WHITE SLOUGH SPECIFIC AREA PLAN

City of Vallejo
and Solano County

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Approved by the City of Vallejo
City Council
on November 28, 1995

Approved by the Solano County
Board of Supervisors
on January 9, 1996

Amended November 17, 2009 SPA08-0003
Amended December 14, 2010 SPA10-0002

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1.0 INTRODUCTION

It is in the public interest to devise a resolution of these significant problems that is specific to the area of White Slough.

- White Slough Protection and Development Act

The White Slough area has long been a source of concern and sometimes controversy for the Vallejo community, local, federal, state, and regional agencies, and the Bay Area environmental community. The most significant issues have been the improvement of State Route 37, preservation of wetland habitat, and mitigation of flooding, air quality, water quality and visual impacts. However significant these concerns and controversies have been, most will agree that this area has tremendous value and potential for the community, the Bay Area, and all of California. It was in recognition of this value and potential that Assembly Bill 719, the White Slough Protection and Development Act, was enacted in 1990. AB 719 provides a unique avenue for resolution of all the issues by mandating an integrated and coordinated approach to the planning of improvements within the area while enhancing the ecological value of the area.

The legislation requires the preparation and approval of the White Slough Specific Area Plan by the City of Vallejo and Solano County and ultimately approval by the San Francisco Bay Conservation and Development Commission. The Plan is to provide for the protection and enhancement of habitat value, and the improvement of transportation, flood control, and other infrastructure facilities. Once approved, it will become the overall policy document for subsequent environmental and detailed project decisions by local, regional, state, and federal agencies.

Through the cooperative efforts of many agencies, organizations, and individuals, this White Slough Specific Area Plan has been produced. It offers findings, policies, and project parameters that form a blue print for cooperatively and imaginatively resolving the White Slough issues through seven interdependent projects. These projects are: habitat enhancement; State Route 37 improvements; flood control improvements; provision of public access; land use changes; sanitary sewer relocation; and surface street improvements. It is the interdependence which results in the whole -- the Plan -- being greater than the sum of the individual projects in satisfying the objectives for the White Slough area:

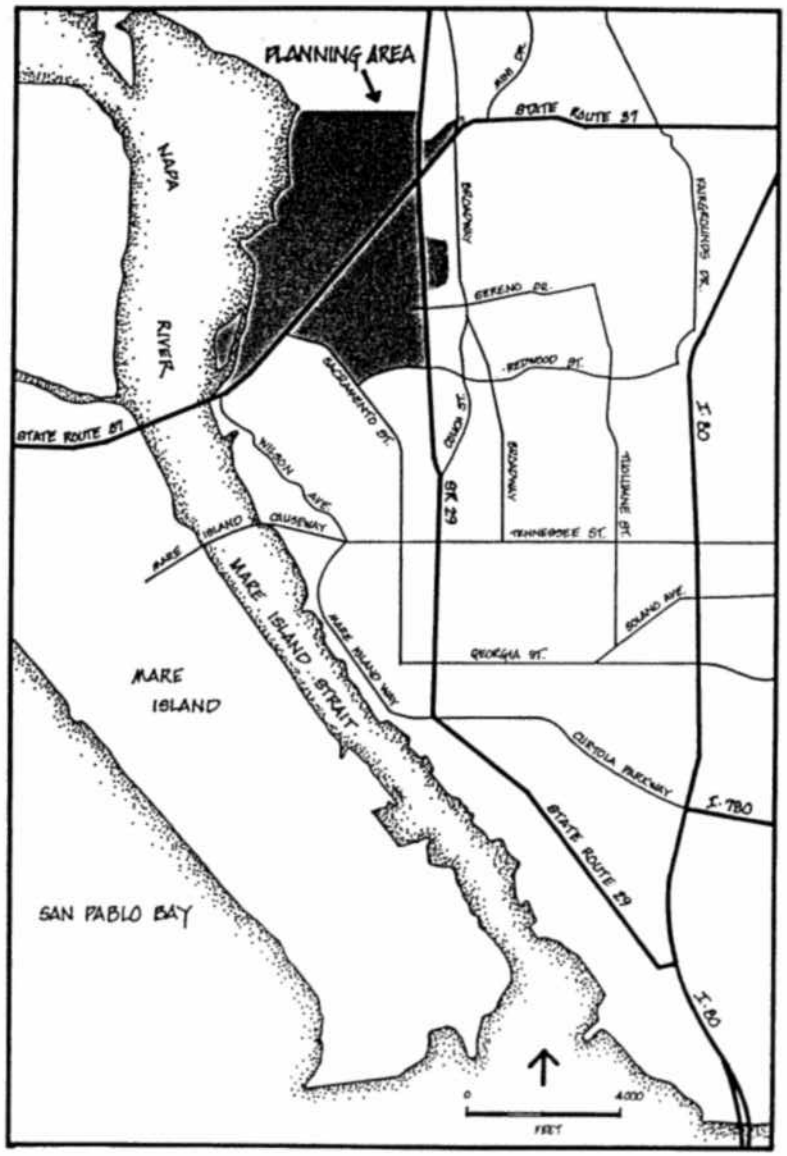
- Improve the circulation on the regionally and locally significant State Route 37 and through this area of Vallejo by reducing traffic congestion on State Route 37 and local streets.
- Enhance, preserve and permanently protect the wetland habitat and other natural resources in the area.
- Establish a net increase of wetland habitat by mitigating the ratios required by the White Slough Protection and Development Act (Assembly Bill 719).
- Mitigate existing significant flooding hazards that threaten the safety and welfare of adjacent residents and businesses.
- Provide shoreline public access, which does not conflict with wetland protection, to the White Slough planning area for recreational and educational purposes.

- Relocate, if necessary, the existing sewer facilities in the area to prevent infiltration of tidal waters and damage to wetland habitat from water pollution.

- Mitigate the existing significant air quality impacts which result from inadequate flushing of the wetland areas and which degrade the environment for area residents and businesses.

- Enhance and develop the White Slough planning area as an asset to the City of Vallejo, Solano County and the Bay Area.

- Address the frustration and uncertainty of area property owners and minimize impacts of the projects on area residents and businesses.



Plan Illustration 1: General White Slough Planning Area Location

2.0 PLAN OVERVIEW

2.1 GENERAL FINDINGS

- The White Slough area comprises a valuable natural and urban resource, provides diverse habitat for waterfowl and endangered species, includes degraded areas which can be improved for both wildlife and the public, and is adjacent to developed areas that need adequate transportation and protection from flooding.

- The area owners have been unable or unwilling to sell or improve their properties due to the many issues confronting the area. These issues include: uncertainty about the final alignment of SR 37 and the interchanges; hazards from potential flooding; poor air quality from algal blooms in South White Slough; inability to use wetlands, but no agency or sponsor is willing yet to acquire the wetlands. The inability or reluctance to take any action has led to the deterioration of the image of this major gateway into Vallejo.

- The extraordinary circumstances currently existing in the White Slough area were caused by the breaching of the Napa River levee, and it is in the public interest to devise a resolution to these significant problems specific to this area.

- It is in the public interest to provide flood protection to the residents and property surrounding White Slough, to relocate or mitigate, as necessary, the submerged sewer lines in the area, and to enhance the ecological values of the area south of SR 37, even though those improvements require some fill in wetland habitat.

- The ultimate enhancement and protection of South White Slough is at the heart of all White Slough issues and should be the bases for the protection and development policies for the entire planning area.

2.2 GENERAL POLICIES

- The projects described in the Plan shall be the least environmentally damaging, but feasible alternatives.

- Each of the projects shall maximize the Plan's objectives to the extent feasible.

- The projects shall comply with all state and federal natural resource protection regulations, including the Clean Water Act and the Rivers and Harbors Act, if applicable.

- The projects shall meet applicable local, state, and federal construction standards and requirements.

2.3 SUMMARY OF THE PLAN ELEMENTS

Habitat Enhancement

The habitat enhancement project is based on muted tidal action into South White Slough from North White Slough and the Napa River. Tidal action will be achieved through eight culverts or other mechanism in the fill supporting State Route 37. Tidal flow through the openings will be controlled by gates. The culverts will be controlled to maintain adequate flushing action during seasonal operation while providing adequate flood protection. The increase in tidal action will improve water circulation and quality and will enhance habitat in South White Slough overall. The habitat in North White Slough will benefit from the significant reduction in human intrusion resulting from the SR 37 improvements.

State Route 37 Improvements

The highway improvements have three sections. The western section, between the eastern edge of the Napa River Bridge and Austin Creek, will include an above-grade full access interchange at Wilson and full access to Sacramento via an overcrossing connecting to Wilson.[1] The central roadway section from Austin Creek to Enterprise Street will be modified to add two lanes on fill which will accommodate the culverts for tidal action into South White Slough. The width of the highway in this section will be the minimum practicable. No mobile home units or other residential units will be lost.[2] The eastern section includes the SR 37 / SR 29 interchange, and will include the ramp that is closest to North White Slough on a viaduct and the rest of the ramps on fill.[3] The highway improvements will require no more than 13 acres total of wetland fill.

Flood Control

The flood control mechanisms are based on muted tidal action. Austin Creek will be modified to allow overflows into South White Slough during high flow events. South White Slough will become a basin controlled by eight tidal gates at SR 37. Levees and floodwalls will be constructed around the perimeter of the basin. Adjacent upland areas will be provided 100-year flood protection. These levees and floodwalls will require 3.0 acres of fill.

Public Access

Public access will be provided to most of South White Slough through staging areas, observation areas, and trails. These facilities will be designed to protect sensitive habitat areas. The trails will be located on the flood control levees with a bike lane on the south side of SR 37, except there will be a boardwalk adjacent to the mobile home park. Aside for the fill required for the flood control project, the public access project will require an additional one acre of fill. There will be no public access to the North White Slough wetland areas provided as part of the highway improvements.

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[1] This section is identified as "Option 2" in the *Final White Slough Specific Area Plan Master Environmental Impact Report* (MEIR), November 1995.

[2] This section is within the design parameters described as "Central Fill" in the *MEIR*. It is the environmentally preferred alternative in the *MEIR*.

[3] This section is identified as "Option 2" in the *MEIR*.

Land Use

The City limit boundaries will be adjusted so that all the planning areas north of improved SR 37 will become part of the unincorporated County area. These lands will remain as wetlands and designated as permanent open space. All lands south of SR 37 will be incorporated into the jurisdiction of the City where such annexation is consistent with the requirements of the State Lands Commission. These lands will be designated for permanent open space, and adjacent upland areas will be designated for urban uses that will complement and support the wetland areas.

Sanitary Sewer Relocation

The two existing lines north of SR 37 will be relocated or mitigated in place, as necessary, to prevent water pollution impacts to wetland habitat. The existing line that runs parallel to SR 37 will be relocated as part of the highway improvements.

Surface Street Improvements

Aside from improvements that will be made in conjunction with SR 37, Sacramento Street will be widened and enhanced with standard street improvements, such as curbs, gutters, sidewalks, and street trees. Similar improvements will be made to Enterprise Street and the terminus of Sereno Drive. Sonoma Blvd. (State Route 29) will be widened to eight lanes.

2.4 CONSISTENCY WITH THE WHITE SLOUGH PROTECTION AND DEVELOPMENT ACT (AB 719)

The projects described in this Plan are consistent with the requirements of AB 719.[4]

- *Permanent protection of at least 336 acres of tidal wetlands within (North) White Slough and 132 acres of tidally influenced wetlands in South White Slough.*

  Approximately 379 acres of wetlands (353 acres of tidal and 26 acres of freshwater) in North White Slough will be permanently protected through appropriate land use designations and acquisition and maintenance by public agencies and/or non-profit groups. Similarly, approximately 144 acres of wetland habitat will be permanently protected in South White Slough. This includes 136 acres of tidal in the North and South Lagoons, five acres of brackish and mixed in East Lagoon, and three acres of seasonal freshwater in Austin Creek.

- *Provide for the minimum amount of fill, not to exceed 13 acres, necessary to widen State Route 37 to a four-lane highway and construct interchanges between SR 37 and SR 29 and Sacramento Street.*

  The highway improvements include widening the roadway between Sacramento Street to Sonoma Blvd. (SR 29) to four lanes and interchanges at Sacramento Street / Wilson Avenue and at SR 29. The total amount of fill in wetland habitat for these improvements is no more than 13 acres.

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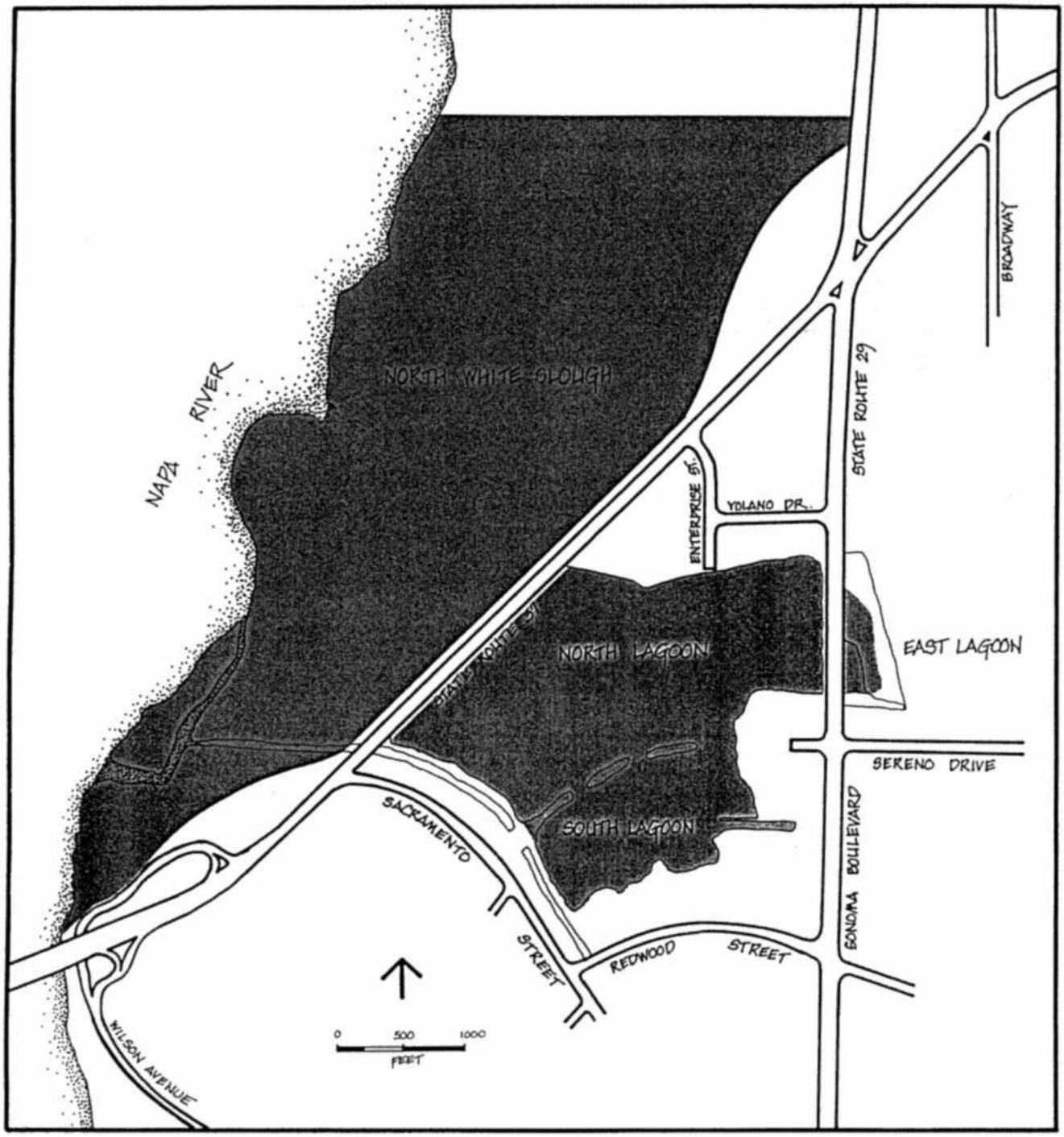
[4] Section 66679 (b) of the *Government Code*.



Plan Illustration 2: Wetland Areas Protected by the Implementation of the Plan

- *Provide flood protection for upland areas.*

  The flood control improvements in conjunction with muted tidal action into South White Slough will provide 100-year level flood protection to South White Slough and adjacent upland areas while maximizing tidal exchange.

- *Provide for suitable water quality.*

  The muted tidal action from the Napa River and North White Slough into South White Slough will increase water circulation and water quality. It will increase fish habitat and emergent vegetation to overall improve the habitat value in the area. The additional tidal action will also reduce algal blooms and air quality impacts.

- *Provide for wetland enhancement for all tidally influenced areas of South White Slough, including a program for the acquisition, enhancement, and permanent preservation of those areas.*

  The Plan includes an implementation strategy that includes the identification of a enhancement project sponsor and the development of an acquisition and maintenance program.

- *Further no other feasible measures were identified during the environmental review process which have fewer environmental impacts and which accomplish the goals of AB 719.*

  The Administrative Draft White Slough Specific Area Plan (September 1994) identified a number of options or alternatives for some of the projects, including habitat enhancement and highway improvements. These alternatives, in turn, were analyzed in the Master Environmental Impact Report and are listed below. Based on the information in the MEIR and additional information that is part of the record for the Plan and MEIR, it has been found that all the alternatives listed below, with the exception of the projects described in this Plan, are infeasible and less desirable. The reasons for these findings include no elimination of significant impacts, the potential for additional significant impacts, the need for additional mitigation, and/or no increase in benefits to the community or the environment. The complete text of the findings is in Appendix 4.

  - The No Project Alternative
  - Habitat Enhancement / Flood Control - Full Tidal Action in a Portion of South White Slough
  - Habitat Enhancement / Flood Control - Full Tidal Action in Entire South White Slough
  - State Route 37 Alternative I - Central Roadway Section on Fill South of the Highway
  - State Route 37 Alternative I - Central Roadway Section on Fill North of the Highway

- State Route 37 Alternative II - Central Roadway Section on a Full Viaduct
- State Route 37 Alternative III - Central Roadway Section on a Partial Viaduct North of the Highway
- State Route 37 Alternative III - Central Roadway Section on a Partial Viaduct South of the Highway
- State Route 37 - Western Roadway Section Options 1 and 3
- State Route 37 - Eastern Roadway Section Option 1
- Combined Element Alternative - Central Roadway Section on Fill on the North Side and Viaduct on the South Side with Full Tidal Action in a Portion of the Slough ("Strategic Planning Committee Alternative")

3.0 PLAN BACKGROUND

3.1 PLANNING AREA OVERVIEW

The White Slough planning area is bounded generally by the Napa River to the west, the California Meadows residential area to the north, Sonoma Boulevard (State Route 29) and Broadway to the east, and Redwood and Sacramento Streets to the south. These boundaries encompass approximately 780 acres. State Route 37, connecting US 101 and Interstate 80, bisects the area; northwesterly of the highway are about 415 acres, and southeasterly of the highway are 365 acres. Approximately half of the area is within Vallejo city limits, while the remaining area is unincorporated within Vallejo's Sphere of Influence.

Much of the area contains tidally influenced wetlands. North of the highway are wetlands that are generally undisturbed by human intrusion, except for some hunting and fishing and some urban development such as the commercial area near the SR 37 / SR 29 intersection. Sensitive plant and animal species can be found in this area. The wetlands south of the highway are disturbed, particularly along the edge of tidal action. Activities such as illegal filling and dumping have impacted the environmental and aesthetic quality of the area.

The developed portions of the area contain a diverse array of land uses, including residential, commercial, light industrial, and utility facilities. These uses are located primarily along Sacramento and Redwood Street, Sonoma Boulevard, SR 37 east of Olympia Mobilodge, and around Enterprise Street and Yolano Drive. This development paints a complicated visual picture at one of the major entries to the City of Vallejo. The ownership pattern on both sides of the highway is a mix of public and private.

3.2 HISTORY OF THE PLANNING AREA

The pertinent history of the area began around the turn of the century when levees were constructed along the Napa River. This practice of reclaiming wetlands for agriculture was common throughout the San Francisco Bay Area. The levees were maintained by the benefitted property owners. In the 1960's and early 1970's, the U.S. Army Corps of Engineers repaired the breaches in the levee in the vicinity of White Slough. However, during the late 1970's, the levee along the Napa River failed again when several breaches occurred. The Corps did not repair the breaches nor did the affected property owners. The result was the inundation of the area by tidal action, the creation over time of the wetlands that exist today, and the movement of the area into the jurisdiction of the San Francisco Bay Conservation and Development Commission (BCDC).

Extremely high tides and heavy rainfall in 1982 and 1983 combined to cause substantial flooding within developed portions of the area south of SR 37. In response, the City constructed a temporary levee along the northern side of the highway. Since then, only limited development activity has occurred on the uplands within the area.

The California Department of Transportation's (Caltrans) interest in the area goes back many years when it first planned the improvement of SR 37 to full freeway status between Sage Street near Interstate 80 and the Napa River Bridge. This section of the highway has been long been considered to be a traffic congestion problem by Caltrans, the City and the motorists who

use this roadway. Initially, the project was to place the improvements well north the current alignment. Early in 1985, the improvements were divided into two projects: the first between Sage Street and Mini Drive, and the second between Mini Drive and the Napa River Bridge. The first project was completed in 1992.

The original alignment for the second project was ambitious. Substantial impacts to existing development would have resulted, including the loss of residences and businesses in the northeasterly quadrant of the SR 37 / SR 29 intersection. It would have also resulted in the loss of approximately 45 acres of wetlands. An alternative to the original alignment was developed which attempted to mitigate some of these potential impacts. It proposed not to take any residences; however, a substantial area of wetlands, 22 acres (approximately 13 acres of which were tidal or tidally influenced), would still need to be filled. This revision was still unacceptable to the resource agencies. It was at this point that the current planning process described below began in earnest.

3.3 HISTORY OF THE PLANNING PROCESS

The White Slough planning area has long been an important part of Vallejo's land use policy. Vallejo's current General Plan contains several goals and policies which relate to the improvement of the White Slough area (Appendix 1). More specifically, the General Plan requires the adoption of a specific plan to ensure the various goals and policies are met. Like the City, Solano County has considered White Slough an important resource in the County's plans for open space and recreation (Appendix 1).

The City established the White Slough Task Force in 1988 with the assistance of BCDC to help develop a solution to the area's many issues. The Task Force included agencies, property owners and environmental groups with jurisdiction or interest in the planning area. The City, with the help of the Task Force, developed a proposal for a White Slough Specific Plan. The proposal recognized that the wetland habitat should be preserved but that improvements to SR 37 and mitigation of flooding hazards were also necessary. The proposal became the basis for a grant from the California Coastal Conservancy to the City to prepare an enhancement plan for White Slough. The Enhancement Plan became the basis for the 1991 draft White Slough Specific Plan and for this current Specific Area Plan.

In an attempt to work out the issues surrounding the highway improvements and wetlands, staff from BCDC, Caltrans and the City worked with Assemblyman Tom Hannigan to draft legislation (AB 719) known as the White Slough Protection and Development Act. This legislation was enacted in 1990 to coordinate the planning effort in and around the White Slough area with the development of a specific area plan by the City of Vallejo and Solano County. In exchange for this effort, the legislature would allow some wetlands (a maximum of 13 acres of wetlands) to be filled for highway improvements, if BCDC approves the plan. The result would include an improved environmental setting and a four-lane freeway through this part of Vallejo.

The City and County developed a draft Specific Plan in 1991. This plan concentrated on wetlands enhancement, jurisdictional changes, and development standards. The document included a Proposed Negative Declaration, a statement that the implementation of the Specific Plan would not have a significant effect on the environment. The plan and Negative Declaration were circulated for public review, and generated few comments. However, the City and BCDC determined approval of the Plan should not proceed until Caltrans further defined the SR 37 improvements.

In 1993 Caltrans requested the City to form a Strategic Planning Committee (SPC) to assist in defining a range of highway alternatives to be studied and to help reach consensus for the project. The SPC was formed by the City, and it consisted of local, state, and federal elected officials, agencies, and representatives of business, environmental and neighborhood interests. A Technical Advisory Committee (TAC) was formed with various agency staff to offer information on technical issues.

The SPC and TAC focused their efforts on providing an avenue for public input and on reviewing options for the Specific Area Plan elements. After a public forum and number of meetings which were open to the public, a revised Specific Area Plan was produced. The administrative draft, which identified seven elements and project options for each, was accepted by the Vallejo City Council and the Solano County Board of Supervisors in late 1994.

A Master Environmental Impact Report (MEIR) was prepared to address the impacts -- both adverse and beneficial -- that could result from the project options identified in the administrative draft Plan. Based on the information in the Final MEIR, this Plan was prepared to describe the preferred alternative for each of the seven projects.

The Vallejo City Council approved the Specific Area Plan on November 28, 1995. The Solano County Board of Supervisors approved the Specific Area Plan on January 9, 1996.

4.0 PLAN ELEMENTS

4.1 HABITAT ENHANCEMENT

Findings

- It is estimated that 90-95 percent of the wetlands in California have been lost to development. Only 0.4 percent of the state's acreage remains as wetland habitat.
- Wetlands contribute to the quality of an area by providing habitat for a diversity of plant and animal species, improving water quality, providing recreational and educational opportunities, and enhancing the aesthetics.
- The total amount of wetlands and waters within the White Slough planning area is approximately 523 acres. This includes tidal wetlands, freshwater wetlands, tidal waters, brackish water and mixed wetlands, and seasonal freshwater waters.
- The existing wetlands in South White Slough depend on the hydrological connection to North White Slough and the Napa River; however, this connection is constricted by four pipe culverts within the SR 37 embankment. Therefore, South White Slough has extremely limited tidal action that causes poor water quality, strong odors, and reduced flood protection.

