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**CHAPTER 1      INTRODUCTION**

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## **Purpose of the Draft Environmental Impact Report**

The City of Dixon is the lead agency under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the preparation of this Draft Environmental Impact Report (DEIR). The California Environmental Quality Act (CEQA) requires public agencies to evaluate the potential adverse environmental impacts of their projects. Under CEQA, the purpose of an EIR is to disclose to the public and the decision makers, in this case the City of Dixon City Council, the significant impacts of the project and to identify feasible mitigation measures that would avoid or reduce the severity of the impacts. The EIR also considers alternatives to the project that would meet most of the basic objectives of the project as well as reduce or avoid one or more of the significant impacts identified as part of the proposed project. This DEIR (SCH #2004012001) has been prepared in conformance with CEQA and the CEQA Guidelines to disclose the environmental impacts associated with the proposed Dixon Downs Horse Racetrack and Entertainment Center Project (Proposed Project). This DEIR evaluates the direct, indirect, and cumulative impacts of the construction, and operation of the Proposed Project.

## **Type of EIR**

This EIR is a “Project EIR,” pursuant to Section 15161 of the CEQA Guidelines. A Project EIR examines the environmental impacts of a specific project. This type of EIR focuses on the changes in the environment that would result from implementation of the project, including construction and operation. In contrast to a “program EIR” or “first tier EIR,” which are typically followed by later, site-specific EIRs or negative declarations focusing on more detailed issues than those addressed in the program or first tier EIR, a “project EIR” is intended to fully address the environmental effects associated with full construction and implementation of a proposed project. Should it turn out that, as the Dixon Downs Horse Racetrack and Entertainment Center project builds out over time and the Dixon City Council or Planning Commission face individual development applications, the impacts of the overall project change, due either to project modifications or changed circumstances, the City may be required to prepare either addenda, supplemental EIRs, or subsequent EIRs in connection with such applications. (See CEQA Guidelines, §§ 15162-15164.)

## **Intended Use of this EIR**

This EIR will be used for the following approvals necessary for the Proposed Project:

- Environmental Impact Report Certification
- Mitigation Monitoring Program
- General Plan Amendment

- Specific Plan Amendment
- Rezone to Planned Development (PD Plan will include the Design and Development Guidelines)
- Development Agreement
- Tentative Subdivision Map
- Sign Permit

A detailed project description is provided in Chapter 3.

### **Other Agency Approvals**

This EIR has been designed to provide information to a number of agencies to assist them in the permitting processes for the Proposed Project.

- California Horse Racing Board (allocates race dates and licenses race meets)
- California Highway Patrol (for implementation of event transportation management)
- Dixon-Solano Municipal Water System (provision of potable water)
- Solano County Health Department (kitchen and living accommodations inspected and permitted)
- Yolo-Solano Air Pollution Control District (potential future gas stations)
- Central Valley Regional Water Quality Control Board (for NPDES non-point source compliance relating to construction erosion, runoff and discharge of surface water from the site containing horse effluent)
- Caltrans (for potential encroachment permits)
- Solano Irrigation District (modifications to irrigation infrastructure)
- Solano County (road encroachment permits)

### **Scope of the EIR**

This DEIR describes the existing environmental resources within the project site, analyzes potential impacts on those resources due to the Proposed Project, and identifies mitigation measures to reduce significant impacts. The Proposed Project serves as the basis for the environmental analysis presented in the DEIR. The effects analyzed span a variety of subject areas, including aesthetics; air quality; biological resources; cultural resources; hazardous materials and public safety; hydrology and water quality; land use, planning, and agricultural resources; noise; public services; transportation and circulation; and utilities. The evaluation of these effects is presented on a resource-by-resource basis in Chapter 4, Environmental Analysis, Sections 4.1 through 4.11. Each section is divided into three parts: Environmental Setting, Regulatory Framework, and Impacts and Mitigation Measures.

Four project alternatives, including a No Project/No Action alternative and a No Project/No Development Alternative, are analyzed in this DEIR. These alternatives, and others considered but not analyzed in detail, are discussed in Chapter 5, Alternatives Analysis. Other issues required to be

considered under CEQA, such as cumulative impacts and growth-inducing effects resulting from implementation of the Proposed Project are analyzed in Chapter 6.

## **CEQA Process**

As provided in both CEQA and the CEQA Guidelines, public agencies are charged with the duty to substantially lessen or avoid significant environmental effects where feasible (see Pub. Resources Code, §21002; CEQA Guidelines, §15002, subd. (a)(3), 15021, subd. (a)(2)). In discharging this duty, the public agency has an obligation to balance a variety of public objectives, taking into account economic, environmental, and social issues. The EIR is an informational document that informs public agency decision makers and the general public of the significant environmental effects of a proposed project. An EIR must identify possible means to minimize the significant effects and describe reasonable alternatives to the project. The lead agency, City of Dixon, is required to consider the information in the EIR along with any other available information in making its decision. The basic informational requirements for an EIR include discussions of the environmental setting, environmental impacts, mitigation measures, alternatives, significant irreversible changes, growth-inducing impacts, and cumulative impacts.

Any subsequent entitlements or approvals requested as part of the project (i.e., Design Review Applicant) would be covered under this EIR. However, there may be cases where additional environmental review is required. Section 21166 of the PRC specifies that when an EIR has been prepared for a project, no subsequent or supplemental environmental review is required unless one or more of the following occurs:

- a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report.
- b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.
- c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

It should be noted that the EIR attempts to quantify the project and associated impacts as specifically as possible. Though used for analytical purposes, the numbers employed in the impact analyses are approximations, such as number of pounds per day of solid waste a specific land use would produce. Actual numbers may vary slightly, with no invalidation of this analysis or its conclusions.

## **Public Review**

In accordance with the CEQA Guidelines, a Notice of Preparation (NOP) was prepared on December 22, 2003, and distributed to responsible and trustee agencies, interested parties and organizations, as well as private organizations and individuals that have stated an interest in the project. The purpose of the NOP was to provide notification that an EIR for the project was being prepared and to solicit guidance on the scope and content of the document. Responses were received from agencies, organizations, and individuals. The NOP is included in Appendix A of this DEIR; responses to the NOP are provided in Appendix B.

This DEIR and all documents referenced herein are available for public review at the City of Dixon, Community Development Department, 600 East A Street, Dixon, CA 95620.

As required by CEQA, this DEIR was publicly circulated for a minimum 45-day period of public review and comment. During the comment period, the general public, organizations, and agencies may submit comments to the lead agency on the DEIR's accuracy and completeness.

After the 45-day public review period is complete, a Final EIR (FEIR) will be prepared for consideration of the Planning Commission and City Council. The FEIR will include both written and oral comments on the DEIR received during the public review period and responses to those comments, as well as any revisions to the DEIR made in response to public comments. The DEIR and FEIR will comprise the EIR for the project.

Prior to adopting the project, the lead agency is required to certify that the EIR has been completed in compliance with CEQA, that the decision-making body reviewed and considered the information in the EIR, and that the EIR reflects the independent judgment of the lead agency. The EIR will be reviewed by the City of Dixon City Council for certification in accordance with CEQA and the City's Guidelines. Written findings of fact for each significant environmental impact identified in the EIR will be prepared by the lead agency to:

- Determine if the proposed project has been changed to avoid or substantially reduce the magnitude of the impact;
- Find that changes to the proposed project or mitigation measures are within another agency's jurisdiction, and such changes have been or should be adopted by such other agency; or
- Find that specific economic, social, or other considerations make mitigation measures or proposed project alternatives infeasible.

The findings of fact prepared by the lead agency must be based on substantial evidence in the administrative record and must include an explanation that bridges the gap between evidence in the record and the conclusions required by CEQA. The lead agency may also prepare a Statement of Overriding Considerations (Statement) as part of the project approval process if the decision-making body elects to proceed with a project that would have significant impacts that cannot be mitigated to a less-than-significant level. The Statement explains the agency's decision to balance the benefits of the project against unavoidable environmental impacts.

### **Levels of Significance**

The CEQA Guidelines define a significant effect on the environment as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance" (CEQA Guidelines, Section 15382). For all environmental issues addressed in this EIR, specific standards of significance are identified. Definitions of significance vary with the physical conditions affected and the setting in which the change occurs. Depending on the impact area, the standards are based on the CEQA Guidelines, the City's General Plan, other applicable regional plans and, in some cases, professional judgment.

Section 15064 (b) of the Guidelines states: "The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data. An ironclad definition of significant

effect is not always possible because the significance of an activity may vary with the setting. For example, an activity which may not be significant in an urban area may be significant in a rural area”. In addition, to determine if an effect will be adverse or beneficial, the Guidelines go on to state, “...the lead agency shall consider the views held by members of the public in all areas affected as expressed in the whole record before the lead agency”.

Where explicit quantification of significance is identified, such as a violation of an ambient air quality standard, this quantity is used to assess the level of significance of a particular impact in this DEIR. For less easily quantifiable impacts, events or occurrences that would be regarded as significant or potentially significant were identified. For example, a criterion for determining the level of significance of the loss of a particular habitat would be that habitat’s importance to endangered, threatened, or rare species and/or whether the habitat itself has become depleted within the region.

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

## **Lead Agency**

The City of Dixon is the lead agency for preparation of the Dixon Downs Horse Racetrack and Entertainment Center project EIR. In conformance with sections 15050 and 15367 of the State CEQA Guidelines, the City of Dixon has been designated the “lead agency” which is defined as the “public agency which has the principal responsibility for carrying out or disapproving a project,” per Section 15367.

## **Lead Agency Contact**

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## **How to Use this Report**

This report includes six principal parts: Project Description, Summary of Impacts and Mitigation Measures, Environmental Analysis (Setting, Impacts, and Mitigation Measures), Alternatives Analysis, Other CEQA Considerations (including growth inducement), and Appendices.

The **Project Description** includes a discussion of the location of the proposed project site and describes the Proposed Project.

The **Summary of Impacts and Mitigation Measures** presents an overview of the results and conclusions of the environmental evaluation. This chapter identifies project and cumulative impacts and available mitigation measures for use by the City in reviewing the project and establishes conditions under which the Proposed Project may be developed.

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

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

**Other CEQA Considerations** includes a discussion of other issues required by CEQA, irreversible environmental changes, cumulative impacts and significant and unavoidable impacts.

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