

**RESOLUTION NO. 2016-198****RESOLUTION CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE MIDDLE GREEN VALLEY SPECIFIC PLAN PROJECT, MAKING FINDINGS OF FACT, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM**

**WHEREAS**, the County of Solano (County) is proposing to approve the Middle Green Valley Specific Plan Project (Project) through the adoption of the Middle Green Valley Specific Plan (Specific Plan) and ratification of the associated previously-executed Master Development Agreement and Sale Participation Agreement, which were recorded on April 13, 2015; and

**WHEREAS**, the Specific Plan and the associated Master Development Agreement and Sales Participation Agreement implement the General Plan's Goals and Policies for the Middle Green Valley Specific Project Area; and

**WHEREAS**, The County of Solano is the Lead Agency for the Middle Green Valley Specific Plan Project; and

**WHEREAS**, the County, in accordance with the requirements of the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq. (CEQA)) and the State Guidelines for Implementation of CEQA published by the Secretary of Natural Resources (Cal. Code Regs., tit. 14, §15000 et seq. (CEQA Guidelines)) has caused to be prepared an Environmental Impact Report (EIR) which analyzes the environmental impact of the Project (State Clearinghouse No. 2009062048); and

**WHEREAS**, a Notice of Preparation of the EIR was published and circulated as required by law on June 6, 2009, for a 30-day public comment period; and

**WHEREAS**, a Draft EIR was prepared by the County's consultant, Wagstaff Associates/MIG, which was published and circulated for public comment for a 60-day period beginning on December 28, 2009, and ending on February 25, 2010 (2010 Draft EIR); and

**WHEREAS**, the County transmitted for filing a Notice of Completion of the 2010 Draft EIR to the State Clearinghouse and the State Clearinghouse confirmed by letter dated February 11, 2010, that the 2010 Draft EIR had been circulated to those state agencies that have discretionary approval or jurisdiction by law over resources affected by the Project; and

**WHEREAS**, on January 28, 2010, the Solano County Planning Commission held a public hearing to consider the 2010 Draft EIR and to receive public testimony; and

**WHEREAS**, the County's consultant Wagstaff Associates/MIG prepared good faith, written responses to the verbal and written comments received by the County at the public hearing and during the public comment period, and prepared revisions to the 2010 Draft EIR in a document entitled Responses to Comments on and Revisions to the Draft EIR dated April 2010 (2010 Responses to Comments); and

**WHEREAS**, at a duly noticed public hearing held on May 20, 2010, the Planning Commission recommended, by adoption of Resolution No. 4529, that the Board of Supervisors certify the 2010 Draft EIR and 2010 Responses to Comments as the Final EIR for the Project; and

**WHEREAS**, a Notice of Public Hearing was duly posted, mailed, and published for the Board of Supervisor's consideration of the Final EIR, Specific Plan, and Master Development Agreement on July 27, 2010, and on that date, after the public hearing was opened, held, and closed, the Board of Supervisors adopted:

- (a) Resolution No. 2010-175, certifying the Final EIR and adopting Findings of Fact, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program;
- (b) Ordinance No. 2010-1708, adopting the Middle Green Valley Specific Plan;
- (c) Ordinance No. 2010-1709, approving a Master Development Agreement and related Sales Participation Agreement by and among the Middle Green Valley Landowners and County of Solano;
- (d) Ordinance No. 2010-1710, approving Interest Rate and Related Terms Pursuant to Section 3.12 of the Master Development Agreement; and

**WHEREAS**, the Upper Green Valley Homeowners filed litigation against the County alleging that the Final EIR was inadequate (*Upper Green Valley Homeowners v. County of Solano, et al.*, Case No. FCS036446); and

**WHEREAS**, on October 26, 2011, the Superior Court issued a Ruling finding that "the analysis of the groundwater wells alternative water supply, and its environmental effects" provided in the Final EIR was insufficient, and on March 21, 2012, the Superior Court issued a Writ of Mandate directing the County and the Board of Supervisors to vacate and set aside Resolution No. 2010-175, Ordinance No. 2010-1708, and Ordinance No. 2010-1709; and

**WHEREAS**, on May 22, 2012, and pursuant to the Superior Court's Writ of Mandate, the Board of Supervisors adopted Resolution No. 2012-105, which repealed Resolution No. 2010-175, and introduced Ordinance No. 2012-1729, which would repeal Ordinance Nos. 2010-1708 and 2010-1709; on June 5, 2012, the Board of Supervisors adopted Ordinance No. 2012-1729; and

**WHEREAS**, the County, with assistance from its consultant Ascent Environmental, prepared a Revised Recirculated Draft EIR (2014 RRDEIR), which was published and circulated for public comment for a 45-day period beginning on June 26, 2014 and ending on August 11, 2014; and

**WHEREAS**, the County transmitted to the State Clearinghouse for filing a Notice of Completion of the 2014 RRDEIR, and the State Clearinghouse confirmed by letter dated August 12, 2014, that the 2014 RRDEIR had been circulated to those state agencies that have discretionary approval or jurisdiction by law over resources affected by the Project; and

**WHEREAS**, the 2014 RRDEIR, included water supply assessments prepared for and approved by the City of Fairfield and Solano Irrigation District, and prepared for the County of Solano as, respectively, Appendices A, C, and B to the Revised Recirculated Draft EIR; and

**WHEREAS**, the water supply assessments approved by the City of Fairfield and Solano Irrigation District each demonstrated that water supplies are and will be sufficient to satisfy the demands of the Project, in addition to existing and planned future uses; and

**WHEREAS**, the water supply assessment prepared for the County of Solano regarding groundwater demonstrated that water supplies are and will be sufficient to satisfy the demands of the Project, in addition to existing and planned future uses; and

**WHEREAS**, the County, with assistance from its consultant Ascent Environmental, prepared good faith, written responses to the verbal and written comments received by the County during the public comment period and prepared minor non-substantive revisions to the 2014 RRDEIR in a document entitled Responses to Comments on and Revisions to the Revised Recirculated Draft Environmental Impact Report dated November 12, 2014 (2014 Responses to Comments); and

**WHEREAS**, a Notice of Public Hearing was duly posted, mailed, and published for the Board of Supervisor's consideration of the Final EIR, Specific Plan, and Master Development Agreement on November 25, 2014 and on that date, after the public hearing was opened, held, and closed, the Board of Supervisors adopted:

- (a) Resolution No. 2014-215, certifying the 2014 Final EIR, which consisted of the 2010 Draft EIR, the 2010 Responses to Comments, the 2014 RRDEIR, and the 2014 Responses to Comments, and adopting Findings of Fact, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program;
- (b) Ordinance No. 2014-1753, adopting the Middle Green Valley Specific Plan;

(c) Ordinance No. 2014-1754, approving a Master Development Agreement and related Sales Participation Agreement by and Among the Middle Green Valley Landowners and County of Solano; and

**WHEREAS**, the County thereafter requested the Superior Court to discharge its Writ of Mandate and on September 23, 2014, the Superior Court issued a ruling denying the County's request, finding that the 2014 Final EIR's "assessment of the sufficiency of water supply from the groundwater alternative is supported by substantial evidence" but also finding that the 2014 Final EIR did not adequately identify the potential significant impacts of the groundwater supply alternative on biological resources, nor adequately evaluate whether the mitigation measures would reduce those potentially-significant impacts to less-than-significant levels; and

**WHEREAS**, the County, with assistance from its consultant Ascent Environmental, prepared a Second Revised Recirculated Draft EIR (2016 SRRDEIR), which was published and circulated for public comment for a 45-day period beginning on June 24, 2016 and ending on August 8, 2016; and

**WHEREAS**, the County transmitted to the State Clearinghouse for filing a Notice of Completion of the 2016 RRDEIR, and the State Clearinghouse confirmed by letter dated August 9, 2016, that the 2016 SRRDEIR had been circulated to those state agencies that have discretionary approval or jurisdiction by law over resources affected by the Project; and

**WHEREAS**, the County, with assistance from its consultant Ascent Environmental, prepared good faith, written responses to the verbal and written comments received by the County during the public comment period and prepared minor non-substantive revisions to the 2016 SRRDEIR in a document entitled Responses to Comments on and Revisions to the Second Revised Recirculated Draft Environmental Impact Report dated October 2016 (2016 Responses to Comments); and

**WHEREAS**, the 2010 Draft EIR and its Errata No. 1, the 2010 Responses to Comments document, the 2014 Revised Recirculated Draft EIR, the 2014 Responses to Comments document, the 2016 Second Revised Recirculated Draft EIR, and the 2016 Responses to Comments document, and any text changes adopted by the Board of Supervisors on October 25, 2016, constitute the "Final EIR"; and

**WHEREAS**, the County, with assistance from its consultant Ascent Environmental, prepared a Mitigation Monitoring and Reporting Program for the Final EIR, dated October 25, 2016 (2016 MMRP); and

**WHEREAS**, a Notice of Public Hearing was duly posted, mailed, and published for the Board of Supervisor's consideration of the Final EIR, Specific Plan, and Master Development Agreement on October 25, 2016, and on that date, the public hearing was opened, held, and closed; and

**WHEREAS**, the Board has reviewed and considered the information contained in the Final EIR, the reports and recommendations of the Planning Commission and the Department of Resource Management, and all oral or written comments regarding the Final EIR and its preparation that were submitted to the Board at or prior to the public hearing conducted on October 25, 2016; and

**WHEREAS**, copies of the Final EIR and other documents and materials which constitute the record of proceedings upon which this decision is based are available from the custodian of these records, the County's Department of Resource Management, 675 Texas Street, Suite 5500, Fairfield, CA 94533.

**RESOLVED**, the Solano County Board of Supervisors CERTIFIES as follows:

1. The Final EIR for the Middle Green Valley Specific Plan Project that has been completed in compliance with CEQA and the CEQA Guidelines.
2. The Final EIR was presented to the Board, and the Board reviewed and considered the information contained in the Final EIR prior to approving the Middle Green Valley Specific Plan Project.
3. The Final EIR reflects the County of Solano's independent judgment and analysis.

**RESOLVED**, the Board ADOPTS the CEQA Findings of Fact and Statement of Overriding Considerations related to the environmental impact of the Middle Green Valley Specific Plan Project, as set forth in **Exhibit 1**, attached to and incorporated into this Resolution.

**RESOLVED**, the Board ADOPTS the Mitigation Monitoring and Reporting Program for the Final EIR, dated October 25, 2016 (2016 MMRP), attached to and incorporated into this Resolution as **Exhibit 2**.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on October 25, 2016 by the following vote:

AYES: Supervisors Seifert, Spering, Thomson, Vasquez  
and Chairwoman Hannigan


NOES: Supervisors None.

EXCUSED: Supervisors None.

  
ERIN HANNIGN, Chairwoman  
Solano County Board of Supervisors

ATTEST:

Birgitta E. Corsello, Clerk  
Board of Supervisors

By:   
Jeanette Neiger, Chief Deputy Clerk

**List of Exhibits**

Exhibit 1: CEQA Findings of Fact and Statement of Overriding Considerations  
Exhibit 2: Mitigation Monitoring and Reporting Program

**EXHIBIT 1 to RESOLUTION NO. 2016- 198**

**CEQA OF FINDINGS OF FACT  
AND  
STATEMENT OF OVERRIDING CONSIDERATIONS**

**for the  
MIDDLE GREEN VALLEY SPECIFIC PLAN PROJECT**

**OCTOBER 25, 2016**

## 1. OVERVIEW AND INTRODUCTION

The County of Solano ("County"), through its Board of Supervisors ("Board"), is the lead agency for the Middle Green Valley Specific Plan Project ("Project"), as defined in Section 15376 of the State CEQA Guidelines, and is "the public agency that has the principal responsibility for carrying out or approving a project."

The following actions, referred to collectively herein as the "Project Approvals," encompass the approvals for the Project for purposes of CEQA and CEQA Guidelines section 15378 and these determinations of the Board:

1. Enactment of an ordinance approving the Middle Green Valley Specific Plan, including conforming revisions to the County Zoning Regulations and Zoning Map; and
2. Enactment an ordinance approving or ratifying the Master Development Agreement by and among the Middle Green Valley Landowners and the County of Solano for the Middle Green Valley Specific Plan Area.

These Findings, including the Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program ("MMRP") set forth on **Exhibit 2**, are made with respect to the Project Approvals for the Project and state the findings of the Board relating to the potentially significant environmental effects of the Project in accordance with the Project Approvals. The following Findings and Statement of Overriding Considerations, along with the Mitigation Monitoring and Reporting Program, are hereby adopted by the Board as required by the California Environmental Quality Act, Public Resources Code Sections 21081, 21081.5 and 21081.6, and CEQA Guidelines sections 15091 through 15093, for the Project.

As stated in CEQA Guidelines section 15091:

*(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale of each findings. The possible findings are:*

1. *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR [hereinafter, "Finding 1"].*
2. *Such changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency [hereinafter, "Finding 2"].*
3. *Specific economic, legal, social, technological or other considerations, make infeasible the mitigation measures or Project alternatives identified in the final EIR [hereinafter, "Finding 3"].*

*(b) The findings required by subdivision (a) shall be supported by substantial evidence.*

*(c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subdivision (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.*

## **2. PROJECT OBJECTIVES**

### **Project Background**

The County initiated the preparation of the Middle Green Valley Specific Plan pursuant to Goals and Policies that were adopted by the Board in 2008 as part of the County's General Plan. The Specific Plan is being submitted for consideration because the Specific Plan is called for in the General Plan, and as a policy matter the Board has therefore committed the County to prepare, and the Board to consider whether to approve, such a plan. Unlike some other plans considered by local governments in other contexts, the Specific Plan was not initiated by, and is not being considered in conjunction with, a proposal for development applied for by a private project proponent. The Specific Plan area is comprised of over 80 separate parcels with over 14 separate private landowners. The landowners did not formulate a proposal or plan for development and apply to the County for approval; instead, as part of its General Plan, the County committed to developing the Specific Plan, the County initiated the process, and the County invited the landowners and other interested parties to participate.

Within the General Plan, Middle Green Valley was designated as a "Specific Project Area." (General Plan, Figure LU-1 and p. LU-23.) During preparation of the General Plan, in 2007, the County held six public workshops to assist the community in developing goals and policies for the area. Those Goals and Policies were reviewed by the Citizens' Advisory Committee for the General Plan, by the Planning Commission, and by the Board of Supervisors, and were ultimately adopted by the Board as part of the General Plan.

### **General Plan Goals, Policies, and Implementation Programs**

The *Goal* for Middle Green Valley established in the General Plan is:

- "Protect and maintain the rural character of Middle Green Valley while allowing opportunities for compatible residential development to occur."

(General Plan, p. LU-54.)

The *Policies* that the General Plan established for Middle Green Valley are to:

- Maintain the rural character of Middle Green Valley while still allowing development to be guided into areas screened from Green Valley Road because of natural contours in the land, woodland vegetation, and/or riparian vegetation. Locate upland development in areas screened by landforms or vegetation. (General Plan Policy SS.P-1.)

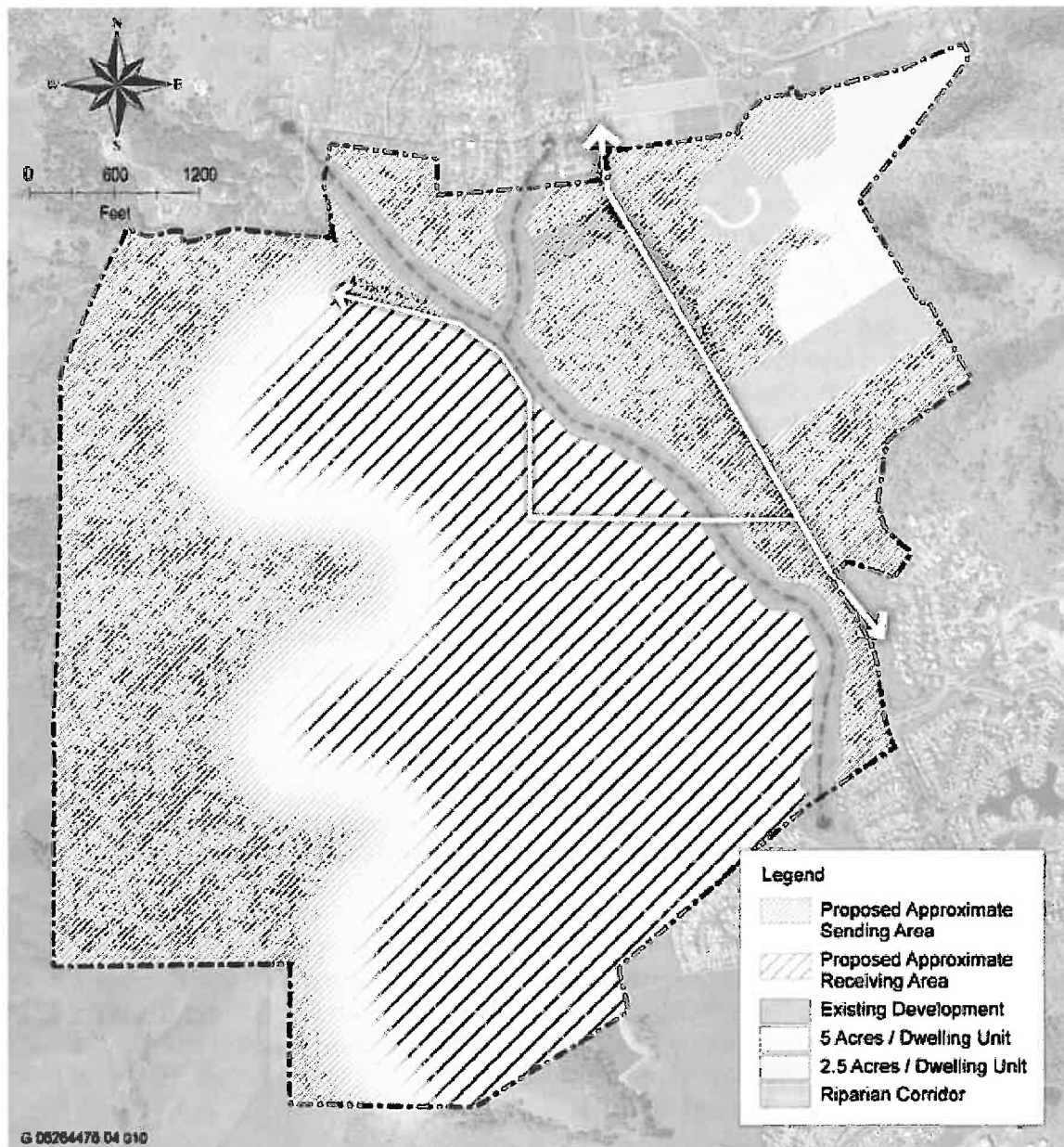
- Balance the protection of resources in Middle Green Valley (e.g. view sheds, oak woodlands, riparian habitat, sustainable agricultural use) while allowing development to occur. (General Plan Policy SS.P-2.)
- Allow for the migration and movement of wildlife. (General Plan Policy SS.P-3.)
- Provide a variety of incentives and techniques to encourage property owners to preserve natural and visual resources, in addition to the transfer of development rights. (General Plan Policy SS.P-4.)
- Encourage cluster residential development through incentives to property owners in hillside and valley floor areas that can support residential uses with least affect on resources, steep slopes, or very high wildfire hazard areas. (General Plan Policy SS.P-5.)
- In accordance with balancing the protection of resources described in these policies, adopt a program that provides residential development credits to property owners who voluntarily forego or limit development on their lands. The transfer of development rights program should focus incentives on land in areas to be preserved. (General Plan Policy SS.P-6.)
- Adopt a specific plan or master plan to implement these policies for Middle Green Valley. (General Plan Policy SS.P-7.)
- Create additional methods to assist landowners who choose to continue farming, such as, but not limited to:
  - enforcing the right-to-farm act and educating residents on the act; and
  - investigating mechanisms for providing farmers with economic assistance to ensure agricultural viability. (General Plan Policy SS.P-8.)

In order to implement the above Policies, the General Plan set forth the following *Implementation Programs*:

- Establish a Middle Green Valley Citizens Advisory Committee. (General Plan Implementation Program SS.I-2.)
- Adopt a plan (either a specific plan or master plan) to implement these policies for Middle Green Valley. (General Plan Implementation Program SS.I-1.)
- That plan should specify:
  - the area covered by the plan;
  - techniques to ensure development is compatible with the rural character of Middle Green Valley and surrounding areas. Such techniques should include design guidelines and development standards;

- guidelines for cluster development, including minimum and maximum lot sizes, development standards, and density bonus credits for clustered development;
  - the details of a transfer of development rights program (with an implementing ordinance), including: the designation of areas where development is preferred, creating appropriate and equitable re-zoning, clustering of housing, and determining the ratio of credits to property owners who voluntarily forego development;
  - the number of units and/or credits, with or without clustering, that will provide incentives for all landowners in the area to participate in a market driven transfer of development rights program, based on 400 units, subject to further study;
  - the location and dimensions of a wildlife corridor ("green corridor");
  - the maximum number of units any property owner can develop, with or without clustering;
  - the techniques to be applied voluntarily by property owners that ensure permanent protection and maintenance of resources/views on lands to remain undeveloped; and
  - the details of how the development would be served with water and wastewater service. Attempt to secure public water and wastewater service through a cooperative effort of property owners, residents, the County, and the City of Fairfield. (General Plan Implementation Program SS.I-1.)
- Property owners shall receive a minimum development credit for the number of primary dwelling units that would be allowed under the land use designations under the 1980 General Plan. For land designated as Agriculture, the number of units/credits would be one per 20 acres and for land designated Rural Residential the number of units/credits would be one per 5 acres. (General Plan Implementation Program SS.I-1.)

In addition to the above Goals, Policies, and Implementation Programs, the General Plan included *Figure SS-3* ("Middle Green Valley Conceptual Land Use Plan"), showing the proposed approximate sending and receiving areas for Middle Green Valley, using a Transfer of Development Rights program. (General Plan, p. LU-54, LU-57.)



**General Plan Figure SS-3  
Middle Green Valley Conceptual Land Use Plan**

Figure SS-3 showed very general locations illustrating the policies of the plan concerning sending and receiving areas. Figure SS-3 did not provide parcels within the Middle Green Valley Special Study Area with General Plan designations that indicated permissible uses of land. Likewise, the General Plan's Land Use Diagram (General Plan Figure LU-1) did not provide parcels within Middle Green Valley with any designations indicating permissible uses of land, but instead showed the entire Special Study Area as a single undifferentiated area, indicating that planning for that location was to occur in the future.

The General Plan includes the following policy direction regarding the extent of development anticipated for the Middle Green Valley. The Land-Use Element of the General Plan states:

Four areas are designated as Specific Project Areas. These areas were chosen for this designation because the County anticipates using a specific plan or policy plan to guide the type, location, and density of development in these areas. These four areas are listed in Table LU-6 which shows the current expected estimated build-out of these areas. More specific information on the build-out level of these specific project areas will be available when the specific plans are completed.

(General Plan, p. LU-26.)

This text is followed by Table LU-6 – Specific Project Areas. Table LU-6 states that, under the General Plan, Middle Green Valley is anticipated to accommodate 400 dwelling units.

The environmental impacts associated with adoption and implementation of the overall General Plan were analyzed in the 2008 Draft General Plan Final Environmental Impact Report (“General Plan EIR”). The Middle Green Valley Specific Project Area was included in the General Plan EIR’s overall analysis of environmental impacts. For example, the General Plan EIR included agricultural lands in Middle Green Valley among the 21,971 acres of agricultural land potentially subject to conversion county-wide with overall implementation of the General Plan. The General Plan EIR also included the stated buildout potential of Middle Green Valley (approximately 400 units) as part of the total buildout analysis for the General Plan county-wide. (General Plan EIR, Responses 24-2 to 24-3.) Based on the total of 400 units, the General Plan EIR concluded that the resulting density in Middle Green Valley would be 0.21 units per acre, and the resulting conversion of agricultural land would be up to 1,792 acres, emphasizing that this was calculated without taking into account application of the techniques of transfer of development rights or clustering called for in the General Plan’s Policies and Implementation Programs. The General Plan EIR analyzed that non-clustered development density and conversion potential, while noting that successful incorporation of transfer of development rights and cluster provisions within the anticipated future specific plan would result in greater densities, a smaller development “footprint,” and less conversion of agricultural land. (General Plan EIR, Response 26-6.) The General Plan EIR, therefore, incorporated figures for Middle Green Valley into its overall County-wide analysis, but in doing so conservatively did not examine a scenario under which the General Plan’s policy direction for Middle Green Valley was taken into account.

The General Plan Land Use Diagram (Figure LU-1) did not specify land use designations or building areas for Middle Green Valley, and the General Plan directed that the requisite land use specificity for the area be provided through subsequent planning. Therefore, the General Plan EIR evaluated a scenario for Middle Green Valley that did not account for policies such as clustering. The EIR for the Middle Green Valley Specific Plan is the first time that the implementation of the General Plan’s policy direction for Middle Green Valley has been evaluated.

In addition to the Specific Plan’s provisions and mitigation measures, all applicable provisions and mitigation measures of the General Plan are incorporated by this reference in the requirements for implementation of the Middle Green Valley Specific Plan. It is the intent of the Board that the requirements applicable to conservation and development within the Special Study Area following adoption of the Middle Green Valley Specific Plan be interpreted and

applied in a manner that achieves and maintains consistency with the General Plan's provisions and mitigation measures. The provisions and mitigation measures of the Middle Green Valley Specific Plan shall be construed and applied to be consistent with and supplementary to those of the General Plan. In the event of a conflict between the provisions/mitigation measures of the General Plan and those of the Specific Plan, County Staff are directed to exercise discretion to apply these requirements in a way that attains the fullest feasible reduction in adverse environmental impacts.

The Board certified the General Plan EIR and adopted the General Plan on August 5, 2008. The County convened the six-person Citizens Advisory Committee (CAC) in November 2008, and then initiated and undertook the preparation of the proposed Specific Plan.

The CAC consisted of three representatives from the Green Valley Landowners Association (GVLA) and three representatives of the property owners within the Specific Plan area boundary, and two alternates. The CAC held twelve publicly noticed meetings over 16 months. The CAC's effort culminated in the proposed Specific Plan, a Final EIR, and a Master Development Agreement. In its final meeting, the CAC recommended approval of the Specific Plan, and several individual members of the CAC attended the Planning Commission hearing to recommend approval of the Specific Plan, certification of the Final EIR and approval of the Master Development Agreement.

The County recognizes that the final form of the Middle Green Valley Specific Plan may not satisfy any particular organization or stakeholder in the community. This fact reflects the nature of the planning process, which requires the Board to address a variety of policy considerations. It also reflects the inherent nature of the Goal, Policies, and Implementation Programs that the General Plan established for the Special Study Area, many of which expressly call for balancing of a range of important policy concerns. The Board has done its best to strike what it regards as the optimal balance amongst such competing considerations, and finds that the Middle Green Valley Specific Plan sets forth a reasonable, consistent, and appropriate response to the General Plan's objectives.

### **3. PROJECT DESCRIPTION**

The proposed Project analyzed in the Final EIR is fully described in Section 2 of the 2010 Draft EIR as amended by Appendix F of the 2014 Revised Recirculated Draft EIR, which is part of the Final EIR for the Project. The proposed Project consists of the activities approved by action of the Board in adopting the Middle Green Valley Specific Plan and approving the Master Development Agreement.

As a result of the environmental review of the Middle Green Valley Specific Plan, and in consideration of comments and recommendations received, and staff recommendations in response to public comments received on the 2010 Draft EIR, several changes have been incorporated into the draft of the Middle Green Valley Specific Plan referenced in the 2010 Draft EIR. The modifications to the Middle Green Valley Specific Plan are shown on Attachment G to the July 27, 2010 Staff Report, "Recommended Text Amendments, Amended Figures, and Amended TDR Table," and as previously noted, are incorporated into these findings by reference.

On July 27, 2010, the Board of Supervisors adopted: (a) Resolution No. 2010-175, certifying an Environmental Impact Report (EIR) that analyzed the environmental impact of the Middle Green Valley Specific Plan Project (Specific Plan), and adopting a Statement of Findings

of Fact, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program; (b) Ordinance No. 2010-1708, adopting the Middle Green Valley Specific Plan; (c) Ordinance No. 2010-1709, approving the Master Development Agreement by and Among the Middle Green Valley Landowners and County of Solano for the Middle Green Valley Specific Plan (Master Development Agreement); and (d) Ordinance No. 2010-1710, approving Interest Rate and Related Terms Pursuant to Section 3.12 of the Master Development Agreement.

Pursuant to a March 21, 2012 Writ of Mandate issued by the Superior Court in *Upper Green Valley Homeowners v. County of Solano, et al.* (Case No. FCS036446), on May 22, 2012, the Board of Supervisors adopted Resolution No. 2012-105 repealing Resolution No. 2010-175, and introduced Ordinance No. 2012-1729 repealing Ordinance Nos. 2010-1708 and 2010-1709; on June 5, 2012, the Board of Supervisors adopted Ordinance No. 2012-1729.

A Revised Recirculated Draft Environmental Impact Report was circulated for public review from June 26, 2014 to August 11, 2014. A Second Revised Recirculated Draft EIR was circulated for public comment from June 24, 2016 to August 8, 2016. Consistent with Section 15088.5(c) of the State CEQA Guidelines, the Revised Recirculated Draft Environmental Impact Report and the Second Revised Recirculated Draft EIR contained only the portions of the EIR required to be recirculated, and the changes address only those issues required by the Court's rulings to be remedied.

#### **4. RECORD OF PROCEEDINGS**

For purposes of CEQA and these Findings, the Record of Proceedings for the County's decision on the Project consists of: a) matter of common knowledge to the County, including but not limited to, federal, state and local laws and regulations; and b) the following documents which are in custody of the County:

- The Notice of Preparation, and all other public notices issued by the County in conjunction with the Project;
- The Final Environmental Impact Report for the Project, consisting of the following documents:
  - The 2010 Draft Environmental Impact Report for the Middle Green Valley Specific Plan together with appendices (December 2009) and all documents cited, incorporated by reference, or referred to therein;
  - Errata No. 1 to the 2010 Draft Environmental Impact Report;
  - The 2010 Responses to Comments on and Revisions to the 2010 Draft Environmental Impact Report (April 2010);
  - The 2014 Revised Recirculated Draft Environmental Impact Report together with appendices (June 2014) and all documents cited, incorporated by reference, or referred to therein;
  - The 2014 Responses to Comments on and Revisions to the 2014 Revised Recirculated Draft Environmental Impact Report (November 2014);

- The 2016 Second Revised Recirculated Draft Environmental Impact Report together with appendices (June 2016) and all documents cited, incorporated by reference, or referred to therein; and
- The 2016 Responses to Comments on and Revisions to the 2014 Revised Recirculated Draft Environmental Impact Report (October 2014);
- All comments and documents submitted to the County by agencies or members of the public (before, during and after the close of the public comment period on the Draft EIR and Revised Recirculated Draft EIR up through the close of the public testimony portion of the Board of Supervisors' public hearing on the Project) in connection with the Project;
- The Draft Middle Green Valley Specific Plan (October 2009) as revised (December 2009, Attachment G to the July 27, 2010 Staff Report, and Attachment F to the June 2014 Revised Recirculated Draft EIR);
- The Master Development Agreement and related Sales Participation Agreement, recorded on April 13, 2015;
- The Solano Multi-Species Habitat Conservation Plan (Solano County Water Agency);
- The Mitigation Monitoring and Reporting Program for the Project (**Exhibit 2**);
- All findings, ordinances and resolutions adopted by County in connection with the Project, and all documents cited or referred to therein;
- All reports, studies, memoranda, staff reports, maps, exhibits, illustrations, diagrams or other planning materials relating to the Project prepared by the County or by consultants to the County, or responsible or trustee agencies and submitted to the County, with respect to the County's compliance with the requirements of CEQA and with respect to the County's actions on the Project;
- Any minutes or verbatim transcripts of all information and study sessions, workshops, public meetings, and public hearings held by the County (including the CAC) in connection with the Project;
- Any documentary or other evidence submitted to the County (including the CAC) at such information sessions, public meetings, and public hearings; and
- Any other materials required to be in the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

The record of proceedings does not include documents or other materials subject to the attorney/client privilege, the common-interest doctrine, the deliberative process privilege, or other privileges recognized by statute or common law. Administrative draft documents that were prepared at the County's direction, but were not provided to the public or other agencies, and intra-County communications with respect to such administrative draft documents, are not part of the record of proceedings; rather, such documents reflect the County's deliberative

process. In adopting these findings, the Board does not waive its right to assert applicable privileges.