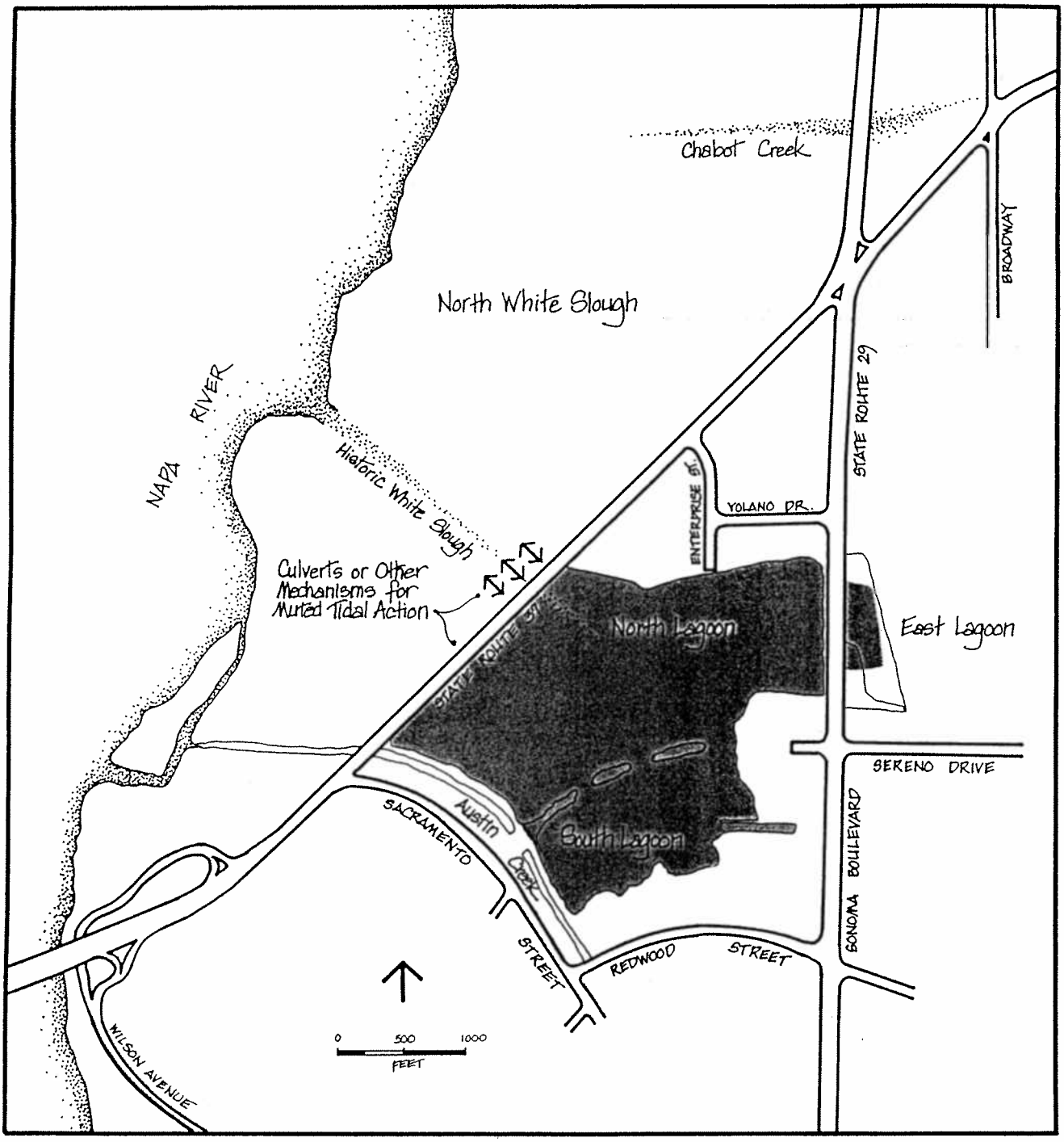
Policies

- The habitat enhancement project shall include the permanent protection and enhancement of at least 379 acres of tidal wetlands within North White Slough and 144 acres of wetlands in the area south of SR 37.
- Public access to North White Slough shall be eliminated with the improvement of SR 37.
- Water circulation and waterflow throughout South White Slough shall be improved so as to minimize algal growth and air pollution and to improve wetland habitat values.

Project Description

The habitat enhancement project is based on muted tidal action into South White Slough.[6] Tidal fluctuations will be less than the tidal fluctuation of the Napa River, and the maximum and minimum water surface elevations will be controlled to increase flood protection, improve air quality by reducing algal blooms, and improve the aesthetics of the area. Muted tidal action will be achieved in the connected bodies of water (North White Slough and South White Slough) by controlling the openings that allow water to flow in and out. Eight controlled culverts or other mechanism will be constructed in the fill under the roadway where the existing SR 37 culverts are located in the vicinity of the historic White Slough. The new

[5] This environmentally preferred alternative is based on the recommendations of the MEIR, the hydrology analyses completed for White Slough in 1991 and 1995, and the Department of Fish and Game.



Plan Illustration 3: Habitat Enhancement Project

Habitat Enhancement Area

openings will be controlled to maintain adequate flushing volume for the seasonal operation. In the winter, South White Slough will act as a storm retention basin; in the summer, the water surface elevation will be higher to provide better visual and odor control characteristics.

As described in Section 4.3, levees and floodwalls will be constructed around North and South Lagoons for additional flood control protection. At the same time, portions of the existing fill separating the lagoons will be removed to improve water circulation and to create islands within the retention basin. The resulting islands will be designed to encourage shorebird and wading bird loafing and nesting sites with open areas and vegetated areas for cover. The levee will be removed so that a sill of the existing fill is retained between the islands to limit the draining of South Lagoon at low tide prolonging its open water character for diving ducks.

The muted tidal action project will enhance the habitat in South White Slough overall. It will increase the wetland communities in the North, South, and East Lagoons. While maintaining significant open water in the short-term, tidal action will develop emergent vegetation above an estimated 0.9 NGVD., increasing water circulation, and improving water quality. Suitable habitat for low and intermediate marsh species will be created. It will increase habitat for special status animal species, including clapper rail and black rail, and for other wildlife, including non-resident special status species.

Muted tidal action will also be beneficial by increasing water circulation and enhancing water quality resulting in habitat diversity, enhancing of nursery habitat, and decreasing fish die-offs for the special status species Delta smelt and Sacramento splittail. For other wildlife, including non-resident special status species, it will lower the risk of fish kills and increase fish numbers and greater use of nursery habitat. The project will shift the use of South White Slough from water birds and diving ducks to shore birds and low marsh species. The existing water bird roosting areas in open, shallow water and on the fill will be eliminated as emergent vegetation develops.

The slight increase in tidal action will change the habitat in East Lagoon by changing the composition of vegetative and wildlife species composition. The benefits will be an increase in water circulation and water quality. It will also increase the tidal communities within the area. The increased tidal action could adversely effect the habitat for two special status species. A remnant salt marsh harvest mouse population could be eliminated, and potential Suisun shrew habitat could be eliminated as well. However, the potential adverse impacts can be mitigated as discussed in Section 5.1.

The habitat within North White Slough will not be affected by the muted tidal action into South White Slough. The habitat will, however, will be benefitted with the highway improvements eliminating human intrusion into the area.

Austin Creek should be added to the habitat enhancement program. This area provides an opportunity to revegetate with native riparian trees and shrubs to provide a buffer along South White Slough.

4.2 STATE ROUTE 37 IMPROVEMENTS

Findings

- Growth in the North Bay area has generated traffic demand on State Route 37 beyond its existing capacity. The most congested section of SR 37 is between the east end

of the Napa River Bridge and east of Broadway. Nowhere else along the entire route -- between U.S. 101 and Interstate 80 -- is the demand as high and the capacity so restricted. This lack of capacity is due to a combination of narrow roadways, signalized intersections at irregular intervals, private driveway access, and a mixture of local, regional, Mare Island, and Marine World/Africa USA traffic. On weekday evenings, eastbound traffic routinely backs up from SR 29 to the crest of the Napa River Bridge, a distance of nearly two miles. On weekends, westbound traffic backs up from SR 29 to Interstate 80.

- Contributing to the congestion problem and resulting delay are the four at-grade, signalized intersections, two unsignalized intersections, and an at-grade railroad crossing. Each of the signalized intersections are currently functioning at or beyond capacity. The most critical of these intersections is SR 37 / SR 29. All available operational improvement options have been exhausted, and no further improvements to the existing highway will provide the amount of relief necessary to bring the intersection to an acceptable level of service (LOS).

- The improvements to SR 37 are federally funded, and must meet the minimum federal highway safety requirements.

- Another congestion factor is the lack of access control along the highway, particularly between Enterprise Street and Broadway. This is a high density commercial and industrial area with numerous driveways which further restrict the highway's capacity and worsen its operational characteristics.

- A primary contributor to traffic congestion on SR 37 is Mare Island Naval Shipyard. One of the two access points to the island is directly from this the highway. Although the Shipyard will be closed in 1996, the island will be reused for civilian industrial, commercial, residential, and recreational purposes, and will continue to contribute significant amounts of traffic to the highway. The City of Vallejo has prepared and accepted the Final Mare Island Reuse Plan. The Reuse Plan makes the following statements:

  The major transportation concerns facing reuse of Mare Island stem from limited access and existing traffic levels on the primary access routes such as State Route 37.[6]

  State Route 37 between Mare Island and I-80 currently operates at or near its design capacity; even with upgrading to a four-lane freeway, State Route 37 will quickly become congested in the future .... This points to the importance of improving .... State Route 37 as (an) essential element to achieving reuse goals.[7]

- Further, regarding the successful reuse of Mare Island, the Urban Land Institute states:

  The (ULI Advisory Services) panel also stresses that the programmed improvements to California Route 37 between Mare Island and Interstate 80 are essential to both short- and long-term reuse opportunities. The lack of freeway access to Mare Island, particularly good connection to the I-80 corridor, significantly limits reuse options. The

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[6] *Mare Island Final Reuse Plan*, City of Vallejo. July 1994. Page E-76.

[7] *Mare Island Final Reuse Plan*, City of Vallejo. July 1994. Page E-80.

City of Vallejo must continue its diligent efforts to secure state funds for the completion of this link.[8]

- The improvement of SR 37 through Vallejo is the number one priority highway project within Solano County.

- As a result of a continuing and increasing shortfall in local, state, and federal transportation funding, it is imperative that the limited funds available be used in the most cost effective manner possible to achieve the primary goals of the project.

Policies

- The improvements shall improve the levels of service of the roadway and interchanges as much as possible. However, the widening of the highway to four lanes with a minimum amount of fill by Caltrans may only be accomplished in the context of projects with or by agencies to relocate existing sewerlines, to protect private property, and to enhance the ecological values in South White Slough.

- The improvements to SR 37 shall include the following components:

  - Widening to no more than four lanes with the median and shoulder widths and number of shoulders being the minimum practicable;

  - Full interchanges with SR 29 and Sacramento Street / Wilson Avenue;

  - Covering of the flooded sewer line south of the highway within the area required for the highway improvements;

  - Tidal control structure or structures or open channels sufficient to ensure adequate water flow for suitable water quality, wetland enhancement within South White Slough, and flood protection south of the highway corridor;

  - Adequate height and design to protect the developed areas of the planning area from flooding;

  - No access from the improved highway to the tidal wetlands north of the highway;

  - Minimum wetland fill necessary, but in no event more than 13 acres total for all three segments of the project.

- Impacts to area residents, particularly those adjacent to the highway, shall be minimized.

Project Description

The highway improvements within the White Slough planning area encompass the roadway and interchanges along SR 37 between the eastern edge of the Napa River Bridge to just east of

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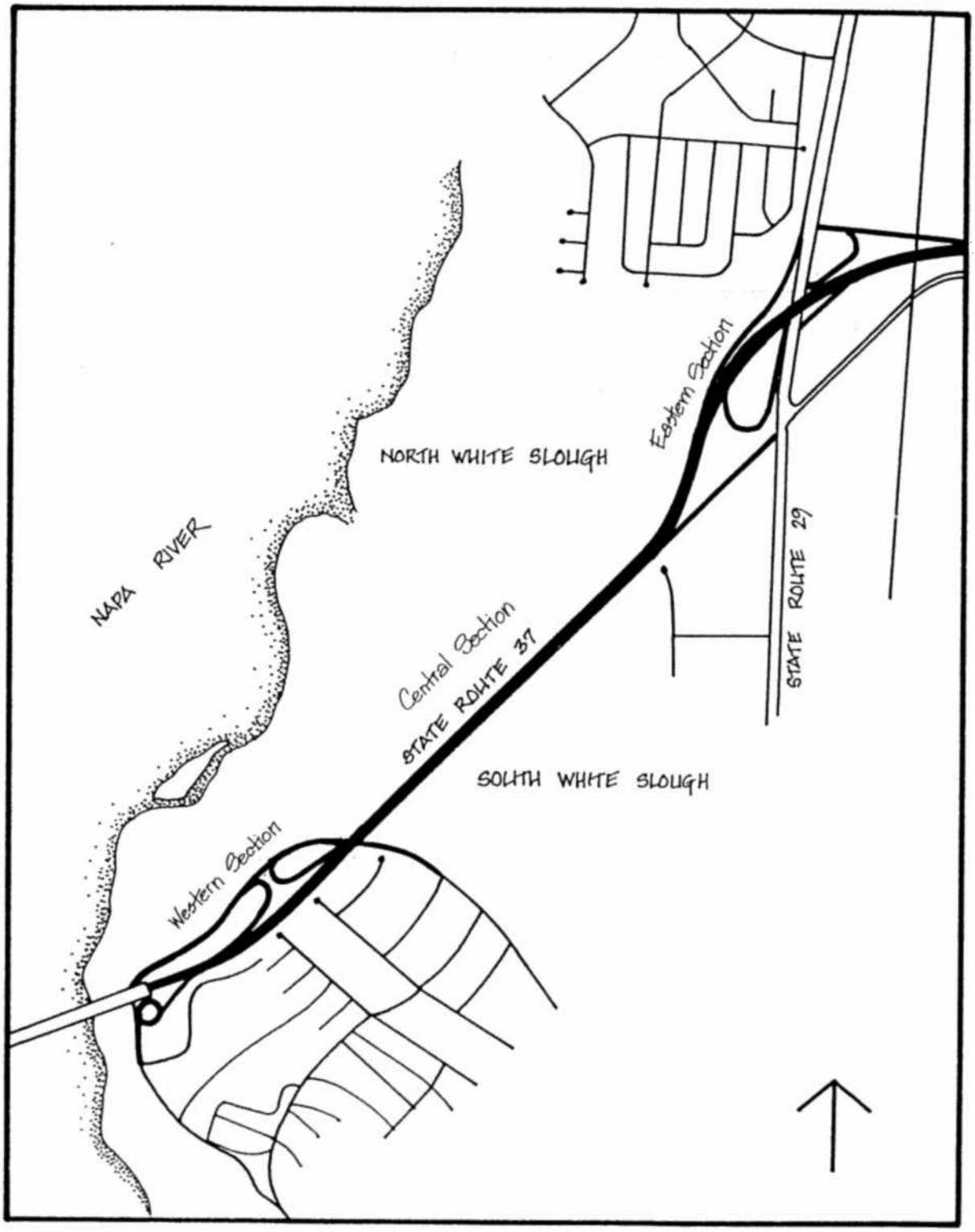
[8] *Mare Island Naval Shipyard, Vallejo, California -- An Evaluation of Reuse and Economic Development Opportunities*, Urban Land Institute. January 1994. Page 28.



Plan Illustration 4: State Route 37 Improvement Project

Broadway.[9] The improvement project has two construction phases. Phase I includes the improvements between the Napa River Bridge to the start of SR 37 / SR 29 interchange and some of the fill for the interchange. Phase II includes the construction of the interchange and the roadway extending beyond the eastern edge of the planning area. The project is divided into three segments. The improvements within these segments, which are described below, result in a total of no more than 13 acres of fill in wetlands.[10] This represents a 41 percent reduction in the 22 acres of fill required for the improvement project proposed in 1992. The overall aesthetics of the highway corridor will be improved by additional landscaping and revegetation.

- Western Roadway Section

  The western section is from the eastern end of the Napa River Bridge to Austin Creek. There will be an above-grade full access interchange at Wilson Avenue. Full access to Sacramento Street will be provided via an overcrossing connecting to Wilson. The existing off- and on-ramps eastbound on SR 37 will be retained and new westbound off- and on-ramps will replace the existing SR 37 / Wilson / Sacramento intersection. The existing soundwall adjacent to the residential area immediately south of SR 37 will be increased in height, if required by Caltrans' standards and requirements. These improvements will require no more than a negligible amount of fill in wetland habitat.

- Central Roadway Section

  The central roadway section is from Austin Creek to Enterprise Street, and it will be modified to add two additional lanes on fill. This will accommodate the eight controlled culverts or other mechanisms for muted tidal action into South White Slough. This project component includes widening the roadway to a maximum of four traffic lanes with the width of the shoulders and median and the number of shoulders being the minimum practicable. The new roadway will be built to an elevation of seven feet above the existing roadway. This elevation will prevent the new freeway from being inundated by flood waters as the existing facility was in 1983. The southern edge of the improvements will be on the south side of the existing roadway to maximum extent feasible without removing any of the mobile home units. A combination retaining wall and sound wall along the mobile home park will be installed if required. A new bike lane adjacent to South White Slough will be provided as part of the public access element.[11]

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[9] The improvements described in this Plan are those within the planning area described in AB 719.

[10] The language in AB 719 regarding the type of wetlands subject to its requirements is ambiguous. An argument can be made that only tidal and tidally influenced wetlands are the subject of the legislation. This is Caltrans' position, and the basis of all highway improvement planning since AB 719 was enacted. However, this Plan takes a conservative approach, and assumes that all types of wetlands (tidal, tidally influenced, freshwater, etc.) are subject to AB 719.

The preferred highway alternative described in this Plan appears to require less than 13 acres of fill. Using the information in the *MEIR*, the improvements require 7.9 acres, of which 2.7 of these acres are required for the central roadway section. However, until the improvements go through the federal review process and more detailed design development, this Plan again takes the conservative approach in describing potential wetland impacts.

[11] The preferred alternative is the Central Fill (7.9 acres of fill) which is the environmentally preferred alternative.

- Eastern Roadway Section

  This section is between Enterprise Street and Broadway and includes the SR 37/29 interchange. The Enterprise Street connection to SR 37 will be severed. Local traffic will use Yolano Drive or a loop street from Sonoma Blvd. instead. Near Enterprise Street, the highway will cross through the commercial area north of SR 37, eliminating the existing uses, and cross SR 29 approximately 900 feet north of the existing intersection. The interchange will be a partial cloverleaf with six ramps. The mainline freeway section will be constructed on fill with a retaining wall. The ramp closest to North White Slough (connecting southbound SR 29 to westbound SR 37) will be constructed on a viaduct to minimize wetland impacts.

The highway project will result in an improvement in level of service -- from LOS F to LOS E -- on SR 37 between Sacramento Street and SR 29. However, the level of service will worsen -- from LOS C to LOS F -- between the Napa River Bridge and Sacramento Street. This decrease in service is an unavoidable effect resulting from an increase in regional traffic and from the highway improvements; however, traffic conditions in the planning area will improve overall over existing conditions.

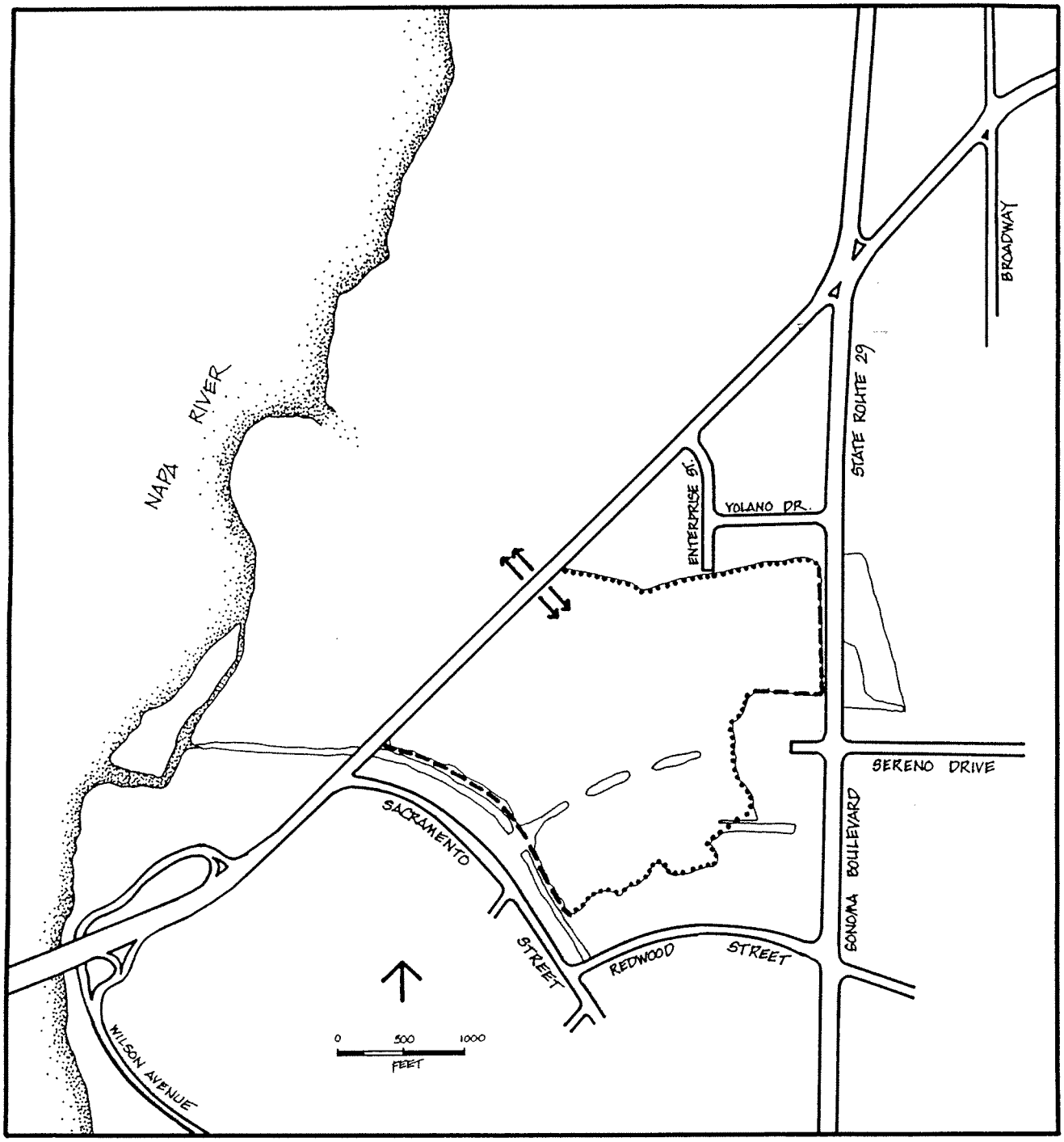
4.3 FLOOD CONTROL

Findings

- In the late 1970's, the levee separating the White Slough area from the Napa River was breached. Since then, the area has been subject to tidal activity and flooding hazards. Tidal fluctuations reduce the ability of White Slough to accept runoff from adjacent areas. At high tide, the storm runoff from these areas cannot enter the slough. In December 1983, a 100-year tide combined with storm drainage runoff to cause extensive flooding of surrounding development and SR 37. Flooding in the area has already caused damage in excess of one million dollars (1980's dollars). Development in the planning area, including businesses, residences, and two major highways, needs to be protected against flooding in the future.

- The U.S. Army Corps of Engineers has studied the tidal flooding problems of White Slough and has identified the construction of levees protecting existing filled or developed lands north and south of SR 37 as an environmentally sound and economically feasible method of providing flood protection, together with a combined improved transportation route and flood control levees along SR 37.

- The area south of SR 37 is bordered on the west by Austin Creek. The drainage area to this channel is approximately two square miles. According to design criteria of the Vallejo Sanitation and Flood Control District, this drainage area should be served by a channel having a 100-year storm capacity. The channel currently has 15-year storm



Plan Illustration 5: Flood Control Project

Levee

Floodwall

capacity and is dependent on a pump station for drainage to the slough. When Austin Creek overflows, flooding occurs at Redwood Street and near SR 37.

Policies

- Flood protection at the same level as provided to the balance of Vallejo shall be provided to the upland areas within the planning area.

- The design of the Austin Creek watershed flood control system shall maximize the muted tidal exchange in South White Slough to enhance water quality and circulation in South White Slough.

- Fill for flood control purposes, such as levees and floodwalls, shall be the minimum necessary and shall be mitigated by the acquisition, excavation, and conversion to wetlands of uplands in the vicinity of the flood control project and which do not presently provide unique or especially significant wildlife habitat, to provide an area of wetland habitat at least twice the area to be filled.

