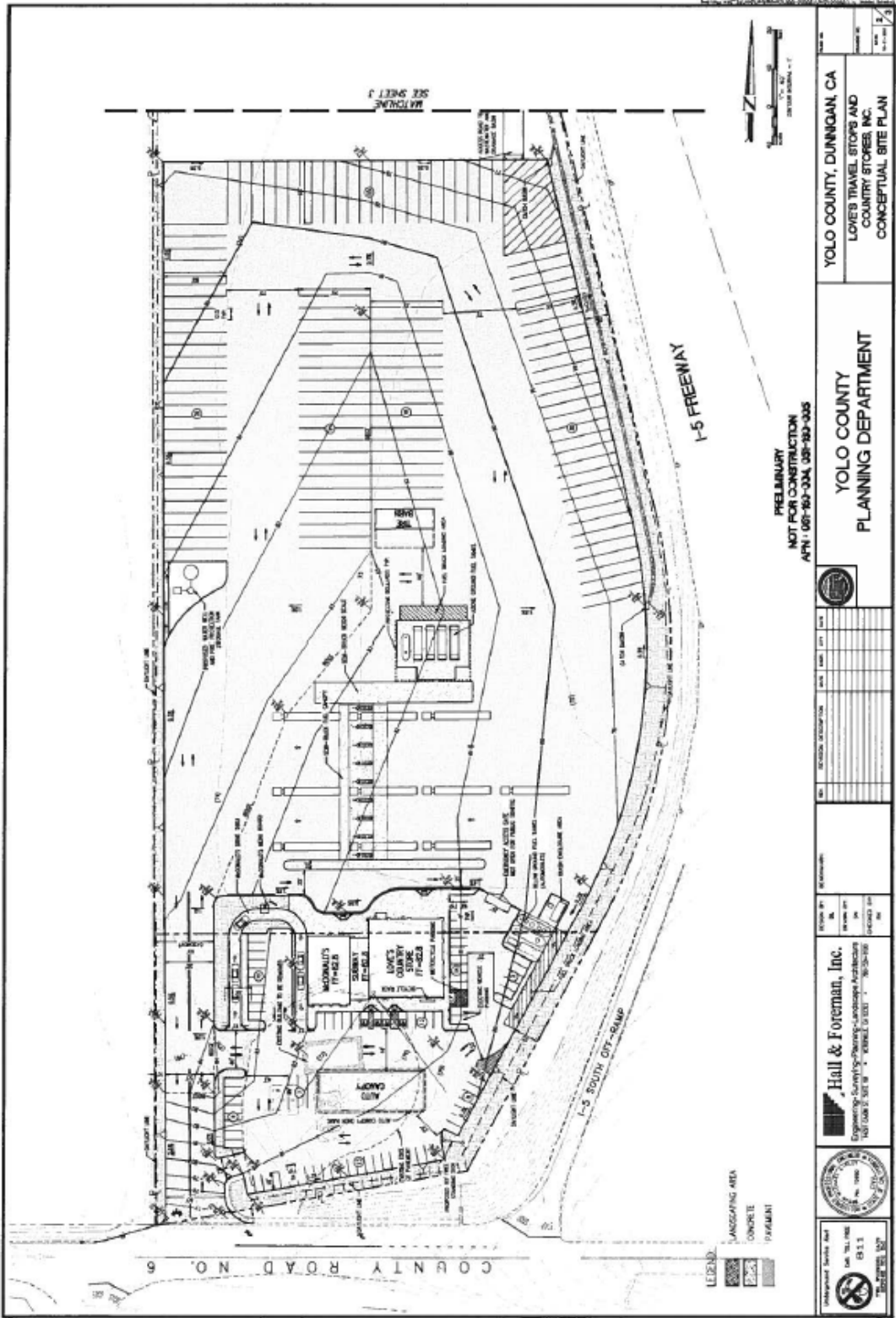
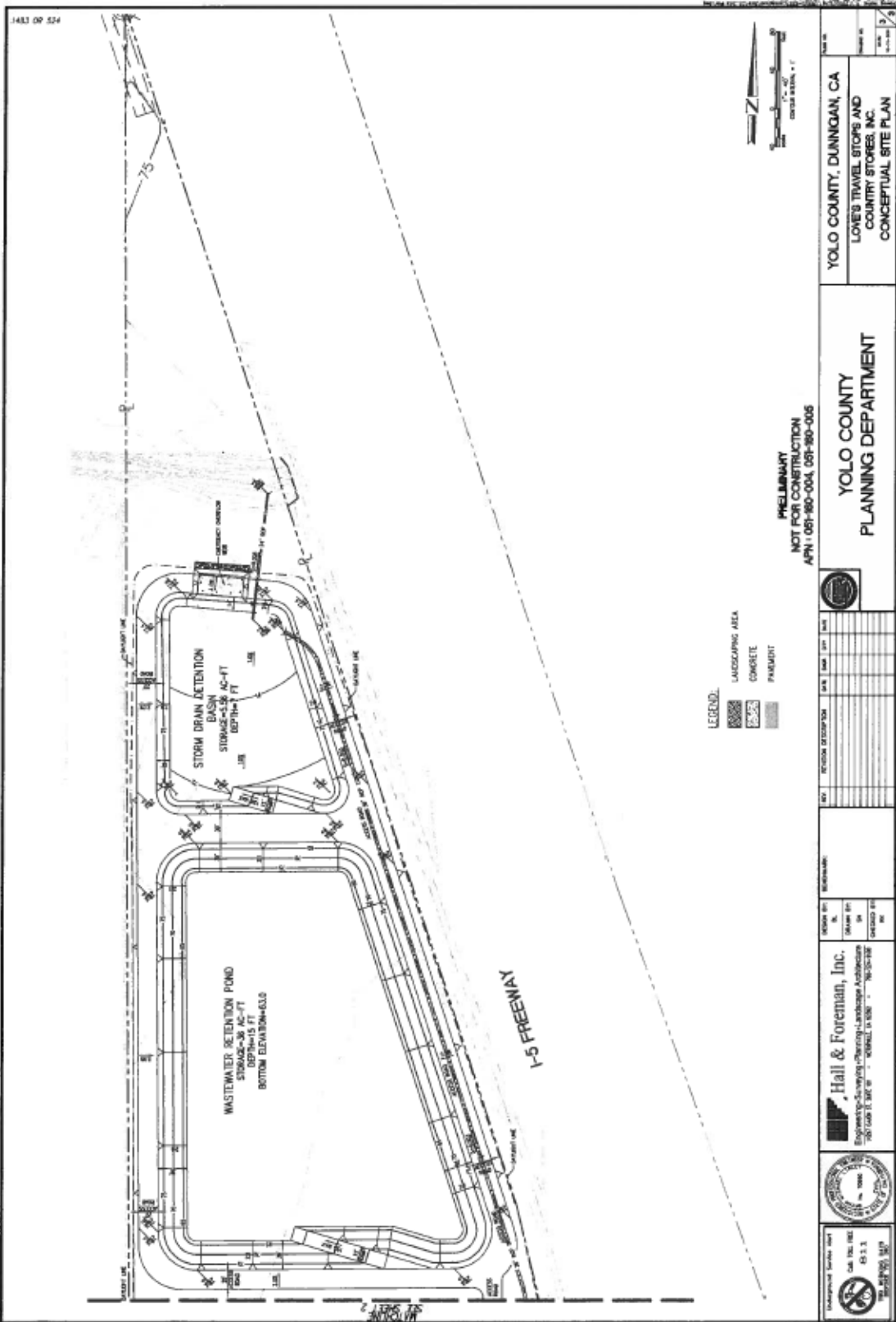


FIGURE 2 SITE PLAN







PRELIMINARY
NOT FOR CONSTRUCTION
APN 1 051-880-004, 051-880-005

YOLO COUNTY, DUNNINGAN, CA
LOVE'S TRAVEL STOPS AND
COUNTRY STORES, INC.
CONCEPTUAL SITE PLAN

YOLO COUNTY
PLANNING DEPARTMENT

LEGEND
 LANDSCAPING AREA
 CONCRETE
 PAVEMENT

Hall & Foreman, Inc. Engineering - Surveying - Planning - Landscape Architecture 1000 GARDEN STREET, SUITE 100 • WINDMILL CREEK, CA 95959 TEL: (916) 486-1000	DESIGN BY: _____ CHECKED BY: _____ DATE: _____	PROJECT DESCRIPTION: _____ SHEET NO.: _____	SCALE: _____ DATE: _____

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is still "Potentially Significant Impact" (after any proposed mitigation measures have been adopted) as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input 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 type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

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 project proponent. 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 the earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Planner's Signature

Date

PURPOSE OF THIS INITIAL STUDY

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the project as described herein may have a significant effect upon the environment.

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect is significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).
5. A determination that a “Less Than Significant Impact” would occur is appropriate when the project could create some identifiable impact, but the impact would be less than the threshold set by a performance standard or adopted policy. The initial study should describe the impact and state why it is found to be “less than significant.”
6. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration, pursuant to Section 15063 (c)(3)(D) of the California Government Code. Earlier analyses are discussed in Section XVII at the end of the checklist.
7. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning solar projects). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
8. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

I. AESTHETICS.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:				
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 along a 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

Would the project:

a) Have a substantial adverse effect on a scenic vista?

No Impact. The project site is not visible from any unique or locally-significant scenic area, vista, or view designated by Yolo County or any other public entity. Therefore, the project would have no impact on a scenic vista.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings along a scenic highway?

No Impact. There are presently no highways within Yolo County that have been designated within the California Scenic Highway System. A portion of State Route 16 (from approximately the town of Capay at County Road 85, north to the County line) is identified by Caltrans as “eligible” for designation as a State Scenic Highway but is not officially designated. The Yolo County 2030 General Plan designates several routes in Yolo County as local scenic roadways. The nearest section of a local scenic roadway is State Route 16 from the Colusa County line to the town of Capay, which is approximately 13 miles south of the project site. As there are no State designated scenic highways in Yolo County, this is not an impact.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

Less Than Significant Impact. The project site is located within the existing community of Dunnigan, an unincorporated town of approximately 1,000 people located in a broad, flat plain that stretches from the Dunnigan Hills to the Sacramento River. The area surrounding the town is characterized by intensive agriculture, including both field and orchard crops. A 2-acre portion of the project site is currently developed with an existing gas station (not in operation), including a wastewater treatment pond and storm water detention pond. Dunnigan Creek runs along the northern boundary of the project site. The remainder of the property is fallow farmland.

The proposed development would be visible from both Interstate 5 and County Road 6. The nearest rural residences are located approximately 800 feet to the west and north of the project site. The new structures and landscaping would be beneficial compared to the dilapidated existing facility, which is unscreened from adjoining properties. Although the project would result in a change from the existing

views afforded by the fallow farmland, Mitigation Measure 13.c.2 (Condition of Approval No. 16.d) which was adopted as part of the Mitigated Negative Declaration certified for Zone File 97-044 required the following:

No later than the submittal of Site Plan review application to the Planning and Public Works Department, the applicant shall provide for review and approval of a site landscaping plan incorporating trees and shrubs along the I-5/southbound off-ramp frontages adequate to minimize potential light and glare at maturity.

This mitigation measure would also apply to the proposed project. In addition, the project will comply with the requirements of Article 25 (Section 8-2.2501 et seq) of the Yolo County Code (Off-Street Parking and Loading Ordinance), especially as they concern landscaping of the site. Therefore, this is a less-than-significant impact.

d) Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?

Less Than Significant Impact. Mitigation Measure 13.c.1 (Condition of Approval No. 16.e) which was adopted as part of the Mitigated Negative Declaration certified for Zone File 97-044 required the following, to reduce this impact to a less than significant level:

No later than submittal of Site Plan review application for each parcel to the Planning and Public Works Department, the applicant shall provide for review and approval a site lighting plan incorporating down lighting/directional devices for all exterior features including building and parking lot lights minimizing off-site light spill onto adjacent land uses and roadways/I-5. Subsequent project sign plans shall be subject to review and approval with respect to light intensity prior to sign permit issuance. The site lighting plan shall be subject to review and approval by the Director of the Planning and Public Works Department.

This mitigation measure would also apply to the proposed project. Under this mitigation, all nighttime lighting would be arranged and controlled so as not to illuminate public rights-of-way or adjacent properties. Therefore, this is a less-than-significant impact.

II.	AGRICULTURAL AND FOREST RESOURCES.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
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In determining whether impacts on 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 Department of Conservation. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the project:

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
II.	AGRICULTURAL AND FOREST RESOURCES.				
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 of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d.	Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e.	Involve other changes in the existing environment that, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

Would the project:

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 of the California Resources Agency, to non-agricultural use?

No Impact. The project site is designated as "Other Land" on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. This reflects the developed and fallow status of the property. As the project site is not designated by the Department of Conservation as Farmland that is Prime, Unique, or of Statewide Importance, this is not an impact.

b) Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?

No Impact. The subject property is zoned C-H/PD-52 (Commercial Highway/Planned Development No. 52 and is not enrolled in the Williamson Act. Therefore, this is not an impact.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)?

No Impact. The subject property is not zoned for either forest or timberland uses. Therefore, there is no impact.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. The subject property is not forested. Therefore, there is no impact.

e) Involve other changes in the existing environment that, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use?

Less Than Significant Impact. The proposed project will convert approximately 16 acres of prime agricultural soils, as designated by the U.S. Department of Agriculture. As a condition of approval, the project will be required to mitigate for the loss of farmland at a 1:1 ratio, in accordance with Section 8-2.2416 et seq (Agricultural Conservation Easement Program) of the County Code. Also, as stated in Mitigation Measure AG-1 of the Final Environmental Impact Report for the 2030 General Plan:

Permanent conversion of agricultural land to non-agricultural uses will occur with build-out of the Draft General Plan, and while implementation of the policies and actions included in the Draft General Plan would reduce the severity of this impact, no additional feasible mitigation measures are available, and this impact would remain significant and unavoidable.

In addition, there is the potential for the proposed project to indirectly impact agricultural lands immediately adjoining to the west. Use of the facility by the public may limit the ability of the adjoining property owner to spray the fields, and could result in increased trespassing and litter. Typically, this impact would be addressed through a requirement to establish an agricultural buffer within the project site. However, as stated in Mitigation Measure AG-4 of the Final Environmental Impact Report for the 2030 General Plan, and as required under Policy LU-2.1 of the 2030 General Plan:

The intent of this policy is to protect existing farm operations from impacts related to the encroachment of urban uses...special circumstances can be considered by the decision-making body. Except as noted below where no buffer is required, in no case shall the buffer be reduced to less than 100 feet. The buffer area shall generally be designated Open Space (OS), but may also be designated Public and Quasi-Public (PQ) or Parks and Recreation (PR) based on applicable circumstances. Agricultural buffers are not required for planned urban growth elsewhere within a growth boundary because the agricultural-urban interface will be temporary until full build-out occurs (emphasis added).

The farmland to the immediate west of the project site is designated as Specific Plan and has been included in the future growth area. As indicated, agricultural buffers are not required for planned urban development within the growth boundary of an unincorporated community. Therefore, this is not an impact.

III. AIR QUALITY.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Where applicable, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

III.	AIR QUALITY.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
d.	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e.	Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

The project site is within the Yolo-Solano Air Quality Management District (YSAQMD), which regulates air quality conditions within the Sacramento Valley Air Basin. The Basin is bounded by the North Coast Ranges on the west and Northern Sierra Nevada Mountains on the east and encompasses all of Sutter, Yuba, Sacramento, and Yolo counties, and the westernmost portion of Placer County. Yolo County is classified as a non-attainment area for ozone (O₃) and particulate matter 10 microns or less in diameter (PM₁₀) for both federal and state standards, and is classified as a moderate maintenance area for carbon monoxide (CO) by the state.

The YSAQMD adopted its Air Quality Attainment Plan (AQAP) in February 1992 which identified feasible emission control measures to provide timely progress towards attaining the state ozone standard (the State does not require attainment plans for PM₁₀). The AQAP was submitted to the California Air Resources Board (CARB) and was approved in May 1992. The AQAP control measures focus on emission sources under YSAQMD's authority, specifically, stationary emission sources and some area-wide sources.

Air quality plan projections, including the 2010 Triennial Assessment and Plan Update developed by the YSAQMD, the 2006 Sacramento Regional Non-attainment Area 8-Hour Ozone Rate-of-Progress Plan, and the Sacramento Regional 8-Hour Ozone Attainment Draft Report and Reasonable Further Progress Plan dated September 2008, are based on analysis and forecasts of air pollutant emissions throughout the entire region. These forecasts rely on existing and projected vehicle miles traveled, population, and employment made by the Sacramento Area Council of Governments.

The YSAQMD sets threshold levels for use in evaluating the significance of criteria air pollutant emissions from project-related mobile and area sources in the Handbook for Assessing and Mitigating Air Quality Impacts (YSAQMD, 2007). The handbook identifies quantitative and qualitative long-term significance thresholds for use in evaluating the significance of criteria air pollutant emissions from project-related mobile and area sources. These thresholds include:

- Reactive Organic Gases (ROG): 10 tons per year (approx. 55 pounds per day)
- Oxides of Nitrogen (NOx): 10 tons per year (approx. 55 pounds per day)
- Particulate Matter (PM₁₀): 80 pounds per day
- Carbon Monoxide (CO): Violation of State ambient air quality standard

Discussion of Impacts

Would the project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?

No Impact. The project would not conflict with or obstruct implementation of the Yolo Solano Air Quality Management District Air Quality Attainment Plan (1992), the Sacramento Area Regional Ozone Attainment Plan (1994), or the goals and objectives of the Yolo County 2030 General Plan. Therefore, this is not an impact.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Less Than Significant Impact. The Yolo-Solano Region is a non-attainment area for state particulate matter (PM₁₀) and ozone standards, and the Federal ozone standard. In order to evaluate proposed projects, the YSAQMD has established the following thresholds of significance: (1) projects that contribute to CO concentrations exceeding the State ambient air quality standards of 9 parts per million (ppm) averaged over 8 hours and 20 ppm for 1 hour; or (2) projects that generate criteria air pollutant emissions of ROG or NOx in excess of 10 tons per year; or (3) exceed contributions of PM10 in excess of 80 pounds per day.

Vehicular traffic associated with the build-out of the Draft General Plan would emit carbon monoxide (CO) into the air along roadway segments and near intersections. As previously described, areas of vehicle congestion can create pockets of high CO concentrations, called “hot spots,” affecting local sensitive receptors (e.g., residents, school children, the elderly, and hospital patients). High CO concentrations are typically associated with roadways or intersections operating with extremely high traffic volumes. According to YSAQMD, streets and intersections operating at LOS E and F have the “potential” to create a violation of the CO standard. As described in the Hall and Foreman Inc. traffic study submitted with the application, County Road 6 and the intersections serving the proposed project would continue to operate at LOS A or B.

The generation of ROG and NOx are primarily associated with diesel engines. CARB has also adopted various regulations to reduce diesel exhaust emissions from on-road trucks. These regulations include requiring each vehicle to have a label, called an Emission Control Label, showing that the engine has met the required federal emission standards applicable for the model year of the engine; requiring emission testing for heavy-duty trucks and buses; idling restrictions; particulate matter filters for heavier trucks starting January 1, 2012 and early vehicle replacements for vehicles with a gross vehicle weight rating greater than 14,000 pounds starting January 1, 2015.

Conditions of approval would require that the project incorporate standard best management practices for dust control, as recommended by the YSAQMD and as included in Policy CO-6.6 of the 2030 Countywide General Plan.

The proposed project would not exceed any of the above thresholds of significance. Therefore, this is a less than significant impact.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a non-attainment area for an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?

Less Than Significant Impact. Although the proposed project would result in net increases of criteria pollutants for which the region is in non-attainment, the increases would not be cumulatively considerable, as defined by the thresholds of significance used by the YSAQMD (see discussion in subsection (b) above). Therefore, this is a less than significant impact.

d) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. In 1998, the California Air Resources Board (CARB) designated diesel particulate matter (DPM), an element of diesel equipment exhaust, as a toxic air contaminant (TAC). These emissions would disperse with distance from the project site, but could adversely impact occupants of nearby residences. Health risks from TACs are a function of both concentration and duration of exposure.