The custodian of the documents comprising the record of proceedings is the County Department of Resource Management, whose office is located at 675 Texas Street, Suite 5500, Fairfield, CA 94533. The custodian of the documents is the Department head or his/her designee.

The Board of Supervisors relied on all of the documents listed above in reaching its decision on the Project, even if not every document was formally presented to the Board of Supervisors or County staff as part of the County files generated in connection with the Project. Without exception, any documents set forth above not found in the Project files fall into one of two categories. Many of them reflect prior planning or legislative decisions of which the Board of Supervisors was aware in approving the Project. (See *City of Santa Cruz v. Local Agency Formation Commission* (1978) 76 Cal.App.3d 381, 391-392; *Dominey v. Department of Personnel Administration* (1988) 205 Cal.App.3d 729, 738, fn. 6.) Other documents influenced the expert advice provided to County staff or consultants, who then provided advice to the Board of Supervisors. For that reason, such documents form part of the underlying factual basis for the Board of Supervisor's decisions relating to the adoption of the Project. (See Pub. Resources Code, § 21167.6, subd. (e)(10); *Browning-Ferris Industries v. City Council of City of San Jose* (1986) 181 Cal.App.3d 852, 866; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 153, 155.)

## **5. FINDINGS OF FACT**

In making these Findings and the determination regarding the Project Approvals, the Board recognizes that the Middle Green Valley Specific Plan implicates a number of controversial environmental issues and that a range of technical and scientific opinion exists with respect to those issues. The Board of Supervisors has acquired an understanding of the range of this technical and scientific opinion by its review of the Draft EIR, the comments received on the Draft EIR and the responses to those comments in the Final EIR, as well as testimony, letters and reports regarding the Final EIR and the merits of the Project. The Board has reviewed and considered, as a whole, the evidence and analysis presented in the Draft EIR, the evidence and analysis presented in the comments on the Draft EIR, the evidence and analysis presented in the Final EIR, the information submitted on the Final EIR, and the reports prepared by the experts who prepared the EIR, the County's planning consultants, and by staff, addressing these comments. In particular, the Board of Supervisors has considered the Alternatives presented in the Draft EIR, as well as the proposed comments submitted by various commenters and the responses of the EIR preparers and staff to those comments. The Board has gained a comprehensive and well-rounded understanding of the environmental issues presented by the Middle Green Valley Specific Plan. In turn, the understanding has enabled the Board of Supervisors to make its decisions after weighing and considering the various viewpoints on these important issues. The Board of Supervisors accordingly certifies that its findings are based on a full appraisal of all of the evidence contained in the Final EIR, as well as the evidence and other information in the record addressing the Final EIR.

These findings constitute the Board of Supervisor's best efforts to set forth the evidentiary and policy bases for its decision to approve the Project in a manner consistent with the requirements of CEQA. These findings are not merely informational, but rather constitute a binding set of obligations that come into effect with the Board's approval of the Project. In

particular, in adopting these findings, the Board commits itself to ensure the implementation of the mitigation measures approved in these findings.

The Board is adopting these findings for the entirety of the actions described in these findings and in the Final EIR. Although the findings below identify specific pages within the Draft and Final EIRs in support of various conclusions reached below, the Board of Supervisors incorporates by reference and adopts as its own, the reasoning set forth in both environmental documents, and thus relies on that reasoning, even where not specifically mentioned or cited below, in reaching the conclusions set forth below, except where additional evidence is specifically mentioned. This is especially true with respect to the Board's approval of all mitigation measures, policies and implementation programs recommended in the Final EIR, and the reasoning set forth in responses to comments in the Final EIR.

As noted, the Final EIR is incorporated into these Findings in its entirety. Without limitation, this incorporation is intended to elaborate on the scope and nature of Mitigation Measures, the basis for determining the significance of impacts, the comparative analysis of alternatives, and the reasons for approving the Project in spite of the potential for associated significant and unavoidable adverse impacts. In the event a mitigation measure recommended in the Final EIR has inadvertently been omitted below, such a mitigation measure is hereby adopted and incorporated in the findings below by reference. In addition, in the event the language describing a mitigation measure set forth in Section 7 fails to accurately reflect the mitigation measures in the Final EIR due to a clerical error, the language of the policies and implementation measures as set forth in the Final EIR shall control, unless the language of the policies and implementation measures has been specifically and expressly modified by these findings. Where the language of such measures differs between the Final EIR and these findings, the more stringent language shall control. The Board provides this direction in order to ensure that any such discrepancy shall be regarded as inadvertent, and shall not be regarded as an effort by the Board to undermine its commitment to adopt mitigation measures as necessary to avoid or substantially lessen significant environmental effects of the Project.

These findings provide the written analysis and conclusions of the Board of Supervisors regarding the environmental impacts of the Project and the mitigation measures included as part of the Final EIR and adopted by the Board of Supervisors as part of the Project. To avoid duplication and redundancy, and because the Board agrees with, and hereby adopts, the conclusions in the Final EIR, these findings will not always repeat the analysis and conclusions in the Final EIR, but instead incorporates them by reference herein and relied upon them as substantial evidence supporting these findings.

In making these findings, the Board of Supervisors has considered the opinions of other agencies and members of the public. The Board of Supervisors finds that the determination of significance thresholds is a judgment decision within the discretion of the Board of Supervisors; the significance thresholds used in the EIR are supported by substantial evidence in the record, including the expert opinion of the EIR preparers and County staff; and the significance thresholds used in the EIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Project. Thus, although, as a legal matter, the Board of Supervisors is not bound by the significance determinations in the EIR (see Pub. Resources Code, § 21082.2, subd. (e)), the Board finds them persuasive and hereby adopts them as its own.

Section 5 of these findings summarizes the environmental determinations of the Final EIR and Project's impacts before and after mitigation. Section 5 does not attempt to describe

the full analysis of each environmental impact contained in the Final EIR. Instead, Section 5 provides a summary description of each impact, sets forth the mitigation measures identified to reduce or avoid the impact, and states the Board of Supervisors' findings on the significance of each impact after imposition of the adopted Middle Green Valley Specific Plan's provisions and the recommended mitigation measures. A full explanation of these environmental findings and conclusions can be found in the Final EIR and these findings hereby incorporate by reference the discussion and analysis in the Final EIR supporting the Final EIR's determination regarding the Project's impacts and mitigation measures designed to address those impacts. In making these findings, the Board of Supervisors ratifies, adopts and incorporates in these findings the determinations and conclusions of the Final EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

**A. Findings with Respect to Impacts Declared To Be Less Than Significant (no mitigation required).**

The Board of Supervisors agrees with the characterization in the Final EIR with respect to all impacts identified as "less than significant" and finds that those impacts have been described accurately and are less than significant or present no impact as so described in the Final EIR. Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3); 15091.) This finding applies to the following impacts:

**Aesthetics (Section 3)**

- Impact: Impacts on Scenic Resources Within a State Scenic Highway
- Impact: Degradation of Plan Area Visual Character

**Agricultural and Mineral Resources (Section 4)**

- Impact: Mineral Resources Impact

**Air Quality (Section 5)**

- Impact: Long-Term Changes in Local Carbon Monoxide Levels

**Biological Resources (Section 6)**

- Impact: Impacts on Non-Sensitive Vegetation and Aquatic Communities

**Cultural, Historic and Paleontological (Section 8)**

- Impact: Cumulative Cultural Resources Impact

**Energy (Section 9)**

- Impact: Potential for Inefficient Energy Consumption
- Impact: Need for New or Altered Energy Infrastructure

### **Geology and Soils (Section 10)**

- Impact: Project Fault Rupture Impacts
- Impact: Project Ground Shaking Impacts
- Impact: Cumulative Geology and Soils Impact

### **Hydrology and Water Quality (Section 11)**

- Impact: Changes in Impacts on Groundwater Resources

### **Land Use and Planning (Section 12)**

- Impact: Division of Established Communities/Land Use Compatibility
- Impact: Consistency With Applicable Land Use Plans, Policies, and Regulations

### **Population and Housing (Section 14)**

- Impact: Growth Inducement Impact
- Impact: Housing Supply Impact
- Impact: Cumulative Population and Housing Impacts

### **Public Health and Safety (Section 15)**

- Impact: Potential Exposure to Existing Hazardous Materials Contamination
- Impact: Potential Asbestos and PCB Exposure
- Impact: Potential Lead-Based Paint Exposure
- Impact: Cumulative public health and Safety Impacts

### **Public Services and Utilities (Section 16)**

- Impact: Water Supply Adequacy to Meet Project Domestic Demands – Option A (Municipal Connection)
- Impact: Water Supply Adequacy to Meet Project Domestic Demands – Option C (SID Surface Water)
- Impact: SID System Adequacy to Meet Project Agricultural Irrigation Demands – Options A (Municipal Connection), B (Onsite Groundwater), and C (SID Surface Water)

- Impact: Other Project Water Facilities Construction Activity Impacts – Options A (Municipal Connection), B (Onsite Groundwater), and C (SID Surface Water).
- Impact: General Plan Consistency – Options A (Municipal Connection), B (Onsite Groundwater), and C (SID Surface Water).
- Impact: Project Domestic Water System Fire Flow Adequacy – Options A (Municipal Connection), B (Onsite Groundwater), and C (SID Surface Water)
- Impact: Cumulative Water Supply Impacts – Options A (Municipal Connection), B (Onsite Groundwater), and C (SID Surface Water)
- Impact: Wastewater Facilities Construction Activity Impacts – Options A (FSSD connection, B (onsite treatment) and C (FSSD connection/onsite treatment combination)
- Impact: Cumulative Wastewater Collection and Treatment Impacts
- Impact: General Plan Consistency-Wastewater Treatment Options A, B, and C
- Impact: Project Impact on Police Services
- Impact: Cumulative Fire Protection, Emergency Medical, and Police Service Impact
- Impact: Project Demand for Parks and Recreational Facilities <sup>1</sup>
- Impact: Impact of Specific Plan Parks and Recreational Facilities
- Impact: Cumulative Parks and Recreation Impacts
- Impact: Project Impact on Public Education Services
- Impact: Cumulative Impact on Public Education Services
- Impact: Cumulative Solid Waste Management Impacts

#### **Transportation and Circulation (Section 17)**

- Impact: Project Impacts on Vehicular/Pedestrian Safety Conditions
- Impact: Project Impacts on Bicycles Conditions
- Impact: Project Impacts on Internal Circulation, Access and Parking
- Impact: Project Impacts on Roadway Segment Operations

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<sup>1</sup> / One comment proposed constructing a separate entrance to Rockville Hills Regional Park. (Comment 11.02.) Because the project would not have a significant impact on the park, this mitigation measure has not been adopted. (Response 11.02.)

- Impact: Project-Related Construction Period Transportation and Circulation Impacts

**B. Findings with Respect to Impacts Determined to be Less-Than-Significant with Implementation of Mitigation Measures (“Mitigation Measures” or “MM”).**

(1) Overview. The Final EIR identified several significant environmental effects (or “impacts”) that would result from the County’s approval and implementation of the Middle Green Valley Specific Plan. Many significant effects were avoided altogether because the Middle Green Valley Specific Plan contains provisions that prevent the occurrence of significant effects in the first place. For other effects, additional mitigation is identified in the Final EIR.

In some instances, the impacts have been reduced through the modifications to the Project. Some significant impacts of the Middle Green Valley Specific Plan, however, cannot be avoided by the adoption of feasible mitigation measures or feasible alternatives; these effects are outweighed by overriding considerations set forth in the Statement of Overriding Considerations, presented below. This Section 5.B and Section 5.C present in greater detail the Board of Supervisors’ findings with respect to the potentially significant and significant environmental effects of the Middle Green Valley Specific Plan.

The Final EIR identifies the following significant environmental impacts associated with the Project and Mitigation Measures adopted to reduce these significant impacts to a less-than-significant level. To the extent the Mitigation Measures will not mitigate or avoid all significant impacts, it is hereby determined that any remaining significant unavoidable adverse impacts are acceptable for the reasons specified in the Statement of Overriding Considerations. The Mitigation Measures identified below are presented in summary form. For a detailed description of impacts and Mitigation Measures, see the appropriate text in the Final EIR. Except as expressly otherwise stated in certain cases below, all Mitigation Measures proposed in the Final EIR shall be implemented.

(2) MMRP. Except as expressly otherwise stated in certain cases below, the MMRP will apply to all Mitigation Measures adopted with respect to the Project pursuant to all of the Project Approvals and will be implemented.

(3) Project Approvals Incorporate the Mitigation Measures and the MMRP. The Mitigation Measures and the MMRP have been incorporated into the Project Approvals and have thus become part of and limitations upon the entitlement conferred by the Project Approvals and are enforceable by the County.

(4) Impacts Summarized. The descriptions of the impacts in these findings are summary statements. Mitigation Measures are numbered to correspond to listings in the Draft EIR, Revised Recirculated Draft EIR, and the Second Revised Recirculated Draft EIR, all of which are included in the Final EIR. Reference should be made to the Draft, Revised Recirculated, and Second Revised Recirculated EIRs for a more complete description.

(5) Impacts, Mitigation Measures, Implementation, and Findings

(a) **Aesthetics (Section 3)**

**Impact 3-1: Impacts on Scenic Vistas.**

i. Mitigation Measures. Mitigation 3-1

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, future individual development projects undertaken in accordance with the Specific Plan may disrupt views of the Western Hills and plan area riparian, meadow, and foothill features, from Green Valley Road and other important vantage points, particularly development within the Draft Specific Plan-designated neighborhood areas nearest Green Valley Road. As explained in the EIR, Mitigation 3-1 can mitigate this impact to a less-than-significant level.

The features of the Specific Plan include a framework of neighborhoods and open lands formulated to protect views and scenic features. The Specific Plan also provides that "Views of the new neighborhoods to the west of Green Valley Creek will be obscured from Green Valley Road." (Specific Plan, p. 3-8.) In addition, the Neighborhood Design Code in the Specific Plan describes a detailed set of Development Standards and Design Guidelines to establish a form-based design control framework for the design of aesthetically desirable built forms. Notwithstanding these and other features of the Specific Plan, the EIR assumes that individual development project proposals could be brought forward in the plan area which initially propose features that could lead to scenic impacts. Accordingly, the EIR provides for mitigation that will address these potential impacts.

As explained further in the EIR, Mitigation 3-1 requires that prior to County approval of any future plan area subdivision or other discretionary development application, the project applicant/developer shall provide site plan, architectural, landscape and infrastructure design details demonstrating to the satisfaction of the Middle Green Valley Conservancy Design Review Committee, County staff and County Planning Commission that the development design:

- Sufficiently protects existing visual access from Green Valley Road and other important plan area vantage points towards foreground and middle-ground rural landscapes and the Western Hills background;
- Protects existing intervening landforms and vegetative buffers;
- Maintains building rooflines that do not exceed existing intervening landforms and vegetative screening; and
- Emphasizes building forms, designs, colors, materials, etc., that are reflective of and conducive to the surrounding rural landscape.

Chapter 5 of the Specific Plan consists of a Neighborhood Design Code. The design review process will provide a mechanism for ensuring that proposed development adheres to the standards set forth in this code. The Neighborhood Design Code is part of the project. Mitigation Measure 3-1 provides a means of ensuring that the standards set forth in this code are enforced.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Implementation of the measure will involve application of the Specific Plan's design control framework, and comparisons of future-proposed rooflines and other design features with existing visual access, existing intervening landforms, existing vegetative buffers and vegetative screening. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 3-1 would ensure that impacts related to Scenic Vistas would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

### **Impact 3-2: Increase in Nighttime Lighting and Glare.**

- i. Mitigation Measures. Mitigation 3-2
- ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.
- iii. Findings.

According to the EIR, project-specific new development permitted by the Specific Plan in the four designated neighborhoods, as well as the farmstand envisioned along Green Valley Road immediately north of Mason Road, would include new sources of exterior lighting in an otherwise rural setting that could result in localized "light trespass" into the nighttime sky (i.e., new sources of sky-glow) or towards Green Valley Road, Mason Road, or other plan area travel routes. In addition, development of neighborhood facilities such as a school or firehouse, could include new exterior lighting features with noticeable and potentially adverse light and glare effects. As explained in EIR, Mitigation 3-2 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 3-2 requires that to minimize glare and "sky glow" from new outdoor area lighting, prior to County approval of any future plan area subdivision or other discretionary development application that includes exterior lighting, the project applicant/developer shall include in the project application materials: lighting design measures that ensure protection of surrounding uses from spillover light and glare, use of low lighting fixtures, use of adequately shielded light sources, use of light sources that provide a natural color rendition, and avoidance of light reflectance off of exterior building walls.

Features of the Specific Plan, that serve to minimize this impact include Landscape Standards (Specific Plan, section 5.5) relating to Exterior Lighting (section 5.5.10). For example, among the requirements of Section 5.5.10 is: "Uplighting is not permitted. 'Full cut off' lighting luminaires that do not allow for uplighting are to be specified. All direct light is to shine a minimum of 20 degrees below the horizontal plane." (Specific Plan, p. 5-80.) Another of the detailed provisions of Section 5.5.10 is that "Low-intensity light sources are to be used with translucent or frosted glass lenses. Lamps with a maximum of a 25-watt bulb or gas lights that complement the community lighting system are allowed for site lighting and are to be shielded with simple shade devices. Lower intensity bulbs are to be used in architectural fixtures such as step lights." (Specific Plan, p. 5-80.)

In addition, after circulation of the Draft EIR, section 5.7.6 of the Specific Plan relating to Streetscape Lighting (p. 5-115) was revised to clarify the intent of the street lighting approach: “The exterior lighting objective for Middle Green Valley is to preserve the dark nighttime sky. With that in mind, only key intersections and the proposed roundabouts will have street lighting. In common areas, standard pole street lighting may only be used at key intersections. (See Figure 5-82 for the limited street light locations and Figures . . . The ambient lighting from houses . . . needs in neighborhoods. Final street light locations will be finalized in consultation with County staff to both ensure safety while complying with the goals of preserving the nighttime sky.” (See Attachment G to the July 27, 2010 Staff Report.) This revision has the effect of further reducing the potential significance of project-related increases in nighttime lighting and glare.

Implementing Mitigation Measure 3-2, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 3-2 would ensure that impacts related to increase in nighttime lighting and glare would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

**(b) Agricultural and Mineral Resources (Section 4)**

**Impact 4-2: Indirect Impacts on Prime Farmland.**

- i. Mitigation Measures. Mitigation 4-2
- ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.
- iii. Findings.

According to the EIR, Specific Plan-facilitated development in the Elkhorn, Nightingale and Three Creeks neighborhoods could cause conflicts between new, project-facilitated Residential or Community services uses and adjacent or nearby Prime Farmland agricultural activity. The introduction of new residential uses near existing Prime Farmland operations could result in land use compatibility problems for the existing farmland operations, such as nuisance complaints from new residents, livestock disturbance by domestic pets, trespassing, and vandalism. Nuisance complaints can potentially cause farm operators to curtail operations, and can deter additional investment in farm-related improvements that support the county's agriculture economy. The Specific Plan provides for relatively large lots adjacent to agricultural lands, provides a transition between these uses, and thus reduces the potential for such impacts. (See, e.g., Response 10.26.) Moreover, as explained in the EIR, Mitigation 4-2 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 4-2 requires that consistent with the Solano County Code Chapter 2.2, and as a condition of future subdivision and other discretionary development approvals in the plan area, the County shall require the development applicant/developer to provide notification in writing to all prospective purchasers of Residential

or Community Services property of the potential nuisances associated with adjacent and nearby farm operations and the existence of the County right-to-farm ordinance. Under current County Code Section 2.20-30, no preexisting or future agricultural operation on agricultural land shall be or become a nuisance due to any changed condition of adjacent land uses in the locality, unless a nuisance results from the negligent or improper agricultural operation or if the agricultural activity obstructs the any navigable lake, river, stream, canal or basin, or any public park, square, street or highway. The provisions of the required notice are set forth in County Code Section 2.20-40; the notice informs recipients, among other things that: "If you live near an agricultural area, you should be prepared to accept such inconveniences or discomfort as a normal and necessary aspect of living in a county with a strong rural character and a healthy agriculture sector."

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 4-2 would ensure that impacts related to indirect impacts on Prime Farmland would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

(c) **Air Quality (Section 5)**

**Impact 5-1: Construction-Related Air Quality Impacts.**

- i. Mitigation Measures. Mitigation 5-1
- ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.
- iii. Findings.

According to the EIR, construction or demolition activities permitted and/or facilitated by the proposed Specific Plan may generate construction-period exhaust emissions and fugitive dust that could temporarily but noticeably affect local air quality. As explained by the EIR, Mitigation 5-1 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 5-1 requires that the County shall require construction contractors to comply with Solano County General Plan Implementation Program HS.I-59 (best management practices) and Implementation Program RS.I-49 (requirements for diesel vehicles). In addition, for all discretionary grading, demolition, or construction activity in the Specific Plan area, the County shall require implementation of measures by construction contractors, where applicable. As specified in greater detail in the Draft EIR, these measures include:

- Dust (PM<sub>10</sub>) control measures that apply to all construction activities;
- Enhanced dust (PM<sub>10</sub>) control measures (for construction sites that are greater than four acres, are located adjacent to sensitive receptors, or otherwise warrant additional control measures); and

- Measures to reduce diesel particulate matter and PM<sub>2.5</sub>.

Implementing this Mitigation Measure, as further described in the Final EIR and Errata #1, will reduce the impacts to a level that is less-than-significant. These measures have been identified by the Bay Area Air Quality Management District as feasible control measures for construction emissions of PM<sub>10</sub>.

The Bay Area Air Quality Management District published revised BAAQMD CEQA Air Quality Guidelines in May 2010. In connection with those Guidelines, the District adopted thresholds of significance by resolution, which the District made applicable only to projects for which Notices of Preparation and environmental analyses are begun after June 2, 2010. Accordingly, those thresholds do not apply to environmental analysis of the Middle Green Valley Specific Plan. In addition, the determination of appropriate significance thresholds is subject to the discretion of the County as lead agency. The Board notes further that the County has incorporated into Mitigation Measure 5-1 the Best Management Practices recommended by the District.

Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 5-1 would ensure that impacts related to construction-related air quality would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

#### **Impact 5-2: Odor Impacts on “Sensitive Receptors.”**

i. Mitigation Measures. Mitigation 5-2

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, Specific Plan-facilitated development in the plan area may expose sensitive receptors, such as housing and potentially a school, to odors. As explained in the EIR, Mitigation 5-2 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 5-2 requires that in reviewing projects proposed in accordance with the Specific Plan, the County shall implement Solano County General Plan policies and implementation programs to reduce the potential for odor impacts on sensitive receptors, including Implementation Program HS.I-58 (encouraging agricultural best management practices) and Implementation Program HS.I-63 (establishing buffers). The EIR concludes that implementation of these measures would be expected to reduce odor impacts on sensitive receptors to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of

significance, the Board of Supervisors finds that implementation of Mitigation Measure 5-2 would ensure that odor impacts on sensitive receptors would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

(d) **Biological Resources (Section 6)**

**Impact 6-1: General Areawide Impacts on Biological Resources.**

i. Mitigation Measures. Mitigation 6-1

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, based on the consulting biologist's evaluation of biological resources occurring or potentially occurring within or in the vicinity of the Specific Plan-designated development areas, future individual development projects undertaken in accordance with the Specific Plan may result in potential site-specific impacts on biological resources including sensitive vegetation and aquatic communities, special-status plant species, and special-status wildlife species, due to future individual project-level residential, commercial and mixed-use development, landscaped parkland construction, active open space land uses, and associated road and utility/infrastructure construction activities.

As explained in the EIR, Mitigation 6-1 can mitigate this impact to a less-than-significant level.

As pointed out by the EIR, the Specific Plan's neighborhood and open lands framework (Specific Plan sections 3.2.1 and 3.3.2), street network (section 3.4.3) and associated environmental stewardship provisions and habitat protection objectives (sections 3.3.4 and 5.5.6) have been formulated with the intent to avoid and protect mixed oak woodland forest, grassland pockets, and Hennessey Creek and Green Valley Creek riparian corridors, and to minimize biological resource impacts in general. The Specific Plan also specifically acknowledges the framework that would be established by the proposed Solano Multi-Species Habitat Conservation Plan (HCP) (Specific Plan, section 2.4.3) for complying with federal and state regulations for special-status species while accommodating future urban growth. In addition, the tree and habitat protection objectives identified in the Specific Plan (section 5.5.6) specifically call for: the protection of existing mature hardwood and oak trees; preservation, conservation and enhancement of open lands that provide wildlife habitat; minimization of tree and shrub removal in foothill areas; and repair of environmental degradation that has previously occurred.

As explained further in the EIR, Mitigation 6-1 requires that, during the pre-application project design phase, the County shall encourage avoidance, minimization and compensatory mitigation of identified biological resources, including careful consideration by prospective individual project applicants of the biological resource constraint information provided in the EIR. In addition, prior to County approval of any future plan area subdivision or other discretionary development application, the project proponent shall submit a *biological resources assessment*

report prepared by a qualified biologist for County review and approval. The *biological resources assessment report* shall contain a focused evaluation of project-specific impacts on biological resources, including any protocol level surveys for biological resources that have been performed as may be necessary for temporary and indirect impacts, as well as all related biological impact avoidance, minimization, and compensatory mitigation measures included in the project. Such surveys must comply with protocols established by resource agencies. (Response 18.08.) If the assessment results in a determination that (a) no oak woodland area, potentially jurisdictional wetland area, or riparian habitat or other stream features would be affected and (b) no special-status plant or animal species habitat known to occur or potentially occur on or in the vicinity of the project would be affected, then no further mitigation would be necessary. If the assessment results in a determination that one or more of these features would be affected, the assessment shall identify associated avoidance, minimization, and/or compensatory mitigation measures consistent with the requirements of corresponding Mitigations 6-2 through 6-13 described in Chapter 6 of the EIR, as well as all other applicable state and federal laws and regulations. Prior to project approval, the County shall also confirm that project-level development has received the necessary permits, approvals, and determinations from applicable biological resource agencies as identified under Mitigations 6-2 through 6-13. The EIR concludes that implementation of these measures would reduce the potential impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. (See discussion of Mitigations 6-2 through 6-13.) Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 6-1 would ensure that general areawide impacts on biological resources would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

**Impact 6-2: Potential Conflict with Solano County Multispecies Habitat Conservation Plan.**

- i. Mitigation Measures. Mitigation 6-2
- ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.
- iii. Findings.

According to the EIR, the Specific Plan includes substantial measures intended to minimize potential conflicts between future individual developments undertaken under the Specific Plan with the policies of the Bureau of Reclamation and Solano County Water Agency's Administrative Draft Solano County Multispecies Habitat Conservation Plan (HCP). Nevertheless, if future individual project-level development undertaken under the Specific Plan includes aspects—or proposes special-status species impact avoidance, minimization and/or compensatory mitigation measures—that are not consistent with the HCP as ultimately adopted, the individual project would conflict with the provisions of an adopted habitat conservation plan. As explained in the EIR, Mitigation 6-2 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 6-2 requires that the County shall ensure that, prior to construction, project-level applicants implement: (a) multispecies impact avoidance, minimization and compensatory mitigation measures consistent with the Solano HCP (even if the individual project-level application does not require a jurisdictional approval from an HCP implementing agency such as the Solano County Water Agency, City of Fairfield municipal water, or Solano Irrigation District); or (b) comparable measures approved by applicable resource agencies. This mitigation measure is intended to incorporate the final HCP, once adopted. The EIR concludes that this measure would reduce the potential impact to a less-than-significant level.

If, in the unlikely event that ongoing monitoring conducted as part of the well design plan or water supply Option B or Option C1 operation reveals potentially significant drawdown may be occurring in surface waters or existing wells in the vicinity of the new project wells, some or all of the following measures to mitigate those impacts will be implemented by the CSA or SID until subsequent monitoring shows that drawdown is not adversely affecting surface waters or operations of existing wells to the satisfaction of the County Division of Environmental Health:

- lowering existing pumping equipment within the well structure in affected well(s),
- deepening or replacing the affected well(s),
- altering the amount or timing of pumping from the project well (i.e., shifting some pumpage to another project well and/or drilling a supplemental project well) to eliminate the adverse impact,
- providing replacement project well(s), and/or
- providing a water supply connection for the property/uses served by the affected well(s) to the Option B or Option C1 water supply system, sufficient to provide the property/uses with a substantially similar quality of water and the ability to use water in substantially the same manner that they were accustomed to doing if the project had not existed and caused a decline in water levels of their wells.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. By requiring conformance with the HCP's measures or with comparable measures to be approved by the agencies having approval authority over the HCP, this measure ensures that consistency will be attained notwithstanding the fact that it could be voluntary for some projects within the Specific Plan area to participate in or obtain coverage under the HCP. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 6-2 would ensure that impacts related to potential conflict with Solano County Multispecies Habitat Conservation Plan would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

### **Impact 6-3: Impact on Oak Woodlands.**

#### **i. Mitigation Measures. Mitigation 6-3**

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

#### **iii. Findings.**

According to the EIR, future individual project-level development undertaken in accordance with the Specific Plan may result in direct, temporary and/or indirect impacts on oak woodland communities. As explained in the EIR, Mitigation 6-3 can mitigate this impact to a less-than-significant level.

As explained in the EIR, the Specific Plan includes land use and circulation configurations and associated measures intended to avoid or minimize potential impacts on existing oak woodlands. (See, Draft EIR, pp. 6-59 to 6-61 (oak woodland measures in Specific Plan and additional requirements).)

As explained further in the EIR, Mitigation 6-3 requires that prior to approval of future individual, site-specific development projects within the plan area, the project proponent shall submit an *oak woodland management plan*, prepared by a trained arborist or forester, which is consistent with the requirements of the Specific Plan and the EIR. The oak woodland management plan may be integrated into the *biological resources assessment report* (see Mitigation 6-1). As further detailed in the Final EIR, direct impacts on oak woodland shall be mitigated by, among other requirements: (a) conservation of oak woodland through the proposed Transfer of Development Rights program (or other method if necessary) at a minimum of a 1:1 ratio by acreage; and (b) replanting of removed heritage oaks with native oaks at a 1:1 ratio. (See Responses 19.04, 19.05, 19.08.) Transplantation of existing oaks would not require compensatory mitigation, unless subsequent monitoring shows that the transplanted oak has not survived the process. Under this Mitigation Measure, in addition to other provisions of the management plan, the success of any plantings will be assured by their being monitored by a qualified biologist annually for a minimum of seven years. The EIR concludes that implementation of this measure, combined with the detailed mitigation provisions included in the features of the Specific Plan, would reduce the potential impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 6-3 would ensure that impacts on Oak Woodlands would be reduced to a less-than-significant level. (See, e.g., Responses 10.41, 16.02, 18.01.)