Project Description

The flood control mechanisms chosen to protect properties and infrastructure adjacent to South White Slough are based on muted tidal action into South White Slough.

VSFCD will allow Austin Creek to overflow into South White Slough during high flow events. To accomplish this, a portion of the Austin Creek levee adjacent to South White Slough will be lowered and reconstructed as an overflow weir.[12] The elevations of Redwood Street and Valle Vista Avenue will be raised to improve the conveyance of flows to the weir.

South White Slough will become a basin area controlled by the gates at SR 37 which will be closed at the start of an incoming tide. Closing the gates will create an area of low water behind the gates. The minimum size of low water needed is approximately 225 surface acre feet. The gates will be left open unless a storm was predicted within a specified period of time (as yet undecided).

Because of the potential for flooding in South White Slough, it will be necessary to place levees and floodwalls around its perimeter. The height of these levees and floodwalls will be the minimal height necessary to meet FEMA requirements for 100-year level of protection from flooding, estimated to be seven feet NGVD. The fill required will be no more than 3.00 acres. As a result of the flood control improvements, 100-year level flood protection will be provided in South White Slough and adjacent upland areas.

4.4 PUBLIC ACCESS

Findings

- The City of Vallejo and Solano County General Plans encourage and require the development and protection of public access routes in and around the planning area.

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[12] An alternative to this project element is to open Austin Creek into South White Slough. However, this could adversely impact the existing riparian habitat by introducing tidal waters.

The Vallejo Trails Master Plan shows a proposed hiking and jogging trail within the planning area. The San Francisco Bay Trail is proposed to go through the planning area as well.

- Public access is inadequate and may be improved along the periphery of South White Slough area as part of the habitat enhancement project.

- There are several informal access points and trails within the planning area which receive largely unauthorized use by the public. Access points include the end of Sereno Drive, along Austin Creek, and at the end of Enterprise Street. Trails are evident along Austin Creek. Permanent and maintained public access within the planning area would be an asset to the area.

- Because of the sensitivity of the habitat north of SR 37, conflicts between human activities and the vegetation and wildlife could arise from public access into this area.

Policies

- Fill for public access purposes, such as levees and boardwalks, shall be the minimum necessary and shall be mitigated by the acquisition, excavation, and conversion to wetlands of uplands in the vicinity of the flood control project and which do not presently provide unique or especially significant wildlife habitat, to provide an area of wetland habitat at least twice the area to be filled.

- The public access trail and staging areas shall be developed, permanently provided, and maintained as a condition and in conjunction with highway improvements, flood control levee improvements, and/or waterfront property development.

- The type and extent of public access into a particular area shall depend on the type and extent of habitat to mitigate impacts from human intrusion.

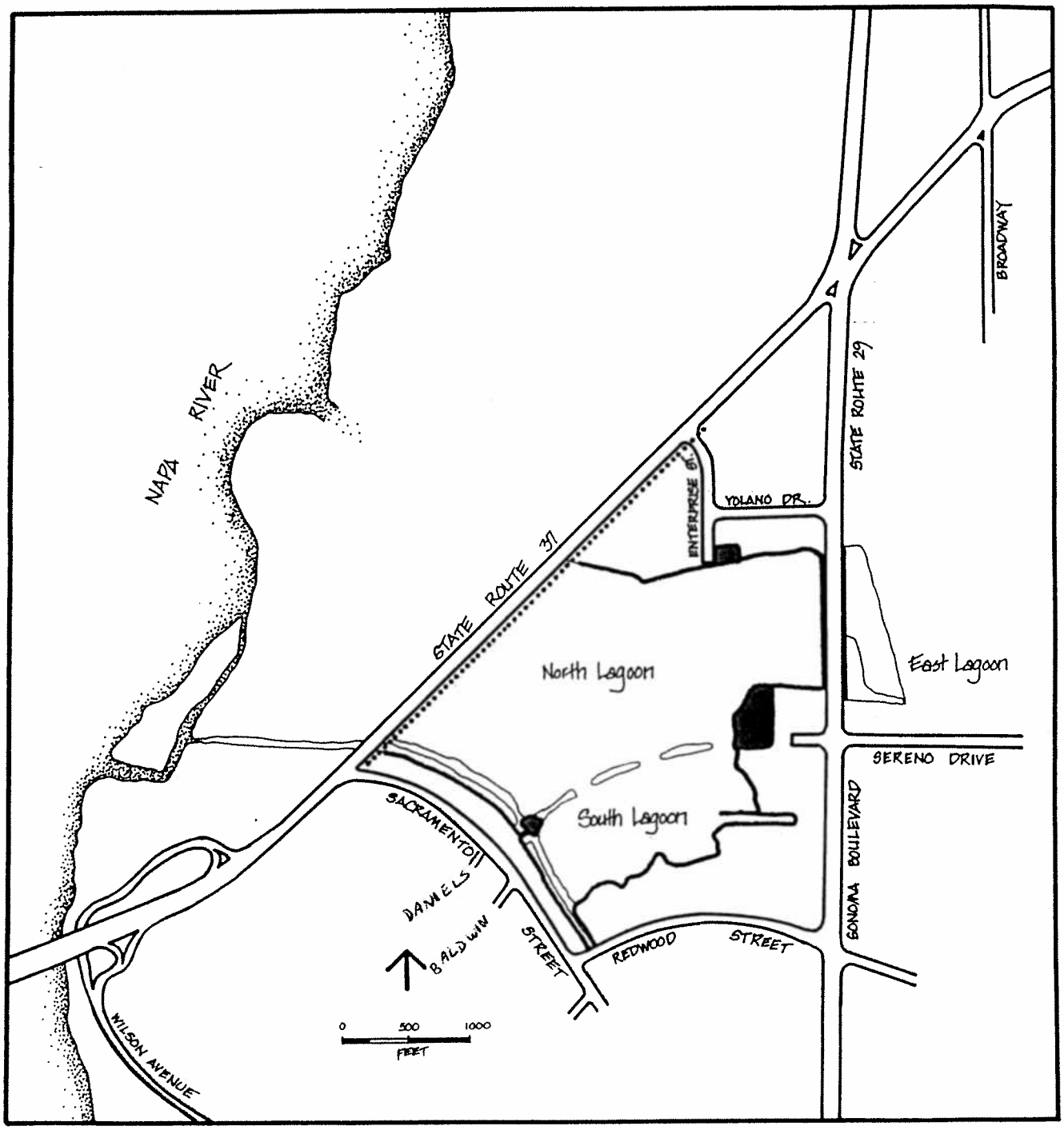
- Public access shall be provided along the edge of South White Slough except in those areas where public safety would be compromised or significant land use conflicts would occur.

Project Description

Public access will be provided to most of South White Slough through staging areas, observation areas, and trails.

Staging areas will include viewpoints or trailheads with small parking areas as well as passive use areas. These areas should incorporate natural habitat interpretive centers. Three staging areas have been identified, each with a different level of use. The first is an area located at the end of Enterprise Street where a visitor can observe a vista of both South and North White Sloughs. The second is an area off Sacramento Street that will be close to the islands that will be created by removing existing fill between Austin Creek and Sereno Drive. This point of access will be for visual observation only to protect the sensitive habitat from human and animal intrusion. The third area will be located at the terminus of Sereno Drive, and should provide facilities for parking and interpretive information.

Trails will be accessible to both pedestrians and bicyclists and include links to existing and planned local and regional trail systems. The route will use the tops of the levees built as part



Plan Illustration 6: Public Access Project

Staging Areas
Hiking Trail
Bike Path

of the flood control improvements where feasible. The trail will begin at the terminus of Sereno Drive along the perimeter of the South Lagoon. It will run along the western berm of Austin Creek to put distance between the trail users and the sensitive habitat. Along the south side of SR 37 the trail will be incorporated into the highway improvements. Barriers and/or buffering will be installed to insure adequate separation between trail users and vehicular traffic. Adjacent to the mobilehome park, where a levee cannot be constructed, a raised boardwalk will be constructed on pilings. It will be constructed a sufficient distance away from the mobile home park to prohibit access into the park but not so far as to substantially impact habitat. In addition to the 3.0 acres of fill required for the levees and floodwalls, approximately one acre of additional fill will be required for trail and staging facilities.

A continuation of the sidewalk on the eastern side of Sonoma Blvd. will be installed to provide visual access to East Lagoon.

The wetland areas will be partially enclosed by the four-foot chainlink or similar fence, or other type of buffer, heavily planted with shrubs or other screening material to limit pedestrians to designated access, reduce access of domestic pets, reduce clandestine dumping, and to reduce wind-blown debris. The North and South Lagoons will be fenced or buffered along the southern perimeter from the Sereno Drive staging area to the staging area along Austin Creek. The boardwalk will be fenced and screened along the length of the mobile home park with additional security measures if necessary. Designated access points will have gates that restricts all but pedestrian and bicycle access.

There will be no public access along the SR 37 improvements to North White Slough.

4.5 LAND USE

Findings

- The city limits boundary crisscrosses across the planning area, and does not follow the open space and urban development patterns usually associated with those open space or rural land uses found within unincorporated areas and with those urban land uses found within incorporated areas.

- The City of Vallejo and Solano County General Plan and zoning designations often do not reflect the current or anticipated land uses within the planning area.

- The land uses within the planning area are diverse -- from wetlands to industrial uses, from single family residential to strip commercial. Since these uses have developed over the years without an overall plan or without consistent standards, the use patterns are not very organized.

- Much of the development is not oriented to the water areas within South White Slough.

- Implementation of highway improvements could adversely effect local businesses and residences.

Policies

- Vallejo's sphere of influence and city limits boundaries shall be adjusted to reflect the future use of the lands within the planning area. Generally, those areas that will remain as wetlands, designated as permanent open space with little or no public access, and with limited interface with urban development shall be unincorporated.

- The City and County General Plan and zoning designations shall be amended, as necessary, to reflect the change in jurisdictional boundaries and the future land uses in the area.

- The zoning designations of the uplands and the developed areas south of SR 37 shall use a planned development approach to create an area where uses are developed and/or redeveloped as integral units. All uses shall complement and enhance each other and their diversity shall be unified by overall design concepts.

- Areas that are adjacent to South White Slough and that are to be developed or redeveloped shall take advantage of their location and shall be oriented in their design elements towards the water.

- Impacts to local businesses and residences shall be kept to the minimum necessary.

Project Description

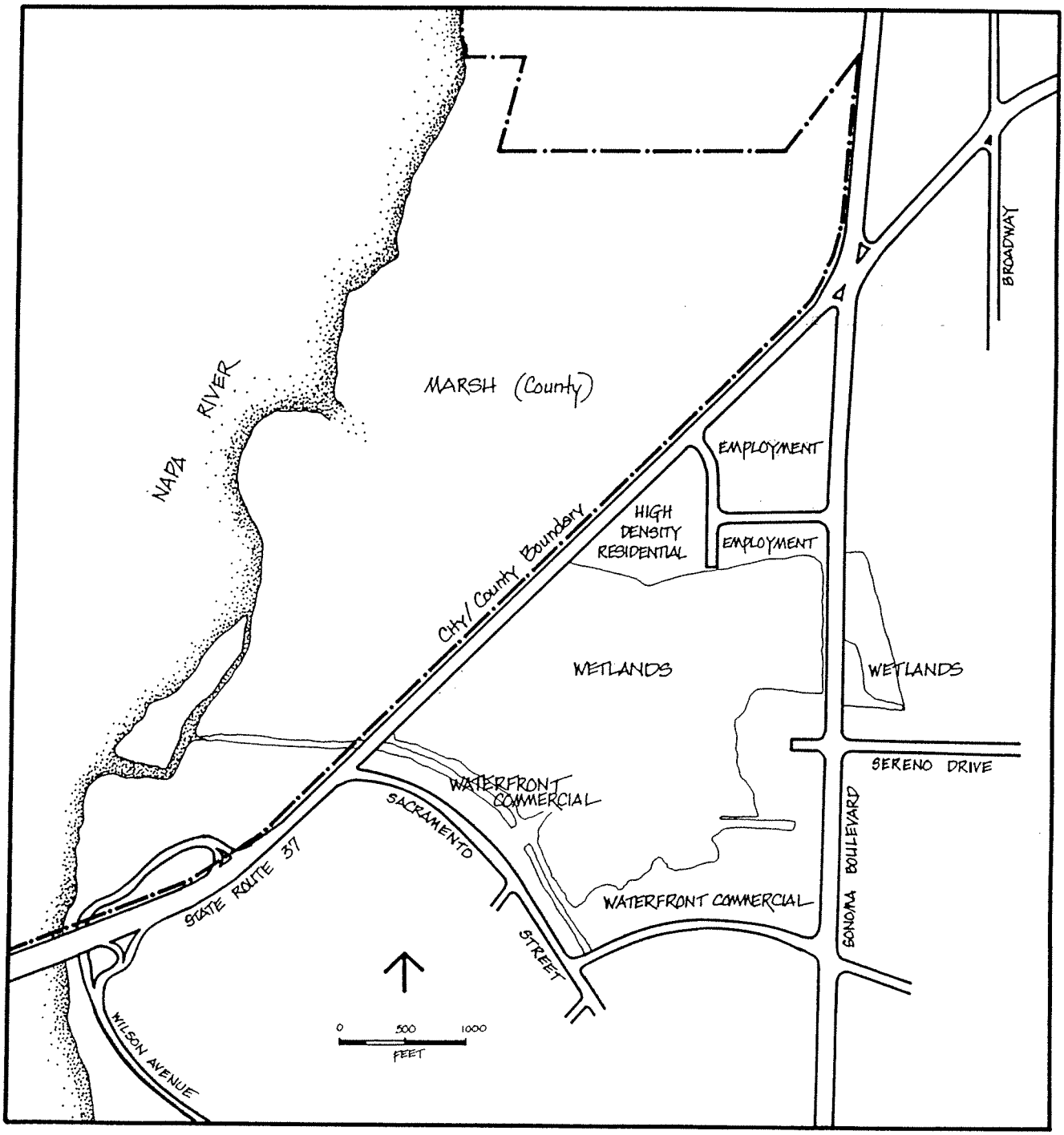
The city limit boundaries will be adjusted to make all the lands north of improved SR 37 within the planning area unincorporated and within the jurisdiction of Solano County. This area will also be removed from Vallejo's sphere of influence. However, the City will retain the right to comment on any development or other activity within the area that would be deannexed.

All lands south of SR 37 will be incorporated and within the jurisdiction of the City if allowed by the State Lands Commission which has requirements for annexation of lands under its jurisdiction. This annexation will allow the City to have land use authority over this area which is bordered on three sides by uplands and urban development and SR 37 on the fourth side.

North of SR 37 the area will be designated by the County as *Marsh* on the Solano County General Plan. On the Vallejo General Plan, south of SR 37 the wetland areas, including the area east of Sonoma Blvd., will be designated *Wetlands*. The uplands and developed areas between SR 37 and Sonoma Blvd., around Enterprise and Yolano, will be designated *Employment* and *High Density Residential* to reflect the existing character of the area. The remaining uplands and developed areas along Sonoma and along Redwood and Sacramento Streets will be designated as *Waterfront Commercial* to reflect their proximity to White Slough and their potential use through redevelopment.

The area north of SR 37 will be within Solano County, and will be zoned as *MP, Marsh Protection*. South White Slough, including East Lagoon, within Vallejo city limits, will be zoned as *RC, Resource Conservation*. This City zoning will give South White Slough maximum protection while still allowing uses that are compatible with natural open space.

To ensure compatibility, it is expected that many of the conditional use permitted in this district would be restricted locationally to minimize possible adverse impacts on the noise environment, water quality, aesthetics, biological resources, etc....Included within the intent of this district is preservation of publicly owned park and open space. Only uses which are necessary for the



Plan Illustration 7: General Plan Land Use Designations

support and enhancement of the park and open space are permitted. No privately operated facilities are intended, except that concessions for food, camping and other recreational uses may be considered.[13]

The remainder of the planning area within the city limits will be classified *MUPD, Mixed Use Planned Development.*

The purpose of (this district)...is to create and establish regulations for a mixed use district, in which residential, commercial and/or industrial uses are developed as an integral unit. All uses shall complement and enhance each other and their diversity shall be unified by an overall design concept....These areas will be conducive to creative and experimental methods of land development, including the application of new technologies or the innovative application of existing technologies relating to resource conservation. These areas will also facilitate the development or redevelopment of land which is not being utilized to its best advantage due to special circumstances which prevent its development or redevelopment through the conventional applications of the Zoning Ordinance.[14]

When an area is zoned as a Planned Development district, a Master Plan which outlines the allowed uses and development standards is prepared and the zoning regulations for the area are established. This Specific Area Plan will serve as the Master Plan for the MUPD area. The allowed uses, which are consistent with the uses that already exist in the area, and the development standards are described in Appendix 2.

4.6 SANITARY SEWER RELOCATION

Findings

- The breaching of the Napa River levee resulted in a major sewer line to be covered by tidal waters. This situation could lead to serious water pollution in sensitive habitat areas in the event of breakage or leakage, to problems of infiltration of tidal waters into the sewer line, and to damage of wetlands during the normal maintenance of the sewer line.

- Vallejo Sanitation and Flood District has determined that the lines within the wetland areas currently are not at risk of leaking or breaking.

- The existing sewer line running parallel to SR 37 will need to be relocated because of the requirements of AB 719 and may need to be relocated if impacted by the highway improvements.

Policies

- Potential impacts to wetland habitat and water quality from the sewer line covered by tidal waters shall be relocated or mitigated, as necessary, to reduce the potential impacts to less than significant levels.

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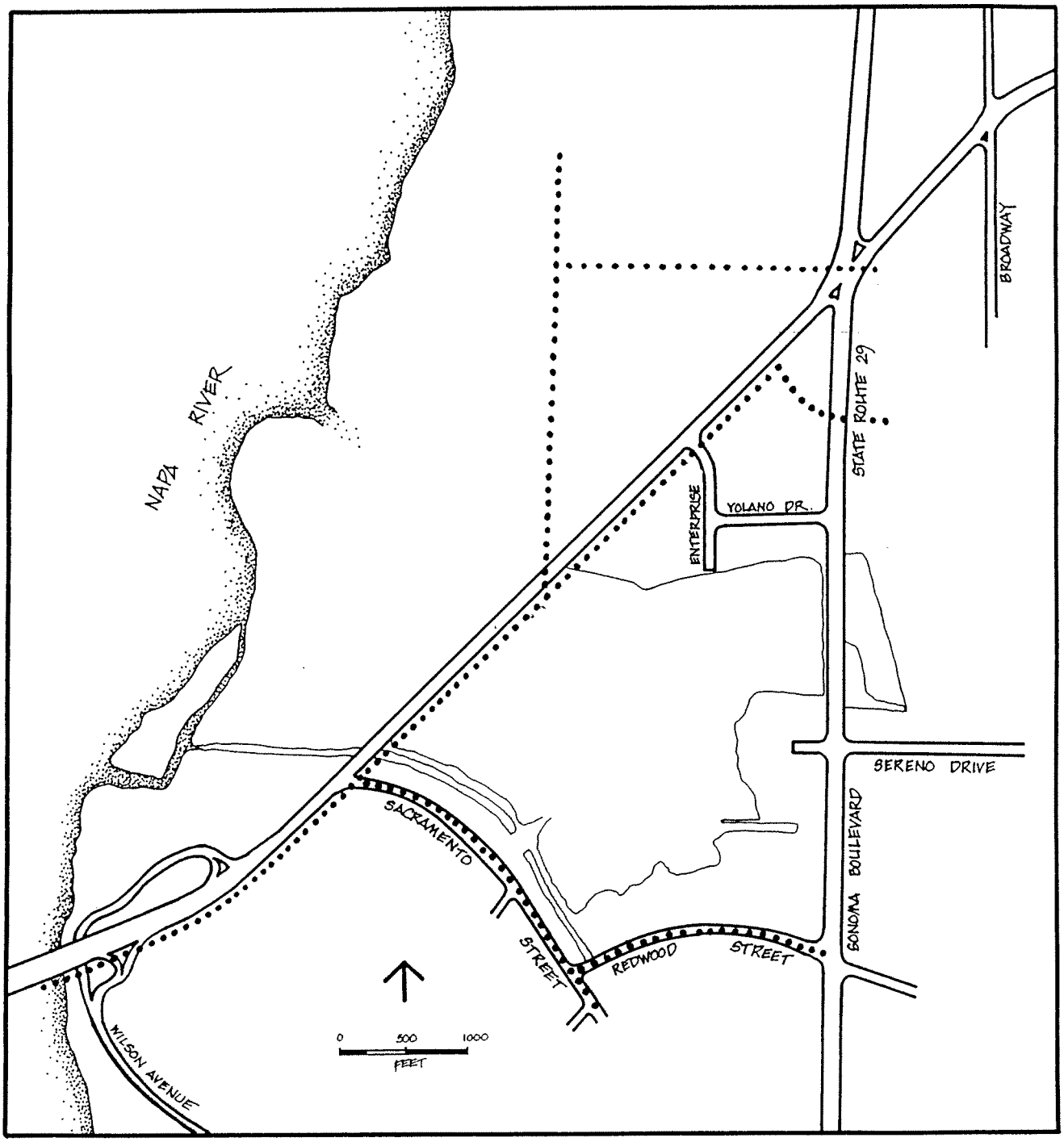
[13] Section 16.10.010 of the *Vallejo Municipal Code.*

[14] Section 16.112.010 of the *Vallejo Municipal Code.*



Plan Illustration 8: Sanitary Sewer Locations

••••••• *Sanitary Sewer Lines*

- The existing sewer line running parallel to SR 37 shall be relocated as part of the SR 37 improvements.

Project Description

The sanitary sewer line that exists north of SR 37 will be relocated or mitigated in some other fashion to prevent possible infiltration of tidal waters and damage to wetland habitat from water pollution. Based on analysis by Vallejo Sanitation and Flood Control District, it has been determined that the line is not currently at risk.

Another existing sanitary sewer line that runs parallel to SR 37 on the southern side will be relocated along with the highway improvements.

4.7 SURFACE STREET IMPROVEMENTS

Findings

- As traffic on SR 37 increases, overflow traffic onto Vallejo surface streets will continue to worsen. Several surface street improvement projects are needed to support this additional traffic.

- Sacramento Street and Sonoma Blvd. (SR 29) are arterials through Vallejo and act as gateways into the city. Improvements to the streets will enhance the city's image.

Policy

- Improvements to Sacramento Street, Sonoma Blvd. (SR 29), Sereno Drive, and Enterprise Street shall be made as recommended by the City of Vallejo Citywide Traffic Study as funds become available.

Project Description

The following improvements are in response to the City's assessment of needed traffic improvements.

- Sacramento Street

  The improvements to SR 37 will include the intersection with Sacramento Street, as discussed in Section 4.1. The remainder of the street, from Redwood Street to SR 37, will be widened to four lanes and include standard improvements (curbs, gutters, sidewalks, and street trees) on both sides of the street. Where feasible, the road alignment will be shifted to the east to mitigate potential impacts on the residential units on the west side of the street.

- Sonoma Boulevard (SR 29)

  The improvements to SR 37 will include the intersection with Sonoma Blvd., as discussed in Section 4.2. Between Sereno Drive and SR 37, Sonoma Blvd. will be widened to eight lanes with standard street improvements.

- Sereno Drive

  Sereno Drive will not be extended beyond its present terminus. Rather, a cul-de-sac will be constructed to provide public access to South White Slough at the end of the trail. Standard street improvements will be provided, as well as street furniture, such as benches, bike racks, and trash cans, to encourage public access.

- Enterprise Street

  Direct access from SR 37 to Enterprise Street will be eliminated by the highway improvements. Cul-de-sacs will be constructed at both ends of Enterprise Street at the edge of the highway and at the edge of the water. These cul-de-sacs will be improved with standard street improvements. An alternative would be the construction of a loop street back to Sonoma Blvd..

5.0 PLAN IMPLEMENTATION

5.1 FINDINGS

- No project sponsors for the habitat enhancement project have been identified nor funding sources for the acquisition of privately owned lands and ongoing maintenance for the wetlands within White Slough at this time. The projects described in this Plan need additional environmental and project review, and implementation may be several years in the future. It is, therefore, infeasible to identify sources of funding and project sponsors at this time because of the uncertainty of future funding. No one can predict what will be available three to five years from now.

- The implementation of the habitat enhancement project and mitigation of the other project effects will require the cooperation, coordination, and creativity between all involved agencies, environmental groups, and affected property owners, and will evolve in the future as conditions change and funding becomes available.

- Implementation of the land use project, with the change in designations from urban uses to open space and resource protection uses, will contribute significantly to the permanent protection of natural resources in the White Slough area.

5.2 POLICIES

- The Department of Fish and Game, Wildlife Conservation Board, State Lands Commission, State Coastal Conservancy, and Department of Transportation shall exercise their powers and allocate available resources to acquire, enhance, or manage wetlands and public access areas within the White Slough area in a manner consistent with this Plan, subject to statewide goals and priorities.

- Prior to construction of any improvements to State Route 37, permanent protection of North and South White Shough shall be assured. The term "permanent protection" means sufficient property interest to assure that the land in question will be secured as wetlands and used for wetland purposes.

- The identification of a project sponsor or sponsors for the habitat enhancement project and project mitigation programs and the development of an acquisition and maintenance program shall be the first priority for implementation of the projects described in this Plan. The City, County, Caltrans, and VSFCD shall be committed to developing an acquisition and maintenance program in cooperation with state and federal resource agencies.