YSAQMD does not have a threshold of significance for TACs from mobile sources, since YSAQMD has no permitting or other regulatory authority over mobile sources. Construction equipment and

diesel truck emission standards are regulated by the U.S. EPA and CARB. Prior to the listing of diesel exhaust as a TAC, California had already adopted various regulations designed to reduce diesel emissions. These regulations include new standards for diesel fuel, emission standards for new diesel trucks, buses, autos, and utility equipment, and inspection and maintenance requirements for heavy-duty vehicles. In 2000, CARB developed a Diesel Risk Reduction Plan to reduce particulate matter emissions from diesel-fueled engines and vehicles. The Diesel Risk Reduction Plan called for reducing diesel particulate matter 75 percent by 2010 and 85 percent by 2020 from the 2000 level. Once the Diesel Risk Reduction Plan was adopted, the CARB started developing PM emission regulations for a number of categories of in-use diesel vehicles and equipment. The regulations have mandatory criteria, requiring diesel engine operators to apply certain control measures.

These regulations have significantly reduced DPM (diesel particulate matter) emissions. CARB estimates that DPM concentrations have decreased 40 percent between 1990 and 2000, with a decrease in state-wide average concentration of 3.0 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) to 1.8 $\mu\text{g}/\text{m}^3$. With the implementation of the Diesel Risk Reduction Plan, CARB has estimated that the ambient state-wide concentrations of DPM will decrease to 0.27 $\mu\text{g}/\text{m}^3$. As a result, the risk from diesel DPM will decrease over time as cleaner technology phases in.

The driving force behind the health risks from DPM is cancer risk, and cancer risks are related to long-term exposure. State regulations are expected to substantially reduce the health risks associated with living close to operating diesel fueled equipment. The rural nature of the proposed project site would allow DPM emission to disperse more rapidly than in an urban setting.

As indicated in the Final EIR for the 2030 Countywide General Plan, CARB has established recommendations for siting new sensitive land uses to address the potential exposure of sensitive populations to toxic air contaminants (TACs). These recommendations are implemented through Action CO-106 of the General Plan, which states:

Regulate the location and operation of land uses to avoid or mitigate harmful or nuisance levels of air emissions to the following sensitive receptors: residential uses, hospitals and nursing/convalescent homes, hotels and lodging, schools and day care centers and neighborhood parks. New development shall follow the recommendations for siting new sensitive land uses consistent with the CARB's recommendation as shown in Table IV.D-8.

Table IV.D-8 recommends that sensitive uses be located at least 500 feet from a freeway and at least 300 feet from a large gas station (defined as having a throughput of more than 3.6 million gallons per year).

TACs from exhaust emissions would be generated from three sources associated with the proposed project: (1) construction equipment used in the demolition of the existing gas station, as well as the construction of the proposed facility; and (2) diesel trucks making deliveries to the facility; and (3) diesel truck drivers who are customers of the facility.

The nearest residences that could be affected by DPM emissions are a rural residence located approximately 750 feet west of the travel center, and homes within the Hardwood Subdivision, located approximately 1,400 feet north of the truck parking area. There are no hospitals, nursing homes, hotels, schools, or parks located in the immediate vicinity of the project site. The proposed project would be located well in excess of the minimum setbacks recommended by CARB to address the exposure of sensitive uses to potential TACs. Therefore, the health risks from exposure to DPM are considered a less-than-significant impact

e) Create objectionable odors affecting a substantial number of people?

Less Than Significant Impact. The proposed facility and associated uses are not anticipated to create objectionable odors. The proposed project would be constructed using diesel-powered heavy equipment. Similarly, diesel trucks will be the primary source of customers for the proposed projects.

Diesel exhaust may generate odors, both while project construction is under way and during operation of the facility. The project also includes two restaurants which could generate odors associated with food preparation and disposal. In addition, odors could be generated from the on-site treatment of waste water.

The proposed project is located at least 750 feet from the nearest off-site residence. The distance of the setback, as well as the rural nature of the proposed project site, would allow odors to quickly disperse. As noted in subsection III.(d) above, diesel exhaust is regulated by State and Federal agencies and DPM levels are expected to continue to decrease in the future. Food processing will be regulated and enforced by the County Environmental Health Division. Wastewater treatment will be regulated and enforced by the Regional Water Quality Control Board. For these reasons, this impact will be reduced to a less than significant level.

IV. BIOLOGICAL RESOURCES.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:				
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified 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 checked="" type="checkbox"/>	<input 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, marshes, vernal pools, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>
f. Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The following discussion is excerpted from a biological reconnaissance study prepared by biologist Marcus Bole, at the request of the applicant, which was based on on-site visits conducted in November, 2011. Except

for a sparse amount of emergent and wetland vegetation associated with the bed and banks of Dunnigan Creek, undeveloped portions of the project site has been leveled and disked. Ground cover consists of ruderal grasses and forbs. The property supports a very limited number of native and non-native trees, grasses, and annual forbs. As a result, a very limited number of species were observed during the biological survey.

Table 1 indicates the special-status species that have potential to occur in the project area, along with their habitat association, the availability of habitat within the project area, and whether or not the species has been detected within the project area.

**Table 1
Special-status species with Potential to Occur
in the vicinity of the Love’s Travel Center**

Species	Status State/Federal/ I/CNPS	Habitat Association	Habitat Availability in the Project Area	Reported Occurrence in the Project Area
Swainson’s hawk <i>Buteo swainsoni</i>	T/-	Grasslands with scattered trees, woodlands, trees along field edges and roadsides, juniper sage flats, and riparian areas. Requires suitable adjacent foraging areas, such as grasslands and alfalfa/grain fields that support rodent populations.	On-site trees offer limited nesting opportunities. However, fallow land within the project site provides foraging habitat.	No occurrences observed or reported, although there are several confirmed nest sites within ten miles of the project site.
Western Burrowing owl <i>Athene cunicularia hypugea</i>	SC/-	Open, low-growing grasslands with suitable burrow sites.	The disturbed nature of the property and its proximity to human activity make the property unsuitable for this species.	No occurrences observed or reported.
Mountain plover <i>Charadrius montanus</i>	SC/-	Short grasslands, freshly plowed fields, and newly sprouted grain fields. Prefers grazed areas and areas with burrowing rodents.	There is limited suitable habitat for this species on or near the project site.	No occurrences observed or reported.
Tricolored blackbird <i>Agelaius tricolor</i>	CSC/-	Open water, pastures, and emergent marshes with protected nesting areas, such as blackberry thickets, near foraging areas with insects.		No occurrences observed or reported.
Valley elderberry longhorn beetle <i>Desmocerus</i>	-T	Blue elderberry (<i>sambucus mexicanus</i>) shrubs.	No elderberry shrubs were found on or near the	No occurrences observed or reported.

<i>californicus dimorphus</i>			subject site.	
Vernal pool fairy shrimp <i>Branchinecta lynchi</i>	-/T	Vernal pools and astatic rain-filled pools.	No suitable habitat or vernal pools were found on or near the subject site.	No occurrences observed or reported.
Vernal pool tadpole shrimp <i>Lepidurus packardi</i>	-/E	Vernal pools, swales, pools found in swales of unplowed grasslands.	No suitable habitat or vernal pools were found on or near the subject site.	No occurrences observed or reported.
Silver haired bat <i>Lasionycteris noctivagans</i>	-/-	Coastal and montane forests near streams, ponds and open brushy areas. Roosts in hollow trees, and abandoned woodpecker holes.	The disturbed nature of the property and its proximity to human activity make the property unsuitable for this species.	No occurrences observed or reported.
Hoary bat <i>Lasiurus cinerus</i>	-/-	Open habitats with access to trees. Roosts in dense foliage.	There are no suitable roosting trees on or near the project site.	This species may forage over the property, but is not likely to reside within the property boundaries.
Palid bat <i>Antrozous pallidus</i>	SC/-	Deserts, grasslands, and open dry habitats with rocky areas for roosting.	The disturbed nature of the property and its proximity to human activity make the property unsuitable for this species.	No occurrences observed or reported.
California tiger salamander <i>Ambystoma californiense</i>	T/T	Vernal pools and other seasonal water sources, as well as underground refuges, especially ground squirrel burrows.	The disturbed agricultural nature of the site does not support vernal pools. This portion of Dunnigan Creek does not provide suitable habitat. The nearest recorded observation occurred in 1927, 0.5 miles west of the project site.	No occurrences observed or reported.
Giant garter snake <i>Thamnophis gigas</i>	T/T	Freshwater marsh and low gradient streams.	The seasonal nature of Dunnigan Creek does not provide habitat for this species. There are no canals on or near the project	No occurrences observed or reported.

			site that could support habitat for this species.	
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Notes: T=threatened; E=Endangered; CSC=California species of species concern; FP=state fully protected

Discussion of Impacts

Would the project:

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?

Less Than Significant Impact with Mitigation Incorporated. Potential impacts of the proposed project can be characterized as construction-related – referring primarily to the permanent loss or temporary disturbance to vegetation and wildlife habitat. There is potential for Swainson’s hawks and burrowing owls to nest in the immediate vicinity of the project site. Construction-related disturbances during the breeding season could result in nest abandonment, and if a tree is removed, there is potential for removing an active nest. Removal of an active nest or disturbances that cause nest abandonment would be considered a significant impact.

As a result, the following measures are recommended to avoid and minimize the potential for construction-related impacts and ensure that all potential impacts are reduced to a level of less than significant.

Mitigation Measure BIO-1: Swainson’s Hawk

If construction is scheduled to occur between March 15 and September 15, prior to construction activity, a qualified biologist should conduct a survey to determine the presence/absence of Swainson’s hawk and white-tailed kite nests within 0.25 miles of the project site. This survey is not required if construction occurs during the non-breeding season (September 16 to March 14).

If an active Swainson’s hawk or white-tailed kite nest is found during preconstruction surveys, establish a no-disturbance set-back to avoid nest abandonment. The size of the set-back should be determined based on the ambient noise and disturbance levels, line of sight to the nest, and other relevant site-specific factors. Because of the high levels of existing disturbances on the quarry property, unless it is within approximately 500 feet or appears particularly vulnerable, it is unlikely to be disturbed by construction activities. A site assessment should be conducted by a qualified biologist along with quarry personnel and if necessary, DFG staff, to determine the appropriate set-back distance.

Mitigation Measure BIO-2: Burrowing Owl

Prior to construction at any time of the year, a qualified biologist should conduct a survey to determine the presence/absence of active burrowing owl nesting or wintering burrows within 500-feet of all ground disturbance (staging area, turbine pad, access road, and power line corridor).

If an active burrowing owl nesting burrow is located during preconstruction surveys, establish a no-disturbance set-back to avoid removal or disturbance to the burrow. Maintain a set-back of at least 100 feet from active breeding burrow until after young have fledged. This distance is less than that recommended in the DFG guidelines (California Department of Fish and Game 1995) due to the very high levels of existing noise, truck traffic, and other disturbances associated with aggregate mining. If an active wintering burrow is within the footprint of the turbine pad, staging area, access road, or power line corridor, either adjust the footprint to avoid direct disturbance to the burrow or remove the

winter burrow by installing one-way doors to allow owls to escape and then collapse the burrow according to DFG guidelines (California Department of Fish and Game 1994). This also requires consultation and approval from DFG.

The project will also remove an estimated 16 acres of fallow agricultural land and grasslands that is suitable Swainson's hawk foraging habitat for the construction of the proposed facility. Condition No. 22 of Zone File 97-044 applies to this project as follows:

Prior to issuance of a building permit for the first building, the applicant shall compensate for the loss of Swainson's hawk habitat according to the California Department of Fish and Game Swainson's Hawk Guidelines. This can be through a Habitat Mitigation Fee payable and due at the time of building permit issuance.

The above measures and conditions will reduce this impact to a less than significant level.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Less Than Significant Impact. The proposed project would include the construction of an emergency overflow weir to allow drainage from the storm water detention basin to Dunnigan Creek. The structure will be required to comply with the requirements of the California Department of Fish and Game and obtain a Streambed Alteration Permit prior to construction, to ensure that impacts to riparian habitat and sensitive natural communities associated with Dunnigan Creek are avoided or minimized. Therefore, this is not an impact.

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, marshes, vernal pools, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?

Less Than Significant Impact. The proposed project would include the construction of an emergency overflow weir to allow drainage from the storm water detention basin to Dunnigan Creek. The structure will be required to comply with the requirements of the U.S. Army Corps of Engineers to obtain a Section 404 Permit, as well as the requirements of the Central Valley Regional Water Quality Control Board to obtain a Section 1604 Permit, to ensure that there is no impact to wetlands and water quality as a result of the weir construction. Therefore, this is not an impact.

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 native wildlife nursery sites?

Less Than Significant Impact with Mitigation Incorporated. The Bole and Associates biological study concludes that the proposed project will have no significant impacts on established native resident or migratory wildlife corridors. The project site has only limited habitat value and does not serve as an important native wildlife movement corridor or native wildlife nursery area. Previous development and agricultural activity has eliminated the original native cover, with the exception of scattered landscape trees around the former gas station, a lone tree along the drainage swale in the middle of the property, riparian vegetation along Dunnigan Creek, and a small stand of brush at the northern end of the property. Several of these trees could be used for perching and roosting by a wide variety of birds, but no evidence of any active nests was observed in any of the trees when a field survey was undertaken in November, 2011. Appropriate preconstruction surveys and construction disturbance restrictions as required in Mitigation Measure BIO-1 above would be implemented during the nesting season to ensure avoidance of any active nests, if present on the project site.

The Dunnigan Creek corridor serves as a movement corridor for aquatic and terrestrial wildlife species, but would remain undisturbed as part of the proposed project, with the exception of the

emergency weir. No adverse impacts are anticipated, and with implementation of these preconstruction surveys and construction disturbance restrictions, potential impacts on native wildlife movement and native nursery areas would be mitigated to a less than significant level.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact. The proposed project does not conflict with any policies in the 2030 Countywide General Plan or the Dunnigan Community Plan regarding biological resources, nor does it conflict with any County ordinances that address this issue. Therefore, this is not an impact.

f) Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?

No Impact. There are currently no adopted Habitat Conservation Plans or Natural Community Conservation Plans for the Project Site or surrounding areas. However, the Yolo County Natural Community Conservation Plan/Habitat Conservation Plan Joint Powers Agency (JPA) is preparing one. The JPA was formed in 2002 to serve as the lead agency for the preparation of a county-wide Natural Communities Conservation Plan/Habitat Conservation Plan (NCCP/HCP), now known as the Yolo Natural Heritage Program (YNHP). The JPA governing board is composed of representatives from member agencies, which include two members of the Yolo County Board of Supervisors, one member each from the city councils of Davis, Woodland, West Sacramento and Winters, and one ex-officio member from UC Davis.

The Yolo Natural Heritage Program will serve as a county-wide NCCP/HCP for the entire County (653,820 acres). The intent of the YNHP is to conserve the natural open space and agricultural landscapes that provide habitat for many special-status and at-risk species found within the habitats and natural communities in the county. Once adopted, the YNHP will describe the measures that will be undertaken to conserve important biological resources, obtain permits for urban growth and public infrastructure projects, and continue Yolo County's agricultural heritage.

In 1993 a Swainson's Hawk Program was established as part of the early planning efforts for habitat conservation planning in the county, now overseen by the JPA. The Swainson's Hawk Program utilizes mitigation fees to acquire conservation easements protecting Swainson's hawk habitat.

Several draft chapters of the NCCP/HCP have been released for public review and the environmental impact analysis of the Plan has recently started. As no such plan has yet been adopted, this is not an impact.

V. CULTURAL RESOURCES.		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:					
a.	Cause a substantial adverse change in the significance of a historical resource as defined in Section 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 Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 of Impacts

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

Less Than Significant Impact. The project site does not contain any historic resources as identified in the Yolo County Historic Resources Survey, or any structures shown on the State and/or Federal Register of Historic Places. Although there is an existing gas station on the project site that dates back to 1950s, it does not meet the criteria specified under Section 5024.1 of the Public Resources Code, and Section 4852 of Title 14 of the California Codes and Regulations. Specifically, the gas station is a strictly utilitarian commercial structure that:

- Was not associated with any event that has made a significant contribution to the broad patterns of California history and cultural change;
- Was not associated with any particular person of importance of local, state, or national importance;
- Does not exhibit any individual or particular historical importance in terms of design, construction, or occupation;
- Is not distinctive or particularly representative of a specific style nor does it embody the distinctive characteristics of a type; and
- Does not embody a period, region, or method of construction, or represent the work of an important creative individual or embody high artistic values.

Therefore, this is not an impact.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Less Than Significant Impact with Mitigation Incorporated. There are no documented archeological sites on the project site. The area where the existing gas station is located (consisting of approximately 10 percent of the project site) was surveyed in 1980, but no cultural resources were found. The remainder of the site has not been surveyed. As a result, there is the potential that during construction previously unidentified resources may be uncovered. The following measure is recommended to reduce the potential for discovery of cultural resources during construction activities to a less than significant level.

Mitigation Measure CUL-1: Archaeological Survey:

Prior to the issuance of any grading or building permits for the proposed project, the applicant shall submit a report from a qualified archeologist that analyzes the potential for encountering archeological resources in the unsurveyed portions of the project site. If the potential for encountering archeological resources is determined by the report to be high or significant, the qualified archeologist shall make recommendations regarding the appropriate measures to avoid or lessen the potential impacts, such as reconfiguring the site plan or employing an on-site monitor during grading and excavation activities, shall be implemented as a requirement of grading or building permit approval.

Mitigation Measure CUL-2: Discovery of Cultural Resources

If any cultural resources, such as chipped or ground stone, historic debris, building foundations, or paleontological materials are encountered during grading and/or excavation, then all work within one-hundred (100) feet shall immediately stop and the Planning and Public Works Director shall be notified within 24 hours. Any cultural resources found on the site shall be recorded by a qualified archaeologist and the information shall be submitted to the Planning and Public Works Department.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

No Impact. The proposed project would not affect any unique paleontological resource or site or unique geologic feature, known or suspected to occur on the project site.

d) Disturb any human remains, including those interred outside of formal cemeteries?

Less Than Significant Impact with Mitigation Incorporated. No previously reported cultural resources have been recorded within or adjacent to the project site. No ethnographic villages and/or contemporary Native American resources in or adjacent to the Project Site were identified either through archival research or consultation. However, it is possible that archeological resources (e.g., skeletal remains) could be uncovered during construction of the proposed Project. The following measure is recommended to reduce the potential for discovery of human remains during construction activities to a less than significant level.

Mitigation Measure CUL-3: Discovery of Human Remains

If human remains are encountered during excavation, all work within one-hundred (100) feet shall immediately stop, and the County Coroner shall be notified within twenty-four (24) hours. Recommendations concerning the treatment and disposition of the human remains shall be made to the person responsible for the excavation, in the manner provided in Section 5097.98 of the Public Resources Code. If the Coroner determines that the remains are not subject to his or her authority and that the remains are determined to be those of a Native American,, the appropriate Native American community identified by the Native American Heritage Commission shall be contacted, and an agreement for treating or disposing of, with appropriate dignity, the remains and associated grave goods shall be developed.

VI. GEOLOGY AND SOILS.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1. 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 type="checkbox"/>	<input checked="" type="checkbox"/>
2. Strong seismic groundshaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VI.	GEOLOGY AND SOILS.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
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 an onsite or offsite 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 soil, as defined in Table 18-1-B 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 in areas where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

Would the project:

Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

a.1) 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?

No Impact. No portion of the proposed Project Site is within the established Alquist-Priolo Earthquake Fault Zone (A-PEFZ), and no active faults have been mapped on the Project Site by the United States Geological Survey (USGS) or the California Geological Survey (CGS). Fault rupture of the surface typically occurs along existing faults that have ruptured the surface in the past. The closest A-PEFZ is the zone delineated for the Hunting Creek-Berryessa Fault, located approximately 20 miles west of the project site. Since faults with known surface rupture have been mapped in California, and none are known to occur at or near the Project Site, the potential for impacts to the proposed project due to fault rupture are less than significant. Therefore, this is not an impact.

a.2) Strong seismic ground shaking?