For the forgoing reasons, the County adopts Finding 1.

#### **Impact 6-4: Impacts on Riparian Communities.**

- i. Mitigation Measures. Mitigation 6-4
- ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.
- iii. Findings.

According to the EIR, future, individual project-level development undertaken in accordance with the Specific Plan may result in direct, temporary, or indirect impacts on riparian communities in the plan area, representing a potentially significant impact, under the relevant significance criterion of the EIR. That criterion provides that an impact would be considered

significant if it would have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. (Draft EIR, section 6.3.1(b), p. 6-50.) As explained in the EIR, Mitigation 6-4 can mitigate this impact to a less-than-significant level.

As explained in the EIR, the Specific Plan includes land use and circulation configurations and associated measures intended to avoid or minimize potential impacts on Green Valley Creek and Hennessey Creek riparian communities.

As explained further in the EIR, Mitigation 6-4 requires that proponents of projects that have been determined through Mitigation 6-1 (biological resource assessment report) to involve potential impacts on riparian vegetation communities shall: (a) contact the California Department of Fish and Wildlife (CDFW) to determine whether a Lake and Streambed Alteration Agreement is necessary; and (b) provide a detailed description of the potential riparian habitat impacts and proposed mitigation program to the Regional Water Quality Control Board (Water Board) as part of the project's Water Quality Certification application. Final mitigation for direct and permanent impacts on riparian vegetation/habitat would be subject to jurisdictional agency approval—i.e., with respect to these impacts, approval by the CDFW and Water Board.

Mitigation shall include: (a) no net loss of riparian habitat, measured by acreage, either onsite or at an approved mitigation bank; and (b) replanting riparian vegetation in preserved riparian areas at the jurisdictional agency-established minimum ratio as measured by acreage, either onsite or at an approved mitigation bank. Temporary impacts on riparian habitat may be mitigated by replanting of riparian vegetation at the jurisdictional agency-established minimum ratio. Preserved riparian habitat areas shall be protected in perpetuity by a conservation easement. New development lot lines, the edges of cultivated agricultural fields in preserved lands, and all new groundwater wells shall be set back from preserved riparian corridors by a minimum of 50 feet from tributaries and a minimum of 100 feet from Green Valley Creek and lower Hennessey Creek. The potential for introduction of invasive species into riparian communities shall be minimized through use of the planting palettes recommended in the Specific Plan, or a comparable palette approved by the authorized jurisdictional agencies. The use of native plants shall be encouraged. To provide additional direct mitigation for project impacts on Hennessey Creek riparian vegetation, and potential indirect, in-kind mitigation for riparian impacts elsewhere in the plan area, a *Hennessey Creek conceptual restoration plan* shall be prepared. This conceptual restoration plan shall be prepared to jurisdictional agency satisfaction prior to final approval of any future plan area subdivision map or other discretionary approval involving direct impacts on Hennessey Creek riparian communities, or impacts on riparian communities elsewhere in the plan area that may be subject to in-kind mitigation.

*2014 RRDEIR Mitigation Measure 16-1* (Water Master Plan that identifies well locations and depths) and *Mitigation Measure 16-2a* (well design process to avoid interference between new wells and surface waters) shall be implemented to provide for avoidance of any potential interference between new plan wells and surface streams. *Mitigation Measure 16-2b* shall also be required, as updated herein, if monitoring required in *Mitigation Measure 16-2a* identified drawdown of surface water in Green Valley Creek.

Additionally, any stormwater impacts to riparian vegetation would be mitigated by the implementation of measures for stormwater and water quality impacts, as described in Measures 11-1 through 11-3. The EIR concludes that implementation of these measures would reduce the potential impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Under its streambed alteration program, activities that may substantially adversely affect resources protected by CDFW will result in CDFW issuing an agreement containing the measures "necessary to protect the resource." (Fish & G. Code, § 1602.) For activities involving a federal license or permit, and therefore subject to the Clean Water Act section 401 certification program, the applicant will thereby be required to demonstrate that the proposed activity will be consistent with all applicable effluent, water quality, and related requirements. (33 USC § 1341(d).)

Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 6-4 would ensure that impacts on Riparian Communities would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

#### **Impact 6-5: Impact on Wetlands, Streams, and Ponds.**

i. Mitigation Measures. Mitigation 6-5

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, future, individual project-level development undertaken in accordance with the Specific Plan may result in direct, temporary, and/or indirect impacts on wetlands, streams, and ponds in the plan area, representing a potentially significant impact under the relevant significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would have either: (i) a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service (Draft EIR, section 6.3.1(b), p. 6-50); or (ii) a substantial adverse effect on federally protected wetlands as defined by section 404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means (Draft EIR, section 6.3.1(c), p. 6-50). As explained in the EIR, Mitigation 6-5 can mitigate this impact to a less-than-significant level.

The Draft Specific Plan includes land use and circulation configurations and associated measures intended to avoid or minimize potential impacts on existing wetlands, streams and ponds.

As explained further in the EIR, Mitigation 6-5 requires that proponents of projects that have been determined through Mitigation 6-1 (biological resources assessment report) to involve potential impacts on wetlands, streams and ponds shall: (a) contact the California Department of Fish and Wildlife (CDFW) to determine whether a Lake and Streambed Alteration Agreement is necessary; and (b) submit a Section 404 permit application to the U.S. Army Corps of Engineers (Corps) and a Water Quality Certification application to the Regional Water

Quality Control Board (Water Board). A jurisdictional Section 404 delineation must be approved by the Corps before permits can be issued by the above-listed agencies.

Under Measure 6-5, final mitigation for direct and temporary impacts on wetlands, streams, and ponds shall be subject to the approval of CDFW and Water Board. Mitigation for direct impacts shall include a minimum of: (a) preservation of wetland, stream, and/or pond habitat at the jurisdiction agency-established minimum ratio, measured by acreage, either onsite or at an approved mitigation bank; and (b) creation of wetland, stream, and/or pond habitat in preserved areas at the jurisdiction agency-established minimum ratio, either onsite or at an approved mitigation bank. This measure requires preservation and creation at a minimum of a 1:1 ratio; the ratio(s) will be higher when required by the jurisdictional agencies. Onsite preserved habitat areas shall be protected in perpetuity by a conservation easement.

In addition, under Measure 6-5:

- New development lot lines and the edges of cultivated agricultural fields in preserved lands shall be set back from preserved wetlands, streams, and ponds by a minimum of 50 feet from tributaries and a minimum of 100 feet from Green Valley Creek and lower Hennessey Creek.
- New and expanded road crossings over streams shall be designed and constructed to minimize disturbance to the stream channel by the use of measures such as clear span bridges or arch span culverts when feasible, and minimizing the number and area of footings placed in and at the margins of stream channels.
- The Hennessey Creek conceptual restoration area (see Mitigation 6-4) shall be made available to provide for mitigation of direct impacts on Hennessey Creek riparian communities, or potential in-kind mitigation for riparian impacts elsewhere in the plan area.
- As indicated in Mitigation 6-4, the potential for introduction of invasive species shall be minimized through use of the planting palettes recommended in the Specific Plan, or a comparable palette approved by the authorized jurisdictional agencies. The use of native plants shall be encouraged.
- 2014 RRDEIR Mitigation Measure 16-1 (Water Master Plan that identifies well locations and depths), Mitigation Measure 16-2a (well design process to avoid interference between new wells and surface waters), and Mitigation Measure 16-2b (adaptive management of groundwater wells), shall be implemented to provide for avoidance of any potential interference between new Plan wells and surface streams.

The EIR concludes that these measures would reduce the potential impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of

significance, the Board of Supervisors finds that implementation of Mitigation Measure 6-5 would ensure that impacts on wetlands, streams and ponds would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

**Impact 6-6: Impact on Special-Status Plant Species Observed or Known to Occur in the Plan Area.**

i. Mitigation Measures. Mitigation 6-6

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, development undertaken in accordance with the Specific Plan may result in direct, temporary, or indirect impacts on one special-status plant species observed or known to occur in the plan area, Northern California black walnut, which is a California Native Plant Society (CNPS) List 1B species. As explained in the EIR, Mitigation 6-6 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 6-6 requires that prior to approval of future individual project-level development plans in the plan area, the potential for occurrence of special-status plant species in the proposed project area will be evaluated under Mitigation 6-1 (biological resources assessment report requirements) by a qualified professional biologist and based on the information provided by the EIR and other appropriate literature resources. If suitable habitat for special-status plant species is present in the proposed project area, protocol-level special-status plant surveys shall be conducted during the appropriate blooming period by a qualified professional biologist, using appropriate botanical survey guidelines as described in the EIR. The results of the report shall be provided as part of a protocol-level special-status plant survey report, or integrated into other biological documentation. If special-status plant species are found during protocol-level special-status plant species surveys, the special-status plant species survey report shall provide a discussion of avoidance, minimization, and mitigation measures as appropriate for each species population. Mitigation 6-6 provides further that:

- Species observed to be present shall be avoided if feasible.
- If avoidance of these species is not feasible, the special-status plant species shall be transplanted to suitable habitat areas using techniques most suited for the species based on best available science. This may include seed collection, transplantation, or other appropriate methods depending on the observed plant species.
- Potential indirect hydrology impacts shall be evaluated as part of the special-status plant species survey report. If special-status plant species populations could be affected by changes in hydrology as a result of the proposed project, measures such as establishment of appropriate buffers and/or changes to grading contours (if feasible) shall be recommended to maintain preserved and avoided plant species populations.
- The potential for introduction of invasive species shall be minimized through use of planting palettes recommended in the Specific Plan or a comparable palette

approved by the authorized jurisdictional agencies. The use of native plants is encouraged.

- Construction activities shall disturb the minimum area necessary to complete construction work and disturbed areas seeded with a mix containing native species as soon as possible following disturbance. Construction equipment shall be kept clean of vegetative material, and construction traffic shall be restricted to those areas necessary to complete construction.

The EIR concludes that implementation of these measures to the satisfaction of the listing jurisdictional agency (i.e., the agency, such as USFWS or CDFW, that has listed the species as deserving special regulatory consideration because of its rarity or vulnerability) would reduce the potential impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. (See, e.g., Response 10.43.) Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 6-6 would ensure that impacts on special-status plant species observed or known to occur in the plan area would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

**Impact 6-7: Impacts on Special-Status Plant Species with Potential Habitat in the Plan Area.**

i. Mitigation Measures. Mitigation 6-7

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, development undertaken in accordance with the Specific Plan may result in direct, temporary or indirect impacts on special-status plant species that have not yet been observed or are not yet known to occur, but could potentially occur, based on habitat conditions in the plan area, including California Native Plant Society (CNPS) List 1B species (Alkali milk-vetch, Big-scale balsamroot, Big tarplant, Narrow-anthered California brodiaea, Mt. Diablo fairy lantern, Tiburon paintbrush, Holly-leaved ceanothus, Pappose tarplant, Western leatherwood, Adobe lily, Diablo helianthella, Brewer's westernflax, Robust monardella, Baker's navarretia, Snowy Indian clover, and Saline clover) and CNPS List 2 species (Dwarf downingia, Rayless ragwort, and Ovalleaved viburnum).

As explained in the EIR, Mitigation 6-7 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 6-7 requires the implementation of Mitigation 6-6. The EIR concludes that, implementation of this measure as a condition of future individual discretionary project approvals, to the satisfaction of the listing jurisdictional agency (CDFW), would reduce this potential impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 6-7 would ensure that impacts on special-status plant species with potential habitat in the plan area would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

**Impact 6-8: Impacts on Special-Status Wildlife Species Observed or Known to Occur in the Plan Area.**

- i. Mitigation Measures. Mitigation 6-8
- ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.
- iii. Findings.

According to the EIR, development undertaken in accordance with the Specific Plan may result in direct, temporary or indirect impacts on special-status wildlife species observed or known to occur in the plan area, including CDFW Species of Special Concern (Loggerhead Shrike, Grasshopper Sparrow, and Western Pond Turtle), a USFWS Bird of Conservation Concern (Lewis's Woodpecker), a Federal Threatened Species (Steelhead) and a CDFW Protected Species (Monarch Butterfly).

As explained in the EIR, Mitigation 6-8 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 6-8 requires that the biological resources assessment reports submitted by applicants for project-level developments in the plan area shall evaluate the potential for special-status wildlife species to occur in the proposed project areas and shall identify appropriate avoidance and minimization measures. In accordance with Mitigation 6-2, the biological resources assessment reports shall refer to the anticipated Solano HCP for appropriate avoidance, minimization and/or compensatory measures. The EIR provides examples of avoidance and minimization measures for special-status wildlife species in its discussion of Mitigations 6-10 through 6-13, and explains that specific measures shall be assigned, combined, and applied to particular project-specific development proposals. (Draft EIR, pp. 6-71, 6-73 to 6-81.) Impacts on avian species protected by the Migratory Bird Treaty Act (MBTA) shall be avoided through preconstruction breeding bird surveys and avoidance of occupied nests. The EIR concludes that implementation of this measure as a condition of individual discretionary project approval, to the satisfaction of the listing jurisdictional agencies, would reduce this potential impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of

significance, the Board of Supervisors finds that implementation of Mitigation Measure 6-8 would ensure that impacts on special-status wildlife species observed or known to occur in the plan area would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

**Impact 6-9: Impacts on Special-Status Wildlife Species with Potential Habitat in the Plan Area.**

i. Mitigation Measures. Mitigation 6-9

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, development undertaken in accordance with the Specific Plan may also result in direct, temporary or indirect impacts on special-status species that have not yet been observed or are not yet known to occur, but could potentially occur, based on habitat conditions in the plan area, including CDFW Species of Special Concern (Pallid Bat, various Western Bat species, American Badger, and Northern Harrier), CDFW Fully Protected Species (Golden Eagle and White-Tailed Kite), State Threatened Species (Swainson's Hawk), and a USFWS Bird of Conservation Concern (Golden Eagle).

As explained in the EIR, Mitigation 6-9 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 6-9 requires implementation of Mitigation 6-8. The EIR states that review under this Mitigation Measure should be inclusive, encompassing species addressed as well as species not specifically addressed under Mitigations 6-10 through 6-13. (Draft EIR, pp. 6-71 to 6-72.) The measure thereby addresses the potential for changed conditions and for habitat of other species to arise, such as California Tiger Salamander and Monarch Butterfly, as further explained in the EIR. The EIR concludes that implementation of this measure as a condition of future individual discretionary project approvals, to the satisfaction of the listing jurisdictional agency (CDFW), would reduce this potential impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 6-9 would ensure that impacts on special-status wildlife species with potential habitat in the plan area would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

**Impact 6-10: Impact on Loggerhead Shrike, Lewis's Woodpecker, Grasshopper Sparrow and Other Protected Bird Species.**

i. Mitigation Measures. Mitigation 6-10

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, future, individual project-level development undertaken in accordance with the Specific Plan may result in direct, temporary, and/or indirect impacts on nesting and foraging habitat for protected bird species known to occur in the plan area, including Loggerhead Shrike, Lewis's Woodpecker, and Grasshopper Sparrow, as well as other special-status and Migratory Bird Treaty Act-protected bird species with the potential to occur in the plan area, representing a potentially significant impact under the relevant significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. (Draft EIR, section 6.3.1(a), p. 6-50.)

As explained in the EIR, Mitigation 6-10 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 6-10 requires that if construction or other disturbance to suitable nesting habitat for these and other potential special-status bird species is conducted between February 1 and August 31, pre-construction breeding bird surveys shall be conducted by a qualified biologist no later than 30 days prior to the anticipated start of construction. Construction and removal of suitable nesting vegetation may be initiated without preconstruction surveys if removal and disturbance of suitable nesting habitat is conducted between September 1 and January 31. If breeding birds are observed during pre-construction surveys, disturbance to active nests shall be avoided by establishment of a buffer between the nest and construction activities. Appropriate buffer distances are species- and project-specific but shall follow the guidelines of the Administrative Draft HCP: for example, a minimum of 500 feet would be required for Swainson's Hawk and a minimum of 250 feet for Special Management Species (Loggerhead Shrike, Grasshopper Sparrow, and Tricolored Blackbird). For all other special-status bird species, a minimum buffer distance of at least 50 feet shall be required. The biological resources assessment reports required under Mitigation 6-1 for all individual discretionary development projects in the plan area shall contain analysis of measures that would be used by a proposed development project to minimize and avoid potential indirect impacts on special-status bird species. The EIR provides examples of measures to avoid and minimize indirect impacts. The EIR observes that foraging habitat is avoided and preserved through the features of the Specific Plan. (Draft EIR, p. 6-74.) The EIR concludes that implementation of these measures would reduce the potential impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 6-10

would ensure that impacts on Loggerhead Shrike, Lewis's Woodpecker, Grasshopper Sparrow and other protected bird species would be reduced to a less-than-significant level.

In addition to Mitigation 6-10, the TDR program will result in the permanent protection of agricultural land and open space that serves as foraging habitat for sensitive species, including the Swainson's Hawk, at ratios far in excess of 1:1. (Response 15.02.) Compliance with the Solano County HCP and consultation with CDFW, as required by Mitigation 6-8, further ensures that compensatory habitat will be permanently protected. (Responses 15.05, 15.06.)

For the forgoing reasons, the County adopts Finding 1.

**Impact 6-11: Impact on California Red-legged Frog and Western Pond Turtle.**

i. Mitigation Measures. Mitigation 6-11

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, future individual discretionary project-specific development undertaken in accordance with the Specific Plan may result in direct, temporary, and/or indirect impacts on California red-legged frog and western pond turtle and suitable habitat for these species, representing a potentially significant impact under the relevant significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. (Draft EIR, section 6.3.1(a), p. 6-50).)

As explained in the EIR, Mitigation 6-11 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 6-11 requires that the presence of suitable aquatic and dispersal habitat for California red-legged frog (CRLF) and Western Pond Turtle (WPT) shall be evaluated by a qualified biologist as part of the biological resources assessment report required under Mitigation 6-1. Projects containing suitable aquatic habitat for CRLF or WPT shall provide an analysis of potential impacts, along with avoidance, minimization, and mitigation measures for potential impacts on CRLF or WPT. If take of CRLF would occur, the project may seek take coverage through the Solano HCP if approved, and implement avoidance, minimization, and mitigation measures consistent with the Solano HCP. If the Solano HCP is not yet approved, projects shall consult with USFWS in accordance with ESA. Avoidance, minimization, and mitigation measures, consistent with the draft Solano HCP, shall be imposed to ensure no net loss of habitat or individuals. Measures may include protection of habitat to be retained on site during construction, worker awareness training, timing of project activities to avoid destruction of egg masses, and purchase of conservation credits at a USFWS-approved conservation bank to compensate for the loss of habitat or individuals.

Direct impacts on WPT habitat shall be mitigated through implementation of the mitigation measures described above for wetlands, streams, and ponds (Mitigation Measure 6-5). Indirect hydrology and water quality impacts on WPT shall be mitigated through implementation of mitigation measures recommended in Chapter 11, Hydrology and Water Quality, of the 2009 DEIR. It is recommended that final avoidance, minimization, and mitigation measures be developed in consultation with CDFW and/or be consistent with the measures outlined in the anticipated Solano HCP.

Project-level development shall maintain the recommended riparian corridor widths (see Mitigation Measure 6-4) as mitigation for indirect impacts on wetlands, streams, and ponds due to changes in water quality runoff as well as groundwater drawdown. *2014 RRDEIR Mitigation Measure 16-1* (Water Master Plan that identifies well locations and depths), *Mitigation Measure 16-2a* (well design process to avoid interference between new wells and surface waters), and *Mitigation Measure 16-2b* (adaptive management of groundwater wells), shall be implemented to provide for avoidance of any potential interference between new plan wells and surface streams. The EIR concludes that implementation of these measures would reduce the potential impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 6-11 would ensure that impacts on Western Pond Turtle would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

**Impact 6-12: Impact on Steelhead.**

- i. Mitigation Measures. Mitigation 6-12
- ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.
- iii. Findings.

According to the EIR, future individual project-specific discretionary development undertaken in accordance with the Specific Plan may result in direct, temporary, and/or indirect impacts on Steelhead in Green Valley Creek, a Federal Threatened Species, representing a potentially significant impact under the relevant significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. (Draft EIR, section 6.3.1(a), p. 6-50.)

As explained in the EIR, Mitigation 6-12 can mitigate this impact to a less-than-significant level.

As the EIR observes, the Specific Plan includes land use and circulation configurations and associated measures intended to avoid or minimize potential direct and indirect impacts on plan area streams and stream habitats.

As explained further in the EIR, Mitigation 6-12 requires that utility crossings and new and expanded road crossings over streams shall be designed and constructed to minimize disturbance to the stream channel by using measures such as clear span bridges or arch span culverts when feasible, and by minimizing the number and area of footings placed in and at the margins of stream channels. Appropriate construction Best Management Practices (BMPs) such as those recommended in the EIR or in the anticipated Solano HCP to minimize impacts on Steelhead shall also be implemented. The EIR provides examples of avoidance, design and minimization measures. (Draft EIR, pp. 6-77 to 6-78.) Design and minimization measures are subject to approval, and may change, based on consultation with the National Marine Fisheries Service (NMFS) based on individual project-specific design. Riparian vegetation mitigation measures outlined in Mitigation 6-4 (providing for minimum setbacks, among other steps) shall also be implemented to reduce impacts on riparian vegetation that may affect Steelhead. Mitigation measures for stormwater quality and quantity identified in Chapter 11, Hydrology and Water Quality, of the EIR shall be implemented to minimize indirect impacts on Steelhead from stormwater and water quality changes due to construction.

Project-level development shall maintain the recommended riparian corridor widths (see *Mitigation Measure 6-4*) as mitigation for indirect impacts on wetlands, streams, and ponds due to changes in water quality runoff as well as groundwater drawdown. *2014 RRDEIR Mitigation Measure 16-1* (Water Master Plan that identifies well locations and depths), *Mitigation Measure 16-2a* (well design process to avoid interference between new wells and surface waters), and *Mitigation Measure 16-2b* (adaptive management of groundwater wells), shall be implemented to provide for avoidance of any potential interference between new plan wells and surface streams. The EIR concludes that implementation of these measures would reduce the potential impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 6-12 would ensure that impacts on Steelhead would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

#### **Impact 6-13: Impact on Wildlife Habitat Corridors and Linkages.**

- i. Mitigation Measures. Mitigation 6-13
- ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.
- iii. Findings.

According to the EIR, future individual discretionary project-level development undertaken pursuant to the Specific Plan has the potential to impact wildlife habitat corridors

and linkages, through the introduction of barriers to wildlife movement in the form of wider roads with increased traffic and increased development and human presence, representing a potentially significant impact under the relevant Significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. (Draft EIR, section 6.3.1(d), p. 6-50.).

As explained in the EIR, Mitigation 6-13 can mitigate this impact to a less-than-significant level.

The EIR observes that, compared to other forms of development, the cluster development patterns proposed by the Specific Plan would greatly reduce the potential impact on habitat corridors and linkages, and the proposed preservation of large open space areas, would help preserve opportunities for wildlife habitat use and movement.

As explained further in the EIR, Mitigation 6-13 requires that as part of the biological resources assessment report required under Mitigation 6-1, each project undertaken pursuant to the Specific Plan shall include minimization and mitigation measures for potential impacts on wildlife corridors. The EIR sets forth examples of measures that can be applied and combined to individual project-level design and development. Measures may vary based on project location, project design, and habitat types present, and would be determined based on site-specific and project-specific design. Project-level developments shall maintain the limits of development specified in the Specific Plan to provide adequate buffers for habitat corridors. Stream setbacks specified in Mitigation 6-4 shall be implemented to maintain adequate corridor widths in riparian areas to allow for movement of wildlife. The EIR concludes that implementation of these measures would reduce the potential impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. (See, e.g., Response 10.47.) Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 6-13 would ensure that impacts on wildlife habitat corridors and linkages would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

#### **Impact 6-14: Cumulative Impact on Biological Resources.**

- i. Mitigation Measures. Mitigation 6-14
- ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.
- iii. Findings.

According to the EIR, development in the Specific Plan area, in combination with other future development elsewhere in the county and subregion, could contribute to cumulative

biological resources impacts, including cumulative losses of special-status species, Heritage Trees, and other vegetation and wildlife. The Specific Plan's potential contribution to cumulative effects on biological resources would represent a potentially significant cumulative impact under the relevant significance criteria of the EIR.

As explained in the EIR, Mitigation 6-14 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 6-14 requires that the County shall ensure that Mitigations 6-1 through 6-13 above are implemented. The EIR concludes that, with successful implementation of these measures, the Specific Plan's contribution to the cumulative biological resources impact would be reduced to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 6-14 would ensure that cumulative impacts on biological resources would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

**Impact 6-14: Cumulative Impact on Riparian and Aquatic Biological Resources due to Groundwater Extraction under Water Supply Option B or Option C1..**

i. Mitigation Measures. Mitigation 6-15

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, development in the Specific Plan area, in combination with other future development elsewhere in the county and subregion, could contribute to cumulative impacts on biological resources were addressed in the original 2009 DEIR in Impact 6-14. With regard to such impacts from groundwater use, specifically, extraction of groundwater to serve the Specific Plan under Water Supply Option B or Option C1, in combination with groundwater pumping from existing and future development in Middle Green Valley, could contribute to cumulative indirect effects from groundwater pumping on riparian and aquatic biological resources. If pumping from multiple wells were to combine to create substantial drawdown such that the water table were to drop below levels sufficient to support riparian vegetation, or below levels sufficient to maintain surface water flows that support fish and aquatic species, this would represent a potentially significant cumulative impact..

As explained in the EIR, Mitigation 6-15 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 6-15 requires that the County shall ensure that Mitigation Measures 6-4, 6-5, 6-11, 6-12, 16-1, 16-2a, and 16-2b are implemented. With successful implementation of these measures, the Specific Plan's contribution to the cumulative riparian and aquatic biological resource impacts would be less than cumulatively considerable.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 6-15 would ensure that cumulative impacts on riparian and aquatic biological resources due to groundwater extraction under Water Supply Option B or Option C1 would be reduced to a less-than-cumulatively-considerable level.

For the forgoing reasons, the County adopts Finding 1.

**(e) Cultural, Historic And Paleontological Resources (Section 8)**

**Impact 8-1: Disturbance of Archaeological Resources.**

- i. Mitigation Measures. Mitigation 8-1
- ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.
- iii. Findings.

According to the EIR, the Specific Plan neighborhood and open lands framework (Specific Plan, sections 3.2.1 and 3.2.2), streetwork (section 3.4.3) and associated environmental stewardship objectives (section 3.3.4) have been formulated with the intent to preserve and protect archaeological resources. The Specific Plan proposes development of housing, community/public service uses, "agricultural tourism uses," and neighborhood commercial uses clustered around four neighborhoods, with the remaining 78 percent of the plan area preserved as open land. The Specific Plan-proposed Green Valley Conservancy, a non-profit conservation organization, would oversee these preserved areas. Nevertheless, Specific Plan-designated development and agricultural areas have the substantial potential to contain buried or obscured prehistoric cultural resources, as verified by the EIR consulting archaeologist. Agricultural activities and grading activities associated with future individual development projects undertaken in accordance with the Specific Plan may disturb existing unrecorded sensitive archaeological resources in the plan area. As explained in the EIR, Mitigation 8-1 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 8-1 requires that during the County's normal project-specific environmental review (Initial Study) process for all future, discretionary, public improvement and private development projects in the Specific Plan area, the County shall determine the possible presence of, and the potential impacts of the action on, archaeological resources, based on the information provided by the EIR. For projects involving substantial ground disturbance, the individual project sponsor or environmental consultant shall be required to contract with a qualified archaeologist to conduct a determination in regard to cultural values remaining on the site and warranted mitigation measures.

To make an adequate determination, the archaeologist shall conduct a preliminary field inspection to: (1) assess the amount and location of visible ground surface; (2) determine the nature and extent of previous impacts; and (3) assess the nature and extent of potential impacts. Such field inspection may demonstrate the need for some form of additional subsurface testing, or, alternatively, the need for onsite monitoring of subsurface activities. To complete the inventory of prehistoric cultural resources, mechanical testing is recommended in areas adjoining Hennessey Creek and Green Valley Creek where ground disturbance may be proposed. In addition, evaluative testing may be necessary to determine whether a resource is eligible for inclusion on the California Register of Historic Places.

If a significant archaeological resource is identified through this field inspection process, the County and project proponent shall seek to avoid damaging effects on the resource. Preservation in place to maintain the relationship between the artifact(s) and the archaeological context is the preferred manner of mitigating impacts on an archaeological site. Preservation may be accomplished by a range of steps, including avoidance and others, as further detailed in the EIR.

When in-place mitigation is determined by the County to be infeasible, a data recovery plan, which makes provisions for adequate recovery of culturally or historically consequential information about the site, shall be prepared and adopted prior to any additional excavation being undertaken. Such studies shall be submitted to the California Historical Records Information System (CHRIS). If Native American artifacts are indicated, the studies shall also be submitted to the Native American Heritage Commission. Mitigation measures recommended by these two groups and required by the County shall be undertaken, if necessary, prior to resumption of construction activities.

A data recovery plan and data recovery shall not be required if the County determines that testing or studies already completed have adequately recovered the necessary data, provided that the data have already been documented in another EIR or are available for review at the CHRIS.

In the event that subsurface cultural resources are otherwise encountered during approved ground-disturbing activities for a plan area construction activity, work in the immediate vicinity shall be stopped and a qualified archaeologist retained to evaluate the finds following the procedures described above.

If human remains are found, special rules set forth in State Health and Safety Code section 7050.5 and CEQA Guidelines section 15064.5(e) shall apply.

The EIR concludes that implementation of this measure would supplement the County's existing General Plan policies and implementation programs and would reduce this impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 8-1 would ensure that impacts related to disturbance of archaeological resources would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

**Impact 8-2: Destruction/Degradation of Historic Resources.**

i. Mitigation Measures. Mitigation 8-2

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, the planning process for the Specific Plan included consideration of the Secretary of the Interior's standards and other provisions for protecting historic resources. In addition, the 55 existing housing units in the plan area—some of which represent historic-period resources—would not be affected by Specific Plan-facilitated neighborhood and infrastructure framework. Nevertheless, future project-specific development in accordance with the Specific Plan may result in substantial adverse changes in the significance of one or more individual potentially significant historic properties in the plan area. If a historic resource were the subject of a future, site-specific development proposal, substantial adverse changes that may potentially occur include physical demolition, destruction, relocation, or alteration of one or more of these identified resources, such that the resource is "materially impaired." A historic resource is considered to be "materially impaired" when a project demolishes or materially alters the physical characteristics that justify the determination of its significance. (CEQA Guidelines, § 15064.5, subd. (b).) Such an adverse change to a CEQA-defined historic resource would constitute a potentially significant impact under the relevant Significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would: (a) cause a substantial adverse change in the significance of a historical resource as defined in section 15064.5; (b) cause a substantial adverse change in the significance of an archaeological resource as defined in section 15064.5; or (d) disturb any human remains, including those interred outside of formal cemeteries. (Draft EIR, section 8.3.1(a), (b), and (d), p. 8-12.)