- The implementation of the habitat enhancement, highway improvement, flood control, public access, and sanitary sewer projects will be coordinated as much as possible in terms of design and construction schedules.

- Acquisition of interests in real property shall be sufficient to preserve and maintain permanently the wetland, tidal, water-covered areas.

5.3 PROJECT IMPLEMENTATION

Habitat Enhancement

Implementation of the habitat enhancement project within South White Slough is the most difficult since there are no current sources of funds nor even a permanent project sponsor. However, it is clear the project sponsor -- the entity or entities responsible for the ownership of the area, the enhancement project, and on-going maintenance -- must be a public agency or non-profit organization to insure the habitat is enhanced and protected into the future.

Therefore, the first priority of implementing this Plan is to identify a project sponsor and develop an acquisition and maintenance program. This will also include identification of a permanent project sponsor and maintenance program for the lands in North White Slough. The City of Vallejo, in cooperation with the staffs of the County, Caltrans, and VSFCD, will manage this task by forming the White Slough Habitat Committee. The purpose of this Committee will be to work with state and federal resource agencies and non-profit groups to develop the acquisition and maintenance program for each of the projects as they near implementation. This Committee will be formed and convened as soon as BCDC approves this Plan, and it will make regular status reports to BCDC on progress in completing the efforts.

As part of the developing the program, various methods for acquisition and maintenance will be explored.

- Outright Purchase

  The project sponsor would purchase the privately owned properties using funds from grants. These same sources could be used as well for ongoing maintenance. Possible sources of these funds include:

  California Coastal Conservancy
  Shell Oil Trust
  California Wildlife Conservation Board
  California Department of Fish and Game
  State Lands Commission
  U.S. Department of Agriculture (Wetlands Reserve Program)
  U.S. Department of the Interior (Private Lands Assistance and Restoration Program)
  U.S. Environmental Protection Agency (Office of Wetlands, Oceans, and Watersheds)
  Audubon Society
  Ducks Unlimited (Matching Aid to Restore States Habitat Program)
  The Nature Conservancy
  Izaak Walton League

  The City is also pursuing, and will continue to pursue, federal base closure funds because the improvements to SR 37 (which cannot proceed without the enhancement project) is vital to the successful reuse of Mare Island.

- Transfer of Development Rights

  This approach is the establishment of a certain development standard, such as density and intensity, for the lands within White Slough through the adoption of City and/or County ordinances. This standard will then be transferred to an upland property elsewhere in Vallejo to increase its density or intensity of development. For this

increased development potential, the upland property owner will purchase the lands within South White Slough and dedicate them to the project sponsor.

- Mitigation Bank Site

  If acceptable to resource agencies, White Slough will be utilized as a mitigation credit bank for developers who need to mitigate impacts from another project in Vallejo, Solano County, or elsewhere in the Bay Area. The developer will acquire and enhance the property and then dedicate it to the project sponsor.

State Route 37 Improvements

Caltrans will be responsible for the construction and maintenance of the highway and related improvements, except as provided below for the flood control, sanitary sewer, and public access projects. Phase I, which includes the improvements between the Napa River Bridge to the start of SR 37 / 29 interchange and some of the fill for the interchange, is currently programmed and funded in the current STIP. It is scheduled in the 1996 STIP for construction in 2000/2001. Phase II, which includes the construction of the interchange and the roadway extending beyond the eastern edge of the planning area, is currently unfunded.

Mitigation for the maximum of 13 acres of fill that are required for the improvements will meet the following standards, as required by AB 719:

- Prior to the placing of fill or commencement of other highway construction, upland areas shall be acquired. These areas shall be within the vicinity of White Slough, do not presently provide unique or especially significant habitat, and are four times the size of the area to be filled.

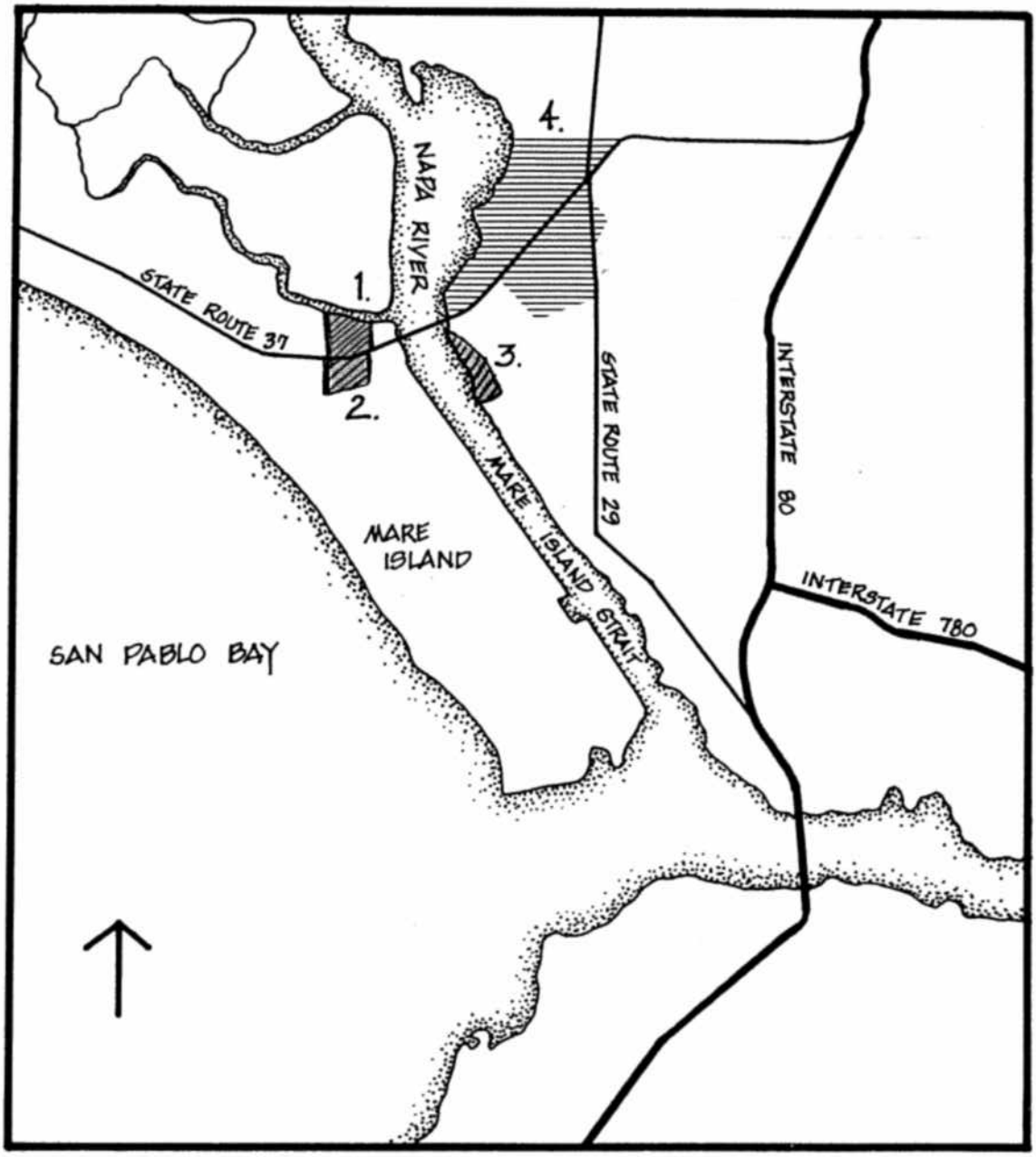
- The acquired uplands shall be converted to wetlands during highway construction. This conversion shall be overseen and monitored by an independent biologist.

- The created wetlands shall be permanently protected.

- The created wetlands shall be functioning in a matter which fully replaces the filled wetlands within five years. If, after three years it does not appear that the created wetlands will fully functioning within the five-year period, then the wetlands shall be further improved in a manner which ensures full replacement of the filled wetlands or which provides additional new wetlands. After five years, Caltrans will no longer be required to maintain the created wetlands. The created wetlands may then be transferred to an appropriate resource agency for permanent protection of the wetlands for wildlife habitat purposes.

- The project will meet the requirements of Section 404 of the Clean Waters Act.

Caltrans has been working with state and federal resource agencies to develop the Conceptual Mitigation Plan for the loss of habitat resulting from the highway improvements. This Plan assumes the use of Guadalcanal Village and the area around Chabot Creek as mitigation sites to restore or create compensatory habitat. In 1990, the City of Vallejo adopted a resolution supporting the use of the City-owned Guadalcanal Village for highway mitigation if the following conditions prevailed:



Plan Illustration 9: Potential Mitigation Sites

1. *Guadalcanal Village*
2. *North Housing*
3. *River Park*
4. *White Slough Planning Area*

- Caltrans gives its unqualified support to AB 719;

- Subject to further negotiations, that some compensation is granted to the City for the use of the site for mitigation;

- The site is available and acceptable to the natural resources agencies.

Consistent with the 1990 resolution, the City will develop a Memorandum of Understanding with Caltrans regarding the use of Guadalcanal Village for mitigation. One component of this MOU that will be explored during its development is the acquisition of South White Slough by Caltrans as compensation for the use of Guadalcanal Village. This will occur by January 1997. The property in the area of Chabot Creek is publicly (State and City) and privately owned. The Memorandum of Understanding between the City and Caltrans will include the Chabot Creek area, or other areas, as well if City lands are needed for mitigation. Two other possible sites are River Park and North Housing on Mare Island. Privately owned lands will have to be acquired by Caltrans if needed for mitigation or other-highway related purposes.

Caltrans will decide which agency or group will be responsible for the future maintenance of the mitigation lands. This decision should be part of the acquisition and maintenance program that will be developed for South White Slough since Caltrans is required to acquire mitigation lands prior to commencing the highway project.

Completion of the mitigation program for the highway improvements, including the MOU with the City, will be completed prior to highway construction.

Flood Control

Vallejo Sanitation and Flood Control District will be responsible for the implementation of the flood control project. This includes the development of a flood control program for the South White Slough basin addressing sedimentation, levee and floodwall maintenance, and other flood control and pump station specifications. There is the possibility that VSFCD's project could be implemented as a cooperative, cost-sharing effort with the Corps of Engineers. However, if this does not occur, VSFCD will proceed with the flood control measures using District funds. The schedule for the project, if VSFCD pursues the project on its own, is undefined at this time, but it will be more clearly established when VSFCD updates its *Storm Drainage Master Plan* in 1997 or 1998.

Fill for the levees and floodwalls will be mitigated as described below.

Public Access

The management and funding sources for developing the staging areas, the boardwalk, and any other portion of the trail within South White Slough not on the levees or part of the SR 37 improvements have not been identified. It is likely that the entity or entities managing for the habitat enhancement project will also be responsible for implementing these parts of the public access project. The strategy for identifying the responsible party is discussed in Section 5.1. The trail on top of the levee will be part of the flood control improvements constructed by the Vallejo Sanitation and Flood Control District. The trail along the south side of SR 37 will be constructed by Caltrans as part of the highway improvements.

The party responsible for the maintenance of the staging areas and the trails has not been identified. The strategy for identifying the responsible party is discussed in Section 5.1.

The total fill requirements for the levees with the trail and the boardwalk is approximately four acres. This fill will be mitigated at a 2:1 ratio. No upland sites have been identified. However, a possible area is the City-owned North Housing site across SR 37 from Guadalcanal Village or River Park.

Land Use

The City of Vallejo and Solano County will be responsible for implementing the changes in land use designations and the city limit boundaries. After consultation with State Lands Commission regarding the boundary changes, each agency will amend its General Plan to reflect the new designations, amend its respective zoning regulations as necessary, and prezone the affected properties. The boundary changes will be presented to the Solano County Local Formation Commission for final action. The changes in zoning will become effective after the annexation and deannexation actions are completed.

The value of the privately owned lands within South White Slough could be affected to some degree by the changes in the land use designations. Therefore, the changes in the designations will occur after the acquisition and maintenance program is developed for the areas included in the habitat enhancement project in South White Slough. The strategy for developing this program is described in Section 5.1.

Once the land use designations become effective, the City and County will have jurisdiction over their respective areas, and will protect and/or develop the areas in accordance with this Plan and applicable land use regulations.

Sanitary Sewer Relocation

Vallejo Sanitation and Flood Control District will be responsible for mitigating possible impacts from the lines north of SR 37, as necessary. The relocation of the line that runs parallel to SR 37 will be the responsibility of both VSFCD and Caltrans, with Caltrans being responsible for relocating and/or replacing any lines directly impacted by the highway improvements. Regulatory issues associated with upgrading the line may require VSFCD to pursue the project independent of the highway improvements. The schedule for completing the sanitary sewer relocation and/or mitigation project is undefined at this time, but it will be more clearly established with the update of the *Wastewater Master Plan* in 1997 or 1998.

Surface Street Improvements

The City will be responsible for completing the improvements to the surface streets, except that Caltrans will be responsible for any improvements necessitated by the SR 37 project. Improvements necessitated by the SR 37 project will be completed as part of that project. Improvements to Sacramento Street are in the City's five year capital improvement program[16]. Although currently unfunded, construction is scheduled for 1998/1999 using capital improvement funds and Senate Bill 300 grant funds. Improvements to Enterprise Street and Sereno Drive are not scheduled, and will be included when adjacent development occurs using capital improvement funds and/or as conditions to development. Sonoma Blvd. is within the jurisdiction of Caltrans which will be responsible for any improvements unless the improvements become necessary as a direct result of development. In that case, it becomes the responsibility of the development to mitigate its own impacts.

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[16] *Final Five Year Capital Improvement Program – Fiscal Years 1995/1996 - 1999/2000*, City of Vallejo. June 1995.

Ongoing maintenance of the streets will be the responsibility of the City or Caltrans as applicable.

6.0 CONTRIBUTORS TO THE PLAN

STRATEGIC PLANNING COMMITTEE

Councilmember Jack Higgins, City of Vallejo
Supervisor Barbara Kondylis, Solano County
Congressman George Miller
Congressman Frank Riggs
Congressman Dan Hamburg
State Senator Mike Thompson
Assemblywoman Valerie Brown
Gordon Marts, Caltrans - District 10
Commissioner James Spering, Metropolitan Transportation Commission
John Gray, Solano County Transportation Authority
John Corcoran, Marine World/Africa USA
Ed Schaffnit, Vallejo Chamber of Commerce
Dennis Beardsley, Greater Vallejo Recreation District
Jim DeKloe, The Sierra Club
Neil Havlik, Solano County Farmlands and Open Space Foundation
Lou Franchimon, Napa-Solano Building Trades Council
Henry Watson, Vallejo Heights Neighborhood Association

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City of Vallejo
Solano County
Vallejo Sanitation and Flood Control District
Metropolitan Transportation Commission
San Francisco Bay Conservation and Development Commission
Regional Water Quality Control Board
California Department of Transportation
California Department of Fish and Game
Federal Highway Administration
U.S. Army Corps of Engineers
U.S. Fish and Wildlife Service
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Western Ecological Service Company (WESCO)
Wetlands Research Associates
William R. Gray and Company

7.0 REFERENCES

The following documents are incorporated by reference herein to this Plan:

- *White Slough Retention Pond Enhancement Plan*, WESCO, Inc. for the City of Vallejo and California Coastal Conservancy. April 1991.
- *White Slough Specific Area Plan (Administrative Draft)*, City of Vallejo and Solano County. September 1994.
- *White Slough Specific Area Plan Final Master Environmental Impact Report*, ESA, Inc. November 1995.
- *White Slough Specific Plan (Draft) and Proposed Negative Declaration*, City of Vallejo, Solano County, WESCO. July 1991.

White Slough
Specific Area Plan

APPENDICES

APPENDIX 1

RELATIONSHIP OF THE SPECIFIC AREA PLAN TO THE VALLEJO GENERAL PLAN AND THE SOLANO COUNTY GENERAL PLAN

The following is a summary of the relevant sections of the Vallejo and Solano County General Plans.

Vallejo General Plan

Because the White Slough planning area has been an important part of Vallejo's land use policy since at least 1982, the current Vallejo General Plan has numerous text references and goals and policies that are relevant to this area.

The Vallejo General Plan Land Use Map shows the following land use designations southeasterly of State Route 37: *Employment Center, Retail* and *High Density Residential.* Northwest of the highway, the area is designated as *Employment Center* and *Wetlands*. State Route 37 is shown as a state highway and a potential scenic highway.

The General Plan also includes the following text under the Section entitled "Waterfront Development":

> *The importance of a good image of the community has been stressed so that people take pride in living here, so that people elsewhere will enjoy shopping here, and so the area will have a good name as a home address for industries. No single element could do more for the community than the development of a handsome waterfront.*

It also includes the following text under the subsection entitled "White Slough Area":

> *Sears Point Road (Highway 37) offers an unusual, dramatic scenic entrance to the city. Approaching the city, set against the hills to the east, the highway runs at the water's edge along San Pablo Bay. At a point near Sonoma Boulevard, Sears Point Road crosses the White Slough floodplain. Most of the vacant land within this area is below sea level and breaks in the Napa River levee have subjected most of the area to tidal inundation. White Slough has become a valuable area for wintering waterfowl, shorebirds and wading birds.*

This text is then reinforced by the following goal and policies:

> *Goal: To have a waterfront devoted exclusively to water-oriented uses, including industrial, residential, commercial and open space uses that permit public access.*
>
> *Policy: Review all policies affecting the waterfront and prepare a written report on problems and opportunities available. BCDC's Public Access Design Guidelines should be used in reviewing all development proposals. In areas hazardous to public safety, in lieu public access at another nearby location may be provided.*
>
> *Policy: A Specific Area Plan for the entire White Slough area should be undertaken prior to any new development. The plan should include special consideration of the following:*

a. *Seismic hazards;*

b. *Mosquito abatement;*

c. *Freshwater marsh development;*

d. *Flood control;*

e. *Circulation;*

f. *Timing of development.*

Policy: The following public access to and along public waterways, streams and rivers is required:

a. *Access to the water every 1,500 feet;*

b. *Accessway to be a minimum of 50 feet wide.*

c. *Access along the water to be a minimum of 200 feet in width;*

d. *Planned Developments and commercial and industrial areas may vary provided they are within the intent and purpose of this provision."*

Policy: Residential waterfront developments should be oriented to the water either through park development, marina, or high use facilities and should have continuous public access.

Within the section entitled "Floodplain Hazards", the following text is included:

A major portion of Vallejo's western boundary consists of low lying mud flats and marshlands adjacent to the Napa River. Although much of the area within the historic floodplain has been inundated since the winter storms of 1977-78 as a result of levee failure. In January 1982, a combination of heavy rains and high tides caused significant flooding in several areas....

This text is reinforced by the following policies:

Policy: Require strict compliance with the Flood Damage Protection Ordinance of the City of Vallejo.

Policy: Prepare a Specific Area Plan for the White Slough...area prior to approval of development plans. The Plan should address floodplain management and the effect of the development in the White Slough watershed on future development.

Policy: Evaluate all new developments to determine how peak runoff can be delayed using such measures as detention or retention basins, permanent green belt areas, temporary underground storage, permeable paving and roof top ponding.

Under the section entitled "Fish and Wildlife Habitats", the following text is included:

The Napa River Marsh is one of the most important remaining estuarine and marine habitats in the San Francisco Bay System....The area of the White Slough between the Napa River and Highway 37 is in the floodplain and not suitable for intensive development; and because of...its potential as a nature study zone, the area has been designated as 'Wetland', and should be zoned as to require use permit approval for all uses.

The following goal and policies then reinforce this text:

Goal: To protect valuable fish and wildlife habitats.

Policy: Protect valuable or unique fish and wildlife habitats through control of coastline development, upgrading of effluent levels and requiring use permits for all developments along the critical areas of the Napa Marshlands.

Policy: Recognize areas valuable for marine life production, particularly the Napa Marshes..., and work with the California Department of Fish and Game and Bay Conservation and Development Commission in insuring the protection of these areas from incompatible uses.

Solano County

Like the City of Vallejo, Solano County has considered this part of its area as important in establishing land use, open space and recreation policies in its General Plan.

The Solano County General Plan Land Use Map designates the north side of State Route 37 as *Marsh* and *Park and Recreation*. The south side of the highway is designated as *General Industry* for the triangular area north of Yolano Drive, and *Community Commercial* for the remainder of the area.

The General Plan considers the north side of the White Slough planning area as being part of the Napa Marsh and River, one of two more significant marsh areas in the county. The following are the land use objectives and policies adopted for this area:

Objective: Preserve and enhance the quality and diversity of marsh aquatic and wildlife habitats.

Objective: Preserve and enhance the water resources available to Solano County, and protect significant waterways and their habitats.

Policy: The County shall preserve and enhance wherever possible the diversity of wildlife and aquatic habitats found in the Napa Marsh...and surrounding upland areas to maintain these unique wildlife resources.

Policy: The County shall protect its marsh waterways, managed and natural wetlands, tidal marshes, seasonal marshes and lowland grasslands which are critical habitats for marsh-related wildlife.

Policy: In marsh areas, the County shall encourage the formation and retention of parcels of sufficient size to preserve valuable tidal marshes, seasonal marshes, managed wetlands and contiguous grassland areas for the protection of aquatic and wildlife habitat.

Policy: The County shall ensure that public access at appropriate locations is provided and protected along the County's significant waterways within the...Napa Marsh.

The General Plan also includes the following recreation policies:

Policy: Within the Napa Marsh, provisions should be made for public recreation and access for such uses as fishing, hunting, picnicking, hiking, nature and wildlife study.

Policy: The County shall seek to coordinate recreational development and resource preservation with local, state and federal agencies in the Napa Marsh area.

Policy: Recreational uses in the Napa Marsh should be located in areas which are easily accessible from existing roads and developed in a manner which is compatible with the protection of the natural and wildlife resources of the marsh.

APPENDIX 2

CITY OF VALLEJO ZONING STANDARDS FOR SOUTH WITH SLOUGH

- **ALLOWED USES**

  Zone 1: The triangular area around Yolano Drive and Enterprise Street

  - Zone 1A: All of the area within the triangle except for the mobile home park

    Civic Uses

    Administrative offices
    Essential services
    Parking services
    Postal services

    Commercial Uses

    Administrative and professional services
    Building maintenance services
    Business equipment sales and services
    Business support services
    Consumer repair services
    Eating and drinking establishments
    Financial, insurance and real estate services
    Gasoline sales and services
    Laundry services
    Light automotive and equipment
    Light wholesaling, storage, and distribution
    Personal services-general
    Retail services-general
    Transient lodging

    Industrial uses

    Custom manufacturing

  - Zone 1B: The area occupied by the mobile home park

    Residential Uses

    Mobile homes

Zone 2: The strip commercial area along Sonoma Blvd. from north of Sereno Drive to Redwood Street

- Zone 2A: The area immediately adjacent to Sonoma Blvd.

  Commercial Uses

  Administrative and professional services
  Eating and drinking establishments
  Food and beverage sales
  Gasoline sales and services
  Indoor sports and recreation
  Light automotive and equipment
  Personal services
  Retail services
  Spectator sports and entertainment

- Zone 2B: The area at the end of Sereno Drive

  Residential uses

  Multiple dwellings

  Civic uses

  Administrative services
  Community education
  Community recreation
  Cultural exhibits and library services
  Essential services
  Major impact services and utilities (water-oriented)
  Parking services

  Commercial Uses

  Eating and drinking establishments
  Outdoor sports and recreation

Zone 3: The area along Redwood Street

Residential Uses

Multiple dwellings

Commercial Uses

Administrative and professional services
Business support services
Eating and drinking establishments
Food and beverage retail sales
Medical offices, medical services **
Personal services-general
Retail sales
Spectator sports and entertainment-limited*

* Requires Unit Plan approval (Staff)

** ≤ 10% Gross floor area of a shopping center, requires Administrative Permit.

≥ 10% Gross floor area of a shopping center, requires Unit Plan approval.

Treatment and/or counseling of patients in fields of drug abuse, alcohol abuse, sexual abuse, spousal abuse and/or anger management or similar social conditions is prohibited.