Less Than Significant Impact. The closest known active fault to the project site is the Dunnigan Hills Fault, located approximately one mile west. The Dunnigan Hills Fault has not been active in historic times. In the event of a major earthquake along these faults or other faults in the area, the project site could be subject to seismic ground shaking. Any major earthquake damage on the project site is likely to occur from ground shaking, and seismically related ground and structural failures. Local soil conditions, such as soil strength, thickness, density, water content, and firmness of underlying bedrock affect seismic response. The proposed project will be built in accordance with Uniform Building Code requirements and would sustain only minor structural damage from ground shaking. Therefore, people and structures would not be exposed to potential substantial adverse effects involving strong seismic ground shaking, and this is a less than significant impact.

a.3) Seismic-related ground failure, including liquefaction?

Less Than Significant Impact. Regional liquefaction hazard maps have not been developed for Yolo

County. Liquefaction is the temporary transformation of loose, saturated granular sediments from a solid state to a liquefied state as a result of seismic ground shaking. In the process, the soil undergoes transient loss of strength, which commonly causes ground displacement or ground failure to occur. Since saturated soils are a necessary condition for liquefaction, soil layers in areas where the groundwater table is near the surface have higher liquefaction potential than those in which the water table is located at greater depths. Liquefaction is expected to be relatively higher in the Great Valley portion of the County, particularly along the floodplains of streams, where the sediments are generally sandier than other areas. The proposed project will be built in accordance with the California Green Building Code requirements, which will require the approval of a geotechnical report by the County Chief Building Official will be required prior to the issuance of any building permits. As a result, this is a less than significant impact.

a.4) Landslides?

No Impact. The proposed project is not located within any recognized landslide susceptibility zones, as identified by the U.S. Geological Survey. Therefore, this is not an impact.

b) Result in substantial soil erosion or the loss of topsoil?

Less than Significant Impact. The project site is composed of soils where surface runoff is very slow, and the erosion hazard is none to slight. However, ground disturbance caused by project activities has the potential to increase erosion and sedimentation above pre-construction levels. Conditions of Approval will require the applicant to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) to address erosion, storm water runoff, sedimentation, and other construction-related pollutants during project grading and construction until all areas disturbed during construction have been permanently stabilized. Implementation of a SWPPP would substantially minimize the potential for project-related erosion and associated adverse effects on water quality. In addition, all disturbed areas will be seeded and/or planted following construction to prevent soil erosion. These requirements will reduce this impact to a less than significant level.

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 an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?

Less Than Significant Impact. As indicated in subsections (a).2, (a).3, and (d), the project site may include soils that are subject to seismic ground shaking, liquefaction, and expansion. The proposed project will be built in accordance with the California Green Building Code requirements, which will require the approval of a geotechnical report by the County Chief Building Official will be required prior to the issuance of any building permits. As a result, this is a less than significant impact.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Less Than Significant Impact. The on-site soil types are classified as having moderate to high shrink-swell potential, or expansiveness. The proposed project will be built in accordance with the California Green Building Code requirements, which will require the approval of a geotechnical report by the County Chief Building Official will be required prior to the issuance of any building permits. As a result, this is a less than significant impact.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?

No Impact. A municipal sewer system is not available for the project site. Instead, the proposed project will be relying on a primary evaporation pond, approximately 2.4 acres in size, to retain on-site waste water. The pond has been designed to process the design waste water flow (10,000 gallons per day), as well as a one percent annual flood event (59.32 inches of rain), followed by a ten percent

annual flood event (41.59 inches of rain). Evaporation will be the sole mechanism for outflow. The waste water system will not rely on septic tanks or other leachfield based systems for percolation. Therefore, this is not an impact.

VII. GREENHOUSE GAS EMISSIONS/CLIMATE CHANGE.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be affected by climate change impacts, e.g., sea level rise, increased wildfire dangers, diminishing snow pack and water supplies, etc.?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant Impact. According to the on-line Yolo County Carbon Calculator, the proposed project would generate an estimated net 123 metric tons of carbon dioxide equivalents (MT CO₂e) annually. Conditions of approval will require the applicant to incorporate appropriate measures, as required under the Climate Action Plan, to reduce the level of greenhouse gas emissions (see discussion under subsection (b) below). Also, as stated in Mitigation Measure GCC-1a of the Final Environmental Impact Report for the 2030 General Plan:

While implementation of the policies and actions included in the Draft General Plan would reduce the severity of the impact on global climate change, no additional mitigation measures are available to reduce this impact to a less-than-significant level. This impact is considered significant and unavoidable. (SU)

b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant Impact. In 2006, the California legislature passed Assembly Bill 32 (AB-32), the California Global Warming Solutions Act of 2006, which requires California to reduce GHG emissions to 1990 levels by 2020. AB-32 also requires that California Air Resources Board (CARB) begin developing discrete early actions to reduce GHGs, while also preparing a scoping plan to identify how best to reach the 2020 limit. CARB prepared the 2008 Scoping Plan, which identified discrete early actions to reduce GHG emissions. CARB staff has since revised the expected 2020 emission reductions in consideration of the economic recession and the availability of updated information from development of measure-specific regulations. Based on its 1990-2004 inventory work, CARB staff recommended 427 million metric tons of carbon dioxide equivalent (CO₂e) as the total statewide GHG 1990 emissions level and 2020 emissions limit. CARB approved the 2020 limit on 6 December 2007.

Yolo County has prepared a Climate Action Plan, which includes a GHG inventory for unincorporated areas of the County, GHG reduction targets, and policies and measures to meet the reductions. The County's GHG reduction target is 1990 levels by 2020, 27 percent below 1990 levels in 2030, 53 percent below 1990 levels in 2040, and 80 percent below 1990 levels by 2050. In 1990, the unincorporated portions of Yolo County generated approximately 613,651 metric tons of CO₂e emissions.

To demonstrate project-level CEQA compliance relevant to GHG emissions and climate change impacts, Action CO-A118 of the CAP requires the following:

Pursuant to and based on the CAP, the following thresholds shall be used for determining the significance of GHG emissions and climate change impacts associated with future projects:

- 1) Impacts associated with GHG emissions from projects that are consistent with the General Plan and otherwise exempt from CEQA are determined to be less than significant and further CEQA analysis for this area of impact is not required.
- 2) Impacts associated with GHG emissions from projects that are consistent with the General Plan, fall within the assumptions of the General Plan EIR, consistent with the CAP, and not exempt from CEQA are determined to be less than significant or mitigated to a less-than-significant level, and further CEQA analysis for this area of impact is generally not required.

To be determined consistent with the CAP, a project must demonstrate that it is included in the growth projections upon which the CAP modeling is based, and that it incorporates applicable strategies and measures from the CAP as binding and enforceable components of the project. (emphasis added)

- 3) Impacts associated with GHG emissions from projects that are not consistent with the General Plan, do not fall within the assumptions of the General Plan EIR, and/or are not consistent with the CAP, and are subject to CEQA review are rebuttably presumed to be significant and further CEQA analysis is required. The applicant must demonstrate to the County's satisfaction how the project will achieve its fair share of the established targets including:
 - Use of alternative design components and/or operational protocols to achieve the required GHG reductions;
 - Use of real, additional, permanent, verifiable and enforceable offsets to achieve required GHG reductions. To the greatest feasible extent, offsets shall be: locally based, project relevant, and consistent with other long term goals of the County;

The project must also be able to demonstrate that it would not substantially interfere with implementation of CAP strategies, measures, or actions.

With regards to the determinations listed in Action CO-A118 above:

- The Project Site is designated as Commercial Regional (CR) with a Specific Plan Overlay in the 2030 Countywide General Plan and is zoned as Highway Commercial (C-H) with a Planned Development No. 51 Overlay Zone. The proposed land use is consistent with this land use designation.
- Table III-9 of the Final EIR for the 2030 Countywide General Plan shows the existing developed (26.2 acres) and vacant (250.0 acres) commercial designations within the Dunnigan community. The 2.6 acre existing gas station was included in this inventory as part of the commercial developed acreage, while the 16.2 acres of fallow farmland and Dunnigan Creek were included

as part of the vacant commercial inventory. The proposed project is consistent with the growth assumptions of the 2030 General Plan, which formed the basis for the CAP modeling.

- The CAP outlines six strategies for non-residential construction to implement. These include: (1) exceed Title 24 energy conservation requirements by 15 percent; (2) Install a solar hot water system; (3) Install solar power equal to 10% of expected energy consumption of the facility; (4) Weather-based automatic irrigation controls; (5) Use of Energy Star appliances; and/or (6) Grey water and non-potable landscape irrigation. Strategies (1), (2), and (3) above are deferred in the CAP for non-residential construction until January 2013. Strategy (4) is already required under the California Green Building Code. Strategies 5 and 6 are recommended in the CAP, but not required. As a result, the proposed project will incorporate all applicable strategies and measures from the CAP.

Therefore, the proposed Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs and this is not an impact.

c) Be affected by climate change impacts, e.g., sea level rise, increased wildfire dangers, diminishing snow pack and water supplies, etc.?

No Impact. The proposed project will not be affected by any identified increased risks associated with wildfire dangers, diminished water supplies, and/or sea level rise. Therefore this is not an impact.

VII.	HAZARDS AND HAZARDOUS MATERIALS.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:					
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 involve handling 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 that 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e.	Be located within an airport land use plan area or, where such a plan has not been adopted, be within two miles of a public airport or public use airport, and 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.	Be located within the vicinity of a private airstrip and 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"/>

VII.	HAZARDS AND HAZARDOUS MATERIALS.	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 of Impacts

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact. The construction and operation of the proposed project will involve the storage of fuel, oil, and other potentially hazardous materials on-site. As a standard condition of approval, the construction contractor will be required to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP), to ensure that the risk of accidental spills and releases into the environment would be minimal. In addition, Conditions of Approval will require permits from the Yolo County Environmental Health Division for the construction and operation of the fuel storage tanks, as well as a hazardous materials business plan (which must be submitted annually for the storage, handling and disposal of hazardous wastes and hazardous materials shall be met. Therefore, this is a less than significant impact.

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?

Less Than Significant Impact. Through operation of the proposed project, there could be the accidental release of fuel, vehicle and truck fluids, oils, cooking waste, and other potentially hazardous materials. The SWPPP, fuel storage permit, and hazardous materials business plan will each include requirements to address emergency response in case of accidental release. Therefore, this is a less than significant impact.

c) Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Impact. There are no existing or proposed schools within one-quarter mile of the project site. Therefore, this is not an impact.

d) Be located on a site that 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?

Less Than Significant Impact. The project site is included on the Cortese List of hazardous materials sites compiled by the California Environmental Protection Agency, which fulfills the mandate of Government Code Section 65962.5. The project site is included on the Cortese List due to a previous waste oil tank release. However, the status of this site is considered "Closed" by the Yolo County Environmental Health Division. The Environmental Health Division is not aware of any evidence of releases from the current

remaining underground storage tanks (USTs) at the project site, and does not consider the property to be a “leaky” site requiring clean-up at this time. Conditions of Approval will require that the current USTs be removed, upon approval of a permit from the Environmental Health Division, including soil sampling. Any additional clean-up requirements, if needed, will be determined by the Environmental Health Division based on the results of the soil sampling and on-site observation during UST removal. These requirements will reduce this impact to a less than significant level.

e) Be located within an airport land use plan area or, where such a plan has not been adopted, be within two miles of a public airport or public use airport, and result in a safety hazard for people residing or working in the project area?

No Impact. The project site is not located within the vicinity of any public airport. This is not an impact.

f) Be located within the vicinity of a private airstrip and result in a safety hazard for people residing or working in the project area?

No Impact. The project site is not located within the vicinity of any known private airstrip. This is not an impact.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No Impact. The project would not interfere with any adopted emergency response or evacuation plans.

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?

No Impact. The project site is not located in a designated Fire Hazard Severity Zone and, therefore, would not be at significant risk from wildland fires. Therefore, this is not an impact.

VIII. HYDROLOGY AND WATER QUALITY.		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:					
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, resulting in a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that 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 that would result in substantial erosion or siltation onsite 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 that would result in flooding onsite or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

VIII. HYDROLOGY AND WATER QUALITY.		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
e.	Create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
h.	Place within a 100-year flood hazard area structures that would impede or redirect floodflows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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.	Contribute to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

Would the project:

a) Violate any water quality standards or waste discharge requirements?

Less Than Significant Impact. As already noted, the project will include installation of treatment ponds to dispose of wastewater from the proposed project. Any potential water quality impacts from the process wastewater ponds will be reduced through the requirements of the Central Valley Regional Water Quality Control Board.

As a standard condition of approval, the construction contractor will be required to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP), as described above in section VII(a), which would reduce potential impacts during construction of the proposed project.

In addition, the project includes on-site above-ground fuel storage for 80,000 gallons, as well as a tire barn, two restaurants, and a market, each of which contains potentially hazardous materials. Conditions of Approval will require permits from the Yolo County Environmental Health Division for the construction and operation of the fuel storage tanks, as well as a hazardous materials business plan (which must be submitted annually for the storage, handling and disposal of hazardous wastes and hazardous materials shall be met.

With the implementation of each of the above requirements, this would be a less than significant impact.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, resulting in a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?

Less than Significant Impact. The project will be served by the construction of a new on-site well. Construction of the well will require approval from Yolo County Environmental Health Division and operation will be regulated by the California Department of Health. Waste water and storm water will be detained on site. The yearly water usage for the travel center is estimated to be approximately 20 acre-

feet per year. The on-site soils are sufficiently permeable to allow for recharge, which will partly offset the anticipated water use by the proposed project. This rate of usage is comparable to many agricultural crops. The nearest off-site wells are at least 750 feet away. Therefore, this is a less than significant impact.

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 that would result in substantial erosion or siltation onsite or off-site?

Less than Significant Impact. The proposed project would include the construction of structures, parking areas, and other impermeable surfaces which could potentially result in erosion or siltation during construction. As a standard condition of approval, the construction contractor will be required to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP), as described above in section VII(a), which would reduce potential erosion and siltation impacts during construction of the proposed project. Therefore, this is a less than significant impact.

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 that would result in flooding onsite or off-site?

Less than Significant Impact. The proposed project would include the construction of structures, parking areas, and other impermeable surfaces which would alter the existing drainage pattern of the site and increase the rate and amount of surface runoff. However, the proposed project includes the construction of a new on-site private storm water detention facility. The detention facility would be required to meet Yolo County Development Standards to accommodate a 24-hour event for a 100-year storm. The application materials submitted by Hall and Foreman Inc. estimate that approximately 5.6-acre foot of storage with a maximum depth of 7 feet will be required. Total inflow volume would be 7 acre-feet. A weir would be constructed to all for emergency discharge to Dunnigan Creek. Construction of the detention facility would not result in any additional environmental effects beyond those already discussed in this document. Therefore, this is a less than significant impact.

e) Create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

Less than Significant Impact. The proposed project includes the construction of a new on-site private storm water detention facility. The detention facility would be required to meet Yolo County Development Standards to accommodate a 24-hour event for a 100-year storm. The application materials submitted by Hall and Foreman Inc. estimate that approximately 5.6-acre foot of storage with a maximum depth of 7 feet will be required. Total inflow volume would be 7 acre-feet. A weir would be constructed to all for emergency discharge to Dunnigan Creek. Construction of the detention facility would not result in any additional environmental effects beyond those already discussed in this document. Therefore, this is a less than significant impact.

f) Otherwise substantially degrade water quality?

Less Than Significant Impact. Another way the proposed project could substantially degrade water quality would be if the existing on-site well was not properly abandoned prior to site development. If not properly sealed, a damaged well could allow surface water (potentially containing pollutants) to preferentially seep into the wells and the underlying aquifer, causing water quality degradation. However, Conditions of Approval would require the applicant to properly abandon the well in compliance with the California Department of Water Resources, California Well Standards. This is a less-than-significant impact.

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?

No Impact. There is no housing proposed as a part of this project. Therefore, this is not an impact.

h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?

Less Than Significant Impact. The proposed project would include the construction of an emergency overflow weir to allow drainage from the storm water detention basin to Dunnigan Creek. The structure will be required to comply with the requirements of the Yolo County Flood Damage Prevention Ordinance (Chapter 3 of Title 8 of the Yolo County Code) to ensure that there is no significant increase to the base flood elevation. Therefore, this is not an impact.

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?

No Impact. The project site is located outside of any dam inundation zone. Therefore, this is not an impact.

j) Contribute to inundation by seiche, tsunami, or mudflow?

No Impact. The project site is not located near any large bodies of water that would pose a seiche or tsunami hazard. In addition, the project site is not located near any physical or geologic features that would produce a mudflow hazard. Therefore, this is not an impact.

IX. LAND USE AND PLANNING.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:				
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, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an 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"/>

Discussion of Impacts

Would the project:

a) Physically divide an established community?

No Impact. The project site is located at the western edge of the existing community of Dunnigan. It is separated from the Old Town area to the east by Interstate 5. The project site is separated from the Hardwood Subdivision to the north by Dunnigan Creek. Therefore, the proposed project will not impact the division of any established community.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

No Impact. The Project Site is designated as Commercial General with a Specific Plan Overlay in the 2030 Countywide General Plan; it is zoned Commercial Highway (C-H) with a Specific Plan Overlay and a Planned Development Overlay. The General Plan designation and zoning allow for the proposed use of the project site. The land uses to the west and south consist of agricultural uses with scattered rural residences and are designated as Specific Plan. Interstate 5 and additional highway commercial uses lie to the east, which are designated as Commercial General with a Specific Plan Overlay. Low density residential neighborhoods averaging one home per acre are located to the north, which are designated as Residential Rural with a Specific Plan Overlay.

The project site is located within the Dunnigan Community Plan area, a part of the 2030 Countywide General Plan. Commercial highway uses are allowed at this site within the DCP in accordance with the appropriate requirements of the plan. No conflicts have been identified related to land use plans, policies, or regulations, and therefore, this is not an impact.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

No Impact. There are currently no adopted Habitat Conservation Plans or Natural Community Conservation Plans for the Project Site or surrounding areas. However, the Yolo County Natural Community Conservation Plan/Habitat Conservation Plan Joint Powers Agency (JPA) is preparing one. The JPA was formed in 2002 to serve as the lead agency for the preparation of a county-wide Natural Communities Conservation Plan/Habitat Conservation Plan (NCCP/HCP), now known as the Yolo Natural Heritage Program (YNHP). The JPA governing board is composed of representatives from member agencies, which include two members of the Yolo County Board of Supervisors, one member each from the city councils of Davis, Woodland, West Sacramento and Winters, and one ex-officio member from UC Davis.

The Yolo Natural Heritage Program will serve as a county-wide NCCP/HCP for the entire County (653,820 acres). The intent of the YNHP is to conserve the natural open space and agricultural landscapes that provide habitat for many special-status and at-risk species found within the habitats and natural communities in the county. Once adopted, the YNHP will describe the measures that will be undertaken to conserve important biological resources, obtain permits for urban growth and public infrastructure projects, and continue Yolo County's agricultural heritage.

In 1993 a Swainson's Hawk Program was established as part of the early planning efforts for habitat conservation planning in the county, now overseen by the JPA. The Swainson's Hawk Program utilizes mitigation fees to acquire conservation easements protecting Swainson's hawk habitat.

Several draft chapters of the NCCP/HCP have been released for public review and the environmental impact analysis of the Plan has recently started. As no such plan has yet been adopted, this is not an impact.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
X.	MINERAL RESOURCES.				
Would the project:					
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"/>	<input checked="" 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"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

Would the project:

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?

No impact. The project area is not located within any identified area of significant aggregate deposits, as classified by the State Department of Mines and Geology.

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?

No impact. The project area is not located within any identified area of significant aggregate deposits, as delineated in the Yolo County 2030 Countywide General Plan or other land use plan.

XI.	NOISE.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:					
a.	Expose persons to or generate noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Expose persons to or generate excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	Result in 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d.	Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e.	Be located within an airport land use plan area, or, where such a plan has not been adopted, within two miles of a public airport or public use airport and 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.	Be located in the vicinity of a private airstrip and 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 of Impacts

Would the project:

a) Expose persons to or generate noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?