As explained in the EIR, Mitigation 8-2 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 8-2 requires that, for any future discretionary action within the Specific Plan area that the County determines through the CEQA-required Initial Study review process may cause a "substantial adverse change" to an identified historic resource, the County and applicant shall incorporate measures that would seek to improve the affected resource in accordance with either of the following publications:

- The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings; or
- The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

In accordance with the recommendations of the Holman & Associates cultural resources inventory prepared for the EIR, evaluation of the affected resource shall include consideration of: (a) the research potential of the property type; (b) the total number of similar resources in the Specific Plan area and potential impacts on the plan area as a whole; and (c) the preservation

and study priorities identified in the Holman & Associates inventory. Each site shall be formally recorded on State of California primary record forms (form DPR 523) and applicable attachments. Recording shall consolidate as many of the structures and features as possible into one site (i.e., record form) where there is a clear historical association, despite the frequent dispersal of features across the plan area. This mitigation shall be made enforceable by its incorporation into the Specific Plan as a County-adopted requirement to be implemented through subsequent development-specific permits, conditions, agreements, or other measures, pursuant to CEQA Guidelines section 15064.5, subdivisions (b)(3-5).

For any future discretionary action that would result in the demolition of an identified historic resource, or otherwise cause the significance of the resource to be “materially impaired,” the County shall determine through the Initial Study process that the resulting potential for a significant impact is unavoidable, thereby requiring a project-specific EIR. (CEQA Guidelines, § 15064.5, subd. (a) and (b).) In these instances, potentially significant standing structures and/or features shall be evaluated by a qualified architectural historian familiar with the region and its resources. The County shall use this information to formulate a mitigation plan for the resource, including avoiding the structure or feature or moving it to another location and/or donating some features or samples of artifacts to local historical guilds for public interpretation and permanent curation. If standing structures would be moved or destroyed, potential subsurface impacts and the presence/absence of below-ground features, such as buried foundations and filled-in privies and wells, shall be evaluated and addressed. While existing archival information may be sufficient to address applicable research issues for some resources, focused documentary research and/or oral histories may be required to develop an appropriate contextual framework for interpretation and evaluation of other resources.

The EIR concludes that successful incorporation of these measures would supplement the County’s existing General Plan policies and implementation programs and would reduce the impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 8-2 would ensure that impacts related to destruction/degradation of historic resources would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

### **Impact 8-3: Destruction/Degradation of Paleontological Resources**

- i. Mitigation Measures. Mitigation 8-3
- ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.
- iii. Findings.

According to the EIR, development facilitated by the Specific Plan could disturb existing known or unrecorded paleontological resources in the plan area.

As explained in the EIR, Mitigation 8-3 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 8-3 requires that during the County's normal project-specific environmental review (Initial Study) process for all future, discretionary public improvement and private development projects in the Specific Plan area, the County shall determine the possible presence of, and the potential impacts of the action on, paleontological resources. For projects involving substantial ground disturbance, the County shall require individual project applicants to carry out the following measures:

(1) *Education Program*. Project applicants shall implement a program that includes the following elements:

- Resource identification training procedures for construction personnel;
- Spot-checks by a qualified paleontological monitor of all excavations deeper than seven feet below ground surface; and
- Procedures for reporting discoveries and their geologic content.

(2) *Procedures for Resources Encountered*. If subsurface paleontological resources are encountered, excavation shall halt in the vicinity of the resources and the project paleontologist shall evaluate the resource and its stratigraphic context. The monitor shall be empowered to temporarily halt or redirect construction activities to ensure avoidance of adverse impacts on paleontological resources. During monitoring, if potentially significant paleontological resources are found, "standard" samples shall be collected and processed by a qualified paleontologist to recover micro vertebrate fossils. If significant fossils are found and collected, they shall be prepared to a reasonable point of identification. Excess sediment or matrix shall be removed from the specimens to reduce the bulk and cost of storage. Itemized catalogs of material collected and identified shall be provided to the museum repository with the specimens. Significant fossils collected during this work, along with the itemized inventory of these specimens, shall be deposited in a museum repository for permanent curation and storage. A report documenting the results of the monitoring and salvage activities, and the significance of the fossils, if any, shall be prepared. The report and inventory, when submitted to the lead agency, shall signify the completion of the program to mitigate impacts on paleontological resources.

The EIR concludes that implementation of this measure would reduce the impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 8-3 would ensure that impacts related to destruction or degradation of paleontological resources would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

(f) **Geology And Soils (Section 10)**

**Impact 10-1: Landslide and Erosion Hazards.**

i. Mitigation Measures. Mitigation 10-1

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, the Specific Plan would allow development in areas that may be subject to landslide and erosion hazards, representing a potentially significant impact under the relevant significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would: (a) expose people or structures to potential substantial adverse effects, including specified risks of loss, injury, or death; (b) result in substantial soil erosion or the loss of topsoil; or (c) be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. (Draft EIR, section 10.3.1(a)-(c), p. 10-12.)

As explained in the EIR, Mitigation 10-1 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 10-1 requires that at County discretion and consistent with Solano County General Plan policies HS.P-12 through HS.P-15 and HS.P-17 and implementation programs HS.I-21 and HS.I-22, future subdivision and other discretionary development approvals may be subject to detailed, design-level geotechnical investigations that include analysis of landslide and erosion hazards and recommend stabilization measures. The County may also require preparation of Preliminary Grading Plans and/or Preliminary Geotechnical Reports, prepared by a licensed Engineering Geologist, before approval of specific developments within the plan area. Under this existing County authority, the investigating Engineering Geologist may be required to determine the extent of any necessary landslide remediation and supervise remediation activities during project construction to ensure that any existing or potential future landslides are fully stabilized. Mitigation measures (e.g., soil replacement, setbacks, retaining walls) shall be required as needed to protect against damage that might be caused by slope failure. The EIR concludes that required compliance with these existing Solano County policies, implementation programs and development review procedures to the satisfaction of the County would reduce the potential effects of landsliding and soil erosion to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 10-1 would ensure that impacts related to landslide and erosion hazards would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

**Impact 10-2: Expansive Soil Hazards.**

i. Mitigation Measures. Mitigation 10-2

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, most of the areas proposed for development under the Specific Plan have “moderate” to “high” shrink-swell potential. The plan area’s moderately to highly expansive soils would be expected to undergo repeated cycles of shrinking and swelling in response to changes in soil moisture. Utility lines, road and building foundations, and sidewalks and concrete flatwork constructed on top of naturally occurring expansive soils, or based on fills that contain a high percentage of expansive soils, would be subject to long-term damage, representing a potentially significant impact under the relevant significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property. (Draft EIR, section 10.3.1(d), p. 10-12.)

As explained in the EIR, Mitigation 10-2 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 10-2 requires that the detailed, design-level geotechnical investigations required at the County’s discretion (see Mitigation 10-1) shall include analysis of expansive soil hazards and shall recommend warranted stabilization measures. The individual project Engineering Geologist shall inspect and certify that any expansive soils underlying individual building pads and all roadway subgrades have been either removed or amended in accordance with County-approved construction specifications, or shall make site-specific recommendations for grading, drainage installation, foundation design, the addition of soil amendments, and/or the use of imported, non-expansive fill materials, as may be required to fully mitigate the effects of weak or expansive soils and prevent future damage to project improvements. These recommendations shall be reviewed and approved by a County-retained registered geologist and incorporated into a report to be included with each building permit application and with the plans for all public and common area improvements. The EIR concludes that implementation of these measures to the satisfaction of the County, combined with conformance with standard Uniform Building Code and other applicable regulations, would reduce the potential effects of expansive soils to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 10-2 would ensure that impacts related to expansive soil hazards would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

**Impact 10-3: Groundwater Impacts.**

i. Mitigation Measures. Mitigation 10-3

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, mass grading, construction of cuts and fills, redirection of existing drainage patterns, and installation of landscaping irrigation as part of future development allowed by the Specific Plan could affect existing patterns of groundwater flow in the plan area, resulting in slope instabilities that would represent a potentially significant impact under the relevant significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. (Draft EIR, section 10.3.1(c), p. 10-12).)

As explained in the EIR, Mitigation 10-3 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 10-3 requires that onsite drainage systems shall be regularly maintained to ensure that storm water runoff is directed away from all slope areas. Educational materials that discourage overwatering in landscaped areas shall be furnished to all future lot owners and property managers at the time of purchase and periodically thereafter (perhaps by inclusion with water or tax bills), as part of an effort to control groundwater seepage. The EIR concludes that implementation of these measures to the satisfaction of the County would reduce this potential effect to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 10-3 would ensure that groundwater impacts would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

**(g) Hydrology And Water Quality (Section 11)**

**Impact 11-1: Construction-Period Impacts on Water Quality.**

i. Mitigation Measures. Mitigation 11-1

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, surface water pollutants associated with Specific Plan-facilitated construction activity, including soil disturbance associated with grading activities, could significantly degrade the quality of receiving waters in Hennessey Creek, Green Valley Creek

and, ultimately, Suisun Bay, representing a potentially significant impact under the relevant Significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would: (a) violate any water quality standards or waste discharge requirements; (b) substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site; or (d) create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. (Draft EIR, section 11.3.1(a), (b) and (d), p. 11-11).)

As explained in the EIR, Mitigation 11-1 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 11-1 requires that the County shall ensure that the developer of each future Specific Plan-facilitated discretionary development in the plan area complies with all current state, regional, and County water quality provisions, and in particular, complies with the process of development plan review established in the County's Storm Water Management Plan (SWMP), and associated County NPDES permit issuance requirements instituted to address short-term and long-term water quality issues, including construction period activities. The EIR concludes that implementation of this requirement would reduce this impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 11-1 would ensure that construction-period impacts on water quality would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

#### **Impact 11-2: Ongoing Impacts on Water Quality.**

- i. Mitigation Measures. Mitigation 11-2
- ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.
- iii. Findings.

According to the EIR, ongoing activities associated with project-facilitated development could increase the level of contaminants in receiving waters. Sources of pollutants could include: (a) runoff from new roadways, parking areas, and other paved areas; (b) increased soil disturbance, erosion and sedimentation in surface waters due to expanded and new agricultural activities; and (c) herbicides, pesticides, and fertilizers used in expanded and new agricultural activities and new domestic landscaping. These factors could combine to significantly reduce drainage channel capacities and degrade the quality of receiving waters in Hennessey Creek, Green Valley Creek, and ultimately, Suisun Bay, representing a potentially significant impact under the relevant Significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would: (a) violate any water quality standards or

waste discharge requirements; (b) substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site; or (d) create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. (Draft EIR, section 11.3.1(a), (b) and (d), p. 11-11).)

As explained in the EIR, Mitigation 11-2 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 11-2 requires that as a condition of future discretionary development approvals in the plan area, the County shall ensure that developers comply with applicable Solano County Storm Water Management Plan and NPDES permit requirements, including implementation of erosion and sediment control measures for farming activities in accordance with Solano County storm water management requirements and best management practices.

In addition, under Mitigation 11-2, as recommended in the County General Plan under Implementation Program RS.I-67, the minimum riparian buffer width to protect water quality and ecosystem function shall be determined according to existing parcel size. For parcels more than 2 acres in size, a minimum 150-foot development setback shall be provided. For parcels of 0.5-2.0 acres, a minimum 50-foot setback shall be provided. For parcels less than 0.5 acre a minimum 20-foot setback shall be provided. Exceptions to these development setbacks apply to parcels where a parcel is entirely within the riparian buffer setback or development on the parcel entirely outside of the setback is infeasible or would have greater impacts on water quality and wildlife habitat. The EIR concludes that implementation of Measure 11-2 would reduce the impact to a less-than-significant level. (See Response 11.04.)

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 11-2 would ensure that ongoing impacts on water quality would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

### **Impact 11-3: Flooding Impacts.**

- i. Mitigation Measures. Mitigation 11-3
- ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.
- iii. Findings.

According to the EIR, for the most part, the Specific Plan-designated development areas avoid identified creek and dam failure inundation areas. Nevertheless, a limited number of Specific Plan-designated Agricultural-Residential (5-acre minimum lots), Rural Farm (1 to 5

acres per unit) and Rural Neighborhood (1 to 4 units per acre) land use designations in the proposed Elkhorn, Nightingale and Three Creeks neighborhoods overlap the Solano County General Plan-identified Lakes Madigan & Frey Dam Inundation Area and Green Valley Creek 100-year flood zone, the latter as mapped by the Federal Emergency Management Agency (FEMA) flood insurance rate map (FIRM) program. Since there are as yet no specific development proposals associated with these residential land use designations, direct flooding impacts cannot be determined. Nevertheless, these Specific Plan designated residential development area overlaps could potentially result in the placement of housing within a dam failure inundation zone or 100-year flood hazard area, with associated risks to public safety and property damage, and could result in the placement of structures in the flood zone which would impede or redirect flood flows.

As explained in the EIR, Mitigation 11-3 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 11-3 requires that as a condition of future residential subdivision and other discretionary development approvals in these particular areas, the County shall ensure that project-specific applications comply with Solano County General Plan policies and requirements related to flood hazard protection, including policies HS.P-5 (appropriate elevation and flood proofing), HS.P-7 (mitigation requirements to bring risks from dam failure inundation to a reasonable level), and HS.I-11 (applicant prepared engineering report requirements for new development for human occupancy in designated dam failure inundation areas). The EIR concludes that implementation of this measure would reduce the impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 11-3 would ensure that flooding impacts would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

(h) **Noise (Section 13)**

**Impact 13-1: Impact of Green Valley Road Traffic Noise on Specific Plan-Facilitated Residential Development.**

- i. Mitigation Measures. Mitigation 13-1
- ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.
- iii. Findings.

According to the EIR, the Draft Specific Plan designated neighborhood framework (Specific Plan, section 3.2.1) has been formulated with the intent to separate noise sensitive land uses from Green Valley Road. Nevertheless, Specific Plan-designated residential development in the Three Creeks Neighborhood along Green Valley Road may be exposed to

traffic noise that exceeds “normally acceptable” levels established by the Solano County General Plan (i.e., noise greater than 60 dBA Ldn), representing a potentially significant impact under the relevant Significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would result in: (a) exposure of persons to or generation of noise levels in excess of standards established in the local General Plan or Noise Ordinance, or applicable standards of other agencies; (b) exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels. (Draft EIR, section 13.3.1(a) & (b), p. 13-11.)

As explained in the EIR, Mitigation 13-1 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 13-1 requires that for project-specific residential development proposals on sites adjoining Green Valley Road, the County shall require applicants to conduct site-specific noise studies that identify, to County satisfaction, noise reduction measures that would be included in final design to meet State and County noise standards. These measures may include the following:

- Minimizing noise in residential outdoor activity areas (i.e., ensuring that noise levels would be below 65 dBA Ldn) by locating the areas at least 50 feet from the center line of Green Valley Road and/or behind proposed buildings.
- Providing air conditioning in all houses located within 100 feet of Green Valley Road so that windows can remain closed to maintain interior noise levels below 45 dBA Ldn.

The EIR concludes that implementation of these measures would reduce the impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 13-1 would ensure that the impact of Green Valley Road traffic noise on Specific Plan-facilitated residential development impacts would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

#### **Impact 13-2: Effect of Proposed Noise-Generating Land Uses on Noise-Sensitive Land Uses.**

- i. Mitigation Measures. Mitigation 13-2
- ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.
- iii. Findings.

According to the EIR, noise-generating land uses facilitated by the Draft Specific Plan, such as agricultural activities, commercial uses, and the possible fire station and wastewater treatment plant, may expose noise-sensitive uses such as housing, recreational areas, and the Middle Green Valley Specific Plan Project

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possible future onsite school to noise and/or vibration. Possible noise exposure exceeding State and Solano County standards represents a potentially significant impact under the relevant Significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would result in: (a) exposure of persons to or generation of noise levels in excess of standards established in the local General Plan or Noise Ordinance, or applicable standards of other agencies; (b) exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels; or (c) a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. (Draft EIR, section 13.3.1(a)-(c), p. 13-11.)

As explained in the EIR, Mitigation 13-2 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 13-2 requires that new noise-generating uses facilitated by the Specific Plan shall be subject to the noise compatibility guidelines, standards, policies, and implementation programs established by the Solano County General Plan. (See General Plan, pp. HS-76 to HS-98, Tables HS-2, HS-3, HS-4 (noise related guidelines, standards, policies, implementation programs).) In accordance with General Plan Implementation Program HS.I-67, noise analysis and acoustical studies shall be conducted for proposed noise-generating uses, as determined necessary by the County, and noise abatement measures shall be included to County satisfaction to ensure compliance with applicable guidelines and standards.

In addition, new noise-sensitive uses developed adjacent to noise-generating uses shall be designed to control noise to meet the noise compatibility guidelines, standards, policies, and implementation programs established by the Solano County General Plan. In accordance with General Plan Implementation Program HS.I-67, noise analysis and acoustical studies shall be conducted for proposed noise-sensitive uses, as determined necessary by the County, and noise attenuation features shall be included to ensure compliance with applicable guidelines and standards.

The EIR concludes that implementation of these measures would reduce this impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 13-2 would ensure that impacts related to the effect of proposed noise-generating land uses on noise-sensitive land uses would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

### **Impact 13-3: Specific Plan-Facilitated Construction Noise.**

#### **i. Mitigation Measures. Mitigation 13-3**

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

### iii. Findings.

According to the EIR, existing and future rural residential and other potential noise-sensitive land uses throughout the Specific Plan area could be intermittently exposed to noise from Specific Plan-facilitated future, project-specific construction activity, representing a potentially significant impact under the relevant significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would result in: a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project (Draft EIR, section 13.3.1(d), p. 13-11.)

As explained in the EIR, Mitigation 13-3 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 13-3 requires that to reduce noise impacts from Specific Plan-related construction activities, the County shall require future project-specific discretionary developments to implement the following measures, as appropriate:

- *Construction Scheduling.* Ensure that noise-generating construction activity is limited to between the hours of 7:00 AM to 8:00 PM, Monday through Friday, and that construction noise is prohibited on Saturdays, Sundays, and holidays.
- *Construction Equipment Mufflers and Maintenance.* Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- *Equipment Locations.* Locate stationary noise-generating equipment as far as possible from sensitive receptors when sensitive receptors adjoin or are near a construction project site.
- *Construction Traffic.* Route all construction traffic to and from the construction sites via designated truck routes where possible. Prohibit construction-related heavy truck traffic in residential areas where feasible.
- *Quiet Equipment Selection.* Use quiet construction equipment, particularly air compressors, wherever possible.
- *Noise Disturbance Coordinator.* For larger construction projects, designate a "Noise Disturbance Coordinator" who would be responsible for responding to any local complaints about construction noise. The Disturbance Coordinator would determine the cause of the noise complaint and institute reasonable measures to correct the problem. Conspicuously post a telephone number for the Disturbance Coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

The EIR concludes that implementation of these measures would reduce this impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 13-3 would ensure that impacts related to Specific Plan-facilitated construction noise would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

(i) **Public Health and Safety (Section 15)**

**Impact 15-1: Future Storage and Use of Agricultural Chemicals.**

i. Mitigation Measures. Mitigation 15-1

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, in all four Draft Specific Plan-designated neighborhoods, the plan would permit residential development adjoining agricultural uses, some of which may store and/or use pesticides or other hazardous substances. Agricultural uses allowed by the Draft Specific Plan would also adjoin certain offsite residential areas, such as the upper Green Valley neighborhood north of the Specific Plan area and the Hidden Meadows subdivision south of the plan area. In addition, in the proposed Nightingale Neighborhood, the Specific Plan would also allow development of a school in the northwestern corner of the neighborhood, close to but not adjoining agricultural areas. The potential exposure of residents or other site occupants to pesticides or other hazardous substances used in agriculture would represent a potentially significant impact under the relevant significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would directly or indirectly: (a) create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; (b) create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; or (c) emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. (Draft EIR, section 15.3.1(a)-(c), p. 15-5.)

As explained in the EIR, Mitigation 15-1 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 15-1 requires that as an amendment to the proposed Specific Plan (Policy OL-11) and/or as part of the proposed Resource Management Plan and/or Agricultural Business Plan, the County shall require a minimum 200-foot-wide buffer between residential and school uses and locations on agricultural properties within and adjoining the Specific Plan area where agricultural pesticides or other hazardous substances may be stored or used. In addition, the County shall ensure that agricultural operators within the Specific Plan area comply with all applicable local, state, and federal regulations regarding hazardous materials, including Solano County General Plan provisions, Solano County Code requirements, and the permitting processes of the Solano County Department of Resource Management and Solano County Agriculture Department. The EIR concludes that these measures would reduce the impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. As recommended in the EIR, the Measure shall be both an amendment to proposed Specific Plan Policy OL-11 and shall be incorporated in and implemented as part of the proposed Resource Management Plan and/or Agricultural Business Plan as appropriate. Based on the analysis contained within the Draft EIR and Final

EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 15-1 would ensure that impacts related to future storage and use of agricultural chemicals would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

**Impact 15-2: Hazardous Materials from Proposed Onsite Wastewater Treatment Plant (Wastewater Options B and C).**

i. Mitigation Measures. Mitigation 15-2

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, operation of the proposed wastewater treatment plant within the Specific Plan area under proposed Wastewater Option B (Onsite Treatment) and Wastewater Option C (Fairfield-Suisun Sewer District Connection/Onsite Treatment Combination) would involve regular handling, use, and disposal of hazardous materials and wastes during the course of normal operations. In addition, the onsite wastewater treatment plant would create the potential for release of raw or treated sewage or other stored hazardous materials through mishandling or an emergency situation. These potential hazards would represent a potentially significant impact under the relevant significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would directly or indirectly: (a) create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; (b) create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; or (c) emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. (Draft EIR, section 15.3.1(a)-(c), p. 15-5.)

As explained in the EIR, Mitigation 15-2 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 15-2 requires that in addition, after the wastewater treatment plant and associated collection system have been installed, the County shall confirm that a full environmental regulatory compliance review has been conducted to verify that, based on the actual equipment installed and specific quantities of hazardous materials handled, used, and disposed, the facility is operating in compliance with applicable environmental laws and regulations. The EIR concludes that these measures would reduce the impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 15-2

would ensure that impacts related to hazardous materials from proposed onsite wastewater treatment plant (wastewater Options B and C).would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

(j) **Public Services and Utilities (Section 16)**

**Impact 16-1: Water Supply Adequacy to Meet Project Domestic Demands—Option B (Onsite Groundwater).**

- i. Mitigation Measures. Mitigation 16-1a and 16-1b
- ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.
- iii. Findings.

According to the EIR, the proposed Specific Plan would result in an increased demand for water supplies. Studies described in the EIR indicate that sufficient groundwater supplies are available to meet existing and projected future demands in addition to the proposed project through 2035 under all water year types (e.g., normal, single-dry, and multiple-dry years). As described in the EIR, and as demonstrated in the USGS analysis of historical pumpage, approximately 525 acre feet per year of groundwater is available in the Plan Area. (Table 16.9; Table 16.10.) As described in the EIR, the projected demands for groundwater in the Plan Area total between 326 and 376 acre feet per year. The resulting groundwater surplus is projected to be between 149 and 199 acre feet per year. (Table 16.9; Table 16.10.)

As explained in the EIR, however, without implementation of established County and State groundwater well and public water system regulations and review procedures to ensure an adequate water supply and proper construction and operation of the public water system, this impact would be potentially significant.

As explained in the EIR, Mitigation 16-1a and 16-1b can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 16-1a requires that under water supply Option B, prior to subdivision map approval, a Water Master Plan for water supply Option B shall be prepared that describes engineering specifications and other related components necessary for completion of established County and State well and public water system permitting requirements and review procedures. The Water Master Plan shall be approved by Solano County. The Water Master Plan shall contain as one of its components engineering specifications including, but not limited to: (1) well locations and depths; (2) water pumping, filtration, and disinfection specifications; and (3) water storage and distribution facilities and sizing. The Water Master Plan and its components shall be designed to provide water service only to the Specific Plan designated development areas, so as to preclude any growth-inducing impacts on adjoining designated agricultural and open space lands (pursuant to General Plan Housing Element Policy G.2). As part of the Water Master Plan process, the applicant shall obtain input from the Cordelia Fire Protection District to ensure that the plan meets District fire flow rate and duration standards (pursuant to General Plan Policies and Implementation Programs PF.I-35, PF.P-38, PF.P-39, HS.P-23, and HS.I-28). The Water Master Plan shall

contain as one of its components the information required for application to CDPH for a public water system initial operating permit, which requires demonstration that the proposed water system (including well, pumping, storage, and distribution components) meets State (including Title 22) requirements. The proposed operator of the public water system shall complete the CDPH public water system initial operating permit issuance process. (It is anticipated that the CSA will need to have been formed prior to or as part of preparation of the Water Master Plan, including completion of the applicable LAFCO review process, for the Water Master Plan to be able to describe the technical, managerial, financial, and other information that the CDPH permit process requires.) The Water Master Plan shall contain as one of its components the information required for application to the County Environmental Health Services Division for well permits to construct the public water system wells. The applicant or operator shall complete the County well construction permit issuance process.

As explained further in the EIR, Mitigation 16-1b requires that under water supply Option B, prior to subdivision map approval, the County shall comply with the statutory requirements of SB 221 (Government Code Section 66473.7), which includes preparation of a water supply verification to demonstrate with firm assurances that there is a sufficient water supply for the project.

The EIR concludes that implementation of these measures would reduce this impact to a less-than-significant level.

Implementing these Mitigation Measures, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR, Revised Recirculated Draft EIR, and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measures 16-1a and 16-1b would ensure that impacts concerning water supply adequacy to meet project domestic demands under Option B (Onsite Groundwater) would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

If Water Supply Option C1 (SID Surface Water and Onsite Groundwater) is implemented, Mitigation Measures 16-1a and 16-1b will be implemented as to the Onsite Groundwater component of that Option, and would reduce the corresponding impacts of that component to a level that is less-than-significant. Under Water Supply Option C1, SID would be the proposed operator, rather than a CSA. With respect to Option C1, the County also adopts Finding 1.

**Impact 16-2: Project Domestic Water Facilities Impacts on Existing Wells and Stream Habitats—Option B (Onsite Groundwater) and Option C1 (SID Surface Water and Onsite Groundwater).**

- i. Mitigation Measures. Mitigation 16-2a and 16-2b
- ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.
- iii. Findings.

According to the EIR, implementation of water supply Option B or Option C1 would involve the extraction of groundwater from the aquifer system in the Suisun-Fairfield Valley Groundwater Basin via the use of at least three new groundwater wells (or at least one well under Option C1). Under water supply Options B or C1, placement and use of at one or more new groundwater wells could, if improperly placed, contribute to underperformance or failure of existing nearby domestic wells and could have substantial adverse effects on stream hydrology or riparian habitat.

As explained further in the EIR, it is anticipated that at least three onsite wells proposed under water supply Option B under full buildout conditions would use a small and sustainable portion of the water annually recharged into the Suisun-Fairfield Valley Groundwater Basin. Under water supply Option C1, in addition to SID surface water, one or more groundwater well(s) would be constructed onsite to serve land uses outside of the SID service area, which would use a lesser amount of water from the Suisun-Fairfield Valley Groundwater Basin than Option B. As part of the proposed project, steps would be implemented to design, place, and monitor the project wells. A well design planning process is standard industry practice and is expected to include the following components: test hole and test well drilling in several locations to obtain further site-specific aquifer data, which will be used to determine appropriate well design and placement; placement of public supply wells in appropriate locations; spacing wells to avoid well interference with each other (other Plan wells), nearby private wells (agricultural or domestic), and surface streams; and ongoing monitoring.

As explained further in the EIR, given the relatively high water table (see Section 16.1.1[a]), high soil permeability, and large aquifer volume in the Plan Area, it is expected that groundwater levels would remain stable and there is no evidence to suggest that groundwater pumping from new deep wells would result in substantial water table fluctuations. Furthermore, at full buildout, project water demand would remain substantially below the available groundwater supply so that there would continue to be a surplus of groundwater available (see Table 16.10). As discussed above, the project would use approximately 186 afy of groundwater to meet domestic water demands. Historically, approximately 525 afy of agricultural water demand within the Plan Area has been met through groundwater supply with no adverse effects (i.e., groundwater levels remained stable and showed spring to fall recovery) (Appendix B). Because available records indicate that groundwater supplies have remained stable through past dry periods (back to 1950), project implementation is not expected, even in dry years, to affect hydrogeology such that nearby wells or stream habitat would be adversely affected.

As explained further in the EIR, the water levels shown in the groundwater WSA for current conditions reflect water levels from the time of the Thomasson study (1960), which describes that the water levels in April 1950 throughout Green Valley were so close to the land surface that the contours are considered to represent essentially the native pattern of movement (i.e., pre-dating impacts caused by humans). Therefore, it can be concluded that there would be no cumulative impact on streams from project-related groundwater extraction because current water levels are reflective of the natural regimen.

The EIR observed that, although there is presently no evidence that the proposed project wells would interfere with nearby wells or streams, until Option B or Option C1 well locations, depths, and equipment have been specifically identified and adequately tested, analyzed, and monitored, it may be conservatively assumed that one or more of the project wells could possibly contribute to underperformance or failure of one or more existing nearby wells, and could possibly have substantial adverse effects on stream hydrology or riparian

habitat, due to water level fluctuations resulting from well interference. The EIR therefore considered this possibility to be a potentially significant environmental impact.

As explained further in the EIR, Mitigation 16-2a requires that the wells under water supply Option B or Option C1 shall be designed to avoid any potential interference between new Plan wells and (1) other Plan wells, (2) existing nearby private wells, and (3) surface streams. A non-exclusive list of the tools and methods to be used to accomplish avoidance are: appropriate well siting, placement, and spacing; selection of well depths and of equipment for pumping and testing; and monitoring, including testing and monitoring wells.

In discussing Mitigation 16-2a, the EIR explains that, based on available water supply, aquifer characteristics, post-project demand, and the number and location of existing wells and surface streams, it is expected that a well design plan could be devised that avoids adverse impacts on neighboring wells and surface streams. The well design process will also generate additional information in the future. The well design process shall precede, and under industry practice would precede, determination of the engineering specifications for well locations and depths. The engineering specifications for well locations and depths are required to be identified as part of the Water Master Plan specified under Mitigation 16-1. The Water Master Plan is required to be prepared prior to subdivision map approval (a discretionary approval subject to CEQA). Additional information resulting from the well design process will therefore be available at a time when subsequent activities and approvals are later examined in light of the present EIR to determine whether an additional environmental document would then need to be prepared in conformance with the requirements of CEQA. At the latest, additional information resulting from the well design process would be available prior to subdivision map approval by the County, but for purposes of approval of CSA formation or issuance of an operating permit, the Solano County Local Agency Formation Commission or California Department of Public Health, respectively, may require some or all of the information resulting from the well design process to be available earlier. If the well design process generates new relevant factual information relating to the project, that information will be generated at a time when it would be examined in conformance with CEQA's requirements for subsequent review following a program EIR.