Zone 4: The area along Sacramento Street

Residential Uses

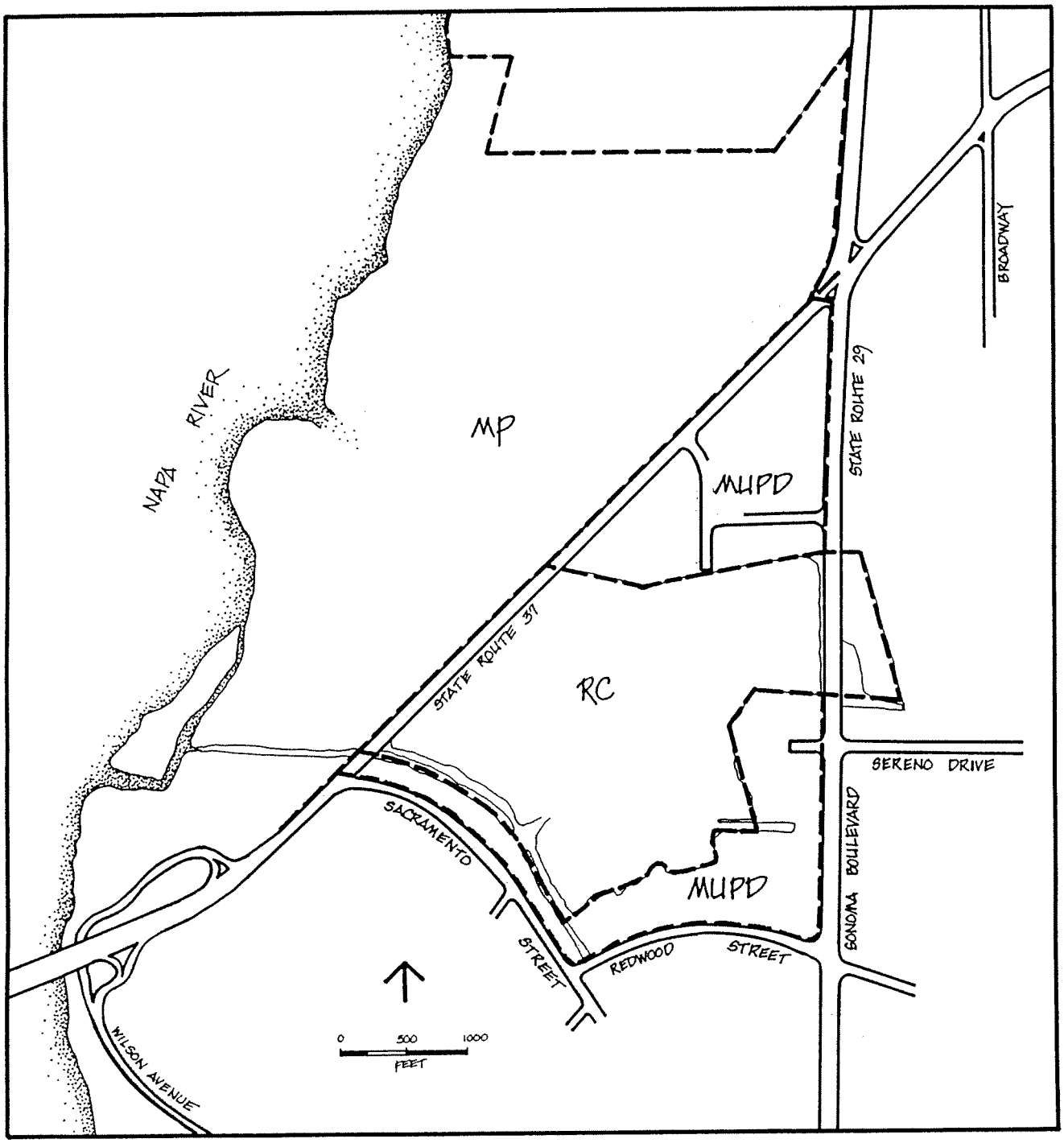
Multiple dwellings

Civic Uses

Community education
Community recreation
Cultural exhibits and library services
Essential services
Religious assembly

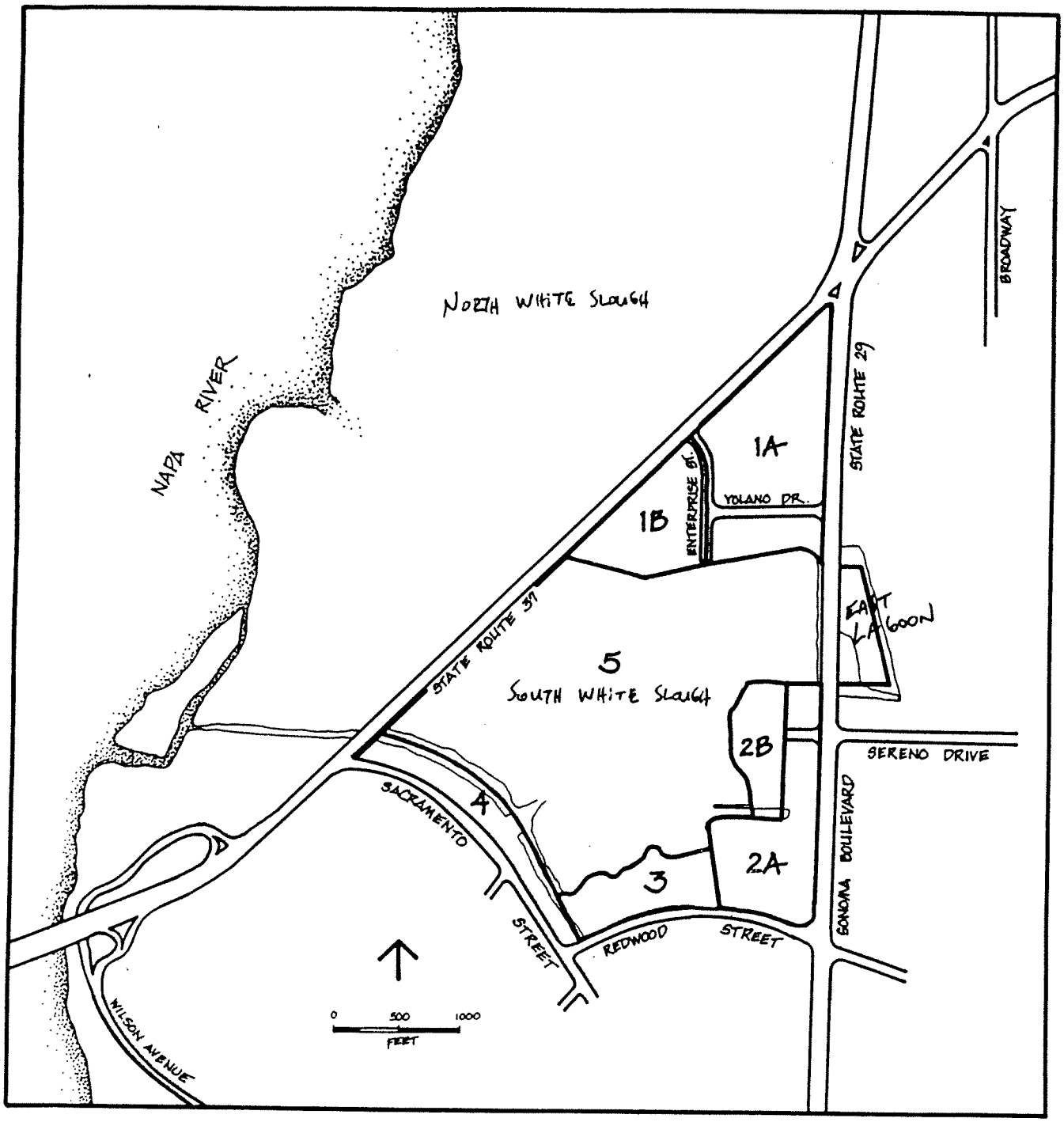
Commercial uses

Administrative and professional services
Business support services
Financial, insurance, and real estate services



Plan Illustration 10: Zoning Designations

MP	*Marsh Protection (County)*
RC	*Resource Conservation (City)*
MUPD	*Mixed Use Planned Development (City)*



Plan Illustration 11: South White Slough Area Development Zones

■ DEVELOPMENT STANDARDS

Properties Adjacent to South White Slough and East Lagoon

The intent of the design standards would insure that new development and rehabilitation projects enhance the environment of this area including Austin Creek. The standards would insure a well-designed and complementary background for the natural habitat.

- □ Site Organization

  - Buildings shall be sited to take advantage of their proximity to the water by such techniques as making sure the back of the building and/or the service area is not facing the water. On larger sites with multiple buildings, the structures shall be clustered around "public" spaces, such as landscaped areas and pedestrian plazas, that visually and physically open up to the water.

  - Buildings shall be sited to place parking, service, and loading areas away from the water. If this is not feasible due to site constraints, then landscaped berms and/or walls and fencing shall screen the parking areas from the water.

  - The maximum floor area ratio (FAR) for non-residential uses is 0.25. However, property aggregation is encouraged, and higher FAR's will be permitted for projects where aggregation occurs.

  - For residential uses, the maximum density is 20 units per gross acre.

  - At a minimum, there shall be a 25-foot access and landscape easement from the point of highest tide inward or the designated edge of the water.

- □ Architectural

  - Architectural style shall be contemporary. Thematic or trademark architecture is prohibited.

  - Buildings shall be designed to take advantage of their proximity to the water by such techniques as placing windows, terraces, entry ways on the water side. For multi-storied buildings, terracing of floors shall be used to help reduce the perceived size and mass of the buildings. Large, blank walls shall be avoided. Instead, offsets, varied wall materials and colors and other details shall be used to visually break up wall surfaces.

  - Building colors shall be neutral in color. However, accent colors are acceptable of they are secondary (10 percent of the total exterior wall area) to the overall color scheme. The use of reflective glass or reflective metal surfaces on the water side of buildings is prohibited.

  - Maximum building height within 50 feet from the point of highest tidal action or the designated edge of the water shall be 35 feet. Outside this 50-foot band, the maximum building height is 75 feet.

  - All roof top equipment and other utility structures shall be screened from public view.

- Landscaping

  - All landscaping plans shall be prepared by a landscape architect and reflect a choice of plant material that will enhance the visual quality of the water and that will be compatible with the native plant species that exist in the area, especially for the areas immediately adjacent to the water.

  - Landscaping shall comply with Chapter 16.70 of the Vallejo Municipal Code.

- Screening and Fencing

  - Urban uses shall be separated from the water by fencing or screening.

  - No barbed or razor wire is allowed.

- Parking and Loading

  - Parking and loading shall comply with Chapter 16.62 of the Vallejo Municipal Code.

- Signage

  - Signage shall comply with Chapter 16.64 of the Vallejo Municipal Code according to the type of use. However, no signage, except educational, directional, official, governmental, or other legally required signage shall be allowed on the side or sides of buildings which face the water.

  - No pole signs or additional off-site signs (billboards) shall be allowed.

Other Properties within the Planning Area

The intent of the design standards would insure that this area of Vallejo is developed and redeveloped in a quality manner to complement the natural environment and to act as an attractive entrance to the city.

- Site Organization

  - All structures, parking areas, driveways, and service areas on a site shall be organized to maintain the privacy of and be compatible with adjacent less-intensive uses. All service and loading areas shall be screened from public view.

  - The maximum floor area ratio (FAR) for non-residential uses is 0.33.

  - The maximum density for residential uses is 12 units per gross acre.

- Architectural

  - Architectural style shall be contemporary. Thematic or trademark architecture is prohibited.

- Terracing of floors shall be used in multi-storied buildings to reduce the perceived size and mass of the buildings. Large, blank walls shall be avoided. Instead, offsets, varied wall materials and colors, and other details shall be used to break up wall surfaces visually.

- Roof top equipment and other utility structures shall be screened from public view.

- The maximum building height is 75 feet.

- Landscaping, Screening and Fencing

  - Landscaping, screening, and fencing shall comply with Chapter 16.70 of the Vallejo Municipal Code.

- Parking and Loading

  - Parking and loading shall comply with Chapter 16.62 of the Vallejo Municipal Code.

- Signage

  - Signage shall comply with Chapter 16.64 of the Vallejo Municipal Code according to use type.

  - No additional off-site signage (billboards) is allowed.

APPENDIX 3

PROJECT FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS

As adopted by the Vallejo City Council and Solano County Board of Supervisors

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I. INTRODUCTION

A. Purpose of Findings

This document constitutes the Findings for the White Slough Specific Area Plan ("Project"). This document has been prepared pursuant to the requirements of the California Environmental Quality Act Guidelines ("CEQA"), §15091 and §15093.

Public Resources Code §21081 states that no public agency shall approve or carry out a project for which an environmental impact report ("EIR") has been certified which identifies one or more significant environmental effects of the project that would occur if the project is approved or carried out unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

- Changes or alterations (mitigations) have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.
- Those changes or alterations are within the responsibility and jurisdiction of another public agency and not the City which is the agency making the finding. Such changes have been, or can and should be adopted by such other agency.
- Specific economic, legal, social, technological or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

Impacts for which no feasible mitigation can be identified, or mitigation measures that will not reduce the impact to a level of insignificance, require a Statement of Overriding Considerations. This Statement documents the City's decisions that unavoidable environmental impacts are outweighed by specific economic, social, or other benefits.

B. The Project

Introduction

The White Slough planning area is bounded generally by the Napa River to the west, the California Meadows residential area to the north, Sonoma Boulevard ("SR 29") and Broadway to the east, and Redwood and Sacramento Streets to the south. These boundaries encompass approximately 780 acres. State Route 37 ("SR 37"), connecting U.S. 101 and Interstate 80, bisects the area; northwesterly of the highway are about 415 acres of mostly wetlands, and southeasterly of the highway are 365 acres of wetlands and developed uplands. Approximately half of the area is within Vallejo city limits, while the remaining area is unincorporated within Vallejo's Sphere of Influence.

The White Slough area has long been a source of concern and sometimes controversy for the Vallejo community, local, federal, state, and regional agencies, and the Bay Area environmental community. The most significant issues have been the improvement of State Route 37, preservation of wetland habitat, and mitigation of flooding, air quality, water quality and visual impacts. However significant these concerns and controversies have been, most will agree that this area has tremendous value and potential

for the community, the Bay Area, and all of California. It was in recognition of this value and potential that Assembly Bill 719, the White Slough Protection and Development Act ("AB 719"), was enacted in 1990. AB 719 provides a unique avenue for resolution of all the issues by mandating an integrated and coordinated approach to the planning of improvements within the area while enhancing the ecological value of the area.

The legislation requires the preparation and approval of the White Slough Specific Area Plan ("SAP") by the City of Vallejo ("City") and Solano County ("County") and ultimately approval by the San Francisco Bay Conservation and Development Commission ("BCDC"). The SAP is to provide for the protection and enhancement of habitat value, and the improvement of transportation, flood control, and other infrastructure facilities. Once approved by BCDC, it will become the overall policy document for subsequent environmental review and project approvals by local, regional, state, and/or federal agencies.

Project Description

The following is a summary of the Project:

- Habitat Enhancement

  The habitat enhancement project is based on muted tidal action into South White Slough from North White Slough and the Napa River. Tidal action will be achieved through eight culverts or other mechanisms in the fill supporting State Route 37. The culverts will be controlled to maintain adequate flushing action during seasonal operation while providing adequate flood protection. The increase in tidal action will improve water circulation and quality and will enhance habitat in South White Slough overall. The habitat in North White Slough will benefit from the significant reduction in human intrusion resulting from the SR 37 improvements.

- State Route 37 Improvements

  The highway improvements have three sections. The western section, between the eastern edge of the Napa River Bridge and Austin Creek, will include an above-grade full access interchange at Wilson and full access to Sacramento via an overcrossing connecting to Wilson. (This project component was analyzed in the MEIR as Western Section Option 2.) The central roadway section from Austin Creek to Enterprise Street will be modified to add two lanes on fill which will accommodate the culverts for tidal action into South White Slough. The width of the roadway will be the minimum width that is practicable. No mobile home units or other residential units will be lost. (This project component was analyzed in the MEIR within the parameters of Central Section Central Fill.) The eastern section includes the SR 37 / SR 29 interchange, and will include the ramp that is closest to North White Slough on a viaduct and the rest of the ramps on fill. (This project component was analyzed in the MEIR as Eastern Section Option 2.) The highway improvements will require no more than 13 acres total of wetland fill.

- Flood Control

  The flood control mechanisms are based on muted tidal action. Austin Creek will be modified to allow overflows into South White Slough during high flow events. South White Slough will become a basin controlled by eight tidal gates or other mechanisms at SR 37. Levees and floodwalls will be constructed around the perimeter of the basin. Adjacent upland areas will be provided 100-year flood protection. The design of the Austin Creek watershed flood control system shall maximize tidal exchange in South White Slough to enhance water quality and circulation in South White Slough. These levees and floodwalls will require 3.0 acres of fill.

- Public Access

  Public access will be provided to most of South White Slough through staging areas, observation areas, and trails. These facilities will be designed to protect sensitive habitat areas. The trails will be located on the flood control levees with a bike lane on the south side of SR 37, except there will be a boardwalk adjacent to the mobile home park. Aside for the fill required for the flood control project, the public access project will require an additional one acre of fill. There will be no public access to the North White Slough wetland areas provided as part of the highway improvements.

- Land Use

  The City limit boundaries will be adjusted so that all the planning areas north of the improved SR 37 will become part of the unincorporated County area. These lands will remain as wetlands and designated as permanent open space. All lands south of SR 37 will be incorporated into the jurisdiction of the City where such annexation is consistent with the requirements of the State Lands Commission. These lands will be designated for permanent open space, and adjacent upland areas will be designated for urban uses that will complement and support the wetland areas.

- Sanitary Sewer Relocation

  The two existing lines north of SR 37 will be relocated or mitigated in place, as necessary, to prevent water pollution impacts to wetland habitat. The existing line that runs parallel to SR 37 will be relocated as part of the highway improvements.

- Surface Street Improvements

  Aside from improvements that will be made in conjunction with SR 37, Sacramento Street will be widened and enhanced with standard street improvements, such as curbs, gutters, sidewalks, and street trees. Similar improvements will be made to Enterprise Street and the terminus of Sereno Drive. Sonoma Blvd. (State Route 29) will be widened to eight lanes.

Approval Process

The City's approval process of the Project began on March 28, 1989 when the City Council adopted Resolution No. 89-152 N.C. approving the concept for the SAP and directing staff to request a grant from the California Coastal Conservancy to complete an enhancement plan for the area. The Enhancement Plan was completed, and circulated for public review early in 1991. The City Council considered it at the March 5, 1991 meeting. Thereafter in 1991, pursuant to the requirements of AB 719, the City developed the Proposed Negative Declaration and Draft SAP, the latter incorporating the 1989 SAP concept and the Enhancement Plan. This version of the SAP was widely circulated to interested agencies, groups, and the general public.

In 1993, the City formed a strategic planning committee and technical advisory committee to assist in the preparation of a second Draft SAP by reviewing the area's issues and facilitating consensus. The Strategic Planning Committee met through 1993-1994 at a series of ten public meetings. The committees also hosted a public forum on issues related to the SAP on February 24, 1994. In November 1994, the City Council and Board of Supervisors accepted the second Draft SAP, and directed staff to prepare the Master Environmental Impact Report ("MEIR").

The MEIR was prepared and circulated for public review. Based on the information in the MEIR and additional input from local, regional, state, and federal agencies, a revised Draft SAP was prepared. This document was made available for public review.

On November 17, 1995, the committees considered the Project at a public meeting. The comments regarding the SAP were forwarded to the City Council for consideration. The City Council held an advertised public hearing on the Project on November 28, 1995.

The City Council's Decision

With the certification of the Final EIR and approval of the Mitigation Monitoring Program, it remains the City Council's decision to consider these findings and take action on the Project. Such action includes approval or denial of the Project.

The CEQA Guidelines (§15092) state that:

- After considering the Final EIR and in conjunction with making findings under §15091, the Lead Agency may decide whether or how to approve or carry out the project.
- A public agency shall not decide to approve or carry out a project for which an EIR was prepared unless either:
  - The project as approved will not have a significant effect on the environment, or
  - The agency has eliminated or substantially lessened all significant effects on the environment where feasible as shown in findings under §15091, and determined that any remaining significant effects on the environment found to be unavoidable under § 15091 or are acceptable due to overriding concerns as described in §15093.

The City Council considered the adequacy of the MEIR and the approval of the Project on November 28, 1995. Thereafter, on the same day, the City Council voted 6-0, with one member absent, to certify the MEIR and voted 6-0, with one member absent, to approve the Project.

The City Council has determined that the Project will further the public health, safety, and welfare, is consistent with the Vallejo General Plan, and complies with all applicable requirements of law, including AB 719. As set forth more fully below, the City Council has (1) certified the MEIR regarding the Project, (2) considered the potential significant environmental impacts of the Project as set forth in the MEIR, and (3) evaluated mitigation measures and alternatives to lessen or avoid those environmental impacts. While the mitigation measures adopted by the City Council will substantially lessen or avoid most of the significant environmental impacts of the Project, the Project will result in one unavoidable environmental impact. As set forth in Section IX below, however, the many benefits that will be provided by the Project outweigh the possibility of this unavoidable impact.

Subsequent Approvals and Further Environmental Review

The approval of the Project will not, by itself, allow the implementation of the seven individual, but interrelated, projects described in the SAP. Subsequent approvals must be secured and subsequent actions must be taken by the agencies with projects within the White Slough planning area and its vicinity. For instance, the City and County must seek approval for the boundary changes from the Local Agency Formation Commission, and must amend their respective General Plans and Zoning Ordinances. The California Department of Transportation ("Caltrans") must seek permit approval from BCDC and the U.S. Army Corps of Engineers ("Corps") to place fill in wetland habitat. The Vallejo Sanitation and Flood Control District ("VSFCD") must seek approval from various state and federal agencies to proceed with the flood control and sanitary sewer mitigation projects. At this time, the City and County have made only policy decisions (e.g., as set forth in the SAP) regarding the manner in which the protection and development of the White Slough planning area will be carried out. The approvals necessary for the implementation of the seven projects have not yet been considered by the appropriate local, state, and federal agencies, and will be subject to in-depth review when applications are submitted to the agencies.

Subsequent approvals will also be subject to further review under the California Environmental Quality Act ("CEQA") and/or, for some of the projects, the National Environmental Policy Act ("NEPA"). The MEIR certified by the City Council will serve as the first level of environmental review and later environmental reviews will be carried out in compliance with the requirements of CEQA and/or NEPA.

C. The Master Environmental Impact Report

Preparation of the Master Environmental Impact Report

The City began the environmental review process for the Project in 1991 with the preparation of the Proposed Negative Declaration for the first Draft SAP. This Proposed Negative Declaration found that the implementation of the SAP would not result in any significant environmental impacts. The Proposed Negative Declaration was circulated to local, regional, state, and federal agencies, environmental groups, affected property owners, and other interested members of the public.

In November 1994, the City Council directed staff to prepare the MEIR. A Notice of Preparation of a draft master environmental impact report was prepared and circulated to various local, regional, state, and federal agencies, including all responsible agencies, environmental groups, and interested members of the general public. The Notice of Preparation was filed with the State Office of Planning and Research.

The Draft MEIR was prepared by the City pursuant to the Notice of Preparation. The Draft MEIR was made available for public review and comment on September 19, 1995, and a Notice of Completion of a master environmental impact report was filed with the State Office of Planning and Research under State Clearinghouse No. 95053064. Notices of Availability of the Draft MEIR were sent to all property owners and tenants within the planning area and within 300 feet of the planning area boundary, as well other interested members of the public and environmental groups. The Notice of Availability was published in the local newspaper. Copies of the Draft MEIR were made available in the two local libraries and City Hall. The Draft MEIR was available for review and comment by public agencies and the general public for a period of 49 days. The review and comment period ended on November 6, 1995. Within the review and comment period, twelve comment letters were received by the City. Within the review and comment period, on October 17, 1995, the City Council held a public hearing to receive oral and written comments on the Draft MEIR. Eight members of the public offered comments.

The City prepared written responses to comments received during the review and comment period and at the public hearing. Pursuant to CEQA §15207, the City did not respond to comments received after the public review deadline of November 6, 1995. However, the late comments were made part of the Project record considered by the City Council prior to approving the Project. The comments and responses were published and made available to the public on November 21, 1995 in a volume entitled "White Slough Specific Area Plan Final Master Environmental Impact Report, Volume II: Comments and Responses". After reviewing all available testimony and evidence in the record, the City Manager and Development Services Director recommended that the City Council certify the Final MEIR as having been completed in accordance in meeting the requirements of CEQA and the City of Vallejo's "Guidelines and Procedures for the Implementation of CEQA".

For the purposes of these findings, the MEIR consists of the following: the Proposed Negative Declaration, the Notice of Preparation, the Draft MEIR, the Final MEIR, and all documents incorporated by reference in these documents. The EIR is a master EIR pursuant to CEQA (Public Resources Code §21156).

On November 28, 1995, having heard and considered the public testimony, the MEIR, and the other evidence in the record, the City Council certified the MEIR for the Project as adequate in meeting the requirements of the California Environmental Quality Act (CEQA) and the City of Vallejo's "Guidelines and Procedures for the Implementation of CEQA".

Certification of the Master Environmental Impact Report

In adopting these findings, this City Council certifies that the MEIR has been completed in compliance with CEQA and the City of Vallejo's "Guidelines and Procedures for the Implementation of CEQA" and that it was presented to the City Council, which reviewed and considered the information in the MEIR prior to approving the Project. By these findings, this City Council ratifies and adopts the findings and conclusions of the MEIR as set forth in these findings except where such conclusions are specifically modified by these findings. The MEIR and these findings represent the independent judgement of the City Council.

The MEIR concludes that many impacts resulting from the Project are significant but can be mitigated to a less-than-significant level, while one impact will remain significant even after mitigation. This City Council's findings regarding this impact are set forth in Section VI. Further findings regarding the impact that will remain significant after mitigation are set forth in Section IX (Statement of Overriding Considerations).

Changes to the Master Environmental Impact Report

In the course of responding to comments received during the public review and comment period on the Draft MEIR, certain portions of the MEIR have been modified and some new information has been added. These insignificant modifications and new information merely clarify the information already contained in the MEIR. The MEIR has been the subject of review and comment by local, regional, state, and federal agencies, including responsible agencies, environmental groups, affected property owners, and other interested members of the general public prior to the adoption of these findings. For the reasons set forth below, the City Council finds that the changes and modifications made to the MEIR after the Draft MEIR was circulated for public review and comment do not collectively or individually constitute significant new information.

- The MEIR was not changed in a way that deprived the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the Project or a feasible way to mitigate or avoid such an effect, including a feasible Project alternative that the City Council has declined to implement.