Less Than Significant Impact. Yolo County has not adopted a noise ordinance which sets specific noise levels for different zoning districts or for different land uses in the unincorporated area. However, the State of California Department of Health Services developed recommended Community Noise Exposure standards, which are set forth in the State's General Plan Guidelines (2003). These standards are also included in the Yolo County 2030 Countywide General Plan and used to provide guidance for new development projects. The recommended standards provide acceptable ranges of decibel (dB) levels. The noise levels are in the context of Community Noise Equivalent Level (CNEL) measurements, which reflect an averaged noise level over a 24-hour or annual period.

The 2030 General Plan has the following relevant policies:

Policy HS-7.1 Ensure that existing and planned land uses are compatible with the current and projected noise environment. However, urban development generally experiences greater ambient (background) noise than rural areas. Increased density, as supported by the County in this General Plan, generally results in even greater ambient noise levels. It is the County's intent to meet specified indoor noise thresholds, and to create peaceful backyard living spaces where possible, but particular ambient outdoor thresholds may not always be achievable. Where residential growth is allowed pursuant to this general plan, these greater noise levels are acknowledged and accepted, notwithstanding the guidelines in Figure HS-7.

Action HS-A63 Review proposed development projects for compatibility with surrounding and planned uses in accordance with the Noise Compatibility Guidelines and the County's Right to Farm Ordinance; however these guidelines shall not be applied to outdoor activity areas nor shall they be used to prohibit or preclude otherwise allowed density and intensity of development.

The proposed project is located adjoining Interstate 5, with existing commercial development to the east and agricultural fields to the south and west. There is a single rural residence approximately 700 feet west. There are sensitive uses located about 1,400 feet north from the proposed truck parking area, consisting of an existing rural residential neighborhood.

Table HS-3 in the 2030 General Plan indicates that the eastern half of the project site currently lies within the 60 Ldn noise contour for Interstate 5; in other words, the ambient noise level is already above 60 decibels due to freeway traffic. Truck traffic associated with the proposed project typically generates a noise level of 85 dBA at a distance of 50 feet, and then quickly decreases as distance increases. The northern 1,400 feet of the project site and area to the immediate west would sufficiently buffer nearby residential uses from any temporary increase in ambient noise associated with operation of the proposed project. Therefore, this is a less than significant impact.

b) Expose persons to or generate excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact. Vibratory ground motion may be measured in terms of peak particle velocity (PPV) in the vertical and horizontal directions, typically in units of inches per second (in/sec). A freight train passing at 100 feet can cause vibrations of 0.1 in/sec PPV, while a strong earthquake can produce vibrations in the range of 10 in/sec PPV. In general, cosmetic or threshold damage to residential buildings can occur at peak particle velocities over 0.5 in/sec. Vibration levels of 0.025 in/sec PPV can cause disturbance or annoyance in the daytime and 0.012 in/sec PPV at night. Based on these criteria, vibration exceeding 0.025 in/sec PPV during the day and 0.012 in/sec PPV during the nighttime would be considered significant.

The vibration levels for loaded trucks are 0.076 PPV at 25 feet (inches/second) and 0.010 PPV at 100 feet (inches per second), which is less than the daytime or nighttime vibration significance criteria. Since the nearest sensitive receptor is located approximately 1,400 feet from the proposed project, vibration impact would be less than significant.

c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

No Impact. As shown in Figure HS-7 of the County General Plan, the maximum community noise exposure in Ldn or CNEL, dB for low density residential development is 60 decibels. Higher noise levels require mitigation to reduce potential health impacts to residents of the affected homes. Table HS-3 of the County General Plan indicates that existing 60 decibel noise contour in Dunnigan for Interstate 5 extends 284 feet from the centerline. In other words, homes within the Hardwood Subdivision that are within approximately 300 feet of Interstate 5 already experience noise levels that exceed 60 decibels. It should be noted that by 2030, the 60 decibel noise contour associated with Interstate 5 is expected to extend 1,024 feet from centerline.

As shown in Table HS-9 of the County General Plan, trucks typically generate noise levels of 85 decibels at a distance of 50 feet. Noise decreases by 6 decibels for every doubling of the distance involved. The proposed parking lot will be located approximately 1,400 feet from the residential designated area in the Hardwood Subdivision. At 1,400 feet, the resulting noise level would be approximately 56 decibels, which is less than 60 decibel standard for impact. Therefore, there would be no noticeable increase in ambient noise levels. Regarding the rural residence located 800 feet to the west, the noise level would be reduced to approximately 61 decibels. However, the acceptable noise standard for agricultural areas is 75 decibels.

d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Less Than Significant Impact. Construction activities will consist of ground clearing with equipment such as a trucks and bulldozers which will generate noise levels in the range of 85 (trucks) to 88 dBA (dozer) at 50 feet. These levels are compared to the noise levels of the nearby Interstate 5, which has a noise level of 70 Ldn at 66 feet from centerline. The northern 1,400 feet of the project site and area to the immediate west would sufficiently buffer nearby residential uses from any temporary increase in ambient noise associated with construction of the proposed project. Therefore, this is a less than significant impact.

e) Be located within an airport land use plan area, or, where such a plan has not been adopted, within two miles of a public airport or public use airport and expose people residing or working in the project area to excessive noise levels?

No Impact. The project site is not located within the extent of any airport land use plan, nor is it located within two miles of a public airport. Therefore, there is no impact.

f) Be located in the vicinity of a private airstrip and expose people residing or working in the project area to excessive noise levels?

No Impact. The project site is not located in the vicinity of any known private airstrip. Therefore, there is no impact.

XII. POPULATION AND HOUSING.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
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Would the project:

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. | Induce substantial population growth in an area, either directly (e.g., 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"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
XII.	POPULATION AND HOUSING.				
b.	Displace a substantial number of existing housing units, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Displace a substantial number of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

Would the project:

a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?

Less than Significant Impact. The project does not include any new proposed housing or extension of infrastructure. However, it would establish a new business in the Dunnigan community. According to the EIR for the 2030 Countywide General Plan, the estimated jobs/housing balance for Dunnigan is 0.39. The proposed project will assist in increasing the number of jobs within the community, compared to the existing population, to achieve a better balance between the two. Therefore, this is not an impact.

b) Displace a substantial number of existing housing units, necessitating the construction of replacement housing elsewhere?

No Impact. The proposed Project would not result in any displacement of existing housing units, since the Project Site does not contain any housing units. Therefore, this is not an impact.

c) Displace a substantial number of people, necessitating the construction of replacement housing elsewhere?

No Impact. There are no residential units located on the subject property. The proposed project would not displace any existing homes or people.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
XIII.	PUBLIC SERVICES.				

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a 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 following public services:

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 type="checkbox"/>	<input checked="" type="checkbox"/>
d.	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIII. PUBLIC SERVICES.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
e. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a 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 following public services:

a) Fire protection?

Less Than Significant Impact. Customers and employees associated with the proposed facility would slightly increase the demand for fire and emergency medical services. The Dunnigan Fire District provides primary service to the project site, from the existing fire station located approximately 0.5 miles to the west of the project site. Conditions of Approval will require that the facility maintain fire sprinklers, fire hydrants, and an on-site water supply adequate for fire suppression, including fire apparatus. These requirements will reduce the impact to a less than significant level.

b) Police protection?

Less Than Significant Impact. Customers and employees associated with the proposed facility would slightly increase the demand for police protection services. The Yolo County Sheriff's Department would continue to serve the project site through existing regular patrols and/or resident deputies. Therefore, this is not an impact.

c) Schools?

No Impact. The proposed project would not result in any new housing and would not generate any additional demand for school services. Therefore, this is not an impact.

d) Parks?

No Impact. The proposed project would not result in any new housing and would not generate any additional demand for park services. Therefore, this is not an impact.

e) Other public facilities?

No Impact. The proposed project would not result in any new housing and would not generate any additional demand for other public facilities, including but not limited to libraries, hospitals, satellite County offices, etc. Therefore, this is not an impact.

XIV. RECREATION.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
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Would the project:

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
XIV. RECREATION.					
a.	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 type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

Would the project:

a) 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?

No Impact. The nearest recreational facility is a 0.25 acre neighborhood park located approximately 0.4 miles east of the project site. The estimated 50 employees of the proposed project would not increase the demand for use of this facility. There are no regional recreational facilities in the vicinity of Dunnigan. Therefore, this is not an impact.

b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

No Impact. The proposed project does not include any recreational facilities, nor would it require the construction or expansion of existing recreation facilities. Therefore, this is not an impact.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
XV. TRANSPORTATION/TRAFFIC.					
Would the project:					
a.	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

XV.	TRANSPORTATION/TRAFFIC.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
d.	Substantially increase hazards because of a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e.	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f.	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

No Impact. The traffic study prepared by Hall and Foreman Inc. shows that the Level of Service (LOS) for all highways, roads, and intersections served by the proposed project would continue to operate at either LOS A or LOS B, through the year 2035. The 2030 Countywide General Plan indicates that LOS D is acceptable for these portions of Road 6 and Interstate 5. The project site is not served by public transit, designated bicycle lanes, or pedestrian facilities, nor are there any adopted plans to do so in the future. Therefore, this is not an impact.

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

No Impact. The proposed project is consistent with the standards set by the Yolo County Transit District through their congestion management plan. Therefore, this is not an impact.

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?

No Impact. The nearest air field is Watts-Woodland Airport (private), located approximately 1 miles southeast of the project site. The proposed project is not located near any public or private airport, nor will it result in an increased demand for air traffic. Therefore, this is not an impact.

d) Substantially increase hazards because of a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less Than Significant Impact. As described in the traffic study for the site, prepared by Hall and Foreman Inc. and submitted by the applicant as part of the application, the proposed project includes construction of a westbound right-turn lane from Interstate 5 to the project driveway. In addition, a Condition of Approval will require that County Road 6 be reconstructed from the northbound ramps of Interstate 5 to the western boundary of the project site. These improvements will improve the road design and safety of this portion of Road 6, compared to its present condition. Therefore, this is not an impact.

e) Result in inadequate emergency access?

Less Than Significant Impact. The private driveway will be required to meet all requirements of the California Green Building Code, the Yolo County Development Standards, and the recommendations of the Dunnigan Fire District to ensure adequate emergency access to and from the project site. Therefore, this is not an impact.

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

No Impact. The project site is not served by public transit, designated bicycle lanes, or pedestrian facilities, nor are there any adopted plans to do so in the future. Bicycle and pedestrian facilities will be incorporated into the project, as required by the Yolo County Development Standards and the Yolo County Zoning Code, which will be an improvement over the existing condition. Therefore, this is not an impact.

XVI. UTILITIES AND SERVICE SYSTEMS.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 would new or expanded entitlements be needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in a determination by the wastewater treatment provider that 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Less than Significant Impact. The proposed project includes the construction of a new on-site private

waste water facility. Conditions of approval will require that the waste water treatment facility meet the Waste Discharge Requirements (WDRs) of the Central Valley Regional Water Quality Control Board. Therefore, this is a less than significant impact.

- 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?

Less than Significant Impact. The proposed project includes the construction of a new on-site private waste water facility. The waste water treatment facility would be required to meet the Waste Discharge Requirements (WDRs) of the Central Valley Regional Water Quality Control Board. The application materials submitted by Hall and Foreman Inc. estimate that the treatment facility will require approximately 36-acre feet of storage with a maximum depth of 15 feet. The storage design assumes a maximum of 10,000 gallons per day of waste water, as well as 100.9 inches of rainfall (equal to a one percent chance storm event followed by a ten percent chance storm event). Waste water will be evaporated, with the remaining sludge periodically removed and disposed of in accordance with State and local requirements. Construction of the waste water treatment facility would not result in any additional environmental effects beyond those already discussed in this document. Therefore, this is a less than significant impact.

- 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?

Less than Significant Impact. The proposed project includes the construction of a new on-site private storm water detention facility. The detention facility would be required to meet Yolo County Development Standards to accommodate a 24-hour event for a 100-year storm. The application materials submitted by Hall and Foreman Inc. estimate that approximately 5.6-acre foot of storage with a maximum depth of 7 feet will be required. Total inflow volume would be 7 acre-feet. A weir would be constructed to all for emergency discharge to Dunnigan Creek. Construction of the detention facility would not result in any additional environmental effects beyond those already discussed in this document. Therefore, this is a less than significant impact.

- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed?

Less than Significant Impact. One new on-site well is proposed for the new facility. A single well is expected to be adequate for the proposed facility. Yields for a well in the Colusa groundwater basin are expected to yield between 1,000 and 5,600 gallons per minute (gpm), with an average depth to groundwater of 100 feet. The Colusa basin is estimated to have a storage capacity to a depth of 200 feet of approximately 13 million acre-feet. The average annual groundwater extraction for the Colusa basin is estimated at approximately 350,000 acre-feet per year. Reclaimed treated process wastewater will be used to offset irrigation demands on site. Well design and construction will require approval by the Yolo County Environmental Health Division, as well as the California Department of Health. Therefore, this is a less than significant effect.

- e) Result in a determination by the wastewater treatment provider that 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?

No Impact. There is no wastewater treatment provider, as the proposed project will construct its own septic system and waste water ponds. Conditions of Approval will require that the design of the ponds capacity be sufficient to adequately serve the projected demand. Therefore, this is not an impact.

- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

No Impact. As of January 1998, the landfill had a remaining capacity of 8.5 million tons and is projected to

reach capacity in the year 2021. As a result, the existing County Central Landfill would adequately accommodate the project. Therefore, this is not an impact.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

Less Than Significant Impact. The proposed project would be required through Conditions of Approval to comply with all solid waste regulations as implemented and enforced by Yolo County. Therefore, this is not an impact.

XVII.	MANDATORY FINDINGS OF SIGNIFICANCE.	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
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, substantially 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

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, substantially 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?

Less Than Significant Impact with Mitigation Incorporated. As discussed in the Biological Resources and Cultural Resources sections of the Mitigated Negative Declaration, the proposed project could result in a potentially significant impact in terms of impacting the Swainson’s hawk, burrowing owl, archaeological resources, and human remains. However, implementation of the Mitigation Measures described in this Mitigate Negative Declaration would reduce these individual impacts to less-than-significant levels.

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.)

Less than Significant Impact. The proposed project could contribute incrementally to an cumulative impacts to aesthetics, agriculture, air quality, biological resources, cultural resources, water quality, noise, traffic, greenhouse gas emissions, and utilities. These cumulative impacts are associated with growth allowed under the 2030 Yolo Countywide General Plan. The General Plan includes numerous policies that will require new development, including this project, to reduce impacts, through the application of

design features and specific mitigation measures. Although these impacts may be mitigated at an individual level, at a cumulative level these impacts cannot be fully mitigated and would be considered significant and unavoidable, as noted in the certified Final Environmental Impact Report for the 2030 Yolo Countywide General Plan.

c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Less than Significant Impact. The impact of the proposed project includes the potential to expose human beings to hazardous materials, toxic air contaminants, seismic shaking, unstable soils, noise, and traffic safety. With implementation of standard Conditions of Approval, the proposed project would not result in environmental effects that could cause adverse effects on human beings, either directly or indirectly.

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FINDINGS

**LOVE’S TRAVEL CENTER
AMENDMENT TO THE PD-51 ZONE (ZF #2011-046)**

(A summary of the evidence to support each FINDING is shown in italics)

Upon due consideration of the facts presented in the staff report and at the public hearing for Zone File #2011-046, the Planning Commission recommends that the Board of Supervisors approve the proposed rezoning. In support of this decision, the Planning Commission makes the following findings:

California Environmental Quality Act

That the proposed Mitigated Negative Declaration, based on the Initial Study prepared for the project, is the appropriate environmental documentation in accordance with the California Environmental Quality Act (CEQA) and Guidelines.

For purposes of compliance with the California Environmental Quality Act (CEQA), the project is exempt from further CEQA review, as required under Public Resources Code (PRC) section 21083.3 and CEQA Guidelines section 15183. PRC section 21083(b) states:

“If a development project is consistent with the general plan of a local agency and an environmental impact report was certified with respect to that general plan, the application of this division to the approval of that development project shall be limited to effects on the environment which are peculiar to the parcel or to the project and which were not addressed as significant effects in the prior environmental impact report, or which substantial new information shows will be more significant than described in the prior environmental impact report.”

An Initial Study has been prepared and has determined the following:

- The previously certified General Plan FEIR adequately discussed all programmatic potentially significant impacts of this project, including offsite or cumulative impacts;*
- In approving the 2030 Yolo Countywide General Plan, the county adopted all feasible mitigation measures relevant to potentially significant effects that this project could have on the environment;*
- The mitigation measures and policies identified in the 2030 Yolo Countywide General Plan, plus other uniformly applied development policies or standards, will substantially mitigate the environmental effects of the proposed travel center, and will be incorporated into the project or otherwise undertaken in connection therewith; and*
- Substantial new information identified potentially significant effects on a project-level regarding aesthetics, biological resources, and cultural resources; however, mitigation measures were proposed and incorporated into the project approval to reduce these identified impacts to a less than significant level;*

Consequently, the environmental document for the project, prepared pursuant to Section 15000

et. seq. of the CEQA Guidelines, provides the necessary proportionate level of analysis for the proposed project, and sufficient information to reasonably ascertain the project's potential environmental effects. The environmental review process has concluded that with the required mitigation there will not be a significant effect on the environment as a result of the proposed project.

Yolo County General Plan

That the rezoning and the development proposed is consistent with the Yolo County General Plan.

The subject property is designated as Commercial General in the Yolo County General Plan. Commercial General uses include: "regional and highway-serving retail, offices, service retail, and agricultural commercial uses." The proposed Travel Center is a regional and highway serving retail and service retail development. In addition, the proposal is consistent with, but not limited to, the following General Plan policies:

Policy LU-3.3

Allow commercial and industrial growth (not including agricultural commercial or agricultural industrial) as shown in Table LU-9 (Allowed Commercial and Industrial Growth), subject to all required County approvals. Within the areas designated for commercial and industrial land uses, where appropriate, the County shall target the following: (C) Highway-oriented and regional commercial development, particularly along Interstate 5 and Interstate 505 and specialized retail to serve regional populations.

Policy CC-2.4

Emphasize the unincorporated communities as retail, service and employment centers for local residents, as well as residents of surrounding rural (agricultural) areas. Where appropriate, include economic development in the unincorporated communities that serves intra-county and regional tourism.

Policy CC-2.6

Encourage infill development and the appropriate redevelopment of vacant and underutilized properties within existing unincorporated communities and prioritize infill projects over development on land at the planned community edge.

Policy CC-2.10

Strive to achieve a minimum jobs/housing balance of 1.2 jobs for every dwelling unit on average within each unincorporated community, to the greatest extent feasible.

Policy ED-1.8

Retain and encourage growth in important economic export sectors, including mining, natural gas, tourism and manufacturing.

Policy ED-2.7

Encourage the retention and expansion of existing businesses and attract new businesses into the county.

Policy ED-3.2

Provide support to make infill development attractive for private developers.

Policy ED-4.1

Provide for the development of a visitor network, conveniently located, that includes a mix of lodging, attractions, transportation, restaurants, retail, gas stations and other services.

Policy ED-4.9

Support the development of tourist services (consistent with this General Plan) along Interstate 5 (Yolo, Zamora, Dunnigan), State Route 16 (Madison, Esparto) and State Route 113 (Knights Landing).

Policy D-LU.17

The highway service commercial designation shall allow all of the uses described in Section 8-2.1502 and 8-2.1504 of the County Zoning Regulations subject to approval of a Planned Development (PD) application, which may modify the range of allowable uses in particular cases.

Policy D-D.8

An application for a planned development shall be required for all new development on parcels with a PD zoning. Such an application shall include at least the following:

- 1. A statement of objectives to be achieved by the project through the particular approach chosen, including proposed land uses and residential densities.*
- 2. A site plan consistent with the requirements of Section 8-2.2006 of the County Zoning Regulations.*
- 3. Information on existing land on the site and on surrounding parcels.*
- 4. Any additional information which may be required by the Director of the Planning and Public Works Department.*

Zoning

That the proposal is consistent with the property's zoning.