The EIR concludes that implementation of this measure 16-2a would provide for avoidance of any potential interference between new Plan wells and (1) other Plan wells, (2) existing nearby private wells, and (3) surface streams, such that any potentially significant effect would be reduced to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR, Revised Recirculated Draft EIR, and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 16-2a would ensure that project domestic water facilities impacts on existing wells and stream habitats (Option B (Onsite Groundwater) and Option C1 (SID Surface Water and Onsite Groundwater)) would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

Although Mitigation 16-2a would provide for avoidance sufficient to reduce Impact 16-2 to a less-than significant level, in response to public concerns expressed to the County regarding potential interference with private water supply wells the County would additionally

implement the below mitigation measure 16-2b in the unlikely event that groundwater pumping associated with the proposed project resulted in adverse effects to existing nearby wells.

As explained further in the EIR, Mitigation 16-2b requires that if, in the unlikely event that ongoing monitoring conducted as part of the well design plan or water supply Option B or Option C1 operation reveals potentially significant drawdown may be occurring in existing wells in the vicinity of the new project wells, some or all of the following measures to mitigate those impacts will be implemented by the CSA or SID until subsequent monitoring shows that drawdown is not adversely affecting surface waters or operations of existing wells to the satisfaction of the County Division of Environmental Health: (1) lowering existing pumping equipment within the well structure in affected well(s); (2) deepening or replacing the affected well(s); (3) altering the amount or timing of pumping from the project well (i.e., shifting some pumpage to another project well and/or drilling a supplemental project well) to eliminate the adverse impact; (4) providing replacement project well(s); and/or (5) providing a water supply connection for the property/uses served by the affected well(s) to the Option B or Option C1 water supply system, sufficient to provide the property/uses with a substantially similar quality of water and the ability to use water in substantially the same manner that they were accustomed to doing if the project had not existed and caused a decline in water levels of their wells. These measures would reduce the potential impacts to riparian communities to a less-than-significant level.

The County additionally adopts Finding 1 in view of Mitigation 16-2b.

**Impact: SID System Adequacy to Meet Project Agricultural Irrigation Demands — Options A (Municipal Connection), B (Onsite Groundwater), and C (SID Surface Water).**

i. Mitigation Measures. Mitigation 16-2c

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

As described above in Section 5.A, the Board of Supervisors agrees with the characterization in the Final EIR with respect to all impacts identified as “less than significant” and finds that those impacts have been described accurately and are less than significant or present no impact as so described in the Final EIR. Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3); 15091.) In addition to the other impacts described above in Section 5.A and the Final EIR, this finding applies to the impacts relating to: SID System Adequacy to Meet Project Agricultural Irrigation Demands — Options A (Municipal Connection), B (Onsite Groundwater), and C (SID Surface Water).

According to the EIR, approximately 55 existing agricultural residences and/or rural farm units in the Plan Area have an estimated domestic water demand of about 110 afy, which is supplied by a combination of SID (20 afy) and local groundwater (90 afy). Additionally, there are about 280 acres of irrigated crops (e.g., vineyards, pasture, and other crops) that have a water demand ranging from 190 to 240 afy; this demand is supplied by SID (140 afy) and local groundwater (50 to 100 afy). In total, SID currently provides approximately 160 afy to the Plan Area. If all 160 acres of Agricultural Preserve went into production and used estimated crop

water use of 2 afy per acre from SID, the projected agricultural water demand on those lands would be 320 afy, all provided by surface water deliveries from SID, as shown in Table 16.6. SID has confirmed that it could meet this increased level of demand for agricultural purposes (160 afy under existing conditions + 320 afy with the proposed project = 480 afy total).

The EIR appropriately concludes that this impact would be less than significant based on the applicable significance criterion of no new water rights or expanded water entitlements being needed.

In comments on the Notice of Preparation in 2009, SID indicated that a developer should expect that some additional facilities may be needed because the existing agricultural distribution system in the Plan Area may be serving at or near its capacity. SID also indicated that SID has a number of district development requirements concerning facilities, such as a requirement that a separate “turnout” be provided at the developer’s expense for each newly created parcel that would receive agricultural water service within the District, a requirement that an SID inspector be onsite during system installation, and similar matters reflected below in Mitigation 16-2c.

In the Final EIR, the potential for significant environmental effects of the construction of new water facilities or expansion of existing facilities are addressed in the sections relating to: (1) Impact 16-3: Project Construction Impacts on Existing SID, USBR, City of Fairfield, and City of Vallejo Facilities in the Plan Area – Options A (Municipal Connection), B (Onsite Groundwater), and C (SID Surface Water); and (2) Impact: Other Project Water Facilities Construction Activity Impacts – Options A (Municipal Connection), and B (Onsite Groundwater), and C (SID Surface Water).

Additionally including those SID district development requirements within the requirements for the project described in these Findings will help ensure that any required facilities are prepared according to SID’s requirements. Implementation of SID’s district development requirements will further help to ensure that any additional system features that may be needed will be provided in an appropriate manner. Those SID requirements are prudent measures to include among the requirements for the project and are accordingly reflected in these Findings as additional Mitigation 16-2c, which relates to water supply Options A (Municipal Connection), B (Onsite Groundwater), and C (SID Surface Water) (including C1 and C2). Implementation of Mitigation 16-2c is partially an SID responsibility (e.g., through oversight of design, installation, inspection, etc.) and partially a County responsibility (e.g., through the subdivision process). The Board of Supervisors finds that implementation of Mitigation 16-2c would further ensure that any impacts related to SID system adequacy to meet project irrigation demands would be less-than-significant, and adopts Finding 1.

Mitigation 16-2c shall require implementation of the following:

- 1) SID will not serve any lands located outside the SID boundary. SID service to any lands within the plan area that are outside the existing SID boundary would require annexation to SID. Annexation of land to SID shall conform to the requirements of SID, the US Bureau of Reclamation (USBR), and the Solano County Local Agency Formation Commission (LAFCO). For any proposed SID annexation, complete the additional analysis deemed necessary by SID to determine whether sufficient capacity is available to serve the proposed annexation area, and satisfy the other annexation requirements of SID, USBR, and LAFCO.

- 2) Per SID Rules and Regulations, a separate water service (turnout) shall be provided to each newly created parcel within the district (i.e., with the current SID boundary or annexed plan area land) at the applicant/developer's expense. SID and the applicant/developer will need to determine how, if, and what type of service (agricultural irrigation or municipal landscape irrigation) each separate parcel is to receive. The applicant/developer may be required to pay to have SID's engineer perform an analysis of the existing system to determine if there is sufficient capacity to serve the proposed development.
- 3) Landscape irrigation service to the proposed development would require the design and installation of a municipal-style water system. At a minimum, the applicant/developer shall provide for a headworks pumping plant, either off one of SID's pipelines or off the USBR Green Valley Conduit, to provide pressurized service to each parcel of the development. Depending on anticipated demand and existing SID system capacity, the applicant/developer may be required to pay for any necessary upgrades to existing SID water facilities required to adequately serve all parcels of the development at the same times, since rotated water service deliveries are impractical and difficult to enforce on municipal-type systems.
- 4) If additional SID agricultural service to the proposed development is required, the design and installation of individual turnouts to each parcel and a rotational service schedule would need to be determined and followed. At a minimum, the applicant/developer shall provide for pipelines and appurtenances to provide service to each parcel of the development. In addition, the applicant/developer may be required to pay for any necessary upgrades to existing SID water facilities required to adequately serve all parcels of the development at the same time, depending on the proposed demand and system capacity.
- 5) All costs associated with the design and installation of any SID water extension system shall be at the expense of the applicant/developer. SID shall review and approve the proposed system design prepared by the applicant/developer's engineer.
- 6) System installation shall be to SID's standards. SID would require the applicant/developer to sign a work order acknowledging and approving all costs associated with the review of the design and to have a SID inspector onsite during system installation.
- 7) Arrangements satisfactory to SID shall be made for the design and construction of the new system before SID will approve a parcel map.
- 8) The applicant/developer shall provide easements for all new pipelines and facilities that would be granted to SID, including all facilities up to and including individual lot meters.
- 9) No permanent structures shall be allowed to be constructed over SID's existing rights-of-way, nor shall any trees be planted within 6 feet of the edge of any SID pipelines.
- 10) SID pipelines shall not be located within any of the proposed residential lots.
- 11) Water that could be provided by SID is non-potable and not for human consumption, and cannot be treated onsite for potable uses. Therefore, before SID provides non-potable water service, the developer shall provide proof of an alternate source of potable water for the property. Since each parcel would be served with both potable and non-potable water, all lines and fixtures connected to SID's nonpotable service shall be clearly marked "NON-POTABLE – DO NOT DRINK."
- 12) Upon completion of construction of non-potable service to the subject properties, land owners shall contact SID to establish water service accounts.
- 13) The SID certificate shall be added to all final parcel maps, subdivision maps, and improvements plans in the plan area, and SID shall review, approve, and sign all maps and plans.

**Impact 16-3: Project Construction Impacts on Existing SID, USBR, City of Fairfield, and City of Vallejo Facilities in the Plan Area — Options A (Municipal Connection), B (Onsite Groundwater), and C (SID Surface Water).**

i. Mitigation Measures. Mitigation 16-3

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, construction activity associated with buildout under the proposed Specific Plan, including general development activity as well as Specific Plan-proposed water and wastewater facilities construction, may affect existing Solano Irrigation District (SID), U.S. Bureau of Reclamation (USBR), City of Fairfield, and City of Vallejo water easements and facilities in the plan area, representing a potentially significant environmental impact under the relevant significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would require or result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. (Draft EIR, section 16.1.3(a), p. 16-2.)

As explained in the EIR, Mitigation 16-3 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 16-3 requires that plans for development contiguous to SID, USBR, City of Fairfield, and City of Vallejo easements and facilities, or roadway or utility crossings of these facilities, shall be submitted to and approved by these agencies prior to implementation. Any submittal to the USBR shall be through the SID. No permanent structures shall be located over or within these existing pipeline easements without an alternative route being offered at developer expense. Utility crossings shall provide a minimum of three feet of clearance between the utility and the pipelines. Proposals for roadway crossings of any of these pipes shall include an engineered stress analysis on the pipe to ensure the pipeline would withstand proposed roadway loadings. Residential lots shall not be located within SID, USBR, City of Fairfield, or City of Vallejo easements. Wastewater lines and other facilities on residential lots shall be kept clear of SID and USBR easements. Any sewer lines crossing USBR facilities shall be installed in a secondary casing across the USBR right-of-way. The applicant/developer shall sign an "Agreement for Protection of Facilities" before the start of any construction on or contiguous to any SID or USBR facilities. The agreement shall be followed during construction contiguous to or crossing any SID or USBR pipelines and easements. At the applicant/developer's expense, SID would repair any construction damage to SID or USBR facilities, and the City of Fairfield or City of Vallejo would repair any construction damage to City facilities. The EIR concludes that implementation of this measure would reduce this impact to a less-than-significant level.

Implementing this Mitigation Measure with respect to water supply Options A, B, and C (including C1 and C2), as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR, the Revised Recirculated Draft EIR, and Final EIR, other considerations in the record, including the

modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 16-3 would ensure that project construction impacts on existing SID, USBR, City of Fairfield, and City of Vallejo facilities in the plan area would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

**Impact 16-4: Potential Project Exceedance of FSSD Wastewater Treatment System Capacity—Options A (FSSD Connection) and C (FSSD Connection/Onsite Treatment Combination).**

- i. Mitigation Measures. Mitigation 16-4
- ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.
- iii. Findings.

Specific Plan wastewater treatment Option A would involve connection of the proposed Specific Plan development area to the Fairfield Suisun Sewer District (FSSD) via an existing City of Fairfield conveyance system. Option B is to establish an onsite wastewater collection and treatment system to serve the Specific Plan development area. Option C is to establish an onsite wastewater treatment plant in combination with connection to the FSSD/City of Fairfield wastewater treatment/conveyance services.

According to the EIR, the proposed Specific Plan development program would generate an estimated approximately 135 acre feet per year of wastewater treatment demand not specifically accounted for in current FSSD wastewater management planning, including the current FSSD Master Plan. The adequacy of the FSSD treatment plant, Cordelia Pump Station and associated City of Fairfield collection mains to accommodate the project contribution to anticipated cumulative future treatment demands has not been determined. The project-plus-cumulative demands for wastewater treatment may therefore exceed future City of Fairfield conveyance and FSSD treatment capacity, representing a potentially significant project and cumulative environmental impact under the relevant significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would: (a) exceed the wastewater treatment requirements of the California Department of Public Health and applicable Regional Water Quality Control Board; or (c) result in a determination by the wastewater treatment provider that serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. (Draft EIR, section 16.2.3(a)&(c), p. 16-29.)

As explained in the EIR, Mitigation 16-4 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, the Specific Plan proposes establishment of a County Service Area (CSA) pursuant to California Government Code section 25210.1 et seq., to provide the financing and management for providing wastewater treatment services to the proposed Specific Plan development areas. Once approved, the CSA would be granted limited funding

and management powers and the Board of Supervisors may act as the CSA board. The proposed CSA may issue general obligation bonds or revenue bonds to finance the necessary wastewater and other common infrastructure, which would be funded by development connection and user fees.

Mitigation 16-4 requires that, prior to County approval of any future residential subdivision map or substantive discretionary non-residential development application in the plan area under wastewater treatment Options A or C, the following shall be implemented:

- 1) establish the Specific Plan-proposed County Services Area (CSA) for the development area;
- 2) formulate and adopt the Specific Plan-proposed Wastewater Master Plan for the development area;
- 3) establish agreement with the FSSD to serve the ultimate development area wastewater treatment need identified in the Wastewater Master Plan ; and
- 4) establish associated wastewater system connection and user fees sufficient to fund the ultimate development area wastewater treatment facility needs identified in the Wastewater Master Plan, including purchase of required FSSD treatment capacity and construction of associated sewer system infrastructure—e.g., onsite collection system, offsite parallel municipal sewer main installation, associated capacity upgrades to the Cordelia Pump station, etc. (CSA Responsibility).

The EIR concludes that incorporation of these measures as Specific Plan policy would reduce this potential impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 16-4 would ensure that impacts related to potential project exceedance of FSSD wastewater treatment system capacity (Options A (FSSD Connection) and C (FSSD Connection/Onsite Treatment Combination)) would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

**Impact 16-5: Potential Project Inconsistency with State Tertiary Wastewater Discharge Standards—Options B (Onsite Treatment) and C (FSSD Connection/Onsite Treatment Combination).**

- i. Mitigation Measures. Mitigation 16-5
- ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.
- iii. Findings.

Under proposed wastewater service Option B (onsite wastewater treatment system), wastewater from the Specific Plan development areas would be collected and treated onsite using a local collection system similar to Option A, but instead of a connection to the FSSD, the collected wastewater would be conveyed to an onsite Membrane Bioreactor (MBR) package

wastewater treatment plant that would treat the collected wastewater to tertiary recycled water standards. The tertiary treated wastewater would then be reused onsite for agricultural irrigation, ornamental landscaping irrigation, park and playing field landscaping irrigation, toilet flushing, and other jurisdictionally permitted uses.

According to the EIR, although the Specific Plan proposes to treat all collected wastewater to County and State tertiary recycled water standards, until the Specific Plan proposed Master Wastewater Plan for Options B and C, including complete engineering specifications for the onsite treatment system, are completed to County satisfaction and the associated recycled wastewater reuse aspect is approved by the RWQCB and California Department of Public Health, it is assumed that Options B and C may not comply with the wastewater treatment water quality and environmental health protection standards, and ongoing monitoring and reporting requirements, administered by these two state agencies, representing a potentially significant environmental impact under the relevant significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would: (a) exceed the wastewater treatment requirements of the California Department of Public Health and applicable Regional Water Quality Control Board; or (c) result in a determination by the wastewater treatment provider that serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. (Draft EIR, section 16.2.3(a)&(c), p. 16-29.)

As explained in the EIR, Mitigation 16-5 can mitigate this impact to a less-than-significant level.

As explained in the EIR, the proposed wastewater treatment system under Options B or C would be under the purview of the Regional Water Quality Control Board, and for certain deliveries the California Department of Public Health (CDPH). As further described by the EIR, recycled water is used by over 160 municipalities in California.

As explained further in the EIR, Mitigation 16-5 requires that prior to County approval of any future residential subdivision map or discretionary non-residential development application in the plan area under wastewater treatment option B or C, implement the following:

- 1) establish the Specific Plan-proposed CSA for the Specific Plan development area;
- 2) formulate and adopt the Specific Plan-proposed Wastewater Master Plan for the proposed development areas (CSA responsibility);
- 3) establish associated wastewater system connection and user fees sufficient to fund ultimate Specific Plan development area wastewater treatment facility needs identified in the Wastewater Master Plan, including construction and ongoing operation, monitoring and maintenance of the onsite wastewater treatment and disposal system (CSA responsibility); and
- 4) complete the RWQCB Discharge Permit process for the proposed irrigation in designated areas, and CDPH permit procedures pursuant to CCR Title 22 standards for the proposed use of tertiary treated wastewater for irrigation (CSA responsibility).

The EIR concludes that incorporation of these measures would reduce this potential impact to a less-than-significant level. (Draft EIR, p. ES-64.)

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Middle Green Valley Specific Plan Project  
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Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 16-5 would ensure that impacts related to potential project inconsistency with state tertiary wastewater discharge standards (Options B (Onsite Treatment) and C (FSSD Connection/Onsite Treatment Combination)) would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

**Impact 16-6: Potential Project Inconsistencies with SID Standards—Options B (Onsite Treatment) and C (FSSD Treatment Combination/Onsite Treatment).**

i. Mitigation Measures. Mitigation 16-6

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, the Specific Plan proposes that, under wastewater treatment Options B or C, tertiary-treated wastewater would be reused onsite for agricultural and domestic irrigation purposes in conjunction with Solano Irrigation District (SID) water. The Solano Irrigation District (SID) may determine that delivery of tertiary effluent from the onsite MBR treatment plant via the existing SID conveyance system for agricultural and domestic irrigation purposes may be unsuitable for certain types of irrigation and therefore undesirable to the District. This proposed aspect of wastewater treatment Options B and C may therefore be infeasible, representing a potentially significant impact under the relevant significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would: (c) result in a determination by the wastewater treatment provider that serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. (Draft EIR, section 16.2.3(c), p. 16-29.)

As explained in the EIR, Mitigation 16-6 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 16-6 requires that in addition to compliance with California Department of Public Health (CDPH) and San Francisco Bay Regional Water Quality Control Board (RWQCB) groundwater and environmental health protection standards, including CCR Title 22 standards for recycled water quality, any project Wastewater Management Plan proposal to use SID conveyance or delivery components to supplement the project recycling system shall be designed to SID satisfaction or eliminated. One possible approach may involve SID delivery of raw water to a single point in the proposed CSA system, for plan area distribution by a CSA-operated distribution system. The EIR concludes that formulation of this Wastewater Master Plan component to SID satisfaction would reduce this impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the

Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 16-6 would ensure that impacts related to potential project inconsistencies with SID Standards (Options B (Onsite Treatment) and C (FSSD Treatment Combination/Onsite Treatment)) would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

**Impact 16-7: Project Impact on Fire Protection and Emergency Medical Services.**

i. Mitigation Measures. Mitigation 16-7

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, development in accordance with the Specific Plan may increase the demand for fire protection and emergency medical services sufficiently to create a need for new or altered facilities, representing a potentially significant impact under the relevant significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would: result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection or other emergency services. (Draft EIR, section 16.3.3(a), p. 16-45.)

As explained in the EIR, Mitigation 16-7 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 16-7 requires that before approval of the first Tentative Subdivision Map application in the Specific Plan area, the County shall obtain written verification from the Cordelia Fire Protection District (CFPD) that either: (1) the CFPD's need for a new fire station in the general vicinity has been met (e.g., by plans for a new station on the Rockville Trails Estates site), or (2) a new fire station is needed within the Specific Plan area. If the latter is verified, the County shall require plans for construction of a fire station within the plan area as a condition of Tentative Subdivision Map approval, and confirm that any necessary additional environmental review is conducted. The EIR concludes that incorporation of these measures as Specific Plan policy would reduce the impact to a less-than-significant level. (See Response 9.01.)

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 16-7

would ensure that project impacts on fire protection and emergency medical services would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

**Impact 16-8: Project Impacts on Emergency Response, Evacuation, and Access.**

i. Mitigation Measures. Mitigation 16-8

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, development in accordance with the Specific Plan would cause traffic increases and congestion on Green Valley Road, possibly delaying emergency response and evacuation, representing a potentially significant impact under the relevant significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would: (b) result in possible interference with an emergency response plan or emergency evacuation plan; or (c) result in inadequate emergency access. (Draft EIR, section 16.3.3(b)&(c), p. 16-45.) As explained in the EIR, Mitigation 16-8 can mitigate this impact to a less-than-significant level.

The EIR observes that the emergency vehicle access roads proposed by the Specific Plan would have 16-foot-wide pervious travel ways plus one-foot shoulders on each side, thereby meeting the 18-foot minimum requirements of the CFPD. (See Response 12.18.)

As explained further in the EIR, Mitigation 16-8 requires implementation of the mitigation measures identified in Chapter 17, Transportation and Circulation, to reduce the impacts of Specific Plan-related traffic on Green Valley Road and other local roads. In addition, before approval of each Tentative Subdivision Map in the Specific Plan area, the County shall obtain written verification from the CFPD and Cal-Fire that proposed emergency access provisions meet CFPD and Cal-Fire road design and emergency access standards and require any necessary changes as a condition of map approval. The EIR concludes that incorporation of these measures as Specific Plan policy would reduce impacts on emergency response, evacuation, and access to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 16-8 would ensure that project impacts on emergency response, evacuation, and access would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

**Impact 16-9: Project Wildfire Hazard Impact—Ongoing.**

i. Mitigation Measures. Mitigation 16-9

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, the Specific Plan would introduce residential (Rural Meadow, Rural Neighborhood and Agriculture-Residential) and residential/commercial (Rural Neighborhood/Community Service) land within or adjacent to areas where wildland fire danger is “moderate” to “very high.” Specific Plan-facilitated development within or abutting these areas would create an “urban/wildland interface,” increasing the risk of wildland fires and associated needs for additional fire protection personnel and facilities. Failure to sufficiently reduce this urban/wildland interface fire hazard through appropriate fuel management and other fire suppression techniques and/or provide the necessary fire equipment access, emergency evacuation, and additional fire protection personnel and facilities, could result in a substantial safety hazard and impair CFPD response time and evacuation efforts, representing a potentially significant impact under the relevant significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would: (b) result in possible interference with an emergency response plan or emergency evacuation plan; (c) result in inadequate emergency access; or (d) expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. (Draft EIR, section 16.3.3(b)-(d), p. 16-45.)

As explained in the EIR, Mitigation 16-9 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 16-9 requires implementation of Mitigation 16-7 and Mitigation 16-8. In addition, as a condition of Certificate of Occupancy approval, each individual discretionary development project in the Specific Plan area shall meet all applicable California Building Code and California Uniform Fire Code standards (including standards for building materials, construction methods, fire sprinklers, etc.) and all applicable State and County standards (including Solano County General Plan policies) for fuel modification and/or brush clearance in adjacent areas. The EIR concludes that incorporation of these measures as Specific Plan policy would reduce the impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 16-9 would ensure that project wildfire hazard impacts (ongoing) would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

**Impact 16-10: Project Wildfire Hazards—Construction Period.**

i. Mitigation Measures. Mitigation 16-10

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, Construction in Specific Plan-designated development areas may involve handling and storage of fuels and other flammable materials, creating temporary fire hazards in the “urban/wildland interface” and representing a potentially significant impact under the relevant significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would: (b) result in possible interference with an emergency response plan or emergency evacuation plan; or (c) result in inadequate emergency access. (Draft EIR, section 16.3.3(b)&(c), p. 16-45.)

As explained in the EIR, Mitigation 16-10 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 16-10 requires that as a condition of each Tentative Subdivision Map in the Specific Plan area, the County shall require that construction contractors conform to all applicable fire-safe regulations in applicable codes, including California Occupational Safety and Health Administration (OSHA) and local requirements for appropriate storage of flammable liquids and prohibition of open flames within 50 feet of flammable storage areas. The EIR concludes that incorporation of these measures as Specific Plan policy would reduce the impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 16-10 would ensure that project wildfire hazard impacts (construction period) would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

**Impact 16-11: Impact of Specific Plan Proposed Trails on Bay Area Ridge Trail Plan.**

i. Mitigation Measures. Mitigation 16-11

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, unless subsequent trail implementation plans are coordinated with the Bay Area Ridge Trail Council, proposed trails within the Specific Plan area may not meet Bay Area Ridge Trail standards, representing a potentially significant impact under the relevant significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would include recreational facilities or require the construction or

expansion of recreational facilities which might have an adverse physical effect on the environment. (Draft EIR, section 16.4.3(c), p. 16-54.)

As explained in the EIR, Mitigation 16-11 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 16-11 requires that as a condition of each tentative subdivision map in the Specific Plan area, the County shall require written verification that the Bay Area Ridge Trail Council has reviewed and approved final trail design and construction to ensure that trails within the Specific Plan area comply with Bay Area Ridge Trail standards, as appropriate. The EIR concludes that incorporation of this measure as Specific Plan policy would reduce the impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR (see, e.g., Final EIR Master Response E), will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 16-11 would ensure that impacts of Specific Plan proposed trails on the Bay Area Ridge Trail Plan would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

**Impact 16-12: Project Construction-Period and Long-Term Solid Waste Impact on Landfills.**

i. Mitigation Measures. Mitigation 16-12

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, construction and operation of land uses proposed by the Specific Plan would generate solid waste that would require disposal at a landfill. While landfill capacity is currently expected to be adequate to serve this development, the situation could change over the life of the Specific Plan, particularly if the currently pending Potrero Hills Landfill expansion proposal is not approved before the scheduled landfill closure date of January 1, 2011. Any potential for inadequate landfill capacity or the potential need for new facilities would represent a potentially significant impact under the relevant significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would: (a) require or result in the construction of new solid waste disposal facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects; (b) be served by a landfill with insufficient permitted capacity to accommodate the project's waste disposal needs; or (c) breach published national, state, or local standards relating to solid waste or litter control. (Draft EIR, section 16.6.3(a)-(c), p. 16-62.)

As explained in the EIR, Mitigation 16-12 can mitigate this impact to a less-than-significant level.

As explained further in the EIR, Mitigation 16-12 requires that the project shall comply with Solano County General Plan policies and other provisions calling for source reduction and recycling in construction and ongoing operations. As a condition of each Tentative Subdivision Map in the Specific Plan area, the County shall require the applicant to provide written verification from the appropriate landfill operator that adequate landfill capacity is available to accommodate construction and operation of the project. In addition, the applicant shall be required to prepare and implement a recycling plan for the construction phase of the project. The recycling plan shall address the major materials generated by project construction and identify means to divert a portion of these materials away from the chosen solid waste landfill. The EIR concludes that incorporation of this measure as Specific Plan policy would reduce the impact to a less-than-significant level.

Implementing this Mitigation Measure, as further described in the Final EIR, will reduce the impacts to a level that is less-than-significant. Based on the analysis contained within the Draft EIR and Final EIR, other considerations in the record, including the modifications to the project shown in Attachment G to the July 27, 2010 Staff Report, and the standards of significance, the Board of Supervisors finds that implementation of Mitigation Measure 16-12 would ensure that project construction-period and long-term solid waste impact on landfills would be reduced to a less-than-significant level.

For the forgoing reasons, the County adopts Finding 1.

**C. Findings with Respect to Impacts that Remain Significant After Implementation of Mitigation Measures**

**(1) Aesthetics (Section 3)**

**Impact 3-3: Project Contribution to General Plan-Identified Countywide Cumulative Impacts on the County Visual Character.**

- (i) Mitigation Measures. Mitigation 3-3
- (ii) Implementation. Not applicable since no feasible Mitigation Measures are available.
- (iii) Findings.

According to the EIR, cumulative development of permitted urban land uses throughout Solano County would permanently change views, including valued scenic vistas, throughout the County and would substantially alter the visual character of the County through conversion of agricultural and open space lands to developed urban uses.

Certain features of the Specific Plan would reduce and minimize this impact. Existing vegetative screening would block views of Draft Specific Plan-designated neighborhood development from Green Valley Road. The Draft Specific Plan's land use and open space framework and associated development standards and design guidelines would also minimize project visual impacts. Development would be clustered by means of the TDR program. The Draft Specific Plan would also retain about 78 percent of the plan area in permanent agricultural and open space use. In addition, the Draft Specific Plan includes detailed development standards and form-based design guidelines that would serve to substantially reduce the

aesthetic impacts of development within the various Specific Plan-designated neighborhood areas. Mitigation Measures 3-1 and 3-2 would further lessen this impact.

Nevertheless, implementation of the Specific Plan's features would still not reduce this impact to a less-than-significant level. There is no mechanism to allow implementation of the Specific Plan while wholly avoiding conversion of the local viewshed from agricultural land uses and open spaces to development. No additional feasible mitigation measures or policies are available that could fully preserve existing visual qualities of Middle Green Valley while allowing development as contemplated under the Specific Plan. Therefore, this impact would remain significant and unavoidable.

The significant and unavoidable impacts are outweighed and overridden by the economic, social, and other benefits detailed in Statement of Overriding Considerations, presented below.

For the forgoing reasons, the County adopts Finding 3.

## **(2) Agricultural and Mineral Resources (Section 4)**

### **Impact 4-1: Impact on Prime Farmland.**

- (i) Mitigation Measures. Mitigation 4-1
- (ii) Implementation. Not applicable since no feasible Mitigation Measures are available.
- (iii) Findings.

According to the EIR, the Specific Plan would, over time, convert up to approximately 123 acres of Prime Farmland to non-agricultural use. The plan area includes approximately 700 acres of Prime Farmland. The Specific Plan-designated Rural Neighborhood (1 to 4 units per acre) and Rural Mixed-Use Center (4 to 8 units per acre) categories within the Specific Plan-designated Elkhorn, Nightingale and Three Creeks neighborhood areas totaling roughly 123 acres, would preclude continued high-yield agricultural production in those areas.

As explained further in the EIR, although this Specific Plan-related Prime Farmland loss would constitute a small (0.08 percent) portion of the County's total "Important Farmland" inventory, and would be offset by the Specific Plan measures to permanently preserve over 577 acres of designated Prime Farmland, 50 acres of designated Unique Farmland, and over 1,200 acres of non-prime farmland and natural open space through the transfer of development rights program and conservation easements. The amount of Prime Farmland that will be permanently protected by the Project will be more than 4.5 times the amount of land being converted, and the total amount of farmland (prime, unique and non-prime combined) that will be permanently protected by conservation easements will be nearly 15 times the amount being converted. This permanent open space will not only sustain current agricultural uses, but the Project is intended to improve the value of such uses with the assistance of the Conservancy, to allow local farmers an economic way to derive value from their land without selling it at residential land prices. Nevertheless the conversion of Prime Farmland would represent a significant environmental impact under CEQA. No additional feasible mitigation measures have been identified to further lessen this impact.

In its comments on the Draft EIR, the Department of Conservation proposed requiring the use of permanent agricultural conservation easements on land of equal or better quality, and equal or larger size, as partial compensation for the loss of agricultural land. (Comment 1.03; see also Comment 7.14.) The Specific Plan includes the transfer of development rights and the creation of a Conservancy to support expanded agricultural activities on areas permanently designated for agriculture and open space. The TDR program and conservancy will result in permanent protection of an equal or greater amount of, and equal or better quality, agricultural land. As the Draft EIR notes, much of the existing agricultural land in the area is not in cultivation. The Conservancy and TDR program will provide the support necessary to make cultivation economically viable. (Responses 1.02, 1.03, 15.02, 7.14, Master Response H.)