- The Project has regional significance and it has a long implementation period. New information about the Project is continuing to be developed and will be for several years to come. However, the environmental review of the Project at its conceptual level cannot be delayed and deferred until this new information is generated.

- The MEIR used the best information on the Project available at the time.

- The information in the MEIR is appropriate to the level of detail of the Project. Subsequent approvals will require further environmental review, and the public will have further opportunities to review and comment on Project details as they are developed.

II. DESCRIPTION OF THE RECORD

For the purposes of CEQA and these findings, the record before this City Council includes, without limitation, the following:

A. The Final White Slough Specific Area Plan (November 20, 1995) and all references contained therein;

B. The Draft MEIR for the SAP (September 18, 1995) and the Final MEIR for the SAP (November 17, 1995);

C. All City staff reports, correspondence, and documents on the SAP and the MEIR, including those related to the Strategic Planning Committee and Technical Advisory Committee and the letter from the San Francisco Bay Conservation and Development Commission, dated November 28, 1995;

D. All Department of Transportation reports, correspondence, and documents related to the State Route 37 improvements;

E. All studies conducted for the SAP and MEIR contained or referenced in the MEIR;

F. All documentary and oral evidence received and reviewed at public hearings and public meetings relating to the SAP and the MEIR;

G. For documentary and informational purposes, the Vallejo General Plan and amendments thereto, including appendices;

H. For documentary and information purposes, the Mare Island Final Reuse Plan (July 26, 1994);

I. The Mitigation Monitoring and Reporting Program for the Project prepared by Environmental Science Associates; and

J. All matters of common knowledge to the City Council, including, but not limited to (1) the Vallejo Municipal Code; (2) the City's fiscal status; (3) City policies and regulations; and (4) reports, projections, and correspondence related to transportation and circulation, wetlands, flood control, public access, land use, and other types of infrastructure within and surrounding the City.

III. FINDINGS ON MITIGATION MEASURES

The City Council hereby makes the following general findings regarding mitigation measures:

A. Mitigations Adopted

Except where otherwise specified, the mitigation measures adopted in these findings are those recommended in the Draft MEIR, subject to: 1) any modifications, deletions, or additions in the Final MEIR; and 2) any clarifications or additions in the Mitigation Monitoring and Reporting Program. It is the intention of the City Council to adopt in full all of the mitigation measures recommended in the MEIR, as clarified and supplemented in the Mitigation Monitoring Program, except to the extent that they are expressly rejected, modified or replaced in these findings.

B. Effect of Mitigations

Except as otherwise stated in these findings, the City Council finds that the significant environmental impacts resulting from the Project will be mitigated to a less-than-significant level by the adopted mitigation measures. Except as otherwise stated in these findings, the City Council finds that the mitigation measures imposed will not have new significant impacts that were not analyzed in the MEIR.

IV. FINDINGS ON BENEFICIAL IMPACTS

Although not required by CEQA, this section identifies those impacts resulting from the implementation of the SAP which were determined through the environmental analysis to constitute a beneficial impact.

A. Land Use

Impacts and mitigation measures are discussed on pages 3.1-1 through 3.1-31 of the Draft MEIR and in Section 3.0 of the Final MEIR.

- **Impact L-4**

  Public access and recreational use of the South White Slough area will increase.

  Finding

  The staging areas and trails system will provide public access to South White Slough for recreational uses including hiking, bicycling, and sightseeing. This is consistent with policies contained in the Vallejo Trails Master Plan. The public access project also includes measures to protect the existing sensitive habitat areas.

B. Vegetation and Wildlife

Impacts and mitigation measures related to vegetation and wildlife are discussed on pages 3.3-1 through 3.3-47 of the Draft MEIR and throughout the Final MEIR, particularly on pages 2-2 through 2-7 and 4-1 through 4-22.

- **Impact V-1**

  Habitat for fisheries, waterfowl, and shorebirds will increase.

  Finding

  The Project will provide permanent protection and enhancement of marshes, tidelands, and tidally influenced wetlands by establishing, operating, and maintaining adequate tidal action.

C. Air Quality

Impacts and mitigation measures related to air quality are discussed on pages 3.7-1 through 3.7-19 of the Draft MEIR.

- **Impact A-4**

  The frequency and severity of odor problems associated with stagnant water in South White Slough will be reduced.

  Finding

  One of the objectives of the Project is to mitigate the existing air quality impacts caused by the inadequate flushing of South White Slough. These impacts degrade the environment for area residents and businesses. Residence time for water in the North and South Lagoons will drop by more than 70% with muted tidal action. Since residence time is an indicator of the relative potential for algal blooms which lead to odor problems, this drop leads to the conclusion that the intensity and frequency of odor problems will be greatly reduced.

V. FINDINGS ON LESS THAN SIGNIFICANT IMPACTS

Although not required by CEQA, this section identifies those impacts resulting from the Project which were determined through the environmental analysis to constitute a less than significant impact.

A. Land Use

Impacts and mitigation measures related to land use are discussed on pages 3.1-1 through 3.1-31 of the Draft MEIR and in Section 3.0 of the Final MEIR.

- **Impact L-1**

  City limit boundaries will be realigned and current General Plan land use and zoning designations will be changed.

  Finding

  The realignment in City limit boundaries and change in land use and zoning designations is not inconsistent with the intent of the Vallejo General Plan. The changes are intended to retain existing uses and guide future development within the planning area to ensure compatibility between uses and protection of the natural environment. The boundary changes will provide a logical separation between lands within the planning area which have been or are expected to be developed with urban uses, including public access trails and related facilities, and those areas which are to be preserved in an natural state. The land use and zoning designation changes will permanently protect the sensitive wetland habitat areas from development, while allowing certain urban uses in less sensitive areas which will not adversely impact the health of the wetlands. In addition, the mobile home park designation allowing higher density residential use will correct a current zoning inconsistency.

B. Vegetation and Wildlife

Impacts and mitigation measures related to vegetation and wildlife are discussed on pages 3.3-1 through 3.3-47 of the Draft MEIR and throughout the Final MEIR, particularly on pages 2-2 through 2-7 and 4-1 and 4-22.

- **Impact V-6**

  The Project could result in noise, vibration, and human intrusion disturbance to common and special status wildlife species.

  Finding

  These species are not dependent on the habitat types in the planning area, and their occasional presence on or use of it will encounter only slight disruption as an effect of Project construction activity.

C. Traffic

Impacts and mitigation measures related to traffic are discussed on pages 3.6-1 through 3.25 of the Draft MEIR and throughout the Final MEIR, particularly on pages 2-7 through 2-9.

- **Impact T-3**

  Traffic volumes along Wilson Avenue will increase.

  Finding

  Peak hour volume on Wilson Avenue will be lower with the Project than without, and it will have sufficient capacity to absorb this increase in traffic volume.

D. Air Quality

Impacts and mitigation measures related to air quality are discussed on pages 3.7-1 through 3.7-19 of the Draft MEIR.

- **Impact A-2**

  New development which would be allowed could lead to an increase in criteria pollutant emissions.

Finding

New development within the planning area will occur, but the growth potential will be limited by the change in land use designations for habitat protection. Emissions associated with the new development will be less than the significance threshold.

- **Impact A-5**

  Upgrading the sewer line along SR 37 will be part of the overall effort by VSFCD to accommodate a population and employment forecast consistent with ABAG projections for Vallejo.

  Finding

  While VSFCD forecasts are not exactly the same as the corresponding ABAG forecasts, they are not substantially different. Therefore, the upgrading of the sanitary sewer line is not inconsistent with the latest projections used for the latest regional air quality plan, "'94 Bay Area Clean Air Plan".

E. Noise

Impacts and mitigation measures related to noise are discussed on pages 3.8-1 through 3.8-13 of the Draft MEIR and throughout Section 3.0 of the Final MEIR.

- **Impact N-3**
  Noise levels along Sacramento Street will increase in the future due to predicted increases in traffic volumes.

  Finding

  With or without the Project, noise levels along Sacramento Street will increase over existing conditions due to projected increases in traffic volumes. With the widening of Sacramento Street to four lanes, the impact will be less than 3 dBA which is less than significant. However, this increase could be considered adverse for daytime residential uses. Therefore, the SAP includes a standard that Sacramento Street will be realigned as far to the east as possible to increase the distance between traffic and residential uses on the west side of the street.

- **Impact N-4**

  The relocation of the Sears Point Pump Station could increase noise levels at noise-sensitive land uses.

  Finding

  The noise impact of the relocated pump station will not be significant provided that standards set forth in the Vallejo General Plan and Zoning Ordinance are met. These standards will be met through careful selection and installation of pump technology and acoustical treatment of the pump station itself.

F. Hazardous Materials

Impacts and mitigation measures related to hazardous materials are discussed on pages 3.9-1 through 3.9-18 of the Draft MEIR and throughout Section 3.0 of the Final MEIR.

- **Impact H-3**

  Chemical releases from construction vehicles and equipment could pose a risk to the public health.

Finding

Spills and/or leaks from construction vehicles or equipment could result in de minimis hazardous material releases to soil. The level of anticipated spills will be less than reportable quantity levels, and will not pose a significant risk to construction workers or the general public. Construction sites are governed by occupational regulations and the Clean Water Act. Construction methods that comply with these regulations will prevent hazardous material leaks and spills from becoming significant.

G. Visual Quality

Impacts and mitigation measures related to visual quality are discussed on pages 3.10-1 through 3.10-27 of the Draft MEIR.

- **Impact VQ-1**

Expansion of the eastern and western roadway sections of SR 37 will alter the visual character of the highway corridor.

Finding

Expansion of the highway in the eastern and western sections will improve the visual character of the area by removing signage and some strip commercial structures. The overpasses in the eastern section will have negative visual qualities, but they will be constructed within a commercial and industrial area that currently exhibits low visual quality. The overcrossing at Sacramento Street will be constructed in an urbanized area as well.

- **Impact VQ-3**

Expansion of SR 37 will introduce new sources of light and glare into the planning area.

Finding

The construction of the freeway and the increase in the vehicle capacity will generate additional sources of light and glare. However, due to the surrounding urbanized uses that already emit substantial light and glare, and the light and glare already generated by the existing roadway, the increase resulting in the SR 37 expansion will not be substantial. No residences will experience close range lighting or glare effects from the expansion. Further, implementation of the construction and landscaping measures to mitigate alteration of the scenic views will minimize light and glare impacts.

- **Impact VQ-4**

The fill required for the central roadway section will alter the visual character of the area.

Finding

Fill material placed along the central section will alter the scale and form of the existing SR 37 corridor. The fill will elevate the roadway seven to ten feet and thus increase the visual prominence of the roadway. However, the fill material will serve as a solid connection to the surrounding flatlands, which will serve to incorporate the roadway into the visual landscape. Although not required as mitigation, native plantings, rather than tall plants and trees, along the embankments of the widened roadway would minimize visual impacts.

VI. FINDINGS ON POTENTIALLY SIGNIFICANT IMPACTS

This section identifies those impacts resulting from the Project which were determined through the environmental analysis to be potentially significant. Further, this section identifies which impacts cannot be mitigated to a less-than-significant level, which mitigation measures are infeasible, and which impacts for which no mitigation measure is feasible, and which mitigation measures are not the responsibility of the City of Vallejo.

A. Land Use

Impacts and mitigation measures are discussed on pages 3.1-1 through 3.1-31 of the Draft MEIR and throughout Section 3.0 of the Final MEIR.

- **Impact L-3**

  The development of the western roadway section will place 0.02 acres of fill in wetlands in North White Slough and will be inconsistent with City of Vallejo and Solano County General Plan goals and policies.

  Mitigation Measure

  The following mitigation measure is hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

  Implement the measures required by AB 719, the Conceptual Mitigation Plan, and the other measures identified in the Draft MEIR on pages 3.3-37 through 3.3-40 and in the Final MEIR on pages 2-2 through 2-7 and 4-1 through 4-22.

  Findings

  Based upon the MEIR and the entire record before the City Council, the Council finds that:

  1. The impact will be mitigated to a less-than-significant level by the implementation of the mitigation measure described above. This measure will ensure consistency with AB 719 and the City of Vallejo and Solano County General Plans since the fill will be mitigated at a 4:1 ratio and will result in an increase of habitat in the vicinity of the Project.

  2. Any remaining impacts related to inconsistencies with land use policies will not be significant, as demonstrated by the analysis in the MEIR.

  3. Other public agencies (e.g, Caltrans, Corps of Engineers) have the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

- **Impact L-7**

  The development of the central roadway section within the Central Fill option will adversely affect sensitive wetlands north of SR 37 and waters of the U.S. south of SR 37, and will be inconsistent with City of Vallejo and Solano County General Plan goals and policies.

  Mitigation Measure

  The following mitigation measure is hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

  Implement the measures required by AB 719, the Conceptual Mitigation Plan, and the other measures identified in the Draft MEIR on pages 3.3-37 through 3.3-40 and in the Final MEIR on pages 2-2 through 207 and 4-1 through 4-22.

Findings

Based upon the MEIR and the entire record before the City Council, the Council finds that:

1. The impact will be mitigated to a less-than-significant level by the implementation of the mitigation measure described above. This measure will ensure consistency with AB 719 and the City of Vallejo and Solano County General Plans since the fill will be mitigated at a 4:1 ratio and will result in an increase of habitat in the vicinity of the Project.

2. Any remaining impacts related to inconsistencies with land use policies will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g., Caltrans, Corps of Engineers) have the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

B. Geology, Soils, and Seismicity

Impacts and mitigations related to geology, soils, and seismicity are discussed on pages 3.2-1 through 3.2-19 of the Draft MEIR.

- **Impact G-1**

Significant damage or destruction could occur to SR 37 improvements, flood control improvements, sanitary sewer mitigation, and surface street improvements from seismic activity.

Mitigation Measures

The following mitigation measures are hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

1. Site-specific geologic and geotechnical investigation for any development within the planning area will be carried out, and the recommendations and guidelines contained in the geotechnical reports will be implemented.

2. Design of SR 37 improvements will follow the standards of the most current version of the Caltrans Highway Design Manual.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. The impacts from seismic activity will be mitigated to a less-than-significant level by the implementation of the mitigation measures described above. Roadways and other improved infrastructure will not collapse during a major earthquake and will remain operational.

2. Any remaining impacts related to seismic activity will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g., Caltrans, VSFCD) share the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

- **Impact G-2**

Damage to facilities could occur as a result of foundation failure due to settlement of fills and overlying structures, or damage from expansive or corrosive soils.

Mitigation Measure

The following mitigation measure is hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

The mitigation measures described in the Draft MEIR on pages 3.2-16 and 3.2-17 will be implemented.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. The impacts from underlying soil properties will be mitigated to a less-than-significant level by the implementation of the mitigation measures described above. The soils investigations will

   determine the soil engineering characteristics for use in identifying appropriate foundation designs.

2. Any remaining impacts related to underlying soil properties will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g., Caltrans, VSFCD) share the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

- **Impact G-3**

Excavation and replacement of native soils and fills will create a large volume of spoils that will require disposal.

Mitigation Measure

The following mitigation measure is hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

As possible, cut and fill will be balanced on-site for any individual construction project. The ultimate disposal site of all excavated soil shall be identified. If soil materials are suitable, they will be used for landscaping and/or levee construction.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. The impacts from cut and fill activities will be mitigated to a less-than-significant level by the implementation of the mitigation measures described above.

2. Any remaining impacts related to cut and fill activities will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g., Caltrans, VSFCD) share the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

- **Impact G-4**

Excavation and grading activities will increase the potential for water and wind erosion of graded soil during construction.

Mitigation Measure

The following mitigation measure is hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

Erosion control plans that comply with erosion control ordinances and best management practices will be developed.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. The impacts from excavation and grading activities will be mitigated to a less-than-significant level by the implementation of the mitigation measures described above by preventing sediment from being washed into the Napa River, White Slough, and other local surface waters.

2. Any remaining impacts related to excavation and grading activities will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g., Caltrans, VSFCD) share the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

- **Impact G-5**

Returning South White Slough to muted tidal action will increase the potential seiche hazard to development.

Mitigation Measure

The following mitigation measure is hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

Levee, floodwall, and other development on the periphery of South White Slough should take into account the potential of earthquake-generated seiche waves.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. The impacts from seiche hazards will be mitigated to a less-than-significant level by the implementation of the mitigation measures described above. The height of a generated seiche wave is likely to be small; however, the levees, floodwalls, and other development will contain expected seiche waves.

2. Any remaining impacts related to seiche waves will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g., VSFCD, BCDC, Corps of Engineers) have the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

C. Vegetation and Wildlife

Impacts and mitigation measures related to vegetation and wildlife are discussed on pages 3.3-1 through 3.3-47 of the Draft MEIR and throughout the Final MEIR, particularly on pages 2-2 through 2-7 and 4-1 through 4-22.

- **Impact V-2**

Implementation of the Project will result in the filling of waters and wetlands subject to the jurisdiction of the U.S. Army Corps of Engineers.

Mitigation Measure

The following mitigation measure is hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

Implement the measures required by AB 719, the Conceptual Mitigation Plan, and the other measures identified in the Draft MEIR on pages 3.3-37 through 3.3-40 and in the Final MEIR on pages 2-2 through 2-7 and 4-1 through 4-22.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. The impacts from fill in water and wetland habitat will be mitigated to a less-than-significant level by the implementation of the mitigation measures described above. The fill will be replaced pursuant to AB 719 and the mitigation measures, and overall the habitat value in the planning area will improve.

2. Any remaining impacts related to fill in water and wetland habitat will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g., Corps of Engineers, BCDC) have the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

- **Impact V-3**

Implementation of the Project will result in the loss of Marin knotweed habitat.

Mitigation Measure

The following mitigation measure is hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

Implement the measures required by AB 719, the Conceptual Mitigation Plan, and the other measures identified in the Draft MEIR on pages 3.3-37 through 3.3-40 and in the Final MEIR on pages 2-2 through 2-7 and 4-1 through 4-22.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. The impacts from fill in water and wetland habitat will be mitigated to a less-than-significant level by the implementation of the mitigation measures described above. The fill will be replaced pursuant to AB 719 and the mitigation measures, and overall the habitat value in the planning area will improve.

2. Any remaining impacts related to fill in water and wetland habitat will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g, Corps of Engineers, BCDC) have the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

■ **Impact V-4**

Overall implementation of the Project will adversely affect habitat for and populations of listed, proposed for listing, and candidate species.

Mitigation Measure

The following mitigation measure is hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

Implement the measures required by AB 719, the Conceptual Mitigation Plan, and the other mitigation measures identified in the Draft MEIR on pages 3.3-37 through 3.3-40 and in the Final MEIR on pages 2-2 through 2-7 and 4-1 through 4-22.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. The impacts to listed, proposed for listing, and candidate species will be mitigated to a less-than-significant level by the implementation of the mitigation measures described above.

2. Any remaining impacts related to listed, proposed for listing, and candidate species will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g, Corps of Engineers, BCDC) have the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

■ **Impact V-5**

The implementation of the Project may expose habitat to hazardous substances.

Mitigation Measure

The following mitigation measure is hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

Appropriate state and federal agencies will be consulted to determine and implement mitigation, and the mitigation measures identified in the Draft MEIR on pages 3.9-15 will be followed.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. The impacts to habitat from hazardous substances will be mitigated to a less-than-significant level by the implementation of the mitigation measures described above. Hazardous substances will be prevented from entering or affecting habitat areas.

2. Any remaining impacts related to habitat from hazardous substances will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies share the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

- **Impact V-7**

Implementation of the central section of highway project will result in the filling of waters and wetlands subject to the jurisdiction of the Corps of Engineers.

Mitigation Measure

The following mitigation measure is hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

Implement the measures required by AB 719, the Conceptual Mitigation Plan, and the other measures identified in the Draft MEIR on pages 3.3-37 through 3.3-40 and in the Final MEIR on pages 2-2 through 2-7 and 4-1 through 4-22.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. The impacts from fill in water and wetland habitat will be mitigated to a less-than-significant level by the implementation of the mitigation measures described above. The fill will be replaced pursuant to AB 719 and the mitigation measures, and overall the habitat value in the planning area will improve.

2. Any remaining impacts related to fill in water and wetland habitat will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g., Corps of Engineers, BCDC) have the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

- **Impact V-8**

Implementation of the central section of the highway project will result in impacts to listed, proposed for listing, and candidate species.

Mitigation Measure

The following mitigation measure is hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

Implement the measures required by AB 719, the Conceptual Mitigation Plan, and the other mitigation measures identified in the Draft MEIR on pages 3.3-37 through 3.3-40 and in the Final MEIR on pages 2-2 through 2-7 and 4-1 through 4-22.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. The impacts to listed, proposed for listing, and candidate species will be mitigated to a less-than-significant level by the implementation of the mitigation measures described above.

2. Any remaining impacts related to listed, proposed for listing, and candidate species will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g., Corps of Engineers, BCDC) have the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

D. Hydrology and Water Quality

Impacts and mitigation measures related to hydrology and water quality are discussed on pages 3.4-1 through 3.4-16 of the Draft MEIR and in Sections 3.0 and 4.2 of the Final MEIR.

■ Impact H-1

Increased tidal activity in South White Slough will improve water circulation, but rates of sedimentation in portions of the area may increase.

Mitigation Measure

The following mitigation measure is hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

South White Slough will be monitored for sedimentation, and removed if necessary to provide 100-year flood protection.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. The impacts resulting from sedimentation in South White Slough will be mitigated to a less-than-significant level by the implementation of the mitigation measures described above. The hydrology system in South White Slough is expected to reach an equilibrium, but sedimentation rates will be monitored to insure adequate flood protection.

2. Any remaining impacts related to sedimentation will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g., Corps of Engineers, BCDC, VSFCD) have the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

■ Impact H-2

The Project will provide 100-year level protection, although long-term sedimentation may decrease storage volumes.

Mitigation Measure

The following mitigation measure is hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

A detailed flood control plan will be prepared.

Findings

1. The impacts resulting from sedimentation in South White Slough will be mitigated to a less-than-significant level by the implementation of the mitigation measure described above. The increased tidal action will lower the mean operating water level of South White Slough. This change in the normal water stage will increase the available pond storage, which allows better flood storage when inflows to South White Slough from the upland watersheds are high.

2. Any remaining impacts related to sedimentation will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g., Corps of Engineers, BCDC, VSFCD) have the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

- **Impact H-3**

Increased tidal action and water circulation in South White Slough will improve water quality and reduce frequency and extent of algal blooms, but it will not improve water quality in all portions of the area.

Mitigation Measure

The following mitigation measure is hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

South White Slough will be monitored for sedimentation, and removed if necessary to provide 100-year flood protection.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. The impacts resulting from sedimentation in South White Slough will be mitigated to a less-than-significant level by the implementation of the mitigation measures described above.

2. Any remaining impacts related to sedimentation will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g., Corps of Engineers, BCDC, VSFCD) have the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

- **Impact H-4**

The proportion of the local watershed covered by impermeable surfaces and increase stormwater runoff will increase.

Mitigation Measure

The following mitigation measure is hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

The flood control measures will include the addition of impervious surfaces when calculating peak flows.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. The impacts resulting from any additional stormwater runoff to a less-than-significant level by the implementation of the mitigation measures described above.

2. Any remaining impacts related to stormwater runoff will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g., RWQCB, VSFCD) share the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

- **Impact H-5**

Disturbance of the existing surface soils and vegetation, the placement of engineered fill, and associated construction activities could release sediments and other pollutants to adjacent surface waters.

Mitigation Measure

The following mitigation measure is hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

For projects adjacent to South and North White Slough, grading and erosion control plans will be prepared prior to construction that will include the components identified in the Draft MEIR on page 3.4-16.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. The impacts resulting from grading and erosion to a less-than-significant level by the implementation of the mitigation measures described above.

2. Any remaining impacts related to grading and erosion will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g., RWQCB, VSFCD) share the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

E. Cultural Resources

Impacts and mitigation measures related to cultural resources are discussed on pages 3.5-1 through 3.5-4 of the Draft MEIR.

- **Impact C-1**

Excavation could result in damage to previously unknown prehistoric or historic archaeological resources.

Mitigation Measures

The following mitigation measures are hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

1. Prior to the start of demolition or construction, a qualified archaeologist will be engaged to conduct a preliminary field inspection of a project site.

2. If previously unknown subsurface cultural resources are discovered during excavation activities, excavation will be temporarily halted and an archaeologist consulted.

3. Should important subsurface cultural resources be discovered during excavation, a program of further investigation consistent with the program described in the MEIR will be undertaken.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. The impacts resulting from excavation to a less-than-significant level by the implementation of the mitigation measures described above.

2. Any remaining impacts related to excavation will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g., Caltrans, Corps of Engineers, VSFCD) share the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

F. Traffic

Impacts and mitigation measures related to traffic are discussed on pages 3.6-1 through 3.25 of the Draft MEIR and in Sections 2.0 and 3.0 of the Final MEIR.

- **Impact T-2**

The improvements to SR 37 will result in a slight worsening of conditions along the segment between Mare Island and Sacramento Street.

Mitigation Measure

No feasible mitigation is available.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. While the change in the volume/capacity ratio is statistically negligible, the above impact is significant since the increase ratio will exceed the threshold of significance. However, since this segment of the highway is already a four-lane freeway, it is infeasible for either the City or Caltrans to increase the capacity of this segment.

2. While conditions along this segment of the highway will slightly worsen with the SR 37 project, the overall traffic conditions in the planning area will improve dramatically, as demonstrated in the analysis in the MEIR.

3. The environmental, legal, economic, social, technological, and other benefits of the Project override the significant impact, as more fully stated in Section IX in the Statement of Overriding Considerations.

- **Impact T-4**

The SR 37 improvements will result in some occasional traffic detours, redirection of local traffic, and changes in points of access to SR 37.

Mitigation Measure

The following mitigation measure is hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

Detailed traffic management plans will be prepared prior to the commencement of construction.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. The impacts resulting from highway construction to a less-than-significant level by the implementation of the mitigation measures described above. The traffic management plans can eliminate or significantly reduce impacts.

2. Any remaining impacts related to highway construction will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g., Caltrans) have the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

G. Air Quality

Impacts and mitigation measures related to air quality are discussed on pages 3.7-1 through 3.7-19 of the Draft MEIR.

- **Impact A-1**

Construction activities will temporarily increase criteria pollutants.

Mitigation Measure

The following mitigation measure is hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

Construction contracts will include the mitigation measures to reduce emissions described in the Draft MEIR on pages 3.7-13 and 3.7-14.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. The impacts resulting from construction to a less-than-significant level by the implementation of the mitigation measures described above.

2. Any remaining impacts related to construction will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g., Caltrans, BAAQMD) the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

H. Noise

Impacts and mitigation measures related to noise are discussed on pages 3.8-1 through 3.8-13 of the Draft MEIR and in Section 3.0 of the Final MEIR.

- **Impact N-1**

Construction activities will temporarily increase noise levels.

Mitigation Measure

The following mitigation measure is hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

Construction contracts will include the mitigation measures to reduce noise impacts described in the Draft MEIR on page 3.8-8.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. The impacts resulting from construction to a less-than-significant level by the implementation of the mitigation measures described above.

2. Any remaining impacts related to project construction will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g., Caltrans, VSFCD) share the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

- **Impact N-2**

The highway improvements will affect the noise environment within the SR 37 corridor.

Mitigation Measures

The following mitigation measures are hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

1. The highway improvements will be consistent with Caltrans' Noise Abatement Criteria and soundwall design policies.

2. The height of the soundwall along the Lighthouse subdivision should be increased by two feet.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. The impacts resulting from project construction to a less-than-significant level by the implementation of the mitigation measures described above.

2. Any remaining noise impacts related to project construction will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g., Caltrans) have the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

I. **Hazardous Materials**

Impacts and mitigation measures related to hazardous materials are discussed on pages 3.9-1 through 3.9-18 of the Draft MEIR and Section 3.0 of the Final MEIR.

- **Impact H-1**

Construction of the highway improvements has the potential to encounter soils and/or groundwater known or suspected to contain hazardous substances.

Mitigation Measure

The following mitigation measure are hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

The mitigation measures described on page 3.9-15 of the Draft MEIR will be implemented.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. The impacts resulting from hazardous materials to a less-than-significant level by the implementation of the mitigation measures described above.

2. Any remaining impacts related to hazardous materials will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g., Caltrans, EPA, RWQCB) have the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

- **Impact H-2**

Construction of the habitat enhancement, sewer mitigation, public access, and flood control projects have the potential to encounter soils and/or groundwater suspected to contain hazardous substances.

Mitigation Measure

The following mitigation measure is hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

The mitigation measures described on page 3.9-15 of the Draft MEIR will be implemented.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. The impacts resulting from hazardous materials to a less-than-significant level by the implementation of the mitigation measures described above.

2. Any remaining impacts related to hazardous materials will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g., Corps of Engineers, BCDC, Caltrans, VSFCD) have the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

J. Visual Quality

Impacts and mitigation measures related to visual quality are discussed on pages 3.10-1 through 3.10-27 of the Draft MEIR.

- **Impact VQ-2**

Expansion of SR 37 will alter scenic views from vantage points in the immediate vicinity of the highway corridor, as well as from the corridor itself.

Mitigation Measure

The following mitigation measure is hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

The mitigation measures described on page 3.10-23 of the Draft MEIR will be implemented.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. The impacts resulting from the alteration of scenic views to a less-than-significant level by the implementation of the mitigation measures described above.

2. Any remaining impacts related to the alteration of scenic views will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g., Caltrans, BCDC) have the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

- **Impact VQ-5**

The fill for central section of roadway will alter views from within the corridor as well as from vantage points to the north and south of the corridor.

Mitigation Measure

The following mitigation measure are hereby adopted and will be implemented as part of the Project as provided by the Mitigation Monitoring Program:

The mitigation measures described on page 3.10-23 of the Draft MEIR will be implemented.

Findings

Based on the MEIR and the entire record before the City Council, the Council finds that:

1. The impacts resulting from the alteration of scenic views to a less-than-significant level by the implementation of the mitigation measures described above.

2. Any remaining impacts related to the alteration of scenic views will not be significant, as demonstrated by the analysis in the MEIR.

3. Other public agencies (e.g., Caltrans, BCDC, Corps of Engineers) have the responsibility for the imposition of this mitigation measure for the projects within their jurisdiction. These other public agencies can and should impose this measure on such projects.

VII. MISCELLANEOUS CEQA TOPICS

A. Unavoidable Adverse Impacts

The unavoidable adverse impact that will result from the Project through the highway project has been identified above in Section VI and is also discussed in the Statement of Overriding Considerations in Section IX.

B. Growth Inducing Impacts

The implementation of the SAP will result in indirect impacts which may be significant and adverse impacts on the environment, as discussed on pages 4-2 and 4-3 of the Draft MEIR. This discussion is incorporated herein by reference. These indirect impacts cannot be foreseen or analyzed at this time until specific projects are defined in the future.

C. Cumulative Impacts

The implementation of the SAP will result in one cumulative impact which will be significant. This impact, a decrease in the level of service in one section of State Route 37, is discussed on pages 4-3 and 4-4 of the Draft MEIR. This discussion is incorporated herein by reference. It is also discussed above in Section VI.

VIII. FINDINGS REGARDING PROJECT ALTERNATIVES

CEQA and the CEQA Guidelines require an EIR to "describe a range of reasonable alternatives to the project or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project...."(CEQA Guidelines 15126[d]). The MEIR evaluates and compares several alternatives to the projects identified in the SAP, and the City Council's findings regarding these alternatives are set forth below.

A. General

This City Council finds that the MEIR sets forth a reasonable range of alternatives to the projects identified in the SAP so as to foster informed public participation and decision making and to permit a reasoned choice. This City Council finds that the MEIR adequately discusses and evaluates the comparative merits of the alternatives.

No Project

The No Project Alternative is discussed on page 5-1 of the Draft MEIR. The City Council finds that this alternative is infeasible and less desirable than the Project and rejects the No Project Alternative for the following reasons:

1. The Project is a requirement of AB 719, and its purpose is to alleviate several existing environmental problems, including traffic congestion, flooding hazards, water and air quality impacts, and lack of permanent protection for wetland habitat. The No Project Alternative would be the status quo, and these environmental problems would not be lessened.

2. The Project will result in improved traffic circulation, mitigation of flooding hazards, improved water and air quality, and enhancement and protection for wetland habitat.

3. As discussed in the Statement of Overriding Considerations, the Project provides substantial benefits over the No Project Alternative.

Habitat Enhancement / Flood Control - Full Tidal Action in a Portion of South White Slough

This alternative is discussed on pages S-4 through S-14, 2-17 through 2-24, 3.3-29 through 3.3-44, 3.4-10 through 3.4-16, 3.5-2 through 3.5-4, 3.6-15 through 25, 3.7-10 through 3.7-19, 3.8-7 through 3.8-13, 3.9-9 through 3.9-18, 3.10-22 through 3.10-27, and page 5-3 of the Draft MEIR and throughout the Final MEIR. This alternative would have all the same components as the Project except the habitat enhancement and flood control programs would be based on full tidal action into a portion of South White Slough. No significant impacts would be eliminated under this alternative. It would not result in greater benefits overall to the habitat than the Project.

The City Council finds that this alternative is infeasible and less desirable than the Project and rejects the Habitat Enhancement / Flood Control - Full Tidal Action in a Portion of South White Slough Alternative for the following reasons:

1. This alternative would have essentially the same adverse environmental effects as the Project with respect to all the impacts listed above.

2. Full tidal action in a portion of South White Slough would result in greater flooding hazards in the adjacent upstream drainage systems. This would require the construction of higher levees and floodwalls and additional pumping stations to accommodate peak flows than required for the Project.

3. The Project with muted tidal action will result in greater benefits overall to the habitat in South White Slough than the full tidal action in a portion of South White Slough alternative.

Habitat Enhancement / Flood Control - Full Tidal Action in Entire South White Slough

This alternative is discussed on pages S-4 through S-14, 2-17 through 2-24, 3.3-29 through 3.3-44, 3.4-10 through 3.4-16, 3.5-2 through 3.5-4, 3.6-15 through 25, 3.7-10 through 3.7-19, 3.8-7 through 3.8-13, 3.9-9 through 3.9-18, 3.10-22 through 3.10-27, and page 5-3 of the Draft MEIR and throughout the Final MEIR. This alternative would have all the same components as the Project except the habitat enhancement and flood control programs would be based on full tidal action into the entire South White Slough. No significant impacts would be eliminated under this alternative; however, it would require more extensive mitigation to lessen hydrology impacts. It would not result in greater benefits overall to the habitat than the Project.

The City Council finds that this alternative is infeasible and less desirable than the Project and rejects the Habitat Enhancement / Flood Control - Full Tidal Action in the Entire South White Slough Alternative for the following reasons:

1. This alternative would have essentially the same adverse environmental effects as the Project with respect to all the impacts listed above.

2. Full tidal action in a portion of South White Slough would result in greater flooding hazards in the adjacent upstream drainage systems. This would require the construction of higher levees and floodwalls and additional pumping stations to accommodate peak flows than required for the Project.

3. The Project with muted tidal action will result in greater benefits overall to the habitat in South White Slough than the full tidal action in the entire South White Slough alternative.

State Route 37 Alternative I - Central Roadway Section on Fill South of the Highway

This alternative is discussed on pages S-4 through S-14, 2-8 through 2-16, 3.3-29 through 3.3-44, 3.4-10 through 3.4-16, 3.5-2 through 3.5-4, 3.6-15 through 25, 3.7-10 through 3.7-19, 3.8-7 through 3.8-13, 3.9-9 through 3.9-18, 3.10-22 through 3.10-27, and page 5-3 of the Draft MEIR and in Section 3.0 of the Final MEIR. This alternative would have all the same components as the Project except the highway improvements would be placed on fill on the south side of the highway. No significant impacts would be eliminated under this alternative; however, it could result in the loss of residential units and greater amounts of fill in the waters of South White Slough which would be additional impacts when compared with the Project. However, this alternative would require no fill in the North White Slough wetlands.

The City Council finds that this alternative is infeasible and less desirable than the Project and rejects the State Route 37 Alternative I - Central Roadway Section on Fill South of the Highway Alternative for the following reasons:

1. This alternative would result in the loss of 26-98 residential units. This loss is inconsistent with the Vallejo General Plan which has goals, policies, and objectives related to the preservation of housing, particularly affordable housing such as the mobile home units that would be lost under this alternative.

2. This alternative would require no fill in the North White slough wetlands. However, AB 719 allows for a limited amount of mitigated fill in order to meet the overall objectives for the White Slough area while it does not allow for the loss of housing. Therefore, the City Council finds that the loss of a limited amount of wetland habitat is outweighed by the preservation of residential units and other benefits of the Project as discussed in the Statement of Overriding Considerations in Section IX.

State Route 37 Alternative I - Central Roadway Section on Fill North of the Highway

This alternative is discussed on pages S-4 through S-14, 2-8 through 2-16, 3.3-29 through 3.3-44, 3.4-10 through 3.4-16, 3.5-2 through 3.5-4, 3.6-15 through 25, 3.7-10 through 3.7-19, 3.8-7 through 3.8-13, 3.9-9 through 3.9-18, 3.10-22 through 3.10-27, and page 5-3 of the Draft MEIR and in Section 3.0 of the Final MEIR. This alternative would have all the same components as the Project except the highway improvements would be placed on fill on the north side of the highway. No significant impacts would be eliminated under this alternative; however, it would require additional fill in the North White Slough wetlands which would be an additional impact when compared with the Project.

The City Council finds that this alternative is infeasible and less desirable than the Project and rejects the State Route 37 Alternative I - Central Roadway Section on Fill North of the Highway Alternative for the following reasons:

1. This alternative would require the filling of approximately two additional acres of fill in the North White Slough wetlands, and it is, therefore, less consistent with AB 719 than the Project.

2. This alternative would not result in any greater benefits than the Project, as discussed in the Statement of Overriding Considerations in Section IX.

State Route 37 Alternative II - Central Roadway Section on a Full Viaduct

This alternative is discussed on pages S-4, 2-29, 3.3-29, and 5-2 of the Draft MEIR and page 3-82 of the Final MEIR. This alternative would have the same components as the Project, except the central roadway section of the highway would be constructed on a full viaduct. No significant impacts would be eliminated as a result of this alternative.

The City Council finds that this alternative is infeasible and less desirable than the Project and rejects the State Route 37 Alternative II - Central Roadway Section on a Full Viaduct Alternative for the following reasons:

1. The City of Vallejo White Slough / State Route 37 Strategic Planning Committee and Technical Advisory Committee determined that this alternative would not provide any additional benefits to traffic, habitat, or water quality that could be achieved by one of the other enhancement alternatives.

2. This alternative's high cost and difficulty to be reasonably constructed make it infeasible. It is estimated that this alternative, as part of the overall highway improvements, would cost approximately $60 million in comparison to $42-49 million for the Project. It is unlikely this alternative could be funded at this high cost, and State Route 37 would not be improved. The City Council finds that the benefits of this alternative, as discussed in the Statement of Overriding Considerations in Section IX.

State Route 37 Alternative III - Central Roadway Section on a Partial Viaduct North of the Highway

This alternative is discussed on pages S-4 through S-14, 2-8 through 2-16, 3.3-29 through 3.3-44, 3.4-10 through 3.4-16, 3.5-2 through 3.5-4, 3.6-15 through 25, 3.7-10 through 3.7-19, 3.8-7 through 3.8-13, 3.9-9 through 3.9-18, 3.10-22 through 3.10-27, and page 5-3 of the Draft MEIR and Section 3.0 of the Final MEIR. This alternative would have all the same components as the Project except the highway improvements would be placed on a partial viaduct on the north side of the highway. No significant impacts would be eliminated as a result of this alternative. However, this alternative would require more extensive mitigation for geological and visual quality impacts than the Project. It would require less fill in the North white slough wetlands than the Project.

The City Council finds that this alternative is infeasible and less desirable than the Project and rejects the State Route 37 Alternative III - Central Roadway Section on a Partial Viaduct North of the Highway Alternative for the following reasons:

1. The viaduct could be more susceptible to earthquake damage than the use of fill, and would require more extensive engineering. The viaduct would be a more aesthetically offensive visual feature within the highway corridor than the use of fill and the viaduct would obstruct views across White Slough. These visual impacts would require more extensive mitigation than the Project.

2. While this alternative has some reduction in the amount of mitigation required for the fill in the North White Slough wetlands, the alternative would still result in the same environmental impacts as the Project. The cost of this alternative, as part of the overall State Route 37 improvements, would be $56 million in comparison to $42-49 million. This alternative is, therefore, economically infeasible, and this section of the highway would not be improved. The City Council finds that the benefits of the Project as discussed in the Statement of Overriding Considerations in Section IX outweigh the reduced impact of this alternative.

State Route 37 Alternative III - Central Roadway Section on a Partial Viaduct South of the Highway

This alternative is discussed on pages S-4 through S-14, 2-8 through 2-16, 3.3-29 through 3.3-44, 3.4-10 through 3.4-16, 3.5-2 through 3.5-4, 3.6-15 through 25, 3.7-10 through 3.7-19, 3.8-7 through 3.8-13, 3.9-9 through 3.9-18, 3.10-22 through 3.10-27, and page 5-3 of the Draft MEIR and in Section 3.0 of the Final MEIR. This alternative would have all the same components as the Project except the central section of the highway improvements would be placed on a partial viaduct on the south side of the highway. No significant impacts would be eliminated as a result of this alternative. However, this alternative would result in additional impact, the loss of 26-98 residential units, and it would require more extensive mitigation for geological and visual quality impacts than the Project. It would require less fill in the North White Slough wetlands than the Project.

The City Council finds that this alternative is infeasible and less desirable than the Project and rejects the State Route 37 Alternative III - Central Roadway Section on a Partial Viaduct South of the Highway Alternative for the following reasons:

1. The construction on the south side would result in the loss of 26-98 residential units, and would require additional mitigation to relocate the displaced residents. In addition, the viaduct could be more susceptible to earthquake damage than the use of fill, and would require more extensive engineering. The viaduct would be a more aesthetically offensive visual feature within the highway corridor than the use

of fill and the viaduct would obstruct views across White Slough. These visual impacts would require more extensive mitigation than the Project.

2. While this alternative has less in the amount of mitigation required for the fill in the North White Slough wetlands, the alternative would still result in the same environmental impacts as the Project. The cost of this alternative, as part of the overall State Route 37 improvements, would be $56 million in comparison to $42-49 million. This alternative is, therefore, economically infeasible, and this section of the highway would not be improved. The City Council finds that the benefits of the Project as discussed in the Statement of Overriding Considerations in Section IX outweigh the reduced impact of this alternative.

State Route 37 - Western Roadway Section Option 1

This alternative is discussed on pages S-4 through S-14, 2-8 through 2-16, 3.3-29 through 3.3-44, 3.4-10 through 3.4-16, 3.5-2 through 3.5-4, 3.6-15 through 25, 3.7-10 through 3.7-19, 3.8-7 through 3.8-13, 3.9-9 through 3.9-18, 3.10-22 through 3.10-27, and page 5-3 of the Draft MEIR and Section 3.0 of the Final MEIR. This alternative would have all the same components as the Project except the western section of the highway improvements would limit access to Sacramento Street more than the Project. This alternative would not eliminate any significant impacts.

The City Council finds that this alternative is infeasible and less desirable than the Project and rejects the State Route 37 State Route 37 - Western Roadway Section Option 1 Alternative for the following reasons:

1. This alternative would result in more traffic on local streets and less access to Sacramento Street from State Route 37 than the Project.

2. This alternative is inconsistent with the following objective of the Project: "Improve the circulation on the regionally and locally significant State Route 37 and through this area of Vallejo by reducing traffic congestion on State Route 37 and local streets." It is, therefore, less desirable than the Project.

State Route 37 - Western Roadway Section Option 3

This alternative is discussed on page 2-11 of the Draft MEIR and pages 3-53 and 3-54 of the Final MEIR. This alternative would have all the same components as the Project except the western section of the highway improvements would add a right-turn only eastbound ramp from Sacramento Street. This alternative would not eliminate any significant impacts.

The City Council finds that this alternative is infeasible and less desirable than the Project and rejects the State Route 37 State Route 37 - Western Roadway Section Option 3 Alternative for the following reasons:

1. It alternative has been found to be infeasible. The eastbound on- and off-ramp ramps are incompatible with the overcrossing as the weave distance between Wilson Avenue and Sacramento Street would be reduced to an unacceptable level. This alternative would also require additional fill in South White Slough.

2. It would not provide any greater benefits to the environment than the Project.

State Route 37 - Eastern Roadway Section Option 1

This alternative is discussed on pages S-4 through S-14, 2-8 through 2-16, 3.3-29 through 3.3-44, 3.4-10 through 3.4-16, 3.5-2 through 3.5-4, 3.6-15 through 25, 3.7-10 through 3.7-19, 3.8-7 through 3.8-13, 3.9-9 through 3.9-18, 3.10-22 through 3.10-27, and page 5-3 of the Draft MEIR and in Sections 2.0 and 3.0 of the Final MEIR. This alternative would have all the same components as the Project except it would require additional fill in the North White Slough wetlands.

The City Council finds that this alternative is infeasible and less desirable than the Project and rejects the State Route 37 State Route 37 - Eastern Roadway Section Option 1 Alternative for the following reasons:

1. This alternative would place the ramp closest to North White slough on fill and would require 1.08 acres of fill in Marin knotweed habitat.

2. While this alternative is less costly than the Project, the City Council finds that the environmental benefits of the Project outweigh the potential cost savings of this alternative.

Combined Element Alternative - Central Roadway Section on Fill on the North Side and Viaduct on the South Side with Full Tidal Action in a Portion of the Slough ("Strategic Planning Committee Alternative")

This alternative is discussed on page 2-29 of the Draft MEIR and in Sections 2.0 and 3.0 of the Final EIR. This alternative would have all the same components as the Project, except for the use of viaduct for a portion of the central roadway section and the use of full tidal action into a portion of South White Slough. This alternative would not eliminated any significant environmental impacts.

The City Council finds that this alternative is infeasible and less desirable than the Project and rejects the Combined Element Alternative - Central Roadway Section on Fill on the North Side and Viaduct on the South Side with Full Tidal Action in a Portion of the Slough ("Strategic Planning Committee Alternative") Alternative for the following reasons:

1. This alternative has been found to be infeasible from a traffic engineering standpoint. The swing in the lanes, in making the transition from north to south, would bring the design speed down to 25 mph..

2. The muted tidal action component of the Project has been found to be the environmentally preferred alternative over any type of full tidal action since it will result in greater benefits to the habitat in South White Slough overall.

IX. STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to CEQA Guidelines §15093, this City Council adopts and makes the following Statement of Overriding Considerations regarding the remaining unavoidable impacts of the Project, as discussed above, and the anticipated economic, legal, social, technological, and other benefits of the Project.

A. Findings and Statement

Overriding Considerations

The remaining unavoidable impact of the Project (described above) is acceptable in light of environmental, legal, social, economic, technological, and other considerations set forth herein because benefits of the Project outweigh any significant and adverse impacts of the Project.

Project Alternatives

The Project alternatives set forth in the MEIR are infeasible in part because such alternatives would prohibit the attainment of specific social, legal, economic, technological, and other benefits of the Project which this City Council finds outweigh any environmental advantages of the Project alternatives, as discussed in greater detail in Section VIII.

B. Description of Overriding Considerations

This City Council finds that the following social, legal, economic, technological, and other considerations warrant approval of the Project notwithstanding any or unmitigated impacts of the Project. This City Council finds that each of the five overriding considerations set forth below constitutes a separate and independent ground for finding that the benefits of the Project outweigh its significant adverse environmental impacts and is an overriding consideration warranting approval of the project. These matters are supported by the evidence in the record that includes, but is not limited to, the documents referenced above in Section II.

Environmentally Preferred Alternative

The MEIR identifies the environmentally preferred alternative as muted tidal action in South White Slough and the Central Fill option for the Central Roadway Section. The Project includes this alternative.

> "The analysis described in this document reveals that the primary differences in impacts of alternatives lies in the areas of land use and biological resources. Simply put, the choice of alternatives rests in large part in a trade-off between loss of housing and loss of wetlands. Constructing the Central Roadway Section south of the existing highway results in a loss of housing, while constructing the Central Roadway Section north of the existing highway results in a loss of wetlands. The choice between these two potentially significant impacts was somewhat facilitated by AB 719 in allowing for a limited loss of wetland habitat (while carefully specifying mitigation for that loss) but not specifically allowing for a loss of housing. Given the mandate of AB 719, an Alternative allowing for a mitigated loss of wetlands (under 13 acres) becomes the environmentally preferred choice in this case. AB 719 states that the fill required for the SR 37 Element not exceed 13 acres. Two of the Northern Fill Options under Alternative I (combined with Option 1 for the Eastern Roadway Segment and Option 1 for the Western Roadway Segment) would result in the filling of over 13 acres of tidal or tidally influenced wetlands and would be inconsistent with AB 719. For this reason, Alternative I constructed centered on the existing highway, is the environmentally preferred alternative."
>
> "With regards to the Wetland Enhancement Element, it appears that given all the planning needs of the project area, the environmentally preferred alternative is to create a muted tidal regime in South White Slough. In some sense this direction also rests in a trade-off between land use and certain biological resources. Although there are habitats that would greatly benefit from a full tidal regime in South White Slough, certain existing biological resources could be adversely affected. The Specific Area Plan must also consider the established and planned land uses of the area and the need for flood control to protect those land uses. Flood control facilities become considerably more complicated, more expensive and harder to control and maintain under a fully tidal regime."
>
> "In conclusion, the environmentally preferred alternative is Alternative I, including the choice of the decision to build the Central Roadway Section centered on the existing highway and to create a muted tidal regime in South White Slough."

Community Benefits

As demonstrated by the record, the Project will improve the quality of life for residents and businesses within the planning area and provide additional benefits to the community in the following ways:

- There will be designed, authorized, and safe public access into South White Slough, an area where this type of access does not currently exist. This access will result in increased recreational opportunities, including walking, jogging, and bicycling, and increased educational opportunities, including nature observation and interpretation, for residents, workers, and visitors. These activities in a wetland habitat with trails, staging areas, and parking are currently limited in Vallejo. The increased access will also provide more vista points across White Slough. This public access is consistent with the Vallejo General Plan, the Vallejo Master Trails Plan, and the San Francisco Bay Trail.

- The residents and businesses adjacent to South White Slough will be provided 100-year level protection from flooding. The flood control improvements are consistent with the Vallejo General Plan and the standards of the Vallejo Sanitation and Flood Control District.

- The air quality in the area will improve. Increased tidal action into South White Slough will result in greater water circulation and improved water quality which in turn result in the reduction of algal blooms. It is these blooms that have caused the areawide odor problems in the past. This improvement in air quality is consistent with the goals of the Vallejo General Plan Air Quality Element.

- The visual quality of the area will improve. South White Slough is currently the site of littering and unauthorized dumping. Increased public access into the area for pedestrians and bicyclists, as well as enforcement agencies, will make dumping more difficult. as the area redevelops under the Project's design standards and with more businesses and activities fronting South White Slough, the area will be much more attractive. The surface street improvements with curbs, gutters, sidewalks, and street trees will enhance the aesthetic quality as well. This is consistent with the proposed scenic highway designation for State Route 37 in the Vallejo General Plan.

- The circulation throughout the area will improve. The improvements to State Route 37 and the surface streets will increase capacity. This improvement is consistent with the goal of the Vallejo General Plan to have a functional street and highway system that provides appropriate access to the industrial, commercial and residential areas of the city.

- The Project will assist in the economic development activities of the community by providing construction jobs and will meet the desires of the business community in Vallejo and the region that have been recently expressed as part of the development of the Project.

Habitat Enhancement

The Project will result in the permanent protection of approximately 523 acres of existing wetland habitat, some of which supports sensitive vegetation and wildlife species. The existing wetland habitat in South White Slough will benefit from increased water circulation and improved water quality. The existing habitat in North White Slough will benefit from the elimination of human intrusion along the highway. As much as 60 acres of new permanent wetland habitat will be created within the vicinity of White Slough as mitigation for the various projects. Without the Project it is unlikely the protection and enhancement of existing habitat and the creation of new habitat will happen in the foreseeable future.

Transportation and Circulation Improvements

The improvement of State Route 37 is consistent with local and regional plans that go back almost 40 years. Since 1957, when the "heavy (traffic) volumes were recorded on...Sears Point Road", the City and County plans for the area show the improvement of the highway. These heavy traffic volumes still exist, and the need for the project is greater than ever. The Department of Transportation makes the following comments in its Purpose and Need Statement for the Project:

> "Growth in the North Bay has generated great traffic demand on State Route 37 throughout most of Solano County. The most critical section of State Route 37 is between Wilson Avenue and Fairgrounds Drive in the City of Vallejo. Nowhere else along the route is the demand as high and the capacity so low. This is due to a combination of narrow roadways, irregularly-spaced signalized intersections, private and commercial driveway access, and a mixture of interregional, local, Mare Island, and Marine World traffic, which occurs nowhere else on the entire route. The proposed project will address the existing congestion and delay problems within this critical section."
>
> "Currently the segment of Route 37 between Sacramento Street and Route 29, as well as the Route 37/Route 29 intersection operates at LOS F during peak hours. At these times, back-up from these two congested conditions routinely forces a LOS F on Route 37 from Route 29 to Walnut Street/Mini Drive and causes other intersections to operate at LOS F as well."
>
> "It should be noted that continued development and population growth are expected to cause the average daily traffic demand to increase by more than 40% by (the year 2020). Route 37 from the Napa River Bridge to Walnut Street/Mini Drive and all intersections with the highway are expected to operate at a LOS F."

The improvements are not only needed for smoother flowing traffic circulation. They are needed to reduce the number of accidents to within the statewide average, as noted by the City of Vallejo Fire Chief, and to improve emergency response to this part of the community, as noted by both the Fire and Police Chiefs.

Preservation of Housing

The Project will not result in the loss of any residential housing units, and will be consistent with the goals, policies, and objectives of the Vallejo General Plan Housing Element to preserve the existing housing stock, particularly for low and moderate income families.

Reuse of Mare Island

The successful reuse of Mare Island Naval Shipyard, which will close in April 1996, is the number one priority for the City of Vallejo. As well documented in the Urban Land Institute's report, the Mare Island Final Reuse Plan, and the Mare Island Disposal and Reuse Draft EIS/EIR, the improvements to State Route 37 are a necessary component of this successful reuse. The economic feasibility of a southern crossing onto Mare Island to provide access from Interstate 80 is remote; therefore, the need for access from Interstate 80 via State Route 37 is even more important.

APPENDIX 4

MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

This is the Mitigation Monitoring and Reporting Program (MMRP) for the White Slough Specific Area Plan approved by the Vallejo City Council and the Solano County Board of Supervisors.

This Specific Area Plan (SAP) has been analyzed in accordance with the California Environmental Quality Act (CEQA) requirements in the Master Environmental Impact Report (MEIR) for the SAP (certified November 28, 1995). This MMRP is required by Section 21081.6 of the CEQA statute.

The MMRP includes the mitigation measures identified in the MEIR required to address only the significant impacts associated with the SAP. The significant impacts associated with the SAP and the required mitigation measures are summarized in the Program; the full text of the impact analysis and mitigation measures is presented in the Draft MEIR (published September 18, 1995) and/or in the Comments and Responses / Final MEIR document (published November 17, 1995). The mitigation measures included in this Program are those adopted by the Vallejo City Council in its Findings Relating to the Approval of the White Slough Specific Area Plan, as required by CEQA.

The MMRP is organized in a table format, keyed to each adopted MEIR mitigation measure. The column headings in the table are defined as follows:

- **Impact:** This column provides the mitigation number and a brief summary of the impact itself.
- **Mitigation Measure:** A summary of the mitigation requirement. Because this MMRP addresses several projects, if a mitigation is required for only one specific project, this is indicated.
- **Implementation Procedure:** If needed, this column provides additional information on how mitigation measures will be implemented. The column was left blank if no elaboration on the mitigation was necessary.
- **Monitoring and Reporting Actions:** An outline of the appropriate steps to verify compliance with the mitigation measure.
- **Monitoring Responsibility:** Assignment of responsibility for the monitoring and reporting tasks.
- **Monitoring Schedule:** The general schedule for conducting each monitoring and reporting task, identifying, where appropriate, both the timing and the frequency of the action.

White Slough Specific Area Plan

MITIGATION MONITORING AND REPORTING PROGRAM

Land Use, Plans and Policies

IMPACT	MITIGATION MEASURE	IMPLEMENTATION PROCEDURE	MONITORING AND REPORTING ACTIONS	MONITORING RESPONSIBILITY	MONITORING SCHEDULE
L-3: Selection of Option 2 for the Western Roadway Segment would place fill in wetlands in North White Slough and thus would be inconsistent with City and County General Plan goals and policies.	Implement measures required by AB719, the Conceptual Mitigation Plan and Habitat Protection Plan.	—	Add Corps and BCDC permits to administrative files.	City, Corps, Caltrans	Prior to commencement of SR 37 project.

Geology, Soils and Seismicity

G-1: Seismic Damage - Seismic activity could damage Flood Control Facilities, Sewer Replacement and Surface Street Improvements.	Conduct site-specific geologic and geotechnical investigation for any development proposed within the Planning Area and implement the recommendations and guidelines contained in the geotechnical report. Design of SR 37 shall follow the standards of the most current version of the Caltrans Highway Design Manual.	Design facilities in compliance with seismic requirements of the most recent version of applicable codes.	Review design plans to verify compliance with codes.	Sponsors of Project Elements	Prior to approval of final design and plans.

Geology, Soils and Seismicity (Continued)

IMPACT	MITIGATION MEASURE	IMPLEMENTATION PROCEDURE	MONITORING AND REPORTING ACTIONS	MONITORING RESPONSIBILITY	MONITORING SCHEDULE
G-2: Soil Failure - Damage to facilities could occur as a result of foundation failure due to settlement of fills and overlying structures, or expansive or corrosive soils.	Fill should be selected, placed, compacted and inspected in accordance with plans and specifications prepared by a licensed civil engineer. Construction on expansive soils would require either 1) replacement with non-expansive soils or 2) treatment of expansive soils. A site specific soil corrosion survey shall be conducted along the route of the proposed pipelines, road expansions and for other construction projects on the Planning Area. In order to maintain the life of the sewer lines, bonding jumpers shall be provided at all joints to facilitate periodic corrosion testing.	Contract a geotechnical investigation and report addressing required issues. Incorporate recommendations into design plans and specifications.	1. Add geotechnical report to administrative record. 2. Review project design plans to verify incorporation of recommendations of report. 3. Inspect construction for compliance with seismic safety design measures.	Sponsors of Project Elements	1. Prior to completion and approval of final design plans and specifications. 2. Prior to construction. 3. During construction and prior to operation.
G-3: Spoil Materials - Excavation and replacement of native soils and fills would create a large volume of spoils that would require disposal. Construction of projects, either individually or collectively within the Planning Area could result in significant amounts of spoils requiring disposal.	As possible, cut and fill should be balanced on-site for any individual construction project. The ultimate disposal site of all excavated soil should be identified. If the soil materials are suitable, they possibly could be used within the planning area for landscaping or levee construction.	Identify ulitmate disposal site.	Add report of disposal site to administrative record.	Sponsors of Project Element	Prior to approval of final design plans.

Geology, Soils and Seismicity (Continued)

IMPACT	MITIGATION MEASURE	IMPLEMENTATION PROCEDURE	MONITORING AND REPORTING ACTIONS	MONITORING RESPONSIBILITY	MONITORING SCHEDULE
G-4: Soil Erosion - Excavation and grading activities would increase the potential for water and wind erosion of graded soil during the construction phase activities.	Develop an erosion control plan. Construction activities will also be required to comply with City of Vallejo grading and erosion control ordinances and best management practices recommended by the San Francisco Bay Regional Water Quality Control Board.	1. Develop site-and-project-specific erosion and sedimentation control plan. 2. Include requirement for compliance with erosion and sedimentation control plan in construction contract. 3. Review site-specific erosion and sedimentation control plan with contractor.	1. Review final design and grading plan to verify incorporation of erosion control plan; add plans to administrative record. 2. Review construction contract. 3. Verify compliance with erosion and sedimentation control plan.	Sponsors of Project Element	1. Prior to approval of final design plans and specifications. 2. Prior to approval of contract. 3. Daily, during construction, and upon completion of construction.

Vegetation and Wildlife

V-2: Waters and Wetlands - Implementation of the Plan would result in the filling of between 12.25 and 18.43 acres of waters and wetlands subject to Corps Jurisdiction (under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act).	Implement measures required by AB 719, the Conceptual Mitigation Plan, and Habitat Protection Plan.	—	Add Corps and BCDC permits to administrative files.	City, Corps, Caltrans	Prior to commencement of SR 37 project.

Vegetation and Wildlife (Continued)

IMPACT	MITIGATION MEASURE	IMPLEMENTATION PROCEDURE	MONITORING AND REPORTING ACTIONS	MONITORING RESPONSIBILITY	MONITORING SCHEDULE
V-3: Marin knotweed - Implementation of Option 1 for the Eastern Roadway Segment would result in the direct loss of approximately 1.08 acres of Marin knotweed habitat.	Implement Waters and Wetlands Mitigation (as above) in addition to plant salvage measures.	Include mitigation measure in construction contract specifications.	Consult with CDFG and USFWS. Add report of this consultation to administrative file. Verify that construction contract includes terms of mitigation.	City, Caltrans	Prior to commencement of SR 37 project.
V-4: Special Status Animal Species - Overall implementation of the Plan would adversely affect habitat for and populations of salt marsh harvest mouse, Suisun ornate shrew, California clapper rail, salt marsh yellowthroat, California black rail, San Pablo song sparrow, pond turtle, Delta smelt and Sacramento splittail.	Implement Conceptual Mitigation Plan.	1. Include mitigation measure in construction contract specifications. 2. Contract a biologist to delineate buffer areas, exclusion zones, sensitive areas and access routes.	1. Verify that construction contract includes terms of mitigation. 2. Inspect flagging of restricted zones. 3. Monitor construction to verify compliance, respond to any non-compliance.	Project Sponsors, CDFG, USFWS	1. Prior to approval of construction contract. 2. Prior to commencement of construction. 3. Weekly, during construction.

Vegetation and Wildlife (Continued)

IMPACT	MITIGATION MEASURE	IMPLEMENTATION PROCEDURE	MONITORING AND REPORTING ACTIONS	MONITORING RESPONSIBILITY	MONITORING SCHEDULE
V.5: Hazardous Substances - Implementation of the SR 37, Wetland Enhancement, Flood Control, Sewer Relocation, and Public Access and Trails Elements may expose wetlands, waters, vegetation and wildlife to hazardous substances.	Responsible parties shall consult with the Corps, CDFG, USFWS, and NMFS to determine applicable mitigation and shall implement the Hazardous Substances Mitigation Measure identified under Hazardous Materials below.	1. Include mitigation measure in construction contract specifications.	1. Verify that construction contract includes terms of mitigation.	Project Sponsors, CDFG, USFWS, NMFS	1. Prior to approval of construction contract.

Hydrology and Water Quality

H-1: Increased tidal activity in portions or all of South White Slough for the Wetlands Enhancement Options would improve water circulation, but rates of sedimentation in portions of the area may increase.	Areas south of SR 37 shall be monitored for rates of sedimentation and total accretion of sediments. If sedimentation does not equalize at a level that is able to provide flood control, sediments shall be removed. South White Slough shall be maintained to provide 100-year flood protection.	—	Rate of sedimentation reports should be entered in administrative record.	City, VSFCD	Yearly

Hydrology and Water Quality (Continued)

IMPACT	MITIGATION MEASURE	IMPLEMENTATION PROCEDURE	MONITORING AND REPORTING ACTIONS	MONITORING RESPONSIBILITY	MONITORING SCHEDULE
H-2: Flooding in the adjacent upstream drainage systems would be worsened with the Full Tidal Action-Entire option, and long-term sedimentation may decrease storage volumes.	Prepare a plan that specifies the type of flood control regime, levee repair specifications and/or other flood control and pump station specifications.	Prepare detailed flood control plan.	1. Review final design plans for compliance with flood protection requirements. 2. Inspect site development for compliance. 3. Inspect site yearly for maintenance of flood protection (integrity of berms, etc.)	City, VSFCD, FEMA	1. Prior to commencement of construction.
H-4: Implementation of the SR 37 and surface street elements would increase the proportion of the local watershed covered by impermeable surfaces and increase stormwater runoff.	Project flood control protection measures (i.e., levees, floodwalls, retention ponds) proposed in the planning area shall account for the addition of impervious surfaces included in the proposed Plan when calculating peak flows.	—	1. Review final design plans for compliance with flood protection requirements.	City, VSFCD	1. Prior to commencement of construction. 2. Prior to construction completion. 3. Yearly.

Hydrology and Water Quality (Continued)

IMPACT	MITIGATION MEASURE	IMPLEMENTATION PROCEDURE	MONITORING AND REPORTING ACTIONS	MONITORING RESPONSIBILITY	MONITORING SCHEDULE
H-5: Disturbance of the existing surface soils and vegetation, the placement of engineered fill and associated construction activities over up to three construction seasons could release sediments and other pollutants to adjacent surface waters.	Prepare a grading and erosion control plan prior to construction that will include the following: • Measures to minimize erosion and re-establish vegetation removed (species selections for any revegetation shall be based on the final post-project hydrology regime in order to ensure long-term success). • Limitation of grading and construction to the wet season and provision of interim runoff and sediment controls for all areas with soil stockpiles that will exist over the rainy season. • Use of temporary siltation protection devices, such as straw bales and silt fences at the base of fill slopes and soil stockpile areas, and/or a siltation monitoring program that evaluates and repairs construction phase siltation (this may be less destructive to the sensitive wetlands than blanket installation of trenches, silt fences, and straw bales that need to be removed at the end of construction).	1. Develop site-and-project-specific erosion and sedimentation control plan. 2. Include requirement for compliance with erosion and sedimentation control plan in construction contract. 3. Review site-specific erosion and sedimentation control plan with contractor.	1. Review final design and grading plan to verify incorporation of erosion control plan; add plans to administrative record. 2. Review construction contract. 3. Verify compliance with erosion and sedimentation control plan.	Project Sponsors	1. Prior to approval of final design plans and specifications. 2. Prior to approval of contract. 3. Daily, during construction, and upon completion of construction.

Hydrology and Water Quality (Continued)

IMPACT	MITIGATION MEASURE	IMPLEMENTATION PROCEDURE	MONITORING AND REPORTING ACTIONS	MONITORING RESPONSIBILITY	MONITORING SCHEDULE
H-5: (cont.)	• Incorporation of the Best Management Practices (BMP) for Construction Activity as specified by the California Storm Water Best Management Practices Handbook (Stormwater Quality Task Force, 1993). The BMP's include measures guiding the management and operation of construction sites to control and minimize the potential contribution of pollutants to storm runoff from these areas. These measures address procedures for controlling erosion and sedimentation and managing all aspects of the construction process to ensure control of potential water pollution sources.				

Cultural Resources

IMPACT	MITIGATION MEASURE	IMPLEMENTATION PROCEDURE	MONITORING AND REPORTING ACTIONS	MONITORING RESPONSIBILITY	MONITORING SCHEDULE
C-1: Archeological Resources - Excavation required for the project could result in damage to previously unknown prehistoric or historic archaeological resources.	Engage a qualified archaeologist to conduct a preliminary field inspection of the project site. If previously unknown subsurface cultural resources are discovered during excavation activities, excavation will be temporarily halted and an archaeologist consulted as to the importance of the resources. Should important subsurface cultural resources be discovered during excavation a program of further investigation, as recommended in Appendix K of the CEQA *Guidelines*, will be undertaken.	Include requirement in construction contract.	1. Review construction contract; verify compliance. 2. Inspect construction site daily; verify compliance.	Project Sponsors	1. Prior to the approval of construction contract. 2. Daily, throughout construction.

Traffic

T-4: Project construction will result in some occasional traffic detours, redirection of local traffic, and changes in points of access to SR 37.	Caltrans should prepare detailed traffic management plans prior to the commencement of construction, to minimize disruption to through traffic flow, state highway access, and local roadway circulation and access.	Identify detour routes.	1. Ensure that proposed detour routes are consistent with other City projects, to the extent feasible. 2. Review pre-construction traffic plans; add to administrative record.	City, Caltrans	1. Prior to approval of construction contract.

Air Quality

IMPACT	MITIGATION MEASURE	IMPLEMENTATION PROCEDURE	MONITORING AND REPORTING ACTIONS	MONITORING RESPONSIBILITY	MONITORING SCHEDULE
A-1: Construction Pollutants - Construction activities would temporarily increase criteria pollutants, primarily PM_{10} and NO_x.	Construction contracts for work under the SR 37 and Flood Control Elements of the Plan should include PM_{10} and NO_x mitigation measures to reduce PM_{10} and NO_x emissions from construction.	Include requirement for control programs (which specifically lists this mitigation) in construction contract, and require that a person be designated to oversee controls.	1. Verify that appropriate control program is agreed to in construction contract. 2. Verify that provisions of control program are carried out during construction.	City, Caltrans, VSFCD	1. Prior to commencement of construction. 2. Weekly, during construction.

Noise

N-1: Construction Noise - Construction activities under the Plan would temporarily increase noise levels within the planning area.	• Noise-generating construction activities should be restricted to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday. • Equip and maintain construction equipment with effective muffling devices. • Locate construction staging areas as far from residential areas as possible.	Include requirement for control programs (which specifically lists this mitigation) in construction contract, and require that a person be designated to oversee controls.	1. Verify that appropriate control program is agreed to in construction contract. 2. Verify that provisions of control program are carried out during construction.	Project Sponsors	1. Prior to commencement of construction. 2. Weekly, during construction.

Hazardous Substances

IMPACT	MITIGATION MEASURE	IMPLEMENTATION PROCEDURE	MONITORING AND REPORTING ACTIONS	MONITORING RESPONSIBILITY	MONITORING SCHEDULE
H-1: Hazardous Substances - Construction of facilities for the SR 37, Wetland Enhancement, Sewer Relocation, Public Access, and Flood Control Elements have the potential to encounter soils and/or groundwater suspected to contain hazardous substances. Exposure to such soils and/or groundwater would pose a risk to the public health of construction workers and the environment.	Prepare and complete the following: A Phase I Initial Site Assessment for the remaining portions of the planning area not covered in the April 1994 Caltrans report. A soil and groundwater sampling plan shall be prepared and completed on all parcels identified in the ISA document. Soils or groundwater determined to contain chemical releases above regulatory action levels shall be avoided or disposed of as hazardous waste and/or remediated to below action levels. A site safety plan and hazardous waste management plan shall be prepared prior to any construction activities.	—	1. Insure that environmental audit is carried out by qualified individual; add report to administrative record. 2. Verify submission of audit submitted and County approval.	Project Sponsors, Solano County Department of Health	1-2. Prior to commencement of construction

Visual

IMPACT	MITIGATION MEASURE	IMPLEMENTATION PROCEDURE	MONITORING AND REPORTING ACTIONS	MONITORING RESPONSIBILITY	MONITORING SCHEDULE
VQ-2: Scenic Views - Expansion of SR 37 would alter scenic views from vantage points in the immediate vicinity of the highway corridor, as well as from the corridor itself. **VQ-5: Views and Vantage Points** - The Fill options for the Central Roadway section proposed under Alternative I will alter views from within the corridor as well as from vantage points to the north and south of the corridor. **VQ-6: Offensive Visual Feature** - The Partial Viaduct options for the Central Roadway section proposed under Alternative III would introduce an aesthetically offensive visual feature to the highway corridor.	A Landscaping and Revegetation Plan will be implemented to reduce views of freeway facilities and improve the overall appearance of the corridor. Grading techniques that will reduce the visual contrast of new slopes will be implemented. In addition, a building materials palette will be selected to integrate freeway facilities with the visual environment.	Develop landscaping and Revegetation (L&R) Plan	Review design plans to verify compliance with L&R plan.	City, Caltrans	Prior to approval of final design plans.

Alternative I

IMPACT	MITIGATION MEASURE	IMPLEMENTATION PROCEDURE	MONITORING AND REPORTING ACTIONS	MONITORING RESPONSIBILITY	MONITORING SCHEDULE
L-5: Consistency with Local Plans and Policies/Northern Fill - Selection of the Northern Fill Option would adversely affect sensitive wetlands in North White Slough and would be inconsistent with City and County General Plan goals and policies.	Implement measures required by AB719, the Conceptual Mitigation Plan and Habitat Protection Plan.	—	Add Corps and BCDC permits to administrative files.	City, Corps, Caltrans	Prior to commencement of SR 37 project.
L-6: Consistency with Local Plans and Policies/Southern Fill - Selection of this option would require the removal of some mobile homes and thus would be inconsistent with Vallejo General Plan goals and policies.	The City of Vallejo would prepare and implement a plan to relocate displaced residents of the mobile home park.		Add plan to administrative record	City, Caltrans	Prior to commencement of SR37 project

Alternative I (Continued)

IMPACT	MITIGATION MEASURE	IMPLEMENTATION PROCEDURE	MONITORING AND REPORTING ACTIONS	MONITORING RESPONSIBILITY	MONITORING SCHEDULE
L-7: Consistency with Local Plans and Policies/Central Fill - Selection of this option would adversely affect both sensitive wetlands north of SR 37 and waters of the U.S. south of SR 37 and would be inconsistent with City and County General Plan goals and policies.	Implement measures required by AB719, the Conceptual Mitigation Plan and Habitat Protection Plan.	—	Add Corps and BCDC permits to administrative files.	City, Corps, Caltrans	Prior to commencement of SR 37 project.
V-7: Waters and Wetlands - Implementation of Alternative I would result in the filling of between 15.99 and 18.43 acres of waters and wetlands subject to Corps Jurisdiction (under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act).	Implement measures required by AB719, the Conceptual Mitigation Plan and Habitat Protection Plan.	—	Add Corps and BCDC permits to administrative files.	City, Corps, Caltrans	Prior to commencement of SR 37 project.

Alternative III

IMPACT	MITIGATION MEASURE	IMPLEMENTATION PROCEDURE	MONITORING AND REPORTING ACTIONS	MONITORING RESPONSIBILITY	MONITORING SCHEDULE
L-8: Consistency with Local Plans and Policies/North Partial Viaduct - Selection of this option would require filling of wetlands within North White Slough, which would be inconsistent with City and County General Plan goals and policies.	Implement measures required by AB719, the Conceptual Mitigation Plan and Habitat Protection Plan.	—	Add Corps and BCDC permits to administrative files.	City, Corps, Caltrans	Prior to commencement of SR 37 project.
L-9: Consistency with Local Plans and Policies/South Partial Viaduct - Selection of the South Partial Viaduct option would require the removal of mobile home units south of SR 37 and thus would be inconsistent with City of Vallejo General Plan goals and policies.	The City of Vallejo would prepare and implement a plan to relocate displaced residents of the mobile home park.	-------	Add plan to administrative record	City, Caltrans	Prior to commencement of SR37 project

Alternative III (Continued)

IMPACT	MITIGATION MEASURE	IMPLEMENTATION PROCEDURE	MONITORING AND REPORTING ACTIONS	MONITORING RESPONSIBILITY	MONITORING SCHEDULE
V-9: Waters and Wetlands - Implementation of Alternative III would result in the filling of between 12.25 and 17.14 acres of waters and wetlands subject to Corps Jurisdiction (under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act).	Implement measures required by AB719, the Conceptual Mitigation Plan and Habitat Protection Plan.	—	Add Corps and BCDC permits to administrative files.	City, Corps, Caltrans	Prior to commencement of SR 37 project.