The property is zoned C-H/PD-51 (Highway Service Commercial / Planned Development No. 51). Under Section 8-2.1501 of the County Code, the purpose of the C-H zone is to "provide for retail, commercial, amusement, and transient uses which are appropriate to highway locations and dependent upon highway travel." The proposed use is consistent with Section 8-2.1502 of the Yolo County Code, which includes the following as Principal Permitted Uses: (a) automobile repair garages; (b) automobile service stations; (h) restaurants and refreshment stands; (i) retail shops for the sale of souvenirs, curios, and other products primarily to serve the traveling public; and (l) other commercial uses and services which the Commission finds to be consistent with the purposes of this article and which are of the same general character as the principal permitted uses set forth in this section. In addition, the proposed use is consistent with the intent and development standards contained within the PD-51 overlay zone, as amended.

ATTACHMENT “E”

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE
HIGHWAY SERVICE COMMERCIAL /
PLANNED DEVELOPMENT NUMBER 51 C-H/PD-51) ZONE**

The Board of Supervisors of the County of Yolo, State of California, ORDAINS AS FOLLOWS:

Section 1. The real property described in Exhibit A and as illustrated by the map shown on Exhibit B is hereby rezoned from Highway Service Commercial / Planned Development (C-H/PD) to Highway Service Commercial/Planned Development Number 51 (C-H/PD-51).

Section 2. The purpose and intent of C-H/PD-51 is to allow for highway service commercial development, consistent with the 2030 General Plan and the Dunnigan Community Plan.

Section 3. Principal permitted uses within C-H/PD-51 shall include those “Principal permitted uses” allowed by Yolo County Code Title 8, Chapter 2, Article 15, Section 8-2.1502.

Section 4. Accessory uses within C-H/PD-51 shall include those “Accessory uses” allowed by Yolo County Code Title 8, Chapter 2, Article 15, Section 8-2.1503.

Section 5. Conditional uses within shall include those “Conditional uses” allowed by Yolo County Code Title 8, Chapter 2, Article 15, Section 8-2.1504.

Section 6. Any highway service commercial development within the C-H/PD-51 zone shall be subject to the conditions of approval, mitigation measures and monitoring program as set forth in Exhibit C, incorporated herein by this reference.

Section 7. Any highway service commercial development within the C-H/PD-51 zone shall also be subject to Yolo County Code Title 8, Chapter 2, Article 15, Sections 8-2.1505 through 8-2.1507.

Section 8. The Zoning Administrator may approve modifications to the development standards set forth in Section 7 above, provided that the Zoning Administrator finds in writing that any such modifications are in substantial conformance with the plans and/or standards adopted by the Board of Supervisors, and the appearance and function of the development will not be materially affected as a result of such modifications.

Section 9. If any section, sub-section, sentence, clause or phrase of this ordinance or any exhibit is held by a court of competent jurisdiction to be invalid, such decision shall not affect the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance, and each section, sub-section, sentence, clause, and phrase hereof, irrespective of the fact that one or more sections, sub-sections, sentences, clauses, and phrases be declared invalid.

Section 10. This Ordinance was introduced by title and number only, its reading waived, and a noticed public hearing held pursuant to Government Code Section 65856.

Section 11. This Ordinance shall take effect and be in force thirty (30) days after its passage, and prior to expiration of fifteen (15) days after its passage thereof, shall be published by title and

summary only in the Davis Enterprise together with the names of members of the Board of Supervisors voting for and against the same.

I HEREBY CERTIFY that the foregoing Ordinance was introduced before the Board of Supervisors of the County of Yolo, at the meeting of the Board of Supervisors of said County, held on the ____ day of _____, 2012, and finally adopted at a regular meeting of said Board held the ____ day of _____, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Beth Gabor, Clerk
Board of Supervisors

By _____
Deputy

(Seal)

APPROVED AS TO FORM:
Robyn Drivon, County Counsel

By _____
Phil Pogledich, Assistant County Counsel

Exhibit "A" – Legal Description
Exhibit "B" – Map
Exhibit "C" – Project Conditions of Approval and Mitigation Measure Monitoring Program

**AMENDED CONDITIONS OF APPROVAL,
MITIGATION MEASURES and MONITORING PROGRAM
for
ZONE FILE #2011-0046 (Love's Travel Center)**

GENERAL:

Planning

1. The project shall be developed in compliance with all adopted Conditions of Approval, Mitigation Measures and Monitoring Program for Zone File 2011-046 (Love's Travel Center), as contained herein and identified below. The applicant shall be responsible for all costs associated with implementing the Conditions of Approval and Mitigation Monitoring Program as contained herein.
2. The project is as described in the amended Mitigated Negative Declaration and summarized in the Yolo County Board of Supervisors Staff Report, as modified by the adopted Conditions of Approval and Mitigation Monitoring Plan. The Zoning Administrator may approve modifications to the project description and conditions of approval, subject to written findings that that any such modifications are in substantial conformance with the plans and/or standards adopted by the Board of Supervisors, and the appearance and function of the development will not be materially affected as a result of such modifications.
3. The project shall be constructed and developed, including private and public improvements, in compliance with all applicable Federal and State laws, Yolo County Code regulations, and County Engineering Design Specifications and Improvement Standards.
4. Assessment of fees under Public Resources Code Section 21089, and as defined by Fish and Game Code Section 711.4 will be required. The fees (\$2,101.50 plus a \$50 Recorder fee) are payable by the project applicant upon filing of the Notice of Determination by the lead agency, within five working days of approval of this project by the Planning Commission.

County Counsel

5. In accordance with Yolo County Code Section 8-2.1415, the applicant shall agree to indemnify, defend, and hold harmless the County or its agents, officers and employees from any claim, action, or proceeding (including damage, attorney fees, and court cost awards) against the County or its agents, officers, or employees to attach, set aside, void, or annul an approval of the County, advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations.

The County shall promptly notify the applicant of any claim, action or proceeding and that the County cooperates fully in the defense. If the County fails to promptly notify the applicant of any claim, action, or proceeding, or if the County fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold the County harmless as to that action. The County may require that the applicant post a bond in an amount determined to be sufficient to satisfy the above indemnification and defense obligation.

OPERATION AND MANAGEMENT:

Planning

6. All private facilities, improvements, infrastructure, systems, equipment, common areas, etc., shall be operated and maintained by the property owner and in such a manner, and with such frequency, to insure the public health, safety, and general welfare. The applicant shall maintain the project site including any landscaped areas and/or fences in an orderly, weed- and litter-free condition.
7. All costs of ownership, operation and maintenance of private facilities, improvements, infrastructure, systems, equipment, common areas, etc., shall be the responsibility of the property owner.
8. The applicant shall strive to hire Yolo County residents and purchase goods and services from local Yolo County businesses.
9. The applicant shall strive to provide locally and regionally grown and/or prepared food and products for sale within the retail market.

Public Works

10. The Yolo County Planning and Public Works Department has the discretionary authority to issue Transportation Permits for the movement of vehicles/loads exceeding statutory limitations on the size, weight, and loading of vehicles contained in Division 15 of the California Vehicle Code. The applicant shall apply for all necessary Transportation Permits for all use permit related (construction and business operations) hauling on county roads.

County Counsel

11. Failure to comply with the Conditions of Approval as approved by the Yolo County Board of Supervisors may result in the following actions:
 - a. non-issuance of future building permits; and
 - b. legal action.

Sacramento-Yolo Mosquito and Vector Control District (SYMVCD)

12. The wastewater treatment facility and the storm water detention facility shall be designed and operated to the extent feasible consistent with the Mosquito Reducing Best Management Practices Manual developed by the SYMVCD.

PRIOR TO LAND DISTURBANCE OR ISSUANCE OF BUILDING PERMITS:

Planning

13. Prior to the issuance of any Building Permit, the applicant shall record the necessary documents, as approved by the Planning and Public Works Department, to merge all

underlying parcels, to avoid constructing improvements over internal parcel boundaries.

14. Prior to issuance of the Building Permit, the applicant will grant, in perpetuity, a farmland conservation easement, a farmland deed restriction, or other conservation mechanism to, or for the benefit of, the county and/or other qualifying entity approved by the county, for 16 acres (at a one-to-one mitigation ratio for the approved project). The payment of fees by the applicant to the holder of the easement shall be sufficient to compensate for all administrative costs incurred by the county or easement holder inclusive of funds for the establishment of an endowment to provide for monitoring, enforcement, and all other services necessary to ensure that the conservation purposes of the easement or other restriction are maintained in perpetuity. Satisfaction of this mitigation requirement may be deferred, at the Planning and Public Works Director's discretion, for up to one year following the issuance of the Building Permit.
15. The existing Dunnigan Creek channel shall be retained and enhanced as an open space feature. An irrevocable offer of dedication shall be offered to the County for the area including the Dunnigan Creek floodplain and the remainder portion of the property to the north (approximately 1.2 acres). The purpose of the offer of dedication is to allow for the future establishment of a public-access Dunnigan Creek Open Space area, and shall be made prior to the issuance of any Final Certificate of Occupancy.
16. With the exception of the emergency weir, development shall be setback a minimum of 100 feet from the top of the Dunnigan Creek channel bank.
17. Prior to the issuance of any Grading Permit for work within the 100-year flood plain associated with Dunnigan Creek, the applicant shall submit the following to the Planning and Public Works Department:
 - a. Provide a copy of an approved encroachment permit from the Central Valley Flood Protection Board, or written confirmation that the permit is waived.
 - b. Provide copies of all necessary permits from the California Department of Fish and Game (1600 Permit – Streambed Alteration Agreement), the U.S. Army Corp. of Engineers (404 Permit), and the Central Valley Regional Water Quality Control Board (401 Permit), if required.
 - c. Obtain approval of a Flood Hazard Development Permit from the Planning and Public Works Department.
 - d. Submit a Landscaping Plan for review and approval by the Planning and Public Works Department. Riparian vegetation shall be retained and enhanced to the maximum extent feasible along Dunnigan Creek. The Landscaping Plan shall include details regarding the restoration of any areas disturbed by modifications of the creek channel, how riparian vegetation will be enhanced within the Dunnigan Creek floodplain, and the removal of non-native, invasive vegetation and replacement with native plants.
18. The applicant shall submit a Parking Plan for review and approval by the Planning and Public Works Director prior to the issuance of any Building Permit. The plan shall be consistent with the County Parking Ordinance (Article 25 of Chapter 2 of Title 8 of the Yolo County Code), including but not limited to the following:

- a. Designate the location of at least two truck loading spaces for on-site retail businesses;
 - b. Designate the location of at least four disabled access parking spaces;
 - c. Include the location of six parking spaces for the tire barn;
 - d. Ensure the provision of one truck parking space for every 500 square feet of building area;
 - e. Up to 25 percent of the required vehicle parking spaces may be for compact cars;
 - f. Up to 5 percent of the required vehicle parking spaces may be for motorcycles;
 - g. The number of total vehicle parking spaces may be reduced up to 25 percent at the discretion of the Planning and Public Works Director, for shared parking, the inclusion of designated carpool spaces; and/or the use of permeable parking surfaces.
 - h. Designate truck turning templates and minimum aisle widths;
 - i. Safe pedestrian access shall be provided between buildings and public right-of-ways. Pedestrian pathways shall be clearly marked through the use of distinctive paving colors or patterns; textured paving that is different from vehicle drive aisles; pavers; or other alternatives subject to approval of the Planning and Public Works Director.
19. All exterior refuse receptacles and containers shall be adequately screened from public view, through solid fencing, landscaping, or other alternative method as determined by the Planning and Public Works Director. The front of each refuse enclosure shall provide disabled access. Design details concerning the enclosure shall be submitted no later than concurrent with the building permit application and shall be subject to review and approval by the Director of the Planning and Public Works Department.
20. Building plans for the proposed facility shall be revised, where necessary, to address the following, prior to review and approval of any Building Permit by the Planning and Public Works Director:
- a. Rooftop mechanical equipment shall be screened from public view by the use of architecturally compatible materials.
 - b. Energy Star certified appliances and equipment shall be installed, (e.g., water heaters, swimming pool heaters, cooking equipment, refrigerators, furnaces, and boiler units), where feasible, to the satisfaction of the Planning and Public Works Director.
 - c. Low-water use appliances shall be installed throughout the proposed development.
 - d. Stores should have large windows that allow a full view into the store to provide a more open and inviting feel. Windows should cover 40-75% of the wall fronting the predominant public view.
 - e. Blank walls along the length of the building shall be varied, using articulation methods including changes in texture, color, or material; public art displays; landscaped planters; fountains; offsets; window and entry placement; or other varied design details.
 - f. Pedestrian scaled design features shall be incorporated, including but not limited to: awning shade features, canopies or trellises at the storefront; and accentuated or recessed entries.
 - g. Include architectural features such as accent colors, canopies, overhangs, recesses, projections, reveals, awnings, trellises, covered pedestrian walkways, arches, tile work, or molding to add character, provide shading, and define entries.

- h. Materials, finishes, and colors shall be varied to create contrast and accent in architectural features.
 - i. Roof designs shall vary and be integrated with the architectural design of the development, including such elements as parapet caps, projecting cornices, and corner details can be used to define a roof.
 - j. Incorporate measures to minimize “heat islands,” such as light-colored and reflective roofing materials and paint; “green” roofs; light colored roads and parking lots; and shade trees and/or overhangs on the south and west sides of new buildings.
21. A revised Site Plan shall be reviewed and approved by the Planning and Public Works Director prior to the issuance of any Building Permit. The revised Site Plan shall include the following:
- a. The incorporation of one or more usable public open space such as plazas, courtyards, and/or outdoor seating areas.
 - b. The incorporation of entry features that establish community identity, such as public art, landscaping, fountains, enhanced pedestrian furniture (e.g., benches, arbors), and/or similar features that compliment the building and setting
22. The site shall be limited to one freestanding advertising sign. The portion of the sign advertising the on-site uses shall not exceed 60 feet in height and 200 square feet in area (per facing). Above the advertised uses, the sign shall include a facing in each direction which states “Welcome to Dunnigan,” which may exceed the height and area limitation. A Building Permit shall be obtained from the Planning and Public Works Department prior to installation of all on-site project signs and applicable advertising displays. Approval from Caltrans, if required, shall be obtained prior to issuance of the Building Permit for the sign. The Lighting Plan shall demonstrate that signs minimize off-site light spill onto adjacent parcels and roadways.
23. The project applicant shall offer for dedication to the County any wells, equipment, and right-of-way used to supply water to the development. The offer of dedication shall be recorded prior to issuance of any Final Certificate of Occupancy. The intent of the offer for dedication is to allow for the incorporation of the wells, equipment, and right-of-way into a future public water system, should one be formed. The project applicant shall operate and maintain such wells, equipment, and right-of way to supply the development with potable water in accordance with the rules and regulations of the State and the County in perpetuity. The wells and water system shall be constructed to meet the domestic and fire supply needs specifically for the project, and shall not be required to meet the standards required for a community-wide municipal water system.
24. Chain-link fencing shall be installed by the applicant around the entire perimeter of the proposed storm water detention basin and wastewater pond. A six-foot (6’) high fence shall also be constructed along the length of the western boundary of the project, to discourage trespassing by customers and litter from encroaching onto adjoining agricultural fields..

Building

25. Construction details shall be included in construction drawings, submitted concurrent with any building permit application, and are subject to review and approval by the Director of the Planning and Public Works Department.

26. A Grading Permit shall be required prior to any soil disturbance activity. Unless otherwise authorized by the Planning and Public Works Director, grading, excavation, and trenching activities shall be completed prior to November 1st of each year to prevent erosion. A drought-tolerant, weed-free mix of native and non-native grasses or alternate erosion control measures approved by the Planning and Public Works Director shall be established on all disturbed soils prior to November 1st of each year.
27. All current 2010 Cal Green Building Codes, i.e., Building, Electrical, Plumbing, Mechanical, Energy, and Disabled Access Standards, shall apply to the project.
28. The applicant shall pay all appropriate fees prior to the issuance of Building Permits, including but not limited to the Pierce Unified School District, Dunnigan Fire District, and County Facilities and Services Authorization (FSA) fees.
29. As part of the Building Permit application for each building, the applicant shall submit a site drainage plan showing the finished grade and floor elevation. This can be a surveyed plan or based on reference elevation points on the site.
30. A soils report shall be prepared for any raised building pad area and shall be submitted with building permit application. The soils report shall be prepared by a California licensed geotechnical engineer.
31. Prior to issuance of any Building Permit, all necessary permits as required by Federal, State and local agencies and local districts shall be provided to the Planning and Public Works Department.
32. The applicant shall contact Pacific Bell's Underground Service Alert (USA) two days prior to the commencement of any underground work to verify the existence of existing subsurface service and/or utility lines.
33. The applicant shall be responsible for installation and/or relocation costs of any public utilities required to service the project. Public utilities shall be installed in accordance with Uniform Building Code (UBC) requirements, and are subject to review and approval by the Yolo County Building Division. Any utility easements required for the purpose of serving the project shall be obtained by, and the responsibility of, the applicant (documentation, recordation, etc.), and are subject to review and approval by the Director of the Planning and Public Works Department prior to construction and/or grading of the proposed travel center.

Public Works

34. Construction of the proposed development shall comply with the County of Yolo Improvement Standards, including best management practices to address storm water quality, erosion, and sediment control. Since the development disturbs one acre or more of land, the developer must obtain coverage under California's "National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (State General Permit)" for controlling construction activities that may adversely affect water quality. State General Permit coverage requires preparation of a Storm Water Pollution Prevention Plan (SWPPP). The developer shall provide Yolo County its State-issued Waste Discharge Identification Number

(WDID #) and a copy of the SWPPP prior to issuance of any Building or Grading Permit.

35. Prior to the issuance of any Grading Permit, the developer shall submit engineered civil improvement plans for the entire site for review and approval by the Planning and Public Works Director. The plans must be signed and sealed by a civil engineer licensed in the State of California. The engineered plans shall be accompanied by an improvement bond (or other guarantee acceptable to the County) to ensure all public improvements are completed prior to issuance of the Final Occupancy Permit. The applicant shall submit an engineer's cost estimate for all public improvements required by Conditions of Approval No. 68, using public agency unit prices, adding ten percent contingency, plus twenty percent county administrative cost allowance.
36. The developer shall submit a site geotechnical report for review and approval by the Planning and Public Works Director prior to the approval of any Grading Permit. Road and embankment (if any) design shall be incorporated in the report. The report must be signed and sealed by a civil engineer licensed in the State of California.
37. Existing Yolo County traffic signs affected by work within the County Road 6 right-of-way shall be replaced in their entirety per current Yolo County Improvement Standards. The costs for replacing the traffic signs shall be entirely borne by the applicant.
38. The applicant shall contact the Central Valley Regional Water Quality Control Board (CVRWQCB) to determine if an Industrial SWPPP is required for controlling operation activities that may adversely affect water quality. The applicant shall provide a copy of the CVRWQCB response, along with CVRWQCB contact information, to the Planning and Public Works Department prior to issuance of any Grading Permit.
39. The applicant shall provide confirmation whether a State of California Department of Fish and Game (DFG) Lake or Streambed Alteration Agreement is required for this project due to the work associated with the drainage ditches, channels, and culverts. The applicant shall provide a copy of the DFG response, along with DFG contact information, to the Planning and Public Works Department prior to the issuance of any Grading Permit.
40. Prior to the issuance of any Grading Permit, the applicant shall apply for a county encroachment permit for work within the county right-of-way. The paved driveway connection to County Road 6 and culvert shall be constructed to county standards. The county shall determine minimum culvert diameter. The driveway connection and culvert will be required to be maintained by the applicant or applicant's successor.
41. The applicant shall submit a Utility Plan for review and approval by the Planning and Public Works Department for the installation of street lights for the project frontage along County Road 6. All utilities shall be placed underground.
42. The applicant shall file a Record of Survey, prepared by a licensed surveyor in the State of California, whenever any of the following instances occur:
 - a. A legal description has been prepared that is based upon a new field survey disclosing data that does not appear on any previously filed Subdivision Map, Parcel Map, Record of Survey, or other official map.
 - b. Permanent monuments have been set marking any boundary.

- c. Additional right-of-way was dedicated to the County.
43. An on-site storm water detention basin shall be constructed by the applicant which complies with the County of Yolo Improvement Standards. In addition, the existing storm water drainage study shall be revised to include an updated HEC RAS model that address the factors addressed in the letter from Pacific Hydrologic Incorporated dated November 14, 2011. The revised study shall be reviewed and approved by the Planning and Public Works Director prior to the issuance of any Grading Permit. All approved storm drainage system modifications and improvements shall be designed, constructed and completed prior to issuance of any Building Permit.