Chapter 19 of the Draft EIR, Alternatives to the Proposed Action, evaluated an alternative Specific Plan land use layout that would avoid all plan area Prime Farmland (Alternative 19.2). The evaluation indicated that the land use layout changes necessary to accommodate the County General Plan-suggested maximum development capacity in a manner that avoids the 123 acres of plan area Prime Farmland would force more development into areas featuring “constraints” that conflict with or defeat many of the project objectives (e.g., protection of viewsheds, avoidance of steep slopes, and others). (See Specific Plan, Figure 2-6, Combined Constraints Map, and discussion below, regarding Alternative 19.2.) Based on consideration of the combined constraints within the Study Area Boundary, the EIR concluded that no feasible mitigation is currently available to avoid this impact, and the Specific Plan-related long-term potential for conversion of Prime Farmland in the plan area to urban use would represent a significant and unavoidable impact.

No feasible mitigation or alternative is available to fully reduce this impact. For this reason, the impact would remain significant and unavoidable. The significant and unavoidable impacts are outweighed and overridden by the economic, social, and other benefits detailed the Statement of Overriding Considerations, presented below.

For the forgoing reasons, the County adopts Finding 3.

### **(3) Air Quality (Section 5)**

#### **Impact 5-3: Long-Term Regional Air Emissions Increases.**

##### **(i) Mitigation Measures. Mitigation 5-3**

**(ii) Implementation.** The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

##### **(iii) Findings.**

According to the EIR, Specific Plan-facilitated development is not reflected in the latest applicable Clean Air Plan (CAP). In addition, according to the EIR, future traffic increases associated with Specific Plan-facilitated development would generate regional emissions increases that would exceed the latest then-proposed Bay Area Air Quality Management District (BAAQMD) emission-based threshold of significance for reactive organic gases (ROG). As explained in the EIR, Mitigation 5-3 can mitigate Impact 5-3, but not to a level of less-than-significant.

As explained further in the EIR, Mitigation 5-3 requires that in addition to the energy-efficiency and other emissions-reducing features already included in the Specific Plan (e.g., provisions of sidewalks, bicycle lanes, etc.), the County shall require that the Specific Plan include the following requirements:

- Wire each housing unit to allow use of emerging electronic metering communication technology.
- Restrict the number of fireplaces in residences to one per household and/or require residential use of EPA-certified wood stoves, pellet stoves, or fireplace inserts. EPA-certified fireplaces and fireplace inserts are 70- to 90-percent effective in reducing emissions from this source. Also encourage the use of natural gas-fired fireplaces.
- Require outdoor outlets at residences to allow use of electrical lawn and landscape maintenance equipment.
- Make natural gas available in residential backyards to allow use of natural gas-fired barbecues.
- Require that any community services operation in the plan area use electrical or alternatively fueled equipment for maintenance of the areas under its jurisdiction.

According to the EIR, these strategies can be expected to reduce Specific Plan-related regional emissions assumed in the air quality analysis by an estimated 5 percent. This amount would fall short of the 23-percent reduction needed for emissions to fall below the BAAQMD significance threshold for ROG (see EIR, table 5.5). The Bay Area Air Quality Management District published revised BAAQMD CEQA Air Quality Guidelines in May 2010. In connection with those Guidelines, the District adopted thresholds of significance by resolution, which the District made applicable only to projects for which Notices of Preparation and environmental analyses are begun after June 2, 2010. Accordingly, those thresholds do not apply to environmental analysis of the Middle Green Valley Specific Plan. The Middle Green Valley Specific Plan EIR, however, conservatively looked to the threshold as then-proposed at the time of EIR preparation. Under the 80 pounds-per-day threshold for ROG applicable to projects analyzed before June 2, 2010 (see EIR Table 5.5), the Specific Plan would not have exceeded the applicable standard.

The EIR states that its conclusion of a significant impact is based primarily on inconsistencies among the land use projections used in various plans (i.e., the proposed Specific Plan, the recently adopted Solano County General Plan, and the 2005 Bay Area Ozone Strategy). As a result, the Specific Plan's inconsistency with the CAP is primarily an "administrative" effect, in that the CAP is from 2005, is out-of-date, and does not reflect current planning projections based on the 2008 General Plan. The BAAQMD is likely to adopt an updated CAP that would include the latest County projections, including proposed development in the Specific Plan area. Until the current CAP is updated to reflect changed assumptions regarding the County General Plan and Specific Plan projections, adoption and implementation of the Specific Plan would remain technically inconsistent with the current CAP.

Implementation of the above-described Mitigation Measures would still not reduce impact 5-3 to a less-than-significant level. No feasible additional mitigation is available to fully reduce this impact on long-term regional emissions increases. For this reason, the impact would remain significant and unavoidable. The significant and unavoidable impacts are outweighed and overridden by the economic, social, and other benefits detailed in the Statement of Overriding Considerations, presented below.

For the forgoing reasons, the County adopts Finding 3.

**(4) Climate Change (Section 7)**

**Impact 7-1: Specific Plan-Related and Cumulative Increase in Greenhouse Gas Emissions.**

(i) Mitigation Measures. Mitigation 7-1

(ii) Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

(iii) Findings.

According to the EIR, construction and ongoing operation of Specific Plan-facilitated development would result in a net increase in carbon dioxide and other greenhouse gas emissions. Assuming construction emissions of 66 to 1,443 tons per year and an estimated ongoing "worst case" net increase in greenhouse gas emissions of approximately 10,779 metric tons per year (or 6.65 metric tons per year per capita), the proposed Specific Plan could be expected to result in a significant project and cumulative global climate change impact under the relevant significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would: (a) generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment; (b) have a cumulatively considerable significant GHG emissions contribution that would conflict with the adopted GHG emissions goal of the State as set forth in Assembly Bill 32 (AB 32), the Global Warming Solutions Act of 2006—i.e., conflict with the adopted goal of reducing state GHG emissions to 1990 levels by the year 2020, or conflict with the CARB's Climate Change Scoping Plan; or (c) conflict with any other applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. (Draft EIR, section 7.3.1(a)-(c), p. 7-12.)

The EIR observes that the Specific Plan contains guidelines and principles for encouraging energy efficiency in new development within the plan area. In addition, Specific Plan-facilitated new building construction and other improvements would be required to meet California Energy Efficiency Standards for Residential and Nonresidential Buildings, helping to reduce associated future energy demand and associated Specific Plan contributions to cumulative regional greenhouse gas emissions.

Further, Mitigation 7-1 requires that in order to facilitate growth in a manner that reduces the rate of associated greenhouse gas emissions increase, discretionary approvals for Specific Plan-related individual residential, commercial, agricultural, and public services projects in the Specific Plan area shall be required to comply with the Climate Action Plan to be developed and adopted by the County. In the interim, Specific Plan-related discretionary approvals shall incorporate an appropriate combination of the following greenhouse gas emissions reduction measures (from Draft EIR, Table 7.3):

- Features in the project design that would accommodate convenient public transit and promote direct access for pedestrians and bicyclists to major destinations;
- Adoption of a project design objective for residential and commercial buildings to achieve Leadership in Energy and Environmental Design (LEED) New

Construction "Silver" Certification or better, in addition to compliance with California Code of Regulations Title 24 Energy Efficient Standards;

- Planting of trees and vegetation near structures to shade buildings and reduce energy requirements for heating and cooling;
- Preservation or replacement of existing onsite trees;
- Construction and demolition waste recycling (see Mitigation 16-12); and
- Preference for replacement of project exterior lighting, street lights and other electrical uses with energy efficient bulbs and appliances.

Potential conflicts between planting trees and installing roof-top solar systems will be addressed through the design review process. (Response 12.11.)

Implementation of appropriate combinations of these mitigation measures in individual Specific Plan-related developments would substantially reduce Specific Plan-related greenhouse gas emissions impacts. Implementation of Specific Plan features and provisions would also serve to minimize greenhouse gas emissions impacts. However, because the effectiveness of the mitigation program in reducing the Specific Plan-related contribution to cumulative greenhouse gas emissions in the region cannot be reasonably quantified, the EIR concludes that the Specific Plan, when combined with anticipated overall cumulative development in the region as a whole, would potentially produce a substantial net increase in greenhouse gas emissions, representing a significant unavoidable project and cumulative climate change impact.

Implementation of these Mitigation Measures would still not reduce this impact to a less-than-significant level. No feasible additional mitigation is identifiable to fully reduce this impact. For this reason, the impact would remain significant and unavoidable. The significant and unavoidable impacts are outweighed and overridden by the economic, social, and other benefits detailed in the Statement of Overriding Considerations, presented below.

Commenters requested that the County consider measures to reduce vehicle miles traveled as a means of reducing the project's vehicle-miles traveled ("VMT") and related GHG emissions. (Comment 7.15.) No specific proposals have been made regarding how to reduce the project's long-term VMT. The County finds that the project represents relatively compact development and, as such, represents an efficient use of land. In particular, this land-use pattern is much more efficient than the rural residential development pattern that historically has prevailed in this portion of the County. Nevertheless, this project does not represent an urban, "mixed-use" or "transit-oriented" development, and such development is infeasible in light of the location of the project. (Response 7.15.)

BAAQMD published revised CEQA Air Quality Guidelines in May 2010. In connection with those Guidelines, the District adopted thresholds of significance for climate change by resolution, which the District made applicable only to projects for which Notices of Preparation and environmental analyses are begun after June 2, 2010. Accordingly, those thresholds do not apply to environmental analysis of the Middle Green Valley Specific Plan Project.

For the forgoing reasons, the County adopts Finding 3.

#### **(5) Noise (Section 13)**

##### **Impact 13-4: Specific Plan-Facilitated and Cumulative Traffic Noise Impacts on Green Valley Road.**

(i) Mitigation Measures. Mitigation 13-4

(ii) Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

(iii) Findings.

According to the EIR, traffic from Specific Plan-facilitated development would increase traffic noise levels on Green Valley Road by 3 to 4 dB above existing levels. While the Specific Plan-related traffic noise increase alone would not represent a significant impact, its contribution to the cumulative traffic noise increase on Green Valley Road south of Eastridge Drive would represent a significant cumulative impact under the relevant significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would result in: (a) exposure of persons to or generation of noise levels in excess of standards established in the local General Plan or Noise Ordinance, or applicable standards of other agencies; or (c) a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. (Draft EIR, section 13.3.1(a) & (c), p. 13-11.)

As explained further in the EIR, Mitigation 13-4 requires that to reduce the traffic noise increase along Green Valley Road, the County should consider the use of noise-reducing pavement, along with traffic calming measures (which could achieve noise reductions of approximately 1 dBA for each 5 mile-per-hour reduction in traffic speed). These measures are not considered feasible with respect to that segment which presents a significant impact (the northbound segment south of Eastridge Drive), which is not within the Specific Plan or the unincorporated County for the County to control. The EIR concludes that the Specific Plan's contribution to the cumulative traffic noise increase along Green Valley Road is therefore considered a significant unavoidable impact.

Implementation of these Mitigation Measures would still not reduce this impact to a less-than-significant level. No feasible additional mitigation is available to fully reduce this impact. For this reason, the impact would remain significant and unavoidable. The significant and unavoidable impacts are outweighed and overridden by the economic, social, and other benefits detailed in the Statement of Overriding Considerations, presented below.

For the forgoing reasons, the County adopts Finding 3.

**(6) Transportation and Circulation (Section 17)**

**Impact 17-1: Baseline Plus Project Impacts on Intersection Operations.**

i. Mitigation Measures. Mitigation 17-1

ii. Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

iii. Findings.

According to the EIR, as shown in Table 17.4, the project would contribute significantly to baseline level of services impacts (i.e., intersection turning movement volumes) at the following local intersections during typical weekday peak hours:

*Weekday AM Peak Hour:*

- Intersection #9 — Green Valley Road at the I-80 Westbound On-Ramp (project-generated traffic would exacerbate already unacceptable baseline operations [LOS F] by increasing the overall intersection traffic volume by more than one percent at this stop-sign controlled intersection)
- Intersection #10 — Green Valley Road at the I-80 Eastbound Ramps (project generated traffic would exacerbate already unacceptable baseline operations [LOS F] by increasing the overall intersection traffic volume by more than one percent at this signalized intersection)

*Weekday PM Peak Hour:*

- Intersection #5 — Green Valley Road at Westlake Drive (project-generated traffic would result in an LOS change from C under baseline conditions to E under baseline plus project conditions at this stop sign controlled intersection)
- Intersection #7 — Green Valley Road at Business Center Drive (project-generated traffic would result in an LOS change from E under baseline conditions to F under baseline plus project conditions at this signalized intersection)
- Intersection #9 — Green Valley Road at the I-80 Westbound On-Ramp (project generated traffic would exacerbate already unacceptable baseline operations [LOS F] by increasing the overall intersection traffic volume by more than one percent at this stop-sign controlled intersection)
- Intersection #10 — Green Valley Road at the I-80 Eastbound Ramps (project generated traffic would result in an LOS change from E under baseline conditions to F under baseline plus project conditions at this signalized intersection)

These project-generated intersection LOS changes would represent a significant impact under the relevant significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would:

- Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections).
- For *signalized intersections*, generate traffic that causes intersection operations to deteriorate from an acceptable level of LOS C or better to LOS D, E or F for intersections within Solano County, and LOS D or better to LOS E or F for intersections on arterials within Fairfield. In addition, a significant impact would occur if project generated traffic exacerbates already unacceptable operations (LOS D, E, or F for intersections within Solano County and LOS E or F for intersections within Fairfield) by increasing the overall intersection's volume by more than one percent.
- For *unsignalized intersections*, generate traffic that causes the worst-case movement (or average of all movements for all-way stop-controlled intersections and roundabouts) to deteriorate from an acceptable level of service (LOS C or better for intersections within Solano County and LOS D or better for intersections within Fairfield) to an unacceptable level. In addition, a significant impact would occur if project generated traffic exacerbates unacceptable operations (LOS D, E, or F for intersections within Solano County and LOS E or F for intersections within Fairfield) by increasing the overall intersection's volume by more than one percent.

(Draft EIR, section 17.3.1(a)(1), (b)(1), & (b)(2), p. 17-20.)

As explained further in the EIR, Mitigation 17-1 requires that:

(1) Baseline plus project impacts on the stop sign controlled *Intersection 5, Green Valley Road at Westlake Drive*, would trigger the need for mitigation sufficient to bring project-plus-baseline operations back to LOS B and C in the AM and PM peak hours respectively. If the City of Fairfield determines in the future that a traffic signal is warranted at this intersection, the City and County shall agree on a fair-share portion of the signal installation cost to be assigned to the plan area, and the County shall identify an associated fair share per residential unit contribution as a condition of subsequent individual subdivision map approvals in the plan area. (See Responses 11.07, 11.08, 11.09.)

(2) For project impacts on *Intersections 7 and 9*, the City and County shall agree on a proportionate fair-share of cost of planned interim improvements to the Green Valley Road/I-80 interchange that have been identified by the City of Fairfield to be assigned to future subdivision and other discretionary development approvals in the plan area, including:

- At signalized Intersection 7, Green Valley Road at Business Center Drive, improvement plans are being developed to allow for free right-turn movements on the northbound and southbound approaches to the intersection. The southbound free right-turn would also include construction of a separate right turn lane for the southbound Green Valley Road approach to Business Center Drive.
- At unsignalized Intersection 9, Green Valley Road at the I-80 Westbound onramp, the on ramp leg of the intersection is to be realigned to allow for the addition of a separate left-turn lane for northbound Green Valley Road, along with a new traffic signal.

The County and City shall agree on a fair-share cost to be assigned to the plan area for these improvements, and the County shall identify an associated fair share per residential unit contribution as a condition of subsequent individual subdivision map approvals in the plan area.

(3) For project impacts on signalized *Intersection 10, Green Valley Road at the I-80 Eastbound Ramps*, the planned reconstruction of the Green Valley Road/I-80 interchange would ultimately mitigate the anticipated AM and PM peak hour baseline plus project operational impacts; however, no feasible interim improvements to the interchange have been identified to mitigate this impact (mitigation would ultimately require reconstruction—i.e., widening—of the overpass).

The EIR concludes that these steps for intersection 5 could substantially reduce this particular intersection impact to less-than-significant. The EIR concludes also that the steps identified above for Intersections 7 and 9 would substantially reduce the amount of peak hour delay per vehicle at these two intersections, but not to less than significant levels. The projected background plus project peak hour ratings at study Intersections 7, 9, and 10 would remain at LOS E or F. In addition, because the County does not have jurisdiction over any of these study intersections within the City of Fairfield, implementation of the mitigation measures listed above for Intersections 5, 7 and 9 cannot be assured. In response to comments, the County has revised Mitigation 17-1 to clarify the timing of implementation of this mitigation measure. (Response 7.48, Master Response C; Final EIR, pp. 17-26 – 17-27.) Although the County has committed to provide fair-share funding for these improvements, other sources of funding have

not been identified, and it is infeasible to require the Project to pay more than its fair share for the cost of these improvements. (See CEQA Guidelines, § 15126.4, subd. (a)(4).)

Therefore, until the proposed City/County fair-share funding program for Intersections 5, 7 and 9 is established, and the planned I-80/I-680/SR 12 Interchange Improvement Project (the planned reconstruction of the I-80/I-680/SR 12 and Green Valley Road interchange, as described in EIR section 17.1.3) is funded and implemented, the EIR concludes that the projected interim baseline plus project intersection impacts on intersections (5), (7), (9) and (10) are considered to be significant and unavoidable.

Implementation of these Mitigation Measures would not reduce these impacts to a less-than-significant level. No feasible additional mitigation is available to fully reduce this impact. For this reason, the impact would remain significant and unavoidable. The significant and unavoidable impacts are outweighed and overridden by the economic, social, and other benefits detailed in the Statement of Overriding Considerations, presented below.

For the forgoing reasons, the County adopts Finding 3.

**Impact 17-2: Cumulative Plus Project Impacts on Intersection Operations.**

(i) Mitigation Measures. Mitigation 17-2

(ii) Implementation. The identified mitigation measures will be included in the Mitigation Monitoring and Reporting Program adopted for the Project and incorporated in the Middle Green Valley Specific Plan.

(iii) Findings.

According to the EIR, under projected cumulative (2030) plus project conditions, the project would contribute significantly to further deterioration of traffic operations at *Intersection 5*, Green Valley Road at Westlake Drive, in the PM peak hour, reducing operations from LOS C to LOS E. This intersection LOS change would represent a potentially significant cumulative impact under the relevant significance criteria of the EIR. Those significance criteria provide that an impact would be considered significant if it would:

- Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections).
- Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways.
- For *unsignalized intersections*, generate traffic that causes the worst-case movement (or average of all movements for all-way stop-controlled intersections and roundabouts) to deteriorate from an acceptable level of service (LOS C or better for intersections within Solano County and LOS D or better for intersections within Fairfield) to an unacceptable level. In addition, a significant impact would occur if project generated traffic exacerbates unacceptable operations (LOS D, E, or F for intersections within Solano County and LOS E or F for intersections within Fairfield) by increasing the overall intersection's volume by more than one percent.

(Draft EIR, section 17.3.1(a)(1), (a)(2), & (b)(2), p. 17-20.)

As explained further in the EIR, Mitigation 17-2 requires that the cumulative plus project condition at this intersection would not warrant installation of a traffic signal. It is recommended that this intersection remain in its current unsignalized condition, since the project-related significant delay would be limited to the left-turn movement at the side street (Westlake Drive) approach in the PM peak hour only, and alternative routes are available to motorists at this location. The EIR concludes that this impact is therefore considered to be significant and unavoidable.

Implementation of these Mitigation Measures would not reduce this impact to a less-than-significant level. No feasible additional mitigation is available to fully reduce this impact. For this reason, the impact would remain significant and unavoidable. The significant and unavoidable impacts are outweighed and overridden by the economic, social, and other benefits detailed in the Statement of Overriding Considerations, presented below.

For the forgoing reasons, the County adopts Finding 3.

#### **D. Findings with Respect to Alternatives**

The Final EIR evaluated four alternatives to the proposed Project. The feasibility of each of these alternatives is determined below.

##### **(1) No Project Alternative (Alternative 19.1 – No Project – Existing Conditions).**

Section 15126.6 subdivision (e) of the CEQA Guidelines requires that an EIR evaluate and analyze the environmental impacts of the “No-Project” Alternative. The Middle Green Valley Specific Plan EIR evaluated two “No-Project” Alternatives.

Under the first No Project Alternative, the EIR’s analysis compares the effects of the proposed Project with existing conditions (Alternative 19.1 No Project – Existing Conditions). Under the second No-Project Alternative, the EIR’s analysis compares the effects of the proposed Project with what would reasonable be expected to occur in the foreseeable future if the project were not approved, based on current plans (Alternative 19.2 No Project – Anticipated Plan Area Growth Without the Proposed Specific Plan (Current Zoning)).

As explained further by Table 19.1 of the Draft EIR, Alternative 19.1 would produce no new environmental impacts, with respect to all issues.

#### **Feasibility/Ability to Meet Project Objectives**

Where an EIR identifies one or more significant environmental effects that will not be avoided or substantially lessened by mitigation measures, the agency must consider the environmentally superior alternatives to the Project and determine whether they are infeasible and the reasons for that determination. (CEQA Guidelines, § 15091, subd. (a)(3).) To determine whether an alternative is feasible, the agency must take into account specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers. (Id.) “Feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. (CEQA Guidelines, § 15364.)

Among the factors that may be considered are inconsistency with the County’s goals, objectives, and policies. The concept of “feasibility” encompasses the question of whether a

particular alternative or mitigation measure promotes existing County policies, as well as the underlying goals and objectives of a project. “[F]easibility’ under CEQA also encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*City of Del Mar v. City of San Diego* (1982)133 Cal.App.3d 401, 417; *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.)

As explained further by the EIR, under Alternative 19.1, permanent open space preservation benefits would not be achieved, and the added agricultural viability benefits of the Specific Plan would not be achieved. The Specific Plan contemplates protection of agricultural and open space lands through a system of conservation easements. Under the 2008 General Plan, the goal for the Middle Green Valley Special Study Area is to “Protect and maintain the rural character of Middle Green Valley while allowing opportunities for compatible residential development to occur.” (General Plan, p. LU-54.) The protection aspect of this goal would not occur under this Alternative, as there would be no mechanism for establishment of easements. In addition, opportunities for compatible residential development would not be available under this Alternative. General Plan policy SS.P-8 calls for the creation of additional methods to assist landowners who choose to continue farming, such as mechanisms for providing farmers with economic assistance to ensure agricultural viability. Under Alternative 19.1, residential units would not be approved, transfer of residential units would not fund the proposed Conservancy, and that revenue stream to support the Conservancy’s proposed role in formulating an Agriculture Business Plan and taking other steps to support and improve agricultural production would not occur.

For these reasons, the Board of Supervisors rejects this Alternative as infeasible within the meaning of CEQA and CEQA case law.

**(2) No Project Alternative (Alternative 19.2 – No Project – Anticipated Plan Area Growth Without the Proposed Specific Plan (Current Zoning)).**

Under the second No-Project Alternative, the EIR’s analysis compares the effects of the proposed Project with what would reasonable be expected to occur in the foreseeable future if the project were not approved, based on current plans (Alternative 19.2 No Project – Anticipated Plan Area Growth Without the Proposed Specific Plan (Current Zoning)). Under this alternative, no new Specific Plan for the plan area would be implemented. Future development in the plan area would continue to be controlled by the County Zoning Ordinance as currently adopted. As explained in the EIR, current General Plan and Zoning Ordinance designations could conceivably permit up to approximately 100 new primary single-family dwellings, in addition to the approximately 55 homes that currently exist in the plan area, plus associated new secondary units and other agricultural accessory structures including barns, packing sheds, small wineries, kennels, slaughterhouses, nurseries, stables, roadside stands, and other agricultural facilities. This Alternative would necessarily rely on onsite water supply withdrawal and wastewater disposal; no common community water or sewer system would be introduced. This Alternative would also exclude any common open space conservation and management mechanism, and associated long-term agricultural viability and biological resource management programs.

Alternative 19.2 would result in reduced peak period traffic (intersection) impacts and associated critical air pollutant and greenhouse gas emission impacts. Also, noise and population and housing impacts would be less than those under the proposed Project.

## **Feasibility/Ability to Meet Project Objectives**

As stated in the EIR, this Alternative would have substantially increased potential for adverse aesthetic impacts on views from Green Valley Road and other important vantage points. Contrary to General Plan Policy, SS.P-1, there would be no Specific Plan mechanism to ensure that upland development would be located in areas screened by landforms or vegetation, or to ensure that development would be guided into areas screened from Green Valley Road because of natural contours in the land, woodland vegetation, and/or riparian vegetation. (General Plan Policy SS.P-1.) The General Plan policy of balancing the protection of resources in Middle Green Valley (e.g. view sheds, oak woodlands, riparian habitat, sustainable agricultural use) while allowing development to occur, would not be realized, because clustering mechanisms would not operate to achieve those aims. (General Plan Policy SS.P-2.) The preservation of visual resources through permanent protection of certain lands would not occur. (General Plan Policy SS.P-4.)

Under this Alternative, no viable economic program for sustaining and enhancing plan area farming and ranching would be established—i.e., no Conservancy, and hence no associated Agricultural Business Plan, and or TDR program.

As to biological resources, this Alternative would result in potentially greater impacts due to a more dispersed development pattern, less protection of riparian and other wildlife movement corridors, and lack of a viable Conservancy and other common mechanisms for managing and protecting plan area natural resources. As to geology and soils, the Alternative would have a potential for adverse geotechnical (slope stability, erosion, etc.) impacts greater than for the proposed Project due to lack of strategic development clustering. As to hydrology and water quality, this Alternative would have potential impacts similar to or worse than proposed project. These would inhibit realization of the General Plan policies of: allowing for the migration and movement of wildlife (General Plan Policy SS.P-3); balancing the protection of resources in Middle Green Valley (including oak woodlands, riparian habitat, and others) while allowing development to occur (General Plan Policy SS.P-2); providing a variety of incentives and techniques to encourage property owners to preserve natural resources (General Plan Policy SS.P-4); and encouraging cluster residential development through incentives to property owners in hillside and valley floor areas that can support residential uses with least affect on resources, steep slopes, or very high wildfire hazard areas. (General Plan Policy SS.P-5.) As to land use compatibility impacts, General Plan-recommended Specific Plan formulation would not occur. Also, General Plan objectives to preserve the rural character of plan area with some opportunity for compatible residential development, to serve development with water and wastewater services, to protect valley resources, to address farming and ranching viability, and to protect valley natural resources would not be attained.

For these reasons, the Board of Supervisors rejects this Alternative as infeasible within the meaning of CEQA and CEQA case law.

### **(3) Alternative 19.3: Alternative Specific Plan—Modified Specific Plan Land Use Layout to Avoid Prime Farmland Areas.**

Under this alternative, a new Specific Plan for the plan area would be adopted and implemented with the same development program as the proposed project—i.e., with the same number of new primary single-family residential units, capped at a maximum of 400, plus the same combination of associated new secondary residential units (up to 100), commercial service uses, agricultural tourism uses, and neighborhood commercial uses; and a similar

system of roads and infrastructure. However, the land use and circulation framework would be reconfigured to avoid the designated Prime Farmland areas shown in green on Figure 4.1, Important Farmland in Plan Area Vicinity, in chapter 4, Agricultural and Mineral Resources, of the Draft EIR.

Under the proposed project, roughly 123 acres of the Prime Farmland would receive residential and other land use designations that, once developed, would not foster future high-yield agricultural production. Under Alternative 19.2, the roughly 123 acres of higher intensity land use designations (Rural Neighborhood and Rural Mixed-Use Center) would be shifted from the Prime Farmland areas to non-Prime-Farmland locations on the valley floor. (See, Draft EIR, Figures 4.1 & 3.2, and Specific Plan, Figure 3-44.) As indicated on Figure 4.1 in chapter 4 of the Draft EIR, such other locations would primarily be meadow areas along the west edges of the Prime Farmland area well west of Green Valley Road.

As explained in Chapter 19 of the EIR, this Alternative would have lesser impacts than the proposed Project with respect to designated Prime Farmland, would have similar impacts to air quality, biological resources, cultural and historic resources, energy, noise, public health and safety, public services, utilities and transportation and circulation, but would result in greater impacts to aesthetics due to increased visibility from Green Valley Road (a designated scenic road) and other important vantage points and greater exposure to existing 100-year flood plain and dam failure inundation.

### **Feasibility/Ability to Meet Project Objectives**

The goal established by the General Plan for Middle Green Valley is to "[p]rotect and maintain the rural character of Middle Green Valley while allowing opportunities for compatible residential to occur." (General Plan Goal SS.G-1). This goal was guided by the following General Plan Policies SS.P-1 through 8:

- Maintain the rural character of Middle Green Valley while still allowing development to be guided into areas screened from Green Valley Road because of natural contours in the land and woodland vegetation, and/or riparian vegetation. Locate upland development in areas screened by landforms or vegetation.
- Balance the protection of resources in Middle Green Valley (e.g. viewsheds, oak woodlands, riparian habitat, sustainable agricultural use) while allowing development to occur.
- Allow for the migration and movement of wildlife.
- Provide a variety of incentives and techniques to encourage property owners to preserve natural and visual resources, in addition to the transfer of development rights.
- Encourage cluster residential development through incentives to property owners in hillside and valley floor areas that can support residential uses with least affect on resources, steep slopes, or very high wildfire hazard areas.
- In accordance with balancing the protection of resources described in these policies, adopt a program that provides residential development credits to property owners who voluntarily forego or limit development on their lands. The transfer of development rights program should focus incentives on land in areas to be preserved.
- Adopt a specific or master plan to implement the policies for Middle Green Valley.
- Create additional methods to assist landowners who choose to continue farming, such as, but not limited to:

- enforcing the right-to-farm act and educating residents on the act, and;
- investigating mechanisms for providing farmers with economic assistance to ensure agricultural viability.

As described in Sections 1.3 and 2.4 of the Specific Plan, and depicted on Figure 2-6 (Combined Constraints Map), the locations for the development areas in the Specific Plan were identified as the locations that met all of these policies to the maximum extent practicable. Although Alternative 19.3 would reduce impacts to designated Prime Farmland, it would not meet the General Plan Goal SS.G-1 or Policies SS.P-1 through 8, for the following reasons, and therefore does not achieve the Project's objectives:

- It would not be as well screened from Green Valley Road and other important viewsheds.
- It would have greater affect on steep slopes.
- It would place residences closer to very high wildfire hazard areas.
- It would place residences within the 100 year flood plain and within areas subject to potential dam inundation.
- It would require displacement of portions of cultivated farmland.

For these reasons and the reasons further explained in the Draft EIR, this Alternative does not fulfill the objectives of the proposed Project, and the Board of Supervisors rejects this Alternative as infeasible within the meaning of CEQA and CEQA case law.

**(4) Alternative 19.4: Alternative Specific Plan–Reduced Development Capacity (“200/200 Plan”).**

As explained in Chapter 19 of the EIR, under this Alternative 19.4, a new Specific Plan for the plan area would be adopted and implemented with a development program similar to the proposed project, but with modified primary and secondary residential unit "caps" (i.e., a maximum of up to 200 new primary and 200 new secondary residential units, rather than the up to 400 new primary and 100 new secondary units under the proposed project), and corresponding reductions (approximately 30 percent) in the extent of commercial service, agricultural tourism and neighborhood commercial uses. This "200/200 Plan" would incorporate only the proposed Elkhorn Neighborhood footprint (see Figures 2.6 & 2.8 in Draft EIR chapter 2, Project Description), including the Elkhorn Foothills, to achieve this development capacity (assuming all new primary units could also include a new secondary unit).

