

Public Health and Safety Chapter Update CEQA Exemption Technical Memorandum

County of Solano

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1. Introduction

1.1 PURPOSE

This Technical Memorandum shall serve as an evaluation of the proposed Solano County (County) General Plan Public Health and Safety Chapter Update (proposed project) concerning California Environmental Quality Act (CEQA) compliance. This Technical Memorandum was prepared to present: 1) the findings resulting from the CEQA compliance review, as described below; and 2) the recommendations concerning the appropriate CEQA compliance documentation.

1.2 STATUTORY AUTHORITY AND REQUIREMENTS

Once it is determined that an activity is a project subject to CEQA, it is then determined whether the project is exempt from CEQA. State CEQA Guidelines Section 15061(b) outlines the ways in which a project may be exempt:

A project is exempt from CEQA if:

- 1) The project is exempt by statute (see, e.g. Article 18, commencing with Section 15260).
- 2) The project is exempt pursuant to a categorical exemption (see Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in Section 15300.2.
- 3) The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.
- 4) The project will be rejected or disapproved by a public agency. (See Section 15270(b)).
- 5) The project is exempt pursuant to the provisions of Article 12.5 of Chapter 3.

The proposed project would be exempt as a “common sense” exemption under State CEQA Guidelines Section 15061(b)(3) because implementation of the proposed project would not have the potential to cause a significant effect on the environment, as further discussed in Section 3, *Findings Concerning CEQA Exemption*.

2. Project Description

2.1 REGIONAL LOCATION

Solano County is in Northern California and bordered by Yolo County to the north, Contra Costa County to the south, Napa County to the west, and Sacramento County to the east. Solano County is part of the Bay Area region. Interstate (I-) 80, I-505, I-680, State Route (SR-) 12, SR-37, SR-29, SR-84, SR-113, SR- 128, and Solano County Transit (SolTrans) provide regional transportation connections.

2.2 PROPOSED PROJECT

2.2.1 Project Background

The Solano County Public Health and Safety Chapter is a State-mandated policy document that is a component of the Solano County General Plan, and which serves as Solano County's General Plan Safety Element. The Public Health and Safety Chapter must identify potential natural and human-caused hazards that could affect the residents, businesses, and services in Solano County. The purpose of the Public Health and Safety Chapter is to establish a framework to anticipate hazards and increase the community's resilience to the hazard risks. The County's existing Public Health and Safety Chapter was adopted in 2015. However, the regulatory framework for safety elements has changed since 2015; therefore, pursuant to State law, the proposed update is necessary to bring the current Public Health and Safety Chapter up to date to address the requirements of California Government Code Section 65302(g). The updated Public Health and Safety Chapter addresses requirements such as including information relating to evacuation routes, military installations, and peak load water supply requirements, minimum road widths and clearances around structures, or mapping of known seismic and other geologic hazards, current flooding and fire risk conditions, best available hazard mapping, , flooding and fire hazard-related policies, a climate change vulnerability assessment, and comprehensively addressing the short-term and long-term threats posed by climate change. For these reasons, the County has prepared a comprehensive update to its existing Public Health and Safety Chapter. The proposed update, as described in the following section, would guide the County's policies regarding natural and human-caused hazards as well as climate change adaptation.

2.2.2 Proposed Public Health and Safety Chapter Update

The proposed project identifies the natural and human-caused hazards that affect existing and future development, describes current and expected future conditions, and provides policies and implementation programs for improved public health and safety. This framework includes strategies to minimize physical harm to the people, buildings, and infrastructure in Solano County and to reduce damage to local economic systems, community services, and ecosystems.

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The proposed project complies with the requirements of California Government Code Section 65302(g) and the California Office of Planning and Research's (OPR) General Plan Guidelines. According to Government Code Section 65302(g), the goal of a safety element is to protect the community from any unreasonable risk associated with the effects of various hazards and to address evacuation routes, military installations, peak load water supply requirements, and minimum road widths and clearances around structures. The proposed project contains background information and a set of policies to address multiple natural and human-caused hazards, a vulnerability assessment that analyzes how climate change would affect the community, a policy framework to increase resilience, and mapping of residential areas with evacuation constraints. The proposed project incorporates by reference the 2021 Solano County Multi-jurisdictional Hazard Mitigation Plan, 2017 Solano County Emergency Operations Plan, and fire prevention efforts by other agencies, such as the East Vallejo Fire District, Cordelia Fire Protection District, Suisun Fire Protection District, Vacaville Fire Protection District, Dixon Fire Protection District, and Montezuma Fire Protection District, CAL FIRE, Travis Air Force Base Fire Department, and the United States Forest Service (USFS). The County identified ten goals to guide the proposed project's policies and implementation programs. A description of each goal and the supporting policies is provided herein.

- Goal 1 intends to minimize risk to property and protect lives from flood hazards. Policies that support this goal include engaging in regional collaboration with jurisdictions affected by sea level rise to seek funding, design, and implement sea level rise resiliency projects, and coordinating with external agencies and pursuing funding to inform the public about risks pertaining to sea level rise and flooding through interactive maps, community outreach efforts, and other efforts.
- Goal 2 intends to avoid the loss of life and injury and minimize property damage from seismic and geologic hazards. Policies that support this goal include minimizing exposure to seismic and geologic hazards through site planning and building design for all new development, including subdivisions, new construction, and remodels or expansions of existing structures as well as critical, high-occupancy, or essential services buildings.
- Goal 3 intends to reduce the risk and threat from urban and wildland fire hazards. Policies that support this goal include discourage the construction of public facilities in areas of high or very high wildfire risk, working with fire districts, other agencies, and property owners to ensure consistency with related plans and to coordinate efforts to prevent wildfires and grassfires through fire-protection measures, and ensuring public and private roadways in fire hazard severity zones are in compliance with current fire safety regulations.
- Goal 4 intends to ensure that Solano County is safe from risks to public health that could result from exposure to hazardous materials. Policies that support this goal include encouraging the use of programs and products by businesses that will result in a reduction of hazardous waste and materials, encouraging regional efforts to implement alternatives to land disposal of untreated hazardous wastes and participate in inter-jurisdictional agreements that balance the economic

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efficiencies of siting facilities with the responsibility of each jurisdiction to manage its fair share of hazardous wastes generated within the region, and promoting hazardous waste management strategies.

- Goal 5 intends to prepare for and respond to natural and human-caused disasters, avoiding loss of life and minimizing the impacts to health, property, and community welfare. Policies that support this goal include promoting public education and awareness regarding evacuation response in the event of a catastrophic disaster, such as wildfires, earthquakes, or toxic material spills, incorporating the Solano County Multi-jurisdictional Hazard Mitigation Plan into the Public Health and Safety Chapter by reference to ensure that emergency response and evacuation routes are accessible throughout the county.
- Goal 6 intends to Protect the long-term viability of agricultural activities in Solano County. Policies that support this goal include establishing a partnership that includes the Solano County Department of Agriculture, unincorporated local jurisdictions, University of California Cooperative Extension, agricultural groups, farmers and ranchers, and other partners to address climate change impacts to agricultural lands, and supporting efforts by local farmers and ranchers to raise crops and livestock that are better adapted to warmer temperatures, greater precipitation variability, and changes in pest regimes.
- Goal 7 intends to create a resilient community able to prepare for and adapt to climate-related hazards. Policies that support this goal include the preparation for a reduced long-term water supply resulting from more frequent and severe droughts, and encouraging the use of natural resources and infrastructure to absorb the impacts of climate-related hazards and associated natural hazards, as feasible.
- Goal 8 intends to prioritize and support actions that foster public health for all citizens in Solano County. Policies that support this goal include coordination with public health agencies and groups to provide outreach and services, especially for special-needs populations, and encouraging the provision of childcare facilities, particularly near employment centers, community centers, and schools.
- Goal 9 intends to maintain equitable and healthy air quality in Solano County through actions that avoid and minimize health risks from localized pollution sources and regional wildfire smoke. Policies that support this goal include supporting land use, transportation management, infrastructure, and environmental planning programs that reduce vehicle emissions and improve air quality, minimizing health impacts from sources of toxic air contaminants, and coordinating with and provide incentives to agricultural producers to minimize the impacts of operations on air quality.

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- Goal 10 intends to create a community protected from the harmful impacts of excessive noise. Policies that support this goal include ensuring that development in the vicinity of the Travis Air Force Base or the Rio Vista or Nut Tree airports is compatible with existing and projected airport noise levels, and encouraging development strategies with residents and businesses to reduce noise conflicts.

3. Findings Concerning CEQA Exemption

3.1 SECTION 15061(B)(3): COMMON SENSE EXEMPTION

The proposed project is exempt as a “common sense” exemption under State CEQA Guidelines Section 15061(b)(3). This exemption applies because the proposed project does not have the potential for causing a significant effect on the environment. The proposed project involves policies and implementation programs to meet California Government Code Section 65302(g) requirements to protect the community from any unreasonable risk associated with the effects of various hazards and would not have the potential to cause a significant physical effect on the environment. As described in Section 2.2.2, *Proposed Public Health and Safety Chapter*, the proposed project establishes a road map for how to achieve its goals through identification of policies and implementation programs that comply with new laws and reinforce existing policy direction for improved public health and safety. The County does not have to change any land uses or zoning standards or make any physical improvements to adopt the proposed project. Further, the proposed project does not propose site-specific development and is instead an update to an existing policy document, and therefore it would not result in any direct or indirect physical changes to the environment. For these reasons, it can be seen with certainty that the proposed project would not have a significant effect on the environment.

3.2 ANALYSIS IN SUPPORT OF FINDINGS

The proposed project is strictly a policy document that does not provide entitlements to any specific development projects and would not result in any direct or indirect physical changes to the environment. As discussed in Section 2.2.2, *Proposed Public Health and Safety Chapter*, the goals, policies, and implementation programs in the proposed project ensure that the County appropriately considers natural and human-caused hazards in decisions related to land development, the provision of services, and public investments. Future implementation actions would include amendments to the Solano County Ordinance and other regulations to facilitate improved preparation, response, and recovery from disasters; however, no amendments to the County’s land use regulations are included in the proposed project. Subsequent amendments to the County’s land use or zoning regulations would be subject to a separate CEQA review at the time the amendments are prepared, if required. Therefore, it can be seen with certainty that the proposed project would not have a significant effect on the environment and is exempt from CEQA review.