Copies of the hydrology and drainage plan shall be furnished to Caltrans by the applicant for review and comment. Written verification of any requirements from Caltrans shall be provided to the Planning and Public Works Department prior to any Grading Permit approval.

The applicant shall submit a copy of the approved Phase 1 MS4 Permit from the Central Valley Regional Water Quality Control Board for storm water discharge, if required, prior to the issuance of any Building Permit.

The final approved drainage plan shall address the following elements:

- a. The use of permeable materials for surface such as driveways and parking lots shall be used to the greatest extent feasible, to the satisfaction of the Planning and Public Works Director
 - b. Swales and planters shall be used to capture storm water runoff in strategic locations of paved area to allow re-absorption into the ground.
 - c. Roof runoff shall drain to a swale, or be retained for use as landscape irrigation, where feasible.
 - d. An oil/water separator(s) is required for storm water discharge from service stations per Section 11 of the County of Yolo Improvement Standards. Drainage from the site shall not flow directly to the streets. To ensure all site drainage passes through the oil/water separator, the site shall be graded so that it drains to onsite drain inlets and the oil/water separator before flowing to on-site detention and to the public right-of-way. The separator also needs to remove solids (e.g., trash, rubber tire particles, etc).
 - e. All applicable permanent post-construction storm water pollution controls for new development (Section 11 of the County of Yolo Improvement Standards) shall be included in the site design. Plans and supporting drainage calculations shall be signed and sealed by a civil engineer licensed in the State of California.
44. To reduce mode conflicts and improve public safety, the applicant shall construct a dedicated, westbound, right turn lane on County Road 6 into the proposed development from the southbound Interstate 5 off ramp. The work shall include sidewalk, curb and gutter along the frontage east of the entrance, and adequate pavement transitioning to tie into the existing, narrow road west of the site. The full width of County Road 6 shall be reconstructed from the existing sidewalk, curbs and gutter east of the Interstate 5 Northbound Ramps to the west side of the project frontage (excepting the concrete bridge deck of the Interstate 5 overpass). The work shall be completed after on-site construction and prior to approval of the Final Occupancy Permit.

Prior to any Grading Permit approval, the applicant shall submit engineered civil improvement plans for the County Road 6 work designed to Yolo County Improvement Standards. The right turn lane and full width reconstruction of County Road 6 shall be asphalt concrete or cement concrete pavement, and the final design shall be based on the existing R-value (in lieu of field sampling, an R-value of 5 may be assumed) and a Traffic Index of 12, or greater. The design shall provide STAA (Surface Transportation Assistance Act of 1982) vehicle turning radii for all turning movements. The engineered improvement plans shall be signed and sealed by a professional civil engineer in the State of California, and reviewed and approved by the County Engineer. The developer shall apply for a County encroachment permit for this work within the County Road 6 right-of-way, and reimburse the county for construction inspection and other activities associated with satisfying these conditions.

45. Prior to the approval of any Building Permit, the applicant shall submit engineered improvement plans to the County Health Department and the Planning and Public Works Department for review and approval detailing the wastewater service system and treatment facility, including all necessary calculations for the entire project.

The applicant shall obtain all necessary permits as required by the Central Valley Regional Water Quality Control Board (RWQCB), including the Waste Discharge Requirements. Provision shall be included for lining the proposed holding pond (if required), installation of monitoring wells upstream and downstream of the pond, and security fencing around the pond as determined by the County Health Department and the RWQCB. The applicant shall also include a maintenance and operations plan that will minimize potential odors created by the treatment system and pond.

46. The applicant shall provide a plan showing the location of "No Parking" signs along the north and south sides of County Road 6 from the Interstate 5 Northbound Ramps to a distance beyond the project site to the west approved by the County Engineer. The "No Parking" sign plan shall be submitted concurrent with the engineered plans for County Road 6 improvements and shall require review and approval by the Planning and Public Works Director.

The applicant shall install the "No Parking" signs concurrent with construction of site and infrastructure improvements. The developer shall reimburse the county for all activities associated with establishing this no parking zone (Board of Supervisors action). Installation of the signs shall be completed prior to issuance of any Building Permit.

Environmental Health

47. Approval for the on-site sewage pond shall be obtained from the Central Valley Regional Water Quality Control Board. A copy of said approval shall be provided to the Planning and Public Works Department and the County Health Department, prior to the issuance of any Building Permits for pond construction. Grading for the pond may occur prior to obtaining the CVRWQCB permit, subject to approval of a Grading Permit from the Planning and Public Works Department.
48. The applicant shall obtain approval of a Hazardous Materials Business Plan from the County Health Department, prior to the issuance of any Final Occupancy Permit.

49. A permit shall be obtained from the County Health Department prior to any on-site food sales. Plans for the on-site kitchen shall be reviewed and approved by the County Health Department prior to the issuance of the Building Permit for either of the restaurants or retail store.
50. Prior to the issuance of any Final Occupancy Permit, the existing underground (fuel) storage tanks (USTs) shall either be removed or an approved permit shall be obtained from Environmental Health and the tanks placed back into service. If the tanks are removed, an approved permit must be obtained from Environmental Health, as well as an approved soil sampling plan. The results of the soil sampling plan and on-site observation during removal of the tanks may require additional remediation, as determined by the Health Director.
51. Prior to the installation of any new well, the applicant shall obtain approval of the well plans and construction design from the County Health Director. A hydro-geological report signed by a professional engineer shall be prepared that evaluates the groundwater conditions, including:
 - a. Recommended locations and minimum depth for production wells;
 - b. Recommended minimum depth for solid well casing;
 - c. Estimated perennial yield of the local groundwater basin;
 - d. Estimated draw down at all existing wells within 500 feet of the production well(s);
 - e. Estimated land subsidence expected for the overall level of water demand;
 - f. Statement that quality will meet the requirements for potable use as promulgated by the State of California at the time of the report.

Signed contracts for any imported surface water needed to meet that part of the minimum water requirements at build-out that cannot be met from groundwater shall be submitted. Copies of both the report and the contracts shall be provided to the County Health Department and the Planning and Public Works Department for approval, prior to the installation of any on-site well.

52. The applicant shall obtain a public water supply permit from the County Health Department for potable water used by the on-site food establishment and employees. Potable water supplies shall meet State water quality standards, including nitrate levels. The water well used for potable water shall be designed and constructed to prevent nitrate contamination, including water testing during well construction and/or sealing off shallow water-bearing aquifers, as determined by the County Health Director.

Prior to the approval of any Building Permit, the applicant shall provide to the County Health Department and the Planning and Public Works Department for review and approval an engineered water service system plan and design including all necessary calculations for the entire project. The water well shall be constructed to prevent migration and infiltration of any on or off-site ground water contamination. The system shall also be designed so as not to create an impact on any one single use and/or parcel during an emergency / peak demand fire flow event. The engineered water service system shall be designed and completed to meet all CalGreen Building Code requirements and necessary peak demand fire flows, quantities and pressures, etc., as determined by the Planning and Public Works Director.

Upon completion of the proposed water well, water quality sampling and testing shall be

conducted by a qualified firm and laboratory as determined by the County Health Department. All final water quality test results shall be found to be satisfactory by County Health Department prior to issuance of any Building Permit. All future water quality monitoring, sampling and testing shall be conducted by the applicant as determined by the Yolo County Environmental Health Department.

Local Agency Formation Commission (LAFCO) and Assessor

53. Prior to the issuance of any Building Permit, the applicant shall submit an application and pay all appropriate fees to the Local Agency Formation Commission (LAFCO) to annex Assessor Parcel Number (APN): 051-160-04 into the Dunnigan Water District. The annexation process shall be completed prior to the issuance of any Final Occupancy Permit, unless otherwise allowed by the Planning and Public Works Director.

In addition, the applicant shall submit an application and pay all fees to annex the entire project site into both County Service Area (CSA) No. 3 and CSA No. 11.

Dunnigan Fire District

54. The final engineered improvement plans shall show the location and type of fire hydrants to be installed within the development. The applicant shall obtain written approval of the fire hydrant plan and fire flow requirements by the Dunnigan Fire District prior to approval by the Planning and Public Works Department.
55. The building plans shall include a Knox Box rapid entry system, as approved by the Dunnigan Fire District.
56. The on-site water supply/storage system shall meet the minimum requirements to maintain a fire sprinkler system for all appropriate commercial buildings, as well as supplying fire apparatus responding to an emergency at the facility.
57. The applicant shall provide a will-serve letter from the Dunnigan Fire District confirming the ability to provide fire protection services to the project, prior to the issuance of any Building Permit.

Dunnigan Water District

58. The final Site Plan design shall ensure that the Dunnigan Water District has access to the on-site 30-inch main water delivery line, for repair and maintenance.
59. The wastewater treatment pond shall be designed to maintain all minimum setbacks from the on-site water line as required by the County Environmental Health Division.

Yolo Solano Air Quality Management District (YSAQMD)

60. A revised Site Plan shall be reviewed and approved by the Planning and Public Works Director prior to the issuance of any Building Permit. The revised Site Plan shall include the following:
 - a. The location of signage advising truck operators of the Diesel-Fueled Commercial

Motor Vehicle Idling Air Toxic Control Measure adopted by the California Air Resources Board (CARB) in 2004, which limits idling of commercial trucks to five minutes.

- b. The location of bicycle parking to be provided in accordance with the Yolo County Parking Ordinance, specifically Section 8-2.2507.(b) of the Yolo County Code. The applicant shall provide four bicycle racks, with a minimum of four bicycle spaces per rack. Bicycle racks shall be conveniently located near the main entrance of the store and/or restaurants and shall not interfere with pedestrian access.
 - c. The location of features that promote the use of clean alternative fuel and electric vehicles and/or trucks, including but not limited to: re-charging stations for electric and/or hybrid vehicles; and alternative fuel filling stations (e.g., bio-diesel, E-85, and/or compressed natural gas (CNG)).
61. The applicant shall acquire any required permits from the Yolo-Solano Air Quality Management District, as appropriate.
62. The applicant shall implement the following YSAQMD Best Management Practices during construction activities to reduce emissions and control dust:
- a. Water all active construction areas at least twice daily.
 - b. Haul trucks shall maintain at least two feet of freeboard.
 - c. Cover all trucks hauling soil, sand, and other loose materials.
 - d. Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut-and-fill operations and hydroseed area.
 - e. Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).
 - f. Plant tree windbreaks on the windward perimeter of construction projects if adjacent to open land.
 - g. Plant vegetative ground cover in disturbed areas as soon as possible.
 - h. Cover inactive storage piles.
 - i. Sweep streets if visible soil material is carried out from the construction site.
 - j. Treat accesses to a distance of 100 feet from the paved road with a 6 to 12 inch layer of wood chips or mulch.
 - k. Treat accesses to a distance of 100 feet from the paved road with a 6-inch layer of gravel.

Caltrans

63. Prior to approval of any County Encroachment Permit, the applicant shall submit a copy of the approved Encroachment Permit, as required by the State Department of Transportation (Caltrans), for work to be done within State right-of-way areas. The applicant shall also provide a copy of the Caltrans stamped and approved engineered improvement plans. The drainage and hydrology plan as required herein shall also be provided to Caltrans for review and comment. Verification of such review and any comments received shall be obtained by the applicant and provided to the Planning and Public Works Department prior to Grading Permit approval.

California Department of Fish and Game

64. Prior to issuance of any building permit, the applicant shall compensate for the loss of 16

acres of Swainson's hawk habitat according to the California Department of Fish and Game (CDFG) Swainson's hawk guidelines. Compensation may occur either through payment of a Habitat Mitigation Fee (\$8,660 per acre) or through providing equivalent acreage in a conservation easement, to the satisfaction of the CDFG. Evidence of compliance with the condition shall be provided to the Planning and Public Works Department prior to building permit issuance.

MITIGATION MEASURES

65. Prior to the issuance of any Building Permit, a detailed Landscape and Irrigation Plan (LIP) shall be submitted for review and approval by the Planning and Public Works Director. All landscaping and irrigation improvements shall be completed prior to the issuance of any Final Certificate of Occupancy. The Landscaping Plan shall show the details and extent of screening for the subject property frontage along both County Road 6 and Interstate 5, and riparian vegetation enhancements along Dunnigan Creek. The LIP shall comply with the County Water Efficient Landscape Ordinance (Article 35 of Chapter 2 of Title 8 of the Yolo County Code). The LIP shall include, but not be limited to, the following:
 - a. One 15 gallon tree of acceptable size (at maturity) and type shall be provided for each six vehicle parking spaces (1:6). The types, spacing, and density of tree plantings shall ensure fifty percent (50%) shading of the parking lot surface area is achieved within ten (10) years of Building Permit issuance. Each parking lot tree shall have a curbed tree well of sufficient depth and overhang distance to prevent tree damage from vehicle bumpers.
 - b. Landscape strip areas with a minimum width of fifty feet (50') shall be installed along the eastern property lines (adjacent to Interstate 5) and ten feet (10') along County Road 6.
 - c. The use of reclaimed wastewater, roof catchment, rainwater, drainage swales, etc. shall be used for landscape irrigation, where feasible, to the satisfaction of the Planning and Public Works Director.
 - d. Existing mature trees shall be incorporated into the design of the project to the maximum extent feasible.
 - e. Regionally native drought-tolerant plants shall be incorporated into the landscaping design where appropriate.

66. A Lighting Plan shall be submitted by the applicant and approved by the Planning and Public Works Director prior to the issuance of any Building Permits. The Lighting Plan shall include a certification that adjacent areas will not be adversely affected and that offsite illumination will not exceed 1-foot candle. Outdoor light fixtures shall be low-intensity, shielded and/or directed away from adjacent areas and the night sky. Lighting fixtures for parking lots shall use low-pressure sodium lamps or other similar lighting fixture. All light fixtures shall be installed and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane, or in such a manner as to shine on adjoining properties and/or create a problem for passing motorists. High-intensity discharge lamps, such as mercury, metal halide and high-pressure sodium lamps shall be prohibited. Adequate on-site street lighting shall be provided on-site to light the entrance driveway.

67. If construction is scheduled to occur between March 15 and September 15, prior to construction activity, a qualified biologist should conduct a survey to determine the presence/absence of Swainson's hawk nests within 0.25 miles of the project site. This

survey is not required if construction occurs during the non-breeding season (September 16 to March 14).

If an active Swainson's hawk nest is found during preconstruction surveys, establish a no-disturbance set-back to avoid nest abandonment. The size of the set-back should be determined based on the ambient noise and disturbance levels, line of sight to the nest, and other relevant site-specific factors. A site assessment should be conducted by a qualified biologist, the applicant, and if necessary, DFG staff, to determine the appropriate set-back distance.

68. Prior to construction at any time of the year, a qualified biologist should conduct a survey to determine the presence/absence of active burrowing owl nesting or wintering burrows within 500-feet of all ground disturbance.

If an active burrowing owl nesting burrow is located during preconstruction surveys, establish a no-disturbance set-back to avoid removal or disturbance to the burrow. Maintain a set-back of at least 500 feet from active breeding burrow until after young have fledged. If an active wintering burrow is within the footprint of the development, either adjust the footprint to avoid direct disturbance to the burrow or remove the winter burrow by installing one-way doors to allow owls to escape and then collapse the burrow according to DFG guidelines (California Department of Fish and Game 1994). This also requires consultation and approval from DFG.

69. Prior to the issuance of any grading or building permits for the proposed project, the applicant shall submit a report from a qualified archeologist that analyzes the potential for encountering archeological resources in the unsurveyed portions of the project site. If the potential for encountering archeological resources is determined by the report to be high or significant, the qualified archaeologist shall make recommendations regarding the appropriate measures to avoid or lessen the potential impacts, such as reconfiguring the site plan or employing an on-site monitor during grading and excavation activities, shall be implemented as a requirement of grading or building permit approval.

70. If any cultural resources, such as chipped or ground stone, historic debris, building foundations, or paleontological materials are encountered during grading and/or excavation, then all work within one-hundred (100) feet shall immediately stop and the Planning and Public Works Director shall be notified within 24 hours. Any cultural resources found on the site shall be recorded by a qualified archaeologist and the information shall be submitted to the Planning and Public Works Department.

71. If human remains are encountered during excavation, all work within one-hundred (100) feet shall immediately stop, and the County Coroner shall be notified within twenty-four (24) hours. Recommendations concerning the treatment and disposition of the human remains shall be made to the person responsible for the excavation, in the manner provided in Section 5097.98 of the Public Resources Code. If the Coroner determines that the remains are not subject to his or her authority and that the remains are determined to be those of a Native American,, the appropriate Native American community identified by the Native American Heritage Commission shall be contacted, and an agreement for treating or disposing of, with appropriate dignity, the remains and associated grave goods shall be developed.

Mitigation Measures and Monitoring Program – ZF #2011-0046 (Love’s Travel Center)

Environ. Impact	Mitigation Measures	Reporting/ Monitoring Requirement	Responsibility for Compliance	Method to Comply	Enforce-ment	Check-off Date/ Initials
AESTHETICS						
I.c	<p>Prior to the issuance of any Building Permit, a detailed Landscape and Irrigation Plan (LIP) shall be submitted for review and approval by the Planning and Public Works Director. All landscaping and irrigation improvements shall be completed prior to the issuance of any Final Certificate of Occupancy. The Landscaping Plan shall show the details and extent of screening for the subject property frontage along both County Road 6 and Interstate 5, and riparian vegetation enhancements along Dunnigan Creek. The LIP shall comply with the County Water Efficient Landscape Ordinance (Article 35 of Chapter 2 of Title 8 of the Yolo County Code). The LIP shall include, but not be limited to, the following:</p> <p>a. One 15 gallon tree of acceptable size (at maturity) and type shall be provided for each six vehicle parking spaces (1:6). The types, spacing, and density of tree plantings shall ensure fifty percent (50%) shading of the parking lot surface area is achieved within ten (10) years of Building Permit issuance. Each parking lot tree shall have a curbed tree well of sufficient depth and overhang distance to prevent tree damage from vehicle bumpers.</p> <p>b. Landscape strip areas with a minimum width of fifty feet (50') shall be installed</p>	Prior to the issuance of any Building Permit	Planning and Public Works Department.	Submit Landscaping and Irrigation Plan.	Condition of approval.	

	<p>along the eastern property lines (adjacent to Interstate 5) and ten feet (10') along County Road 6.</p> <p>c. The use of reclaimed wastewater, roof catchment, rainwater, drainage swales, etc. shall be used for landscape irrigation, where feasible, to the satisfaction of the Planning and Public Works Director.</p> <p>d. Existing mature trees shall be incorporated into the design of the project to the maximum extent feasible.</p> <p>e. Regionally native drought-tolerant plants shall be incorporated into the landscaping design where appropriate.</p>					
I.d	<p>A Lighting Plan shall be submitted by the applicant and approved by the Planning and Public Works Director prior to the issuance of any Building Permits. The Lighting Plan shall include a certification that adjacent areas will not be adversely affected and that offsite illumination will not exceed 1-foot candle. Outdoor light fixtures shall be low-intensity, shielded and/or directed away from adjacent areas and the night sky. Lighting fixtures for parking lots shall use low-pressure sodium lamps or other similar lighting fixture. All light fixtures shall be installed and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane, or in such a manner as to shine on adjoining properties and/or create a problem for passing motorists. High-intensity discharge lamps, such as mercury, metal halide and</p>	<p>Prior to the issuance of any Building Permit</p>	<p>Planning and Public Works Department.</p>	<p>Submit Lighting Plan.</p>	<p>Condition of approval.</p>	

	high-pressure sodium lamps shall be prohibited. Adequate on-site street lighting shall be provided on-site to light the entrance driveway.					
BIOLOGICAL RESOURCES						
IV.a	<p>If construction is scheduled to occur between March 15 and September 15, prior to construction activity, a qualified biologist should conduct a survey to determine the presence/absence of Swainson's hawk nests within 0.25 miles of the project site. This survey is not required if construction occurs during the non-breeding season (September 16 to March 14).</p> <p>If an active Swainson's hawk nest is found during preconstruction surveys, establish a no-disturbance set-back to avoid nest abandonment. The size of the set-back should be determined based on the ambient noise and disturbance levels, line of sight to the nest, and other relevant site-specific factors. A site assessment should be conducted by a qualified biologist, the applicant, and if necessary, DFG staff, to determine the appropriate setback distance.</p>	Prior to any construction activity conducted between March 15 and September 15.	Planning and Public Works Department.	Submit a site-specific Swainson's hawk nest survey by a qualified biologist.	Condition of approval.	
IV.a	<p>Prior to construction at any time of the year, a qualified biologist should conduct a survey to determine the presence/absence of active burrowing owl nesting or wintering burrows within 500-feet of all ground disturbance.</p> <p>If an active burrowing owl nesting burrow is located during preconstruction surveys, establish a no-disturbance set-back to</p>	Prior to any construction activity	Planning and Public Works Department.	Submit a site-specific burrowing owl survey by a qualified biologist.	Condition of approval.	