As further explained in the EIR, this Alternative would have lesser impacts than the proposed Project with respect to impacts concerning aesthetics, agriculture, air quality, biological resources, climate change, cultural and historic resources, energy, geology and soils, hydrology and water quality, noise, population and housing, public health and safety, and transportation and circulation. More specifically, this alternative, in comparison to the proposed Project, would result in reductions related to the amount of designated Prime Farmland conversion, traffic-related regional air and greenhouse gas emissions, biological habitat disturbance, cultural (archaeological) resource disturbance, energy use, construction noise, sewer and water demands, and peak hour intersection impacts.

## **Feasibility/Ability to Meet Project Objectives**

While Alternative 19.4 would reduce certain environmental impacts by reducing the overall density of the Project, this reduction would have a significant adverse effect on the economic viability of the Specific Plan program. In particular, as described in the Financial Model prepared for the County by Economic & Planning Systems, Inc. dated May 14, 2009 ("EPS Study"), the reduced number of permitted primary residential units to 200 would destabilize the Specific Plan proposed economic plan for the implementation of the General Plan's goal, policies and implementation programs for Middle Green Valley, including the following:

- Provide a variety of incentives and techniques to encourage property owners to preserve natural and visual resources, in addition to the transfer of development rights. (General Plan Policy SS.P-5).
- Encourage cluster residential development through incentives to property owners in hillside and valley floor areas that can support residential uses with least affect on resources, steep slopes, or very high wildfire hazard areas. (General Plan Policy SS.P-5).
- Details of how development would be served by water and wastewater service. Attempt to secure public water and wastewater service through a cooperative effort of property owners, residents, the County, and the City of Fairfield. (General Plan Implementation Program SS.I-1).
- Create additional methods to assist landowners who choose to continue farming, such as, but not limited to:
  - enforcing the right-to-farm act and educating residents on the act; and
  - investigating mechanisms for providing farmers with economic assistance to ensure agricultural viability. (General Plan Policy SS.P-8).

In order to achieve these goals and policies of the Specific Plan to cluster development (such that private septic and individual wells cannot be allowed) and to provide public services, the EPS Study evaluated both the development cost of extending infrastructure (sewer, water etc) against the expected revenue from the Project, as well as the expected property tax revenue against the cost to provide municipal services. The EPS Study found that approximately 400 primary residential units most appropriately balanced the cost of infrastructure and municipal services. Substantially less (or substantially more) units resulted in diminished returns. More units would result in a lower sales price and therefore lower property taxes (as the project became more dense with smaller lots and more urban in character) and less units would not substantially increase the sales price of each unit, but would still require a similar infrastructure investment for public services. Accordingly, this Alternative would not achieve the General Plan policies and implementation program related to clustering and provision of public services. (General Plan Policy SS.P-5 and General Plan Implementation Program SS.I-1)

In addition, the TDR Program, as described in Section 4.3.2 of the Specific Plan, Section 3.2 of the Master Development Agreement and Exhibit G, the Sales Participation Agreement, provides for the clustering of residential units from areas that are important to protect ("sending sites") to the most appropriate development areas ("receiving sites") in exchange for the participation in the future sales value of the receiving areas and recordation of conservation easements on the sending sites. With so few units in the Specific Plan Area, the owners of the

sending and receiving sites would not be motivated to volunteer to participate in the TDR Program. Accordingly, this Alternative would not support the General Plan policy regarding the use of a voluntary TDR Program. (General Plan Policy SS.P-4)

The Conservancy has been identified as the mechanism to encourage the long-term preservation of agricultural land and to provide economic support for agricultural viability. The Conservancy will be funded by a perpetual transfer assessment on all the new residential units. With half the units, the Conservancy would receive substantially less money in future assessments, and will have substantially less money to support agricultural activities in the Specific Plan Area. Accordingly, this Alternative would not fully support the General Plan policy regarding assisting landowners who choose to continue farming, through mechanisms for providing farmers with economic assistance to ensure agricultural viability. (General Plan Policy SS.P-8.)

Therefore, the reduced project could not justify the investment in public services to achieve for clustered development, could undermine the success of the TDR Program, and would not provide as much support for sustainable agricultural production in the plan area. For these reasons and the reasons further explained in the EIR, this Alternative does not fulfill the objectives of the proposed Project, and the Board of Supervisors rejects this Alternative as infeasible within the meaning of CEQA and CEQA case law.

#### **(5) Conclusion Regarding Project Alternatives**

Based on the foregoing analysis and pursuant to CEQA Guidelines Section 15126.6, the County has considered a range of reasonable alternatives to the proposed Project, which could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen certain significant effects of the project. The County has evaluated the comparative merits of the various alternatives and identified and analyzed a number of potential environmentally superior alternatives in addition to the No Project alternative.

Based on this analysis and substantial evidence in the record, the County finds and determines that the alternatives cannot achieve the project objectives to the same degree as the proposed Project and are therefore rejected as infeasible in favor of the Middle Green Valley Specific Plan.

#### **E. Absence of Significant New Information**

CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of the draft EIR but before certification of the Final EIR. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives 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 that the project proponent declines to implement. The CEQA Guidelines provide the following examples of significant new information under this standard:

- A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

- A substantial increase in the severity of an environmental impact would result unless mitigations are adopted that reduce the impact to a level of insignificance.
- A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
- The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (*Mountain Lion Coalition v. Fish and Game Com.* (1989) 214 Cal.App.3d 1043).

(CEQA Guidelines, § 15088.5, subd. (a).)

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. (CEQA Guidelines, § 15088.5, subd. (b).)

The Board of Supervisors recognizes that the Final EIR incorporates information obtained by the County since the Draft EIR was completed, and contains additions, clarifications, modifications, and other changes. With respect to this information, the Board of Supervisors finds that none of the changes made to the text of the Draft EIR, as set forth in Final EIR section 3 “Revisions to the Draft EIR” and Errata in Responses to Comments and Revisions to the Revised Recirculated Draft DEIR (November 12, 2014) rise to the level of “significant” information requiring recirculation of the Draft EIR.

With respect to the fourth example of circumstances triggering recirculation a “fundamentally and basically inadequate” Draft EIR – the Supreme Court has stated the obligation to recirculate is triggered by new information showing that an EIR was so deficient as to render public comment “in effect meaningless.” (*Laurel Heights Improvement Assn. v. Regents of the Univ. of California* (1993) 6 Cal.4th 1112, 1130 (*Laurel Heights II.*)) Here, the modifications to the Draft EIR were made in response to comments received on the Draft EIR and Revised Recirculated Draft EIR and did not identify any new impact of the Project. Therefore, it cannot be said that the changes have rendered public comment in effect meaningless. Rather, the changes illustrate the CEQA process at work in that the comments received on the Draft EIR and Revised Recirculated Draft EIR prompted the County and its environmental consultants to undertake additional CEQA analysis to fully inform the public and decisionmakers of the environmental consequences of the Proposed Project. Thus, the information added to the Draft EIR and Revised Recirculated Draft does not meet the definition of “significant new information” requiring recirculation.

With respect to the changes to the Project shown in Attachment G to the July 27, 2010 Staff Report, the Board of Supervisors finds that these changes do not trigger any of the grounds for recirculating some or all of the Draft EIR and concludes that no such recirculation is necessary. No changes have been made to the Project that would result in an increase in environmental impacts over those described in the Draft EIR.

Accordingly, none of the changes constitute significant new information as defined in CEQA Guidelines, section 15088.5, and recirculation is not required.

## **6. Statement of Overriding Considerations**

The Final EIR found that all adverse environmental impacts of the Project can be feasibly mitigated to a level of less than significant, except for the following: Impact 3-3: Project Contribution to General Plan-Identified Countywide Impacts on County Visual Character; Impact 4-1: Impact on Prime Farmland; Impact 5-3: Long-Term Regional Air Emissions Increases; Impact 7-1: Specific Plan-Related and Cumulative Increase in Greenhouse Gas Emissions; Impact 13-4: Specific Plan-Facilitated and Cumulative Traffic Noise Impacts on Green Valley Road; Impact 17-1: Baseline Plus Project Impacts on Intersection Operations; and Impact 17-2: Cumulative Plus Project Impacts on Intersection Operations.

In accordance with CEQA Guidelines Section 15093, the Board of Supervisors has, in determining whether or not to approve the Project, balanced the economic, legal, social, technological, and other benefits of the Project against these unavoidable environmental risks, and has found that the benefits of the Project outweigh these unavoidable adverse environmental effects, for the reasons set forth below. The following statements specify the reasons why, in the Board of Supervisors' judgment, the benefits of the Project outweigh its unavoidable environmental risks. The Board of Supervisors also finds that any one of the following reasons for approval cited below is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the Board of Supervisors will stand by its determination that each individual reason is sufficient. The substantial evidence supporting the Board of Supervisors' findings and the benefits described below can be found in the Record of Proceedings.

### ***Economic Benefits***

The quality of life experienced by Green Valley residents is greatly benefitted by the protection of the natural resources and rural characteristics which define much of the local environment. Many things, from home prices to the economic viability of local agriculture, are benefitted by the protection of open space provided in the Specific Plan. Agriculture has long been vital to the Solano County economy, with walnuts, tomatoes, alfalfa, corn, and livestock among the commodities leading its production. Agriculture generates about \$370 million (commodity sales and related activities) annually and occupies approximately 362,000 acres, 62 percent of the county's total area. In 2010, the County ranks 26th in the state in agricultural production, but the gross value of Solano County's agricultural production for 2009 was 14% less than in 2008.

The Middle Green Valley Specific Plan helps to carry out economic objectives articulated in the Agriculture chapter of the 2008 General Plan related to Solano County's agricultural economy. The General Plan's Agriculture chapter (chapter 3), outlines several objectives related to economic development and increasing tourism, especially agritourism, to Solano County. Policies permitting increased agricultural local sales uses, as well as programs to encourage increased agritourism and branding of local Solano County produce, were intended to help maintain the locally prominent position of agriculture.

The Middle Green Valley Specific Plan also promotes and complements related goals and policies in the Economic Development Element of the General Plan. One of the County's goals is to "[p]reserve and expand the county's agricultural base by allowing for a wide range of economic activities that support local agriculture." (Goal ED.G-6.) Policies call for the support

of agriculture, tourism and recreation in areas such as Middle Green Valley. (General Plan, Economic Development Element, p. ED-7.)

The General Plan's policies for Middle Green Valley specifically called for the creation of additional methods to assist landowners who choose to continue farming, including, but not limited to: enforcing the right-to-farm act and educating residents on the act; and investigating mechanisms for providing farmers with economic assistance to ensure agricultural viability. (General Plan Policy SS.P-8.)

The current zoning in the plan area, or comparable zoning, does not: (i) guarantee that the area will remain undeveloped; (ii) provide any mechanism to support the economic viability of local agriculture; (iii) allow for clustering; or (iv) require the permanent preservation of open space. Local agricultural prosperity is driven mostly by forces beyond the control of County government—global, national and regional markets for commodities, also technologies developed elsewhere, the demand for farmland for residential use, and such social patterns as intergenerational farm family relations. Consistent with the 2008 General Plan, the Specific Plan includes tools for the clustering and the preservation and support of viable local agriculture. These tools include the transfer of development rights; indeed, the General Plan specifically calls for the use of TDRs as a means of ensuring the long-term preservation of viable agricultural land. (See General Plan, Agricultural Element, pp. AG-13 – AG-14; Policies AG.P-6 [encouraging participation in agricultural preserve program], AG.P-7 [calling for implementation of TDR program].)

As described in detail in the Agricultural chapter of the General Plan, agricultural land in Solano County is in great demand for rural homesites. (See General Plan, Agricultural Element, pp. AG-11 – AG-12.) Large minimum parcel sizes in agricultural zones, like A-20 and A-40, does help to limit demand, but 20-acre minimums alone will not substantially impede the purchase of agricultural land for residential purposes. The evidence lies in the escalation of local land prices in recent years beyond the level of affordability for local agricultural producers and the continued conversion of prime farmland from crop production into rural residences in the surrounding area. (*Ibid.*) Properties to the north, east and south and within the Specific Plan boundary have been subdivided into small subdivisions and are no longer appropriate for agricultural production. A common development pattern in Solano County that illustrates this exposure of conflicting land uses is the positioning of rural residences in the middle of agricultural parcels, requiring long driveways to connect to local roads. Options for avoiding future inefficiencies and negative impacts on agricultural production include size and locational controls on new residences, confining them to parcel edges, corners, and in cluster arrangements with homesites on adjacent parcels, and providing incentives such as density credits and transfer of development rights programs for new purchasers to keep their land in agricultural production.

The Middle Green Valley Specific Plan helps to realize these economic objectives and other benefits for agriculture in the following ways:

- The Conservancy, as described in the Specific Plan, is the County's first 501(c)(3) non-profit organization to directly link the value of local real estate to the support of local agriculture and the protection of nearby natural resources. The mechanism of a voluntary transfer fee is one of several methods to lessen the burdens of government for a sector that is under significant economic pressure and to provide financial support for sustainable local agriculture and open space.

- The Conservancy's role is one of facilitator, and the funds that it will disburse will depend on a comprehensive analysis of the agricultural business plans from many different landowners. This voluntary, incentive-based program is meant to provide scale and collaborative opportunities for increased market strength to relatively small landowners in an environment when the economics of farming favor large landowners.
- Although 123 acres of prime farmland land is being converted to development, over 577 acres of prime farmland, 50 acres of unique farmland, and over 1,200 acres of non-prime farmland and natural open space will be permanently protected through the transfer of development rights program and conservation easements. The amount of prime farmland that will be permanently protected by the Project will be more than 4.5 times the amount of land being converted, and the total amount of farmland (prime, unique and non-prime combined) that will be permanently protected by conservation easements will be nearly 15 times the amount being converted. The permanent open space will not only sustain current agricultural uses, but the Project is intended to improve the value of such uses with the assistance of the Conservancy, to allow local farmers an economic way to derive value from their land without selling it at residential land prices.
- The permanent preservation of over 1,800 acres of agricultural and natural open space will support and improve the value of local real estate in the plan area and the surrounding area.
- In addition to the potential endowment of the local Conservancy, the fees and taxes generated by the 400 new homes in Green Valley are significant. For example, approximately \$3 million in new school impact fees will be generated for the local public school district in addition to significant upgrades to Fairfield intersections at impacted roads. At full buildout, these 400 homes will produce approximately \$3 million in property taxes every year – approximately 100 times the amount of the current annual income from the affected parcels.
- The construction in Middle Green Valley will produce local construction jobs, and sustaining local agriculture will produce local agricultural jobs.

### ***Legal Benefits***

As described in more detail below, the Middle Green Valley Specific Plan is the culmination of a County-initiated, collaborative, community process to implement the policies of the 2008 General Plan. One result of the Project is to resolve and minimize historical conflicts that have lead to litigation over land use approvals. A benefit of the Project is that, as a result of the collaborative, community-based processes envisioned under the Specific Plan, the potential for litigation over future land use approvals may be reduced, which will avoid burdens on the legal system.

### ***Social Benefits***

The Project is intended to serve as a guide for both future conservation and land development in the Plan Area and provides a possible model of rural redevelopment that could be further expanded upon elsewhere in California. The Specific Plan contains the policy and planning framework necessary to fulfill the 2008 General Plan vision for Middle Green Valley: to protect and maintain the rural character of Middle Green Valley while allowing opportunities for compatible residential development to occur.

The community vision reflected in that General Plan goal SS.G-1, and the related policies and implementation programs for the area, provides the foundation for all of the goals and policies of the Middle Green Valley Specific Plan and defined how the community envisions the future for Middle Green Valley. The Middle Green Valley Specific Plan built on this vision in publicly supported collaboration among landowners, County staff and residents, neighbors and interested groups to plan for the future development of Middle Green Valley based on shared values and interests. The Citizen's Advisory Committee involved in the production of this design endorsed the Project.

One important outcome of the Project is to resolve and minimize historical social conflicts that have led to disputes and litigation over land use approvals. A benefit of the Project is that, as a result of this collaborative, community-based process, the potential for future disputes and litigation over future land use approvals may be reduced, which will provide a social benefit to the County and its residents.

The Project will also provide housing, and will thus help achieve the County's housing goals. As set forth in the County's draft update to the Housing Element of its General Plan, "[t]he County of Solano and its incorporated cities have a joint responsibility to ensure that there is an adequate supply of housing to meet projected countywide housing needs. As developable land becomes scarcer and increasingly costly in the inner Bay Area, demand continues to increase for housing within Solano County jurisdictions, including the unincorporated areas." (Draft Housing Element Update, p. HE-8 (2010).)

The County is required to accommodate the Regional Housing Needs Allocation (RHNA) adopted by the Association of Bay Area Governments (ABAG). The County must zone sufficient land to accommodate the County's RHNA, or otherwise accommodate the development of these units. The current RHNA assignment for unincorporated Solano County calls for the development of a total of 99 housing units during the 2007-2014 period, consisting of 26 units for very low-income households, 16 units for low-income households, 18 units for moderate-income households, and 39 units for above moderate-income households. (Draft EIR, p. 14-3; Draft Housing Element Update, p. HE-9.) The upcoming RHNA assignment for unincorporated Solano County will call for the development of a total of 103 housing units during the 2014-2022 period, consisting of 26 units for very low-income households, 15 units for low-income households, 19 units for moderate-income households, and 43 units for above moderate-income households. (Regional Housing Need Plan, San Francisco Bay Area, ABAG, 2014-2022, p. 27.)

The County General Plan includes policies concerning housing:

- *Provide sufficient residential lands jointly with the cities to meet Solano County's projected housing needs. (Policy LU.P-13)*
- *Require a variety of housing types (affordable and market rate) near jobs, services, transit, and other alternative transportation serving locations (e.g., rideshare lots). (Policy LU.P-18)*

The Project would provide for an increase of up to 400 new primary housing units, plus the potential for up to 100 new secondary housing units. This increase would result in a local housing supply benefit and assist the County in meeting its RHNA for 2007 through 2014 (99 housing units) and 2014-2022 (103 housing units). Housing development enabled by the Specific Plan would also further Solano County General Plan policies calling for rural residential

development, secondary dwelling units as a means to expand the overall supply of housing, and provision of sufficient residential lands to meet the County's projected housing needs. (Draft EIR, pp. 14-7 – 14-8.) The Project calls for up to 400 residential units of varying housing types at a range of densities. The Project establishes distinct neighborhoods calling for development of housing of types and at densities suitable for specific portions of the plan area. For example, the Green Valley Road corridor is designated for limited development in order to preserve its rural character. (Specific Plan, § 3.5.5(a).) Densities in the Elkhorn neighborhood, by contrast, will accommodate up to 225 units at densities up to eight dwelling units/acre within a "rural mixed-use center." (Specific Plan, § 3.5.5(B).) Up to 100 secondary units will be provided. The Project is therefore anticipated to meet the housing needs of varying household types and household income levels.

Other social benefits include:

- Over 10 miles of publicly accessible multi-use trails in an area that has not been accessible to the public and that will increase the visibility and awareness of local agriculture and natural resources.
- The permitted use of neighborhood buildings such as farm stands, wineries, bed & breakfast, a non-denominational chapel, a small private school, play fields, and a local post office will present opportunities for community interaction that currently do not exist.

### ***Technological and Other Benefits***

The Conservancy, which will be formed and funded by the Project is intended to support the development and implementation of sustainable farming techniques, including facilitating application of advances in agricultural technology and production techniques.

Other benefits include:

- The Middle Green Valley Specific Plan will require future construction to exceed the Title 24 energy efficiency standards by at least 20%.
- The Specific Plan's standards for water and wastewater are designed to result in water usage that is significantly more efficient than typical usage rates.
- The Specific Plan will require future construction to exceed the stormwater control requirements of the current County Stormwater Management Plan to provide additional water quality protection.

Any one of these reasons is sufficient in and of itself to support the approval of the Project notwithstanding the significant and unavoidable environmental impacts. In light of the foregoing benefits to the County, pursuant to CEQA Guidelines section 15093, the Board of Supervisors finds and determines that these considerable benefits of the Project outweigh the unavoidable adverse effects and the "adverse environmental effects" that cannot be mitigated to a level of environmental insignificance are deemed "acceptable."

## MITIGATION MONITORING CHECKLIST— MIDDLE GREEN VALLEY SPECIFIC PLAN

This Mitigation Monitoring Checklist contains the Mitigation Monitoring and Reporting Program for the Middle Green Valley Specific Plan. The mitigation measures in the table represent the final language of all project mitigation measures. The mitigation measures listed in column two below have been incorporated into the Middle Green Valley Specific Plan, or the Board of Supervisors has otherwise determined that they shall be implemented, in order to mitigate identified environmental impacts. A completed and signed chart will indicate that each mitigation requirement has been completed and that monitoring requirements have been fulfilled with respect to Public Resources Code Section 21081.6.

Following direction from the Solano County Board of Supervisors to implement all mitigation measures, all measures described in the Mitigation Monitoring and Reporting Program will be implemented through a combination of one or more of the following, as appropriate to nature of the measure: (1) incorporation into the Specific Plan, the plan's policies, regulations, or project designs; (2) incorporation into conditions of approval, permits, entitlements, and agreements with contractors and other parties concerning plan implementation; or (3) carried out directly by County staff. It should be noted that the term "individual project applicants" includes, to the extent relying upon this environmental impact report (EIR) for approvals or actions undertaken, any governmental entities such as the County Services Area (CSA) or Solano Irrigation District (SID).

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
AESTHETICS						
<p><b>Impact 3-1: Impacts on Scenic Vistas.</b> Prominent views from the plan area of the Western Hills have been identified in the Solano County General Plan as one of the County's important "scenic vistas." The Draft Specific Plan (DSP) neighborhood and open lands framework (DSP section 3.2.1) and associated visual resource protection policies, development standards, and design guidelines (DSP sections 3.2, 3.3, 3.4, 4.2, 4.4, and 5.1 through 5.9) have been specifically formulated with the intent to ensure that future plan area land use and development under the Specific Plan remains compatible with, benefits from, enhances and protects the rural character and unique scenic features of Middle Green Valley, including views of the Western Hills, as well as views of plan area riparian corridors, meadows and foothills. The DSP calls for establishment of a system of environmental stewardship (section 3.3.4) to implement the plan's visual and agricultural landscape preservation and enhancement goals, to be applied in conjunction with a plan area <i>Neighborhood Design Code</i> and associated Design Review Process. The Design Code would identify project-specific design submittal requirements for all future discretionary development. The proposed plan area Design Review Process is intended to supplement the requirements of the standard County development review process with a newly-established Middle Green Valley Conservancy Design Review Committee.</p> <p>Nevertheless, until individual project-specific applications are submitted with associated detailed design information sufficient to verify to Green Valley Conservancy Design Review Committee and County staff satisfaction adequate protection of scenic vistas and adequate visual screening from Green Valley Road, it is assumed that future individual development</p>	<p><b>Mitigation 3-1:</b> Prior to County approval of any future plan area subdivision or other discretionary development application, the project applicant/developer shall provide site plan, architectural, landscape and infrastructure design details demonstrating to the satisfaction of the Middle Green Valley Conservancy Design Review Committee, County staff and County Planning Commission that the development design:</p> <ul style="list-style-type: none"><li>▪ sufficiently protects existing visual access from Green Valley Road and other important plan area vantage points towards foreground and middle-ground rural landscapes and the Western Hills background;</li><li>▪ protects existing intervening landforms and vegetative buffers;</li><li>▪ maintains building rooflines that do not exceed existing intervening landforms and vegetative screening; and</li><li>▪ emphasizes building forms, designs, colors, materials, etc. that are reflective of and conducive to the surrounding rural landscape.</li></ul> <p>Implementation of this measure would reduce this potential impact to a <b>less-than-significant level</b>.</p>	Individual project applicants (must demonstrate compliance to County satisfaction).	MGV Conservancy Design Review Committee and County.	Prior to any subdivision or other discretionary approval.		

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projects undertaken in accordance with the Specific Plan may disrupt views of the Western Hills and plan area riparian, meadow and foothill features, from Green Valley Road and other important vantage points. In particular, development within the DSP-designated neighborhood areas nearest Green Valley Road would have the potential to alter foreground and middle-ground views from Green Valley Road. This possible Specific Plan effect on scenic vistas represents a <b>potentially significant impact</b> .						
<b>Impact 3-2: Increase in Nighttime Lighting and Glare.</b> The DSP includes a streetscape lighting description (section 5.7.6) that suggests, but does not mandate, "low-level lighting..." "where nighttime events may warrant a lighted trail or path of travel for safety" and "directional and/or facility identification signs" that "may integrate low levels of light for visibility." The DSP also indicates that "All fixtures used in the landscape will be full-cut-off fixtures that will help maintain the dark nighttime sky." (DSP page 5-113). Nevertheless, although the degree of darkness experienced in Middle Green Valley and views of stars and other features in the nighttime sky would not be substantially diminished as a result of Specific Plan implementation, project-specific new development permitted by the Specific Plan in the four designated neighborhoods, as well as the farmstand envisioned along Green Valley Road immediately north of Mason Road, would include new sources of exterior lighting in an otherwise rural setting that could result in localized "light trespass" into the nighttime sky (i.e., new sources of sky-glow) or towards Green Valley Road, Mason Road, or other plan area travel routes. In addition, development of neighborhood facilities such as the anticipated school and firehouse could include new exterior lighting features with noticeable and potentially adverse light and glare effects. The possible Specific Plan light and glare effects represent a <b>potentially significant impact</b> .	<b>Mitigation 3-2:</b> To minimize glare and "sky glow" from new outdoor area lighting, prior to County approval of any future plan area subdivision or other discretionary development application that includes exterior lighting, the project applicant/developer shall include in the project application materials lighting design measures that ensure protection of surrounding uses from spillover light and glare, use of low lighting fixtures, use of adequately shielded light sources, use of light sources that provide a natural color rendition, and avoidance of light reflectance off of exterior building walls. Incorporation of these and similar measures by a qualified design professional into the project-specific design would reduce this potential for light and glare impacts to a <b>less-than-significant level</b> .	Individual project applicants (must demonstrate compliance to County satisfaction).	MGV Conservancy Design Review Committee and County.	Prior to any subdivision or other discretionary approval.		
<b>Impact 3-3: Project Contribution to General Plan-Identified Countywide Cumulative Impacts on the County Visual Character.</b> The General Plan EIR has determined that cumulative development of General Plan-permitted urban land uses throughout Solano County would permanently change views, including valued scenic vistas, throughout the County and would substantially alter the visual character of the County through conversion of agricultural and open space	<b>Mitigation 3-3:</b> No mitigation has been identified which would be sufficient to eliminate the project contribution; therefore the project contribution to this impact would be <b>significant and unavoidable</b> .	--	--	--		

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<p>lands to developed urban uses. The General Plan EIR notes that, although implementation of General Plan-required project-specific comprehensive design guidelines and architectural standards would reduce project-specific impacts on aesthetic resources, "there is no mechanism to allow implementation of development projects while avoiding the conversion of the local viewsheds from agricultural land uses and open spaces to urban...development." The General Plan EIR has also determined that no feasible mitigation measures or policies are available that could fully preserve existing visual qualities countywide while allowing development of urban uses under the adopted General Plan, and "Therefore, this impact would remain <b>significant and unavoidable</b>" (General Plan Draft EIR page 4.11-9).</p> <p>Existing vegetative screening would block views of Draft Specific Plan-designated neighborhood development from Green Valley Road. The Draft Specific Plan land use and open space framework and associated stringent development standards and design guidelines would also minimize project visual impacts. The Draft Specific Plan would also retain about 78 percent of the plan area in permanent agricultural and open space use. In addition, the Draft Specific Plan includes detailed development standards and form-based design guidelines that would serve to substantially reduce the aesthetic impacts of development within the various Specific Plan-designated neighborhood areas.</p> <p>Nevertheless, the project contribution to this General Plan-identified cumulative impact would not be "de minimis" (the commonly-used CEQA term for an effect so small or minimal in difference to the status quo that it does not constitute an environmental impact). Therefore, under CEQA, the project contribution to this General Plan-identified significant unavoidable cumulative impact would be <b>significant</b>.</p>						
<b>AGRICULTURAL AND MINERAL RESOURCES</b>						
<p><b>Impact 4-1: Impact on Prime Farmland.</b> The 2008 Solano County General Plan indicates that the county included approximately 365,650 acres of agricultural land in 2007, including approximately 157,740 acres of "Important Farmland." This "Important Farmland" included state-designated "Prime Farmland" (farmland considered to have the soil quality, growing season, and moisture supply needed to produce sustained high</p>	<p><b>Mitigation 4-1:</b> The DSP would facilitate rural development within the plan area in accordance with the adopted 2008 Solano County General Plan. It has been determined that such development could, over time, permanently remove up to an estimated 123 acres of Prime Farmland from agricultural production. Chapter 19 of this Draft EIR, Alternatives to the Proposed Action, evaluates an alternative Specific</p>	--	--	--		

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<p>yields) and "Farmland of Statewide Importance" (farmland similar to "Prime Farmland," but with minor shortcomings, such as greater slopes, etc.). The plan area includes approximately 700 acres of Prime Farmland.</p> <p>A principal goal of the Draft Specific Plan (DSP), implemented through the DSP-proposed Green Valley Agricultural Conservancy, Agricultural Business Plan, Resource Management Plan, and Transfer of Development Rights program, is to return the substantial portion of this 700-acre total that has not been in recent cultivation back to cultivated agricultural use. Nevertheless, the DSP-designated Elkhorn, Nightingale and Three Creeks neighborhood areas overlap some areas of Prime Farmland in the plan area. The DSP-designated Agriculture Residential (5-acre minimum residential lots) and Rural Farm (2 to 5 acres per unit) land use categories within these three neighborhoods, totaling roughly 66 acres, would not preclude continued primary use for sustained high-yield agricultural production. However, the DSP-designated Rural Neighborhood (1 to 4 units per acre) and Rural Mixed-Use Center (4 to 8 units per acre) categories within these neighborhoods, totaling roughly 123 acres, would preclude continued high-yield agricultural production. The DSP would therefore, over time, convert up to approximately 123 acres of Prime Farmland to non-agricultural use. Although this DSP-related Prime Farmland loss would constitute a small (0.08 percent) portion of the County's total "Important Farmland" inventory, and would be offset by the DSP measures to return other plan area Prime Farmlands to high-yield agricultural production, it would nevertheless represent a <b>significant environmental impact</b> under CEQA.</p>	<p>Plan land use layout that would avoid all plan area Prime Farmland (Alternative 19.2). The evaluation indicates that the land use layout changes necessary to accommodate the County General Plan-suggested maximum development capacity of up to 400 new primary residential units and up to 100 new secondary residential units in a manner that avoids the 123 acres of plan area Prime Farmland would force more development into sensitive viewsheds and wildlife habitat and corridors, thereby defeating many of the key project objectives listed in section 2.3 of this Draft EIR. Therefore, it has been determined that no feasible mitigation is currently available to avoid this impact, this Specific Plan-related long-term potential for conversion of Prime Farmland in the plan area to urban use would represent a <b>significant and unavoidable impact</b>.</p>					
<p><b>Impact 4-2: Indirect Impacts on Prime Farmland.</b> DSP-facilitated development in the Elkhorn, Nightingale and Three Creeks neighborhoods could cause conflicts between new, project-facilitated Residential or Community Services (e.g., private school) uses and adjacent or nearby Prime Farmland agricultural activity. The large size of most DSP-proposed residential lots would allow substantial building setbacks from this property line, which would reduce the possibility for conflicts. Nevertheless, the introduction of new residential uses near existing Prime Farmland operations could result in land use compatibility problems for the existing farmland operations, such as nuisance complaints from new</p>	<p><b>Mitigation 4-2:</b> Chapter 2.2 of the Solano County Code protects farm operations from nuisance complaints associated with residential uses located next to active agricultural operations. The County's "right-to-farm ordinance," as it is commonly known, guarantees existing farm owners the right to continue agricultural operations, including, but not limited to, cultivating and tilling the soil, burning agricultural byproducts, irrigating, raising crops and/or livestock, and applying approved chemicals in a proper manner to fields and farmland. The ordinance limits the circumstances under which agriculture may be considered a nuisance. To prevent future residential/agriculture conflicts in the County, notice of this ordinance is currently required to</p>	Individual project applicants (must demonstrate compliance to County satisfaction).	County	Prior to any subdivision or other discretionary approval.		