	<p>avoid removal or disturbance to the burrow. Maintain a set-back of at least 500 feet from active breeding burrow until after young have fledged. If an active wintering burrow is within the footprint of the development, either adjust the footprint to avoid direct disturbance to the burrow or remove the winter burrow by installing one-way doors to allow owls to escape and then collapse the burrow according to DFG guidelines (California Department of Fish and Game 1994). This also requires consultation and approval from DFG.</p>					
CULTURAL RESOURCES						
V.b	<p>Prior to the issuance of any grading or building permits for the proposed project, the applicant shall submit a report from a qualified archeologist that analyzes the potential for encountering archeological resources in the unsurveyed portions of the project site. If the potential for encountering archeological resources is determined by the report to be high or significant, the qualified archaeologist shall make recommendations regarding the appropriate measures to avoid or lessen the potential impacts, such as reconfiguring the site plan or employing an on-site monitor during grading and excavation activities, shall be implemented as a requirement of grading or building permit approval.</p>	<p>Prior to the issuance of any grading and/or building permit.</p>	<p>Planning and Public Works Department.</p>	<p>Submit a site-specific archaeology survey by a qualified archaeologist.</p>	<p>Condition of approval.</p>	

V.b	If any cultural resources, such as chipped or ground stone, historic debris, building foundations, or paleontological materials are encountered during grading and/or excavation, then all work within one-hundred (100) feet shall immediately stop and the Planning and Public Works Director shall be notified within 24 hours. Any cultural resources found on the site shall be recorded by a qualified archaeologist and the information shall be submitted to the Planning and Public Works Department.	Ongoing	Planning and Public Works Department.	Submit a cultural resources study by a qualified archaeologist, if any resources are discovered.	Condition of approval.	
V.d	If human remains are encountered during excavation, all work within one-hundred (100) feet shall immediately stop, and the County Coroner shall be notified within twenty-four (24) hours. Recommendations concerning the treatment and disposition of the human remains shall be made to the person responsible for the excavation, in the manner provided in Section 5097.98 of the Public Resources Code. If the Coroner determines that the remains are not subject to his or her authority and that the remains are determined to be those of a Native American, the appropriate Native American community identified by the Native American Heritage Commission shall be contacted, and an agreement for treating or disposing of, with appropriate dignity, the remains and associated grave goods shall be developed.	Ongoing	County Coroner	Determine whether the remains are Native American, and if so, contact the appropriate Native American community.	Condition of approval.	

DETAILED STAFF RESPONSES

January 18, 2012 letter from Karen Diepenbrock:

1. The Notice of Availability/Notice of Intent (NOA/NOI) to adopt a Mitigated Negative Declaration did not include a notice of the Dunnigan Advisory Committee meeting for January 18, 2012, as is required under Section 21092.(b).(1) of the Public Resources Code. (PRC). No official action may be taken during the meeting regarding the project. The NOA/NOI cannot limit public comments submitted subsequent to the Advisory Committee meeting.

Staff acknowledges the error in not including a notice of the Dunnigan Advisory Committee within the NOA/NOI. The Committee is advisory only and is not authorized to take any action other than to make a recommendation. Regardless, no action was taken by the Committee on January 18, 2012. The recommendation for denial of the project was instead made during a special meeting held on January 24, 2012. The 30-day review period for the MND ends on February 8, 2012. As such, public comments on the MND will continue to be accepted following the Advisory Committee meeting, until the conclusion of the public review period.

It should also be noted that PRC Section 21092.(b).(2) states: "This section shall not be construed in any manner that results in the invalidation of an action because of the alleged inadequacy of the notice content if there has been substantial compliance with the notice content requirements of this section." The public hearing notice was sent out to all interested parties who have previously requested notice, and was distributed to all landowners within 1,000 feet of the project site. As such, staff believes that despite the error, there has been substantial compliance with the notice requirements of the applicable PRC section.

2. The proposed Love's Travel Center is inconsistent with the 2001 Dunnigan General Plan. The General Plan limits commercial trucking uses that cater to large trucks and their drivers to areas zoned for Truck Related Highway Commercial. The General Plan provides that areas zoned as Highway Service Commercial be limited to uses that serve those who primarily arrive by automobile, not truck. For instance, Policy D-LU.19 restricts truck parking lots to areas designated as either Agriculture or Truck-Related Highway Commercial. Since the project contains 120 truck parking spaces, it is inconsistent with the General Plan. Consequently, it is inappropriate for the County to consider the proposed use at this location.

Staff disagrees. There is no language in the Dunnigan Community Plan that limits truck-related uses outside of the designated Expansion Areas. Policy D-LU.17 of the Dunnigan Community Plan states: "The highway service commercial designation shall allow all of the uses described in Section 8-2.1502 and 8-2.1504 of the County Zoning Regulations subject to approval of a Planned Development (PD) application, which may modify the range of allowable uses in particular cases." This expressly allows the use of the PD overlay zone to include truck-related uses on properties located outside of Expansion Areas 1 and 2.

Policy D-LU.19 states: "Truck parking lots shall be an allowed use in the areas designated as agriculture-related industrial and truck-related highway service commercial. Parking shall be in accordance with the Yolo County Code." This policy describes what may be included in the allowed uses within specific areas of the Dunnigan Community Plan. It contains no language limiting these uses only to the agriculture-related industrial and truck-related highway service commercial designated areas.

3. Grant Park Development requests that the County withdraw its NOA/NOI and encourage the applicant to pursue their project at a location that is zoned Truck-Related Highway Commercial. We also request that the Dunnigan Advisory Committee not consider this proposal until a new NOA/NOI has been issued by the County that includes notice of the meeting.

Staff disagrees. The NOA/NOI has not been withdrawn. The County does not have the authority to direct the applicant to withdraw the application and pursue an alternate location. The Dunnigan Advisory Committee did not make their recommendation on January 18, 2012, as requested. The letter transmitting the Committee recommendation was approved during a special meeting held on January 24, 2012.

January 30, 2012 letter from the Dunnigan Citizens Advisory Committee:

1. The proposed location of Road 6 and I-5 is not an acceptable location, is not consistent with the 2001 Dunnigan General plan, or the 2030 Yolo County General plan and is not in the best interest of the community at that location. The committee instead favors the location of the Love's Travel Center at the Road 8/Interstate 5 interchange.

The Committee's opposition to the project location, preference for the Road 8 location, and concerns about the best interest of the community are acknowledge.

Staff disagrees regarding the consistent of the project with the 2030 County General Plan and the Dunnigan Community Plan, for the reasons stated below.

- a. The proposal conflicts with Policy CC-3.10.D of the 2030 Countywide General Plan; Policies D-LU.15 and D-LU.16 of the 2001 Dunnigan General Plan; and text on Page 19 of the Dunnigan General Plan.

Staff disagrees. The proposed project is not in conflict with Policy CC-3.10.D. The policy states that commercial trucking uses shall be concentrated at Road 8. It does not say that commercial trucking uses are limited to Road 8. This indicates that commercial trucking uses are allowed at other locations within the Dunnigan Community Plan area.

Policy D-LU.15 of the Dunnigan Community Plan states:

Visitor and highway related commercial uses shall be encouraged on the east side of I-5, north of County Road 6, south of County Road 5, and west of County Road 99W. The businesses should focus on those uses whose primary clientele arrive by automobile, not trucks.

This description refers to Expansion Area 1. The proposed project is located on the west side of I-5 and is outside of Expansion Area 1. Similarly, Policy D-LU.16 of the Dunnigan Community Plan states:

Highway service commercial uses shall be allowed at the County Road 8/I-5 interchange. Uses on this property shall be limited to those that serve truck traffic such as truck stops with associated restaurants, motels, truck service stations, truck repair and maintenance, and overhaul facilities.

This description refers to Expansion Area 2. Although it limits uses within the Expansion Area to commercial trucking uses, it does not prohibit commercial trucking uses at locations elsewhere within the Dunnigan Community Plan.

The text on Page 19 also refers to Expansion Areas 1 and 2. The proposed location of the Love's Travel Center is on land that is located outside of the Expansion Areas designated in the Dunnigan Community Plan and is therefore classified as infill development. The above policies and text do not apply to infill development.

- b. The proposed location would conflict with the draft Dunnigan Specific Plan and undermine years of community input on the draft land use plan.

The conflict of the proposed project with the current draft Dunnigan Specific Plan is acknowledged. However, the Dunnigan Specific Plan is in a preliminary stage and has not yet undergone environmental review, nor has it been adopted. Consequently, it is not certain what land use designation may ultimately be assigned to the project site or adjoining lands.

- c. The truck stop raises a number of concerns, including:

- a. The gateway to Dunnigan would not be attractive to visitors. Parking lots should be screened from the freeway.

Staff agrees. Landscaping along both Interstate 5 and County Road 6 is required under Condition of Approval No. 59.

- b. Safety hazards would be created for the busy town center.

Staff disagrees. The traffic study concludes that Levels of Service (LOS) for County Road 6 and the Interstate 5 on and off ramps would remain at LOS A or B. Policy Ci-3.1 of the County General Plan states that LOS C or better shall be maintained for roadways and intersections in the unincorporated county. It should be pointed out that Policy CI-3.1 of the County General Plan allows the Dunnigan Specific Plan to maintain Road 6 at LOS D and all other roads within the community at LOS E.

The traffic study also demonstrates that the wide ramp areas provide sufficient room such that truck drivers will not need to cross over into the opposite lane of traffic for their turning movements. Both Caltrans and the County Public Works Division have reviewed and accepted the traffic study as adequate and

consistent with their standards, and provides the most conservative estimate for determining turning radii and potential traffic safety hazards..

- c. The truck stop would be incompatible with the planned school.

There currently is no school planned for Dunnigan. There are proposals in the draft Dunnigan Specific Plan for an elementary school that would be located 1,600 feet west of the project site, as well as a middle school that would be located 1,800 feet southwest of the project site. However, the draft Dunnigan Specific Plan has not undergone environmental review or public review and has not been adopted by the County Board of Supervisors.

- d. Road 6 is designated for retail and light business.

Expansion Area 1, located east of Interstate 5 and north of Road 6 is designated for highway service commercial uses that focus primarily on automobile travel. However, the project site is located west of Interstate 5, outside of the Expansion Area 1 designation. Policy D-LU.17 of the Dunnigan Community Plan states: "The highway service commercial designation shall allow all of the uses described in Section 8-2.1502 and 8-2.1504 of the County Zoning Regulations subject to approval of a Planned Development (PD) application, which may modify the range of allowable uses in particular cases." This expressly allows the use of the PD overlay zone to include truck-related uses on properties located outside of Expansion Areas 1 and 2.

- e. Road 6 is the only highway ramp for the local community. The proposed location is too close to the freeway to allow an uncongested flow of traffic. The on and off ramps need to be extended to accommodate commercial traffic.

Staff disagrees. The traffic study accepted by both Caltrans and the County Public Works Division demonstrates that the proposed driveway, street design, and turning radii will allow a Level of Service "B" to be maintained for Road 6 and the on/off ramps for Interstate 5. Although improvements to the on/off ramps are not required, the applicant will be required under Condition of Approval Nos. 66 and 71 to resurface Road 6, construct a separate right turn lane from the southbound off ramp to I-5, and place no parking signs along Road 6.

- f. The property is too small to accommodate all of the uses that Love's is proposing. There is no buffer.

Staff disagrees. The site can accommodate the proposed uses and still meet all required setbacks, buffers, and separation requirements. The area including Dunnigan Creek and the area north provides a permanent buffer between the proposed project and the nearby Hardwood Subdivision. There is no buffer along the western boundary of the property, pursuant to Policy LU-2.1 of the County General Plan, which states in part:

Agricultural buffers are not required for planned urban growth elsewhere within a growth boundary because the agricultural urban interface will be temporary until full build-out occurs.

- g. The truck stop would interfere with the proposed connection of Roads 5 and 6 for emergency egress from the Hardwood Subdivision.

Staff disagrees. There is no proposed connection between County Roads 5 and 6 in either the Dunnigan Community Plan, or the County General Plan, nor is there a proposed connection on any County circulation plans. Not even the draft Dunnigan Specific Plan shows a connection between the two roads at this location.

- h. Trucks will park on Road 6, side streets, and elsewhere.

Staff disagrees. Condition of Approval No. 71 requires the applicant to install "No Parking" signs along both sides of Road 6, from the Interstate 5 interchange to a point west of the project site.

- i. The waste ponds are west of Old Town which has a nitrate problem.

Staff disagrees that this creates a potential problem. There are two existing waste water ponds located about 300 feet to the east of the project site, which are closer to the Old Town neighborhood than the proposed facility. More importantly, as indicated in the Dunnigan Community Plan, the primary source of nitrate contamination may be residential septic systems. :

The old town in Dunnigan has a history of elevated nitrate levels in the drinking water. Elevated nitrate level was detected in a study conducted by Yolo County Environmental Health Services in 1982 and again in a Groundwater Pollution Study conducted by Wallace, Kuhl & Associates in 1993.

Both studies indicated that on-site septic systems, especially those that are old and in proximity to old water wells could be a major cause of the nitrate problem. Neither study, however, precluded the possibility that the problem could be caused by other factors such as domestic or commercial agricultural practices and other old and improperly constructed sewage disposal systems in the area.

The proposed waste water facility would not be old, nor would it be located in proximity to old water wells. It would also be required to fully meet all current requirements of the Central Valley Regional Water Quality Control Board.

- j. Runoff will flow into Dunnigan Creek, which will flow into Old Town.

Staff disagrees. The storm water detention basin is designed to hold the runoff created by a 24-hour, 100-year storm event. Emergency flows into Dunnigan Creek would only occur when events exceed the 100-year storm and/or if there is insufficient aquifer capacity to allow for groundwater recharge. Even in such circumstances, the proposed project would not increase existing flood flows.

As required under Condition of Approval No. 69, the storm water detention basin will allow potential contaminants to settle prior to any discharge. Oil separators will be installed as a part of the on-site drainage system to further reduce potential contaminants. The applicant will also be required to obtain all necessary approvals from the Central Valley Regional Water Quality Control Board.

- k. The new water well could impact existing nearby water wells.

Staff disagrees. Condition of Approval No. 66 requires the applicant to prepare a hydro-geological report which would include an estimate of the perennial yield of the groundwater basin, and an estimate of potential draw down on all existing wells within 500 feet of the proposed well. The report must be approved by the Health Director prior to the installation of any new well on the project site.

- l. Text on Page 76 of the Dunnigan General Plan states that the County needs to revise zone maps to be consistent with General Plans. Therefore, properties at the Road 6/Interstate 5 interchange should be changed to light commercial.

Staff disagrees. The relevant text cited states:

State Law requires the County's zoning regulations and zone plan be consistent with policies and proposals of the Dunnigan General Plan. In order to fulfill requirements of the law and give the town the types of zoning districts and procedural regulations needed, the first priority of the County after adoption of the plan is a revise the zone map for the community and any amendments to the zone regulations necessary to fully carry out provisions of the revised adopted Dunnigan General Plan.

Staff agrees with the above statement. However, Figure 4B on page 13 of the Dunnigan Community Plan clearly shows the project site as being designated HSC, or Highway Service Commercial. This is consistent with the Commercial General designation of the site in the 2030 General Plan and the Highway Service Commercial (C-H) Zone that is currently applied to the project site. There is no inconsistency, therefore, there is no requirement to change the designation of the site.

2. Any business located in the community should have funds set aside that go directly to Dunnigan for needed services, in addition to revenues that go to the County. The County should perform a revenue sharing study that will assist with community services provided by Love's or other local businesses, with funds earmarked permanently for Dunnigan.

Staff agrees and is recommending adoption of a resolution that would allocate ten percent of future annual gas and sales tax revenues generated by the proposed project to the Dunnigan Road District, where it could be used to regularly maintain roads and roadside drainages within the Dunnigan community.

3. For the reasons stated above, the Dunnigan Advisory Committee recommends that the application for the Love's Travel Center be denied.

Staff acknowledges the comment.

January 30, 2012 letter from Karen Diepenbrock, representing Grant Park Development:

1. The location of the Love's truck stop does not comply with the County General Plan or with the Dunnigan General Plan.

Staff strongly disagrees, for the reasons stated below.

- a. Policy CC-3.10.D of the County General Plan states: "Continue to concentrate new commercial trucking uses at the County Road 8 and Interstate 5 interchange." The Initial Study includes no discussion of the policy conflict of placing a truck stop at Road 6 instead of Road 8, or what caused the policies to be adopted in the first place.

Staff disagrees. The proposed project is not in conflict with Policy CC-3.10.D. The policy states that commercial trucking uses shall be concentrated at Road 8. It does not say that commercial trucking uses are limited to Road 8. This indicates that commercial trucking uses are allowed at other locations within the Dunnigan Community Plan area.

- b. Dunnigan Plan says truck related highway service commercial belongs at Road 8.

Staff disagrees. Policy D-LU.15 of the Dunnigan Community Plan states:

Visitor and highway related commercial uses shall be encouraged on the east side of I-5, north of County Road 6, south of County Road 5, and west of County Road 99W. The businesses should focus on those uses whose primary clientele arrive by automobile, not trucks.

This description refers to Expansion Area 1. The proposed project is located on the west side of I-5 and is outside of Expansion Area 1. Similarly, Policy D-LU.16 of the Dunnigan Community Plan states:

Highway service commercial uses shall be allowed at the County Road 8/I-5 interchange. Uses on this property shall be limited to those that serve truck traffic such as truck stops with associated restaurants, motels, truck service stations, truck repair and maintenance, and overhaul facilities.

This description refers to Expansion Area 2. Although it limits uses within the Expansion Area to commercial trucking uses, it does not prohibit commercial trucking uses at locations elsewhere within the Dunnigan Community Plan.

The proposed location of the Love's Travel Center is on land that is located outside of the Expansion Areas designated in the Dunnigan Community Plan and is therefore classified as infill development. The above policies do not apply to infill development.

- c. The CH Zone does not allow truck stops, even with a Use Permit.

Staff disagrees. Section 8-2.1501 of the County Code establishes the purpose of the Highway Service Commercial (C-H) Zone, as follows: "...to provide for retail, commercial, amusement, and transient residential uses, which are appropriate to highway locations, and dependent upon highway travel. CH Zones shall be established in zones of two (2) acres or larger and shall be located only in the vicinity of highways or the service drives thereof."

The proposed project consists of two fast-food restaurants, a retail market, 24 fuel pumps, and a tire barn. Section 8-2.1502 governs principal permitted uses for the C-H Zone. It allows for automobile service stations, automobile repair garages for minor repairs, restaurants and refreshment stands, retail shops for the sale of products primarily to serve the traveling public, and other commercial uses and services which the Commission finds to be consistent with the purposes of this article and which are of the same general character as the principal permitted uses. Staff believes that the proposed uses are specifically allowed in the C-H Zone and/or allowed through past interpretations by the Planning Commission and Board of Supervisors.

The two existing truck stops, Pilot and Dunnigan Truck and Travel Center (DTTC), at the Road 8/Interstate 5 interchange are both allowed in the C-H Zone. A Use Permit was not required for either facility. The truck stop allowed on Parcel 1 of the DTTC project was approved through a Planned Development overlay zone, similar to what is proposed for the Love's Travel Center.

In addition, Policy D-LU.17 of the Dunnigan Community Plan states: "The highway service commercial designation shall allow all of the uses described in Section 8-2.1502 and 8-2.1504 of the County Zoning Regulations subject to approval of a Planned Development (PD) application, which may modify the range of allowable uses in particular cases."

- d. Previously, in the Dunnigan General Plan, the County required a special zoning standard for a truck stop at Road 8. The same standard should apply at Road 6.

Staff agrees. Staff assumes the commentator is referring to the Dunnigan Truck and Travel Center, which was approved by the Yolo County Board of Supervisors on January 6, 2004. The Dunnigan Truck and Travel Center was approved through application of Planned Development No. 56 overlay zone, which is the same mechanism as is being applied through Planned Development No. 51 overlay zone for the Love's Travel Center.

- e. An EIR is required to analyze the impacts of placing a major project at a locale other than that designated for it in both the County and the Dunnigan General Plans.

Staff disagrees. As indicated above, the proposed location is consistent with both the County General Plan and the Dunnigan Community Plan, and is consistent with the applicable Highway Service Commercial zone and the Planned Development overlay zone. The commentator has not provided any substantial evidence that would support requiring the preparation of an EIR under the "fair argument" standard this is applicable under CEQA.

2. Traffic impacts have not been adequately analyzed.

Staff strongly disagrees. The traffic study prepared by Hall and Foreman has been reviewed and accepted by both Caltrans and the County Public Works Division as being complete and accurate, and was prepared in accordance with the County Traffic Impact Study Guidelines.

a. The truck stop impacts the local community's access to I-5.

Staff disagrees. The traffic study concludes that Levels of Service (LOS) for County Road 6 and the Interstate 5 on and off ramps would remain at LOS A or B. Policy CI-3.1 of the County General Plan states that LOS C or better shall be maintained for roadways and intersections in the unincorporated county. It should be pointed out that Policy CI-3.1 of the County General Plan allows the Dunnigan Specific Plan to maintain Road 6 at LOS D and all other roads within the community at LOS E.

b. Trucks will park and pass through local neighborhoods because of the close proximity of the truck stop to residential neighborhoods.

Staff disagrees. The only nearby residential neighborhoods are the Hardwood Subdivision and Old Town. For truck traffic to access the Hardwood Subdivision, drivers would have to exit on Road 2 and travel down a narrow and poorly maintained Road 88A, to then access the project from the west. In contrast, access from Road 6 would be short and direct, and there is no credible reason to believe that drivers would choose to utilize the Road 2/Road 88A approach instead. For drivers to access Old Town they would have to go east from Road 99W, away from the project site. Therefore, it is not reasonable to assume that truck traffic would increase in nearby residential neighborhoods as a result of the proposed project.

c. The truck stop would interfere with a proposed connection between County Roads 5 and 6.

Staff disagrees. There is no planned connection between County Roads 5 and 6 at this location, in either the Dunnigan Community Plan or the County General Plan. Nor is one proposed in the draft Dunnigan Specific Plan.

d. The truck stop does not have any buffer between it and adjacent land.

Staff disagrees. The northern portion of the subject site (north of the south bank of Dunnigan Creek) is not proposed for development. This creates an approximately 650 foot buffer between the nearest developed area (the storm water detention basin) and the nearest residential area. Condition of Approval No. 15 would require this 1.2-acre area to be irrevocably offered for dedication to the County for future use as part of the Dunnigan Open Space Area, as envisioned in the Dunnigan Community Plan.

With regards to the adjoining agricultural parcel immediately west of the subject site, a buffer is not required. Please refer to Policy LU-2.1 of the County General Plan, which states in part:

Agricultural buffers are not required for planned urban growth elsewhere within a growth boundary because the agricultural urban interface will be temporary until full build-out occurs.

- e. It is absurd for the traffic study to assume that there will be no additional development resulting from the truck stop. Local residential streets were not analyzed in the traffic study, nor were other interchanges in the vicinity.

The only nearby residential neighborhoods are the Hardwood Subdivision and Old Town. For truck traffic to access the Hardwood Subdivision, drivers would have to exit at the Road 2 interchange and travel down a narrow and poorly maintained Road 88A, to then access the project from the west. In contrast, access from Road 6 would be short and direct. For drivers to access Old Town they would have to go east from Road 99W, away from the project site. Therefore, it is not reasonable to assume that truck traffic would increase traffic in nearby residential neighborhoods as a result of the proposed project.

The only other interchanges in the vicinity are at Road 1 and Road 8. Trucks exiting at the Road 1 interchange would have to travel two miles west to Road 85A, then south to Road 86, and east along Road 6 to access the proposed project. This results in an 8-9 mile trip, instead of the 3 miles it would take to drive along Interstate 5 to exit at Road 6. Drivers exiting at the Road 8 interchange and travelling along Road 99W to Road 6 were accounted for in the traffic study. Trucks exiting at Road 8 and travelling west could access the proposed project via Road 89, which is unpaved in some sections and poorly maintained. It is not reasonable to assume that any significant number of drivers would choose to access the project site using more circuitous roads that are in poor condition.

- f. There is no analysis of impacts based on comparable sites in the immediate area, which would confirm that additional related development typically follows a truck stop.

Staff disagrees. There are no requirements under CEQA that Mitigated Negative Declarations evaluate comparable projects in alternative locations. CEQA requires that environmental documents analyze the existing conditions when evaluating proposed land use applications. The properties located to the north are designated as residential and would require a General Plan Amendment and further CEQA review to allow for related highway service commercial development. The area to the east is designated as Commercial General and are already developed with highway service commercial uses, including gas stations, restaurants, a retail market, and a motel.

The properties located immediately adjoining the project site to the west and south are designated as Specific Plan. Any change from their existing agricultural use requires adoption of a community-wide Specific Plan. These properties may be designated with a wide range of potential land uses, including residential, commercial, industrial, public, and/or open space. This reflects the County's stated policy of developing Dunnigan into a self-sustaining community, with up to 7,500 new homes and 7,800 new jobs. As such, additional development is planned for by the

County in the area surrounding the project site, although the particular land uses as reflected in the Specific Plan have not yet been adopted.

- g. There is no analysis of cumulative impacts. The estimate of service levels in 2035 assumes that no growth at all will take place in Dunnigan or along the I-5 corridor over the next 23 years.

Staff disagrees. Cumulative analysis is not required in the preparation of a Mitigated Negative Declaration aside from a focused evaluation of whether the incremental effects of the project will be “cumulatively considerable,” thus requiring preparation of an EIR and a comprehensive cumulative effects analysis. With regards to the traffic analysis, however, the traffic study’s analysis of future impacts used SACOG’s 2035 population projections for the Dunnigan community, which in turn is based on the adopted Metropolitan Transportation Plan.

- h. The recommended roadway improvements have received no independent analysis by staff that is identified in the Initial Study. All traffic comments must be made available prior to any public hearing on the project.

Staff disagrees. Both the County Public Works Division and Caltrans have reviewed and accepted the final traffic study. All comment letters regarding the proposed project will be made available to the public as a part of the Planning Commission staff report, released approximately one week prior to the scheduled hearing. Such letters have also been available upon request, as they are “public records” under the California Public Records Act.

- i. Figures 13-16 show how difficult it will be for large trucks to make the turn to access the project site, which appears to create a safety hazard that is not addressed in the Initial Study. The traffic study says that the site can accommodate a WB-67 truck, but doesn’t indicate what that is or what other types of trucks are on the road.

Staff disagrees. Figures 13-16 clearly demonstrate that the wide ramp areas provide sufficient room such that truck drivers will not need to cross over into the opposite lane of traffic for their turning movements. Both Caltrans and the County Public Works Division has reviewed and accepted the traffic study as adequate and consistent with their standards, and provides the most conservative estimate for determining turning radii.

A WB-67 design vehicle turning radius assumes a double trailer combination truck with a 67-foot wheelbase. This is the longest truck allowed on California highways, since triple trailer combinations are prohibited.

- j. There is no discussion of whether truck traffic has the potential to affect nearby residential neighborhoods.

Staff disagrees. The discussion of assumed traffic distribution patterns is provided on Page 10 of the traffic study. The study assumed nearly all traffic would come from Interstate 5 or Road 99W, directly to Road 6 to access the project site. Given the nature of the proposed project, which is to serve highway drivers, these are reasonable assumptions. A few trucks may access the project from the west on

Road 6, but they would be traveling through agricultural areas, not residential neighborhoods.

The only nearby residential neighborhoods are the Hardwood Subdivision and Old Town. For truck traffic to access the Hardwood Subdivision, drivers would have to exit on Road 2 and travel down a narrow and poorly maintained Road 88A, to then access the project from the west. In contrast, access from Road 6 would be short and direct. For drivers to access Old Town they would have to go east from Road 99W, away from the project site. Therefore, it is not reasonable to assume that truck traffic would increase in nearby residential neighborhoods as a result of the proposed project.

- k. The traffic study does not take into account the whole of the action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts. As a result, the traffic study is inaccurate, misleading, and does not satisfy CEQA.

Staff disagrees. As shown in Table 2 of the study, traffic volumes are calculated for each separate activity included within the proposed project, thereby analyzing the whole of the action. On-site impacts related to the driveway ingress and egress from Road 6 is evaluated, as are off-site locations at the Interstate 5 on and off ramps, as well as the intersection of Road 6 with Road 99W. Project-level impacts are studied, as well as cumulative impacts assuming future growth projections used by both Caltrans and SACOG. The indirect impacts of the project, such as delivery trucks and employee trips, were considered, as well as the direct impacts of customers using the proposed travel center. Construction traffic will be significantly less than the levels assumed when the project is fully operational. Consequently, the traffic study is accurate, comprehensive, and fully complies with CEQA.

3. A truck stop at Road 6 would destroy the rural character of Dunnigan and would violate both the County General Plan and the Dunnigan General Plan. Road 6 is where local people live and shop, is where Old Town is located, and is where the first school is planned. This proposal located at the gateway to the community would limit future quality residential projects near the center of town. It would also damage nearby residential communities 800 feet to the west and north of the truck stop.

Staff disagrees. Existing uses at the Road 6/Interstate 5 interchange include a fast food restaurant, a sit-down restaurant (closed), a motel, two gas stations (one closed), and a small market. The character of this interchange is predominantly highway service commercial uses and is not rural. The proposed project includes two fast-food restaurants, a market, and fueling station, similar to many of the existing uses at this interchange.

There currently is no school planned for Dunnigan. There are proposals in the draft Dunnigan Specific Plan for an elementary school that would be located 1,600 feet west of the project site, as well as a middle school that would be located 1,800 feet southwest of the project site. However, the draft Dunnigan Specific Plan has not undergone environmental review or public review and has not been adopted by the County Board of Supervisors.

CEQA requires that environmental documents analyze the existing condition when evaluating proposed land use applications. The land surrounding the center of Dunnigan is

currently zoned and used for agriculture. Although residential projects are allowed under the Dunnigan Specific Plan, the plan is in a preliminary stage and has not yet been adopted, so it is not certain that residential areas will be approved within the vicinity of the project site. For these reasons, such future development and related issues raised by the commenter are speculative and thus need not be evaluated under CEQA.

There are no residential communities located to the west of the project site, only scattered rural residences on agriculturally designated parcels. The commentator does not describe any specific impacts as to how residents of the Hardwood Subdivision to the north would be damaged by the proposed project.

- a. A noise study was previously required for a motel at this location but not the truck stop. There is no analysis to support the statement in the Initial Study that nearby residents are buffered from potential sound impacts. Noise impacts should be analyzed and affected residences identified.

Staff disagrees. As clearly indicated in the Mitigated Negative Declaration for Zone File No. 97-044, and reflected in Mitigation Measure 10.b.1, the noise study was required to ensure that employees and customers of the motel would not be adversely affected by noise from the Interstate. The purpose of the study was not to evaluate the impact of the motel on nearby residential areas.

As shown in Figure HS-7 of the County General Plan, the maximum community noise exposure in Ldn or CNEL, dB for low density residential development is 60 decibels. Higher noise levels require mitigation to reduce potential health impacts to residents of the affected homes. Table HS-3 of the County General Plan indicates that existing 60 decibel noise contour in Dunnigan for Interstate 5 extends 284 feet from the centerline. In other words, homes within the Hardwood Subdivision that are within approximately 300 feet of Interstate 5 already experience noise levels that exceed 60 decibels. It should be noted that by 2030, the 60 decibel noise contour associated with Interstate 5 is expected to extend 1,024 feet from centerline.

As shown in Table HS-9 of the County General Plan, trucks typically generate noise levels of 85 decibels at a distance of 50 feet. Noise decreases by 6 decibels for every doubling of the distance involved. The proposed parking lot will be located approximately 1,400 feet from the residential designated area in the Hardwood Subdivision. At 1,400 feet, the resulting noise level would be approximately 56 decibels, which is less than 60 decibel standard for impact. Regarding the rural residence located 800 feet to the west, the noise level would be reduced to approximately 61 decibels. However, the acceptable noise standard for agricultural areas is 75 decibels.

In addition, as stated in the certified EIR for the 2030 General Plan: "Pursuant to Action HS-A63, the Noise Compatibility Guidelines may not be used to prohibit or preclude the planned development based solely on the issue of noise generation. The County has indicated that this recognizes that developed areas tend to have higher ambient noise levels as land uses become more dense and/or intense. The action reflects the County's commitment to increased density and more compact urban form." Along those same lines, Policy HS-7.1 of the County General Plan

anticipates that greater levels of noise are anticipated within the Specific Plan areas and are acceptable, as follows:

Ensure that existing and planned land uses are compatible with the current and projected noise environment. However, urban development generally experiences greater ambient (background) noise than rural areas. Increased density, as supported by the County in this General Plan, generally results in even greater ambient noise levels. It is the County's intent to meet specified indoor noise thresholds, and to create peaceful backyard living spaces where possible, but particular ambient outdoor thresholds may not always be achievable. Where residential growth is allowed pursuant to this general plan, these greater noise levels are acknowledged and accepted, notwithstanding the guidelines in Figure HS-7.

- b. Goal CC-1 of the General Plan requires the County to "Ensure that the rural character of the County is protected and enhanced, including the unique and distinct character of the unincorporated communities." One of the core goals of the Dunnigan General Plan is the "dedication to enhancing the quality of life and maintaining the "small town" community character, design, and scale for present and future generations or residents of Dunnigan." The application should be denied based on its inconsistency with these key goals.

Staff disagrees. The commentator has selected a single goal from the County General Plan and, without considering the context or content of the overall plan, asserts that the proposed project is inconsistent therewith. There are many other General Plan policies that support the opposite conclusion. Goal CC-2, for example, states: "Protect, enhance and redevelop existing communities." The redevelopment of an existing closed gas station as a modern travel center, incorporating measures to protect surrounding residents for environmental impacts is entirely consistent with this goal. Goal CC-3 is even more relevant: "Ensure that new growth addresses the challenges and opportunities unique to each community." The policies implementing this goal include Policy CC-3.11, which clearly indicates up to 7,500 new homes and 7,800 new jobs are to be developed through the Dunnigan Specific Plan process. The commentator's interpretation runs counter to the future development of Dunnigan as a self-sustaining community with a full range of services and amenities. Similarly, Policy CC-2.6 states: "Encourage infill development and the appropriate redevelopment of vacant and underutilized properties within existing unincorporated communities and prioritize infill projects over development on land at the planned community edge." As such, infill redevelopment of the project site would be considered a priority over development within the Expansion Areas described in the Dunnigan Community Plan.

- c. The project proposes an intensive use in the heart of Dunnigan with no landscaping, no setbacks, no buffer, and only a wall and fence for separation. Traffic impacts are inadequately addressed. The project is opposed by the community and is contrary to the County General Plan. It would not be tolerated anywhere else and does not comply with good planning principles.

Staff disagrees. Conditions of Approval Nos. 17 and 58 require preparation and implementation of a Landscaping Plan. Condition of Approval No. 15 requires the

dedication of a buffer between the project and the residentially designated areas to the north. A buffer adjoining the agricultural land to the west is not required, pursuant to Policy LU-2.1; however, a fence is required under Condition of Approval No. 24. As discussed previously, the traffic study has been accepted by both Caltrans and County Public Works and has adequately addressed potential traffic impacts. As discussed in the Attachments, the project is fully consistent with both the County General Plan and the Dunnigan Community Plan. The fact that Love's has more than 260 locations nationwide (7 in California) indicates that this type of project has been accepted in many communities. The commentator has failed to demonstrate how the project does not comply with any specific planning requirements or principles.

Staff acknowledges that the project is opposed by some community members. The concerns of local residents will be given great consideration by the Planning Commission and Board of Supervisors as a part of their decisions, but community support is not a requirement of consistency with either the General Plan and/or CEQA.

4. The truck stop would conflict with Dunnigan General Plan sewer and water policies.
- a. Page 54 recommends the elimination of "the individual small pond systems that serve the commercial uses and mobile home parks."

Staff disagrees. The full text as stated in the Dunnigan Community Plan reads:

The Dunnigan Facilities Plan recommends the development of a central wastewater facility and the eventual elimination of the existing individual septic tanks that serve the single family residential developments and the individual small pond systems that serve the commercial uses and mobile home parks.

A central wastewater facility has not yet been developed in Dunnigan. The text refers to the eventual elimination of private systems, not the denial of any project that proposes such a system, which would effectively impose a moratorium on development within the community. No such moratorium has been approved by the Board of Supervisors.

- b. The system and facilities will be in close proximity to residential uses in the center of town, resulting in potential blight.

Staff disagrees. It should be noted that all residential properties within the Dunnigan Community Plan are served by on-site leach field systems. There is no municipal sewer service within Dunnigan. The proposed waste water pond would be located approximately 900 feet from the nearest residential zoned area, located to the north of the subject site.

There are similar wastewater ponds located within the mobile home park at the north end of Dunnigan, less than 300 feet from off-site residential zoned areas. Also, the waste water ponds for the mobile home park at the south end of Dunnigan are located 750 feet from the nearest residence. There are two waste water ponds

located about 300 feet to the east of the project site, closer to the Old Town neighborhood than the proposed facility. There are also two waste water ponds located 1,700 feet southeast of the project site. The area of the proposed waste water treatment pond would be approximately three acres. This is comparable to existing wastewater ponds in the immediate area, which generally range from two to three acres.

In addition, Condition of Approval No. 58 requires that applicant to provide a Landscaping Plan to provide screening of the entire facility, including the waste water treatment pond, along County Road 6 and Interstate 5. The Landscape Plan would also include enhance riparian vegetation along Dunnigan Creek, which will provide screening for the residential area to the north. All landscaping shall be completed prior to the issuance of a Final Certificate of Occupancy.

- c. They are directly west of Old Town, which has a well-documented nitrate problem.

Staff disagrees. As noted previously, there are two existing waste water ponds located about 300 feet to the east of the project site, closer to the Old Town neighborhood than the proposed facility.

As indicated in the Dunnigan Community Plan:

The old town in Dunnigan has a history of elevated nitrate levels in the drinking water. Elevated nitrate level was detected in a study conducted by Yolo County Environmental Health Services in 1982 and again in a Groundwater Pollution Study conducted by Wallace, Kuhl & Associates in 1993.

Both studies indicated that on-site septic systems, especially those that are old and in proximity to old water wells could be a major cause of the nitrate problem. Neither study, however, precluded the possibility that the problem could be caused by other factors such as domestic or commercial agricultural practices and other old and improperly constructed sewage disposal systems in the area.

The proposed waste water facility would not be old, nor would it be located in proximity to old water wells. It would also be required to fully meet all current requirements of the Central Valley Regional Water Quality Control Board.

- d. The wastewater pond may create potential impacts to nearby water wells, view sheds, and safety.

Staff disagrees. Condition of Approval No. 69 requires the applicant to submit approval of Waste Discharge Requirements (WDR) from the Central Valley Regional Water Quality Control Board prior to the approval by the County of any Building Permits. The WDR would include provisions for lining the proposed holding pond (if required), installation of monitoring wells upstream and downstream of the pond, and security fencing around the pond. The waste water treatment facility would also require approval by the County Health Director prior to the issuance of any Building Permit.

5. Based on the issues raised above, the application should be denied.

Staff disagrees. Either approval or denial of the project is an option for consideration by the Planning Commission. However, none of the issues raised by the commentator provide any factual basis to support denial of the application.