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residents, livestock disturbance by domestic pets, trespassing, and vandalism. Nuisance complaints can potentially cause farm operators to curtail operations, and can deter additional investment in farm-related improvements that support the county's agriculture economy. This potential conflict between DSP-facilitated existing farmland operations, residential development and existing agricultural uses represents a <b>potentially significant impact</b> .	be given to purchasers of real property. Consistent with the Solano County Code, and as a condition of future subdivision and other discretionary development approvals in the plan area, the County shall require the development applicant/developer to provide notification in writing to all prospective purchasers of Residential or Community Services property of the potential nuisances associated with adjacent and nearby farm operations and the existence of the County right-to-farm ordinance.  Implementation of this measure would reduce the potential for project indirect impacts on Prime Farmland to a <b>less-than-significant level</b> .					
<b>AIR QUALITY</b>						
<b>Impact 5-1: Construction-Related Air Quality Impacts.</b> Construction or demolition activities permitted and/or facilitated by the proposed Specific Plan may generate construction-period exhaust emissions and fugitive dust that could temporarily but noticeably affect local air quality. This would represent a <b>potentially significant impact</b> .	<p><b>Mitigation 5-1.</b> The County shall require construction contractors to comply with Solano County General Plan Implementation Program HS.I-59 (best management practices) and Implementation Program RS.I-49 (requirements for diesel vehicles). In addition, for all discretionary grading, demolition, or construction activity in the Specific Plan area, the County shall require implementation of the following measures by construction contractors, where applicable:</p> <p><i>Dust (PM<sub>10</sub>) control measures that apply to all construction activities:</i></p> <ul style="list-style-type: none"> <li>Water all active construction areas that have ground disturbances at least twice daily and more often during windy periods.</li> <li>Cover all hauling trucks or maintain at least two feet of freeboard.</li> <li>Pave, apply water at least twice daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas.</li> <li>Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas, and sweep streets daily (with water sweepers) if visible soil material is deposited onto the adjacent roads.</li> </ul> <p><i>Enhanced dust (PM<sub>10</sub>) control measures (for construction sites that are greater than four acres, are located adjacent to sensitive receptors, or otherwise warrant additional control measures):</i></p> <ul style="list-style-type: none"> <li>Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (i.e., previously graded areas that are inactive for 10 days or more).</li> </ul>	Individual project applicants and their construction contractors (must demonstrate compliance to County satisfaction).	County	Condition of subdivision map approval; verified during individual project construction.		

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	<ul style="list-style-type: none"> <li>▪ Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles.</li> <li>▪ Limit traffic speeds on any unpaved roads to 15 miles per hour.</li> <li>▪ Replant vegetation in disturbed areas as quickly as possible.</li> <li>▪ Suspend construction activities that cause visible dust plumes to extend beyond the construction site.</li> </ul> <p><i>Measures to reduce diesel particulate matter and PM<sub>2.5</sub>:</i></p> <ul style="list-style-type: none"> <li>▪ Post clear signage at all construction sites indicating that diesel equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate, or other bulk materials. Rotating drum concrete trucks could keep their engines running continuously as long as they were onsite or adjacent to the construction site.</li> <li>▪ Prevent the use of construction equipment with high particulate emissions. Opacity is an indicator of exhaust particulate emissions from off-road diesel powered equipment. The project shall ensure that emissions from all construction diesel-powered equipment used on the project site do not exceed 40-percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40-percent opacity (or Ringelmann 2.0) shall be repaired or replaced immediately.</li> <li>▪ Ensure that contractors install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g. compressors).</li> <li>▪ Properly tune and maintain equipment for low emissions.</li> </ul> <p>The above measures are BAAQMD-identified "feasible control measures for construction emissions of PM<sub>10</sub>." Implementation of these measures would reduce the construction-related air quality impact to a <b>less-than-significant level</b>.</p>					
<p><b>Impact 5-2: Odor Impacts on "Sensitive Receptors."</b> Specific Plan-facilitated development in the plan area may expose sensitive receptors, such as housing and potentially a school, to odors. This effect is considered to be a <b>potentially significant project and cumulative impact</b>.</p>	<p><b>Mitigation 5-2.</b> In reviewing projects proposed in accordance with the Specific Plan, the Middle Green Valley Conservancy and County shall implement Solano County General Plan policies and implementation programs to reduce the potential for odor impacts on sensitive receptors, including Implementation Program HS.I-58 (encouraging</p>	MGV Conservancy and County-implemented education program; individual project	MGV Conservancy and County-implemented ongoing monitoring program (for best	Ongoing inspection/ monitoring of ag. operations by MGV Conservancy and County to		

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	agricultural best management practices) and Implementation Program HS.I-63 (establishing buffers). Implementation of these measures would be expected to reduce odor impacts on sensitive receptors to a <b>less-than-significant level</b> .	applicant-implemented development design measures.	management practices); MGV Conservancy Design Review Committee and County verification of adequate buffering through design review (for buffer requirement).	advocate best management practices; condition of subdivision map approval (for buffering).		
<b>Impact 5-3: Long-Term Regional Air Emissions Increases.</b> Specific Plan-facilitated development is not reflected in the latest applicable Clean Air Plan (CAP). In addition, future traffic increases associated with Specific Plan-facilitated development would generate regional emissions increases that would exceed the latest proposed BAAQMD emission-based threshold of significance for reactive organic gases (ROG). The effect of long-term regional emissions associated with Specific Plan-facilitated development is therefore considered to be a <b>significant project and cumulative impact</b> .	<p><b>Mitigation 5-3.</b> In addition to the energy-efficiency and other emissions-reducing measures already included in the Specific Plan (e.g., provisions of sidewalks, bicycle lanes, etc.), the County shall require that the Specific Plan include the following requirements:</p> <ul style="list-style-type: none"> <li>▪ Wire each housing unit to allow use of emerging electronic metering communication technology.</li> <li>▪ Restrict the number of fireplaces in residences to one per household and/or require residential use of EPA-certified wood stoves, pellet stoves, or fireplace inserts. EPA-certified fireplaces and fireplace inserts are 70- to 90-percent effective in reducing emissions from this source. Also encourage the use of natural gas-fired fireplaces.</li> <li>▪ Require outdoor outlets at residences to allow use of electrical lawn and landscape maintenance equipment.</li> <li>▪ Make natural gas available in residential backyards to allow use of natural gas-fired barbecues.</li> <li>▪ Require that any community services operation in the plan area use electrical or alternatively fueled equipment for maintenance of the areas under its jurisdiction.</li> </ul> <p>These strategies can be expected to reduce Specific Plan-related regional emissions assumed in the air quality analysis by perhaps 5 percent. This amount would fall short of the 23-percent reduction needed for emissions to fall below the proposed BAAQMD significance threshold for ROG.</p> <p>The finding of a significant impact is based primarily on inconsistencies among the land use projections used in various plans (i.e., the proposed Specific Plan, the recently adopted Solano County General Plan, and the 2005 Bay Area Ozone Strategy). As a result, the</p>	County, by incorp. these requirements into Specific Plan; individual project applicants, by incorp. into project designs.	MGV Conservancy Design Review Committee and County.	Prior to any subdivision or other discretionary approval.		

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	<p>Specific Plan's inconsistency with the CAP is primarily an administrative effect, in that the CAP is out-of-date and does not reflect current planning projections. The BAAQMD is likely to adopt an updated CAP that would include the latest County projections, including proposed development in the Specific Plan area. Until the current CAP is updated to reflect changed assumptions regarding the County General Plan and Specific Plan projections, adoption and implementation of the Specific Plan would remain technically inconsistent with the current CAP.</p> <p>In addition, however, Specific Plan-facilitated development would likely exceed the proposed BAAQMD significance threshold for ROG, should that threshold be adopted. Since no additional feasible full mitigation has been identified, the Specific Plan's effect on long-term regional emissions increases, as reflected in these administrative provisions, would therefore represent a <b>significant and unavoidable impact</b>.</p>					
<b>BIOLOGICAL RESOURCES</b>						
<p><b>Impact 6-1: General Areawide Impacts on Biological Resources.</b> The Draft Specific Plan (DSP) neighborhood and open lands framework (DSP sections 3.2.1 and 3.3.2), street network (DSP section 3.4.3) and associated environmental stewardship provisions and habitat protection objectives (DSP sections 3.3.4 and 5.5.6) have been formulated with the intent to avoid and protect mixed oak woodland forest, grassland pockets, and Hennessey Creek and Green Valley Creek riparian corridors, and to minimize biological resource impacts in general. The Draft Specific Plan also specifically acknowledges the framework that would be established by the Bureau of Reclamation and Solano County Water Agency's proposed Solano Multi-Species Habitat Conservation Plan (HCP) (DSP section 2.4.3) for complying with federal and state regulations for special-status species while accommodating future urban growth. In addition, the tree and habitat protection objectives identified in the DSP (section 5.5.6) specifically call for the protection of existing mature hardwood and oak trees; preservation, conservation and enhancement of open lands that provide wildlife habitat; minimization of tree and shrub removal in foothill areas; and repair of environmental degradation that has previously occurred. Nevertheless, based on the evaluation of biological resources occurring or potentially occurring</p>	<p><b>Mitigation 6-1.</b> The County shall encourage avoidance, minimization and compensatory mitigation of identified biological resources, including careful consideration by prospective individual project applicants of the biological resource constraint information provided in this EIR during the pre-application project design phase. In addition, prior to County approval of any future plan area subdivision or other discretionary development application, the project proponent shall submit a <i>biological resources assessment report</i> prepared by a qualified biologist for County review and approval. The <i>biological resources assessment report</i> shall contain a focused evaluation of project-specific impacts on biological resources, including any protocol level surveys for biological resources that have been performed as may be necessary for temporary and indirect impacts, as well as all related biological impact avoidance, minimization, and compensatory mitigation measures included in the project. If the assessment results in a determination that: (a) no oak woodland area, potentially jurisdictional wetland area, or riparian habitat or other stream features would be affected; and (b) no special-status plant or animal species habitat known to occur or potentially occur on or in the vicinity of the project would be affected; no further mitigation would be necessary. If the assessment results in a</p>	Individual project applicants (must demonstrate compliance to County satisfaction).	MGV Conservancy Design Review Committee and County.	Prior to any subdivision or other discretionary approval.		

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within or in the vicinity of the DSP-designated development areas by the EIR consulting biologist, it has been determined that future individual development projects undertaken in accordance with the DSP may result in potential site-specific impacts on biological resources including sensitive vegetation and aquatic communities, special-status plant species, and special-status wildlife species, due to future individual project-level residential, commercial and mixed-use development, landscaped parkland construction, active open space land uses, and associated road and utility/infrastructure construction activities. This possibility represents a <b>potentially significant impact</b> .	determination that one or more of these features would be affected, the assessment shall identify associated avoidance, minimization, and/or compensatory mitigation measures shall be consistent with the requirements of corresponding Mitigation 6-2 through 6-13 which follow in this EIR chapter, as well as all other applicable state and federal laws and regulations.  Prior to project approval, the County shall also confirm that project-level development has received the necessary permits, approvals, and determinations from applicable biological resource agencies as identified under Mitigations 6-2 through 6-13 which follow.  Implementation of these measures would reduce the potential impact to a <b>less-than-significant level</b> .					
<b>Impact 6-2: Potential Conflict with Solano County Multispecies Habitat Conservation Plan.</b> The Draft Specific Plan includes substantial measures intended to minimize potential conflicts between future individual developments undertaken under the Specific Plan with the policies of the Bureau of Reclamation and Solano County Water Agency's Administrative Draft Solano County Multispecies Habitat Conservation Plan (HCP). Nevertheless, if future individual project-level development undertaken under the Specific Plan includes aspects, or proposes special-status species impact avoidance, minimization and/or compensatory mitigation measures, that are not consistent with the HCP as ultimately adopted, the individual project would conflict with the provisions of an adopted Habitat Conservation Plan. This possibility represents a <b>potentially significant impact</b> .	<b>Mitigation 6-2.</b> The County shall ensure that, prior to construction, project-level applicants implement (a) multispecies impact avoidance, minimization and compensatory mitigation measures consistent with the Solano HCP (even if the individual project-level application does not require a jurisdictional approval from an HCP implementing agency such as the SCWA, City of Fairfield Municipal Water, or SID); or (b) comparable measures approved by applicable resource agencies. This measure would reduce the potential impact to a <b>less-than-significant level</b> . <i>[Note: This mitigation measure is intended to incorporate the final HCP, once adopted.]</i>	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to any subdivision or other discretionary approval.		
<b>Impact 6-3: Impact on Oak Woodlands.</b> The Draft Specific Plan includes land use and circulation configurations and associated measures intended to avoid or minimize potential impacts on existing oak woodlands. Nevertheless, future individual project-level development undertaken in accordance with the Specific Plan may result in direct, temporary and/or indirect impacts on oak woodland communities, representing a <b>potentially significant impact</b> .	<b>Mitigation 6-3.</b> Prior to approval of future individual, site-specific development projects within the plan area, the project proponent shall submit an <i>oak woodland management plan</i> , prepared by a trained arborist or forester, which is consistent with the requirements of the Specific Plan and this EIR (see below). The <i>oak woodland management plan</i> may be integrated into the <i>biological resources assessment report</i> (see Mitigation 6-1).  Direct impacts on oak woodland shall be mitigated by (a) conservation of oak woodland through the proposed Transfer of Development Rights program (or other method if necessary) at a minimum of a 1:1 ratio by acreage, and (b) replanting of removed heritage oaks at a 1:1 ratio. Transplantation of existing oaks	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to any subdivision or other discretionary approval.		

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	<p>would not require compensatory mitigation, unless subsequent monitoring shows that the transplanted oak has not survived the process.</p> <p>Implementation of this measure, combined with the detailed mitigation provisions included in the Specific Plan (see below), would reduce the potential impact to a <b>less-than-significant level</b>.</p>					
<p><b>Impact 6-4: Impacts on Riparian Communities.</b> The Draft Specific Plan includes land use and circulation configurations and associated measures intended to avoid or minimize potential impacts on Green Valley Creek and Hennessey Creek riparian communities. Nevertheless, future, individual project-level development undertaken in accordance with the Specific Plan may result in direct, temporary, indirect impacts on riparian communities in the plan area, representing a <b>potentially significant impact</b>.</p>	<p><b>Mitigation 6-4.</b> Proponents of projects that have been determined through <i>Mitigation 6-1</i> (biological resource assessment report) to involve potential impacts on riparian vegetation communities shall:</p> <p>(a) contact the California Department of Fish and Wildlife (CDFW) to determine whether a Lake and Streambed Alteration Agreement is necessary; and</p> <p>(b) provide a detailed description of the potential riparian habitat impacts and proposed mitigation program to the Regional Water Quality Control Board (Water Board) as part of the project's Water Quality Certification application.</p> <p>Final mitigation for direct and permanent impacts on riparian vegetation/habitat would be subject to <i>jurisdictional agency approval</i>—i.e., approval by the CDFW and Water Board. (The term “jurisdictional agency” as used throughout the mitigation program description in this EIR chapter refers to the federal and state resource agencies with authority pertaining to the subject impact—i.e., the applicable combination of USFWS, Corps, CDFW and/or Water Board, based on the jurisdictional authorities described in EIR Sections 6.2.2 and 6.2.3.)</p> <p>Mitigation shall include: (a) no net loss of riparian habitat, measured by acreage, either onsite or at an approved mitigation bank; and (b) replanting riparian vegetation in preserved riparian areas at the jurisdictional agency-established minimum ratio as measured by acreage, either onsite or at an approved mitigation bank. Temporary impacts on riparian habitat may be mitigated by replanting of riparian vegetation at the jurisdictional agency-established minimum ratio. Preserved riparian habitat areas shall be protected in perpetuity by a conservation easement.</p> <p>New development lot lines, the edges of cultivated agricultural fields in preserved lands, and all new groundwater wells shall be set back from preserved riparian corridors by a minimum of 50 feet from tributaries and a minimum of 100 feet from Green</p>	<p>Individual project applicants (must demonstrate compliance to County satisfaction).</p> <p>MGV County Service Area or Solano Irrigation District.</p>	<p>County.</p>	<p>Prior to any subdivision or other discretionary approval.</p> <p>Ongoing inspection/monitoring of operations.</p>		

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE	MONITORING			VERIFICATION	
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	<p>Valley Creek and lower Hennessey Creek.</p> <p>The potential for introduction of invasive species into riparian communities shall be minimized through use of the planting palettes recommended in the Specific Plan, or a comparable palette approved by the authorized jurisdictional agencies. The use of native plants shall be encouraged.</p> <p>To provide additional direct mitigation for project impacts on Hennessey Creek riparian vegetation, and potential indirect, in-kind mitigation for riparian impacts elsewhere in the plan area, a <i>Hennessey Creek conceptual restoration plan</i> shall be prepared. This conceptual restoration plan shall be prepared to jurisdictional agency satisfaction prior to final approval of any future plan area subdivision map or other discretionary approval involving direct impacts on Hennessey Creek riparian communities, or impacts on riparian communities elsewhere in the plan area that may be subject to in-kind mitigation.</p> <p><i>2014 RRDEIR Mitigation Measure 16-1</i> (Water Master Plan that identifies well locations and depths) and <i>Mitigation Measure 16-2a</i> (well design process to avoid interference between new wells and surface waters) shall be implemented to provide for avoidance of any potential interference between new plan wells and surface streams.</p> <p><i>Mitigation Measure 16-2b</i> shall also be required, as updated herein, if monitoring required in <i>Mitigation Measure 16-2a</i> identified drawdown of surface water in Green Valley Creek.</p> <p><i>Mitigation Measure 16-2b:</i> If, in the unlikely event that ongoing monitoring conducted as part of the well design plan or water supply Option B or Option C1 operation reveals potentially significant drawdown may be occurring in surface waters or existing wells in the vicinity of the new project wells, some or all of the following measures to mitigate those impacts will be implemented by the CSA or SID until subsequent monitoring shows that drawdown is not adversely affecting surface waters or operations of existing wells to the satisfaction of the County Division of Environmental Health:</p> <ul style="list-style-type: none"> <li>• lowering existing pumping equipment within the well structure in affected well(s),</li> <li>• deepening or replacing the affected well(s),</li> <li>• altering the amount or timing of pumping from the project well (i.e., shifting some</li> </ul>					

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	<p>pumpage to another project well and/or drilling a supplemental project well) to eliminate the adverse impact,</p> <ul style="list-style-type: none"> <li>providing replacement project well(s), and/or</li> <li>providing a water supply connection for the property/uses served by the affected well(s) to the Option B or Option C1 water supply system, sufficient to provide the property/uses with a substantially similar quality of water and the ability to use water in substantially the same manner that they were accustomed to doing if the project had not existed and caused a decline in water levels of their wells.</li> </ul> <p>These measures would reduce the potential impacts to riparian communities to a <b>less-than-significant</b> level.</p>					
<p><b>Impact 6-5: Impact on Wetlands, Streams, and Ponds.</b> The Draft Specific Plan includes land use and circulation configurations and associated measures intended to avoid or minimize potential impacts on existing wetlands, streams and ponds. Nevertheless, future, individual project-level development undertaken in accordance with the Specific Plan may result in direct, temporary, and/or indirect impacts on wetlands, streams, and ponds in the plan area, representing a <b>potentially significant impact</b>.</p>	<p><b>Mitigation 6-5.</b> Proponents of projects that have been determined through <i>Mitigation 6-1</i> (biological resources assessment report) to involve potential impacts on wetlands, streams and ponds shall:</p> <p>(a) contact the California Department of Fish and Wildlife (CDFW) to determine whether a Lake and Streambed Alteration Agreement is necessary; and</p> <p>(b) submit a Section 404 permit application to the U.S. Army Corps of Engineers (Corps) and a Water Quality Certification application to the Regional Water Quality Control Board (Water Board). A jurisdictional Section 404 delineation must be approved by the Corps before permits can be issued by the above-listed agencies.</p> <p>Final mitigation for direct and temporary impacts on wetlands, streams, and ponds shall be subject to the approval of the CDFW and Water Board. Mitigation for direct impacts shall include a minimum of (a) preservation of wetland, stream, and/or pond habitat at the jurisdiction agency-established minimum ratio, measured by acreage, either onsite or at an approved mitigation bank; and (b) creation of wetland, stream, and/or pond habitat in preserved areas at the jurisdiction agency-established minimum ratio, either onsite or at an approved mitigation bank. Onsite preserved habitat areas shall be protected in perpetuity by a conservation easement.</p> <p>New development lot lines and the edges of cultivated agricultural fields in preserved lands shall be set back</p>	<p>Individual project applicants (must demonstrate compliance to County satisfaction).</p> <p>MGV County Service Area or Solano Irrigation District.</p>	<p>County.</p>	<p>Prior to any subdivision or other discretionary approval.</p> <p>Ongoing inspection/monitoring of operations.</p>		

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	<p>from preserved wetlands, streams, and ponds by a minimum of 50 feet from tributaries and a minimum of 100 feet from Green Valley Creek and lower Hennessey Creek.</p> <p>New and expanded road crossings over streams shall be designed and constructed to minimize disturbance to the stream channel by the use of measures such as clear span bridges or arch span culverts when feasible, and minimizing the number and area of footings placed in and at the margins of stream channels.</p> <p>The Hennessey Creek conceptual restoration area (see <i>Mitigation 6-4</i>) shall be made available to provide for mitigation of direct impacts on Hennessey Creek riparian communities, or potential in-kind mitigation for riparian impacts elsewhere in the plan area.</p> <p>As indicated in <i>Mitigation 6-4</i>, the potential for introduction of invasive species shall be minimized through use of the planting palettes recommended in the Specific Plan, or a comparable palette approved by the authorized jurisdictional agencies. The use of native plants shall be encouraged.</p> <p><i>2014 RRDEIR Mitigation Measure 16-1</i> (Water Master Plan that identifies well locations and depths), <i>Mitigation Measure 16-2a</i> (well design process to avoid interference between new wells and surface waters), and <i>Mitigation Measure 16-2b</i> (adaptive management of groundwater wells), shall be implemented to provide for avoidance of any potential interference between new Plan wells and surface streams.</p> <p>These measures would reduce the potential impact to a <b>less-than-significant level</b>.</p>					
<p><b>Impact 6-6: Impact on Special-Status Plant Species Observed or Known to Occur in the Plan Area.</b> Development undertaken in accordance with the Specific Plan may result in direct, temporary, or indirect impacts on one special-status plant species observed or known to occur in the plan area, Northern California black walnut, which is a California Native Plant Society (CNPS) List 1B species. This possibility represents a <b>potentially significant impact</b>.</p>	<p><b>Mitigation 6-6.</b> Prior to approval of future individual project-level development plans in the plan area, the potential for occurrence of special-status plant species in the proposed project area should be evaluated under <i>Mitigation 6-1</i> (biological resources assessment report requirements) by a qualified professional biologist and based on the information provided by this EIR and other appropriate literature resources. If suitable habitat for special-status plant species is present in the proposed project area, protocol-level special-status plant surveys shall be conducted during the appropriate blooming period by a qualified professional biologist. The results of the report shall be provided as part of a protocol-level <i>special-status plant survey report</i>, or integrated into other biological</p>	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to any subdivision or other discretionary approval.		

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	<p>documentation.</p> <p>If special-status plant species are found during protocol-level special-status plant species surveys, the special-status plant species survey report shall provide a discussion of avoidance, minimization, and mitigation measures as appropriate for each species population. Species observed to be present shall be avoided if feasible. If avoidance of these species is not feasible, the special-status plant species shall be transplanted to suitable habitat areas using techniques most suited for the species based on best available science. This may include seed collection, transplantation, or other appropriate methods depending on the observed plant species.</p> <p>Potential indirect hydrology impacts shall be evaluated as part of the <i>special-status plant species survey report</i>. If special-status plant species populations could be affected by changes in hydrology as a result of the proposed project, measures such as establishment of appropriate buffers and/or changes to grading contours (if feasible) shall be recommended to maintain preserved and avoided plant species populations.</p> <p>The potential for introduction of invasive species shall be minimized through use of planting palettes recommended in the Specific Plan or a comparable palette approved by the authorized jurisdictional agencies. The use of native plants is encouraged.</p> <p>Construction activities shall disturb the minimum area necessary to complete construction work and disturbed areas seeded with a mix containing native species as soon as possible following disturbance. Construction equipment shall be kept clean of vegetative material, and construction traffic shall be restricted to those areas necessary to complete construction.</p> <p>Implementation of these measures to the satisfaction of the listing jurisdictional agency would reduce the potential impact to a <b>less-than-significant level</b>. The listing jurisdictional agency is the federal, state and/or local agency--i.e., the USFWS, or CDFW, CNPS, or County--that has recognized (i.e., listed) the species as a special status species deserving special consideration because of its rarity or vulnerability.</p>					
<p><b>Impact 6-7: Impacts on Special-Status Plant Species with Potential Habitat in the Plan Area.</b> Development undertaken in accordance with the Specific Plan may result in direct, temporary or indirect impacts on special-status plant species that have not</p>	<p><b>Mitigation 6-7.</b> Implement <i>Mitigation 6-6</i>. Implementation of this measure as a condition of future individual discretionary project approvals, to the satisfaction of the listing jurisdictional agency (CDFW), would reduce this potential impact to a <b>less-than-</b></p>	Individual project applicants (must demonstrate compliance to County	County.	Prior to any subdivision or other discretionary approval.		

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yet been observed or are not yet known to occur, but could potentially occur, based on habitat conditions in the plan area, including CNPS List 1B species (Alkali milk-vetch, Big-scale balsamroot, Big tarplant, Narrow-anthered California brodiaea, Mt. Diablo fairy lantern, Tiburon paintbrush, Holly-leaved ceanothus, Pappose tarplant, Western leatherwood, Adobe lily, Diablo helianthella, Brewer's westernflax, Robust monardella, Baker's navarretia, Snowy Indian clover, and Saline clover) and CNPS List 2 species (Dwarf downingia, Rayless ragwort, and Oval-leaved viburnum). This possibility represents a <b>potentially significant impact</b> .	<b>significant level.</b>	satisfaction).				
<b>Impact 6-8: Impacts on Special-Status Wildlife Species Observed or Known to Occur in the Plan Area.</b> Development undertaken in accordance with the Specific Plan may result in direct, temporary or indirect impacts on special-status wildlife species observed or known to occur in the plan area, including CDFW Species of Special Concern (Loggerhead Shrike, Grasshopper Sparrow, and Western Pond Turtle), a USFWS Bird of Conservation Concern (Lewis's Woodpecker), a Federal Threatened Species (Steelhead) and a CDFW Protected Species (Monarch Butterfly). This possibility represents a <b>potentially significant impact</b> .	<b>Mitigation 6-8.</b> The <i>biological resources assessment reports</i> submitted by applicants for project-level developments in the plan area shall evaluate the potential for special-status wildlife species to occur in the proposed project areas and shall identify appropriate avoidance, minimization and/or compensatory measures. In accordance with <i>Mitigation 6-2</i> , the <i>biological resources assessment reports</i> shall refer to the anticipated Solano HCP for appropriate avoidance and minimization measures. Impacts on avian species protected by the Migratory Bird Treaty Act (MBTA) shall be avoided through preconstruction breeding bird surveys and avoidance of occupied nests. Implementation of this measure as a condition of individual discretionary project approval, to the satisfaction of the listing jurisdictional agency(ies), would reduce this potential impact to a <b>less-than-significant level</b> .	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to any subdivision or other discretionary approval.		
<b>Impact 6-9: Impacts on Special-Status Wildlife Species with Potential Habitat in the Plan Area.</b> Development undertaken in accordance with the Specific Plan may also result in direct, temporary or indirect impacts on special-status species that have not yet been observed or are not yet known to occur, but could potentially occur, based on habitat conditions in the plan area, including CDFW Species of Special Concern (Pallid Bat, various Western Bat species, American Badger, and Northern Harrier), CDFW Fully Protected Species (Golden Eagle and White-Tailed Kite), State Threatened Species (Swainson's Hawk) and a USFWS Bird of Conservation Concern (Golden Eagle). This possibility represents a <b>potentially significant impact</b> .	<b>Mitigation 6-9.</b> Implement <i>Mitigation 6-8</i> . Implementation of this measure as a condition of future individual discretionary project approvals, to the satisfaction of the listing jurisdictional agency (CDFW), would reduce this potential impact to a <b>less-than-significant level</b> .	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to any subdivision or other discretionary approval.		
<b>Impact 6-10: Impact on Loggerhead Shrike, Lewis's Woodpecker, Grasshopper Sparrow and Other</b>	<b>Mitigation 6-10.</b> If construction or other disturbance to suitable nesting habitat for these and other potential	Individual project applicants (must	County.	Prior to any subdivision or		

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<p><b>Protected Bird Species.</b> Future, individual project-level development undertaken in accordance with the Specific Plan may result in direct, temporary, and/or indirect impacts on nesting and foraging habitat for protected bird species known to occur in the plan area, including Loggerhead Shrike, Lewis's Woodpecker, and Grasshopper Sparrow, as well as other special-status and Migratory Bird Treaty Act-protected bird species with the potential to occur in the plan area, representing a <b>potentially significant impact</b>.</p>	<p>special-status bird species is conducted between February 1 and August 31, pre-construction breeding bird surveys shall be conducted by a qualified biologist no later than 30 days prior to the anticipated start of construction. Construction and removal of suitable nesting vegetation may be initiated without pre-construction surveys if removal and disturbance of suitable nesting habitat is conducted between September 1 and January 31.</p> <p>If breeding birds are observed during pre-construction surveys, disturbance to active nests shall be avoided by establishment of a buffer between the nest and construction activities. Appropriate buffer distances are species- and project-specific but shall follow the guidelines of the ADHCP: for example, a minimum of 500 feet would be required for Swainson's Hawk and a minimum of 250 feet for Special Management Species (Loggerhead Shrike, Grasshopper Sparrow, and Tricolored Blackbird). For all other special-status bird species, a minimum buffer distance of at least 50 feet shall be required.</p> <p>The <i>biological resources assessment reports</i> required under <i>Mitigation 6-1</i> for all individual discretionary development projects in the plan area shall contain analysis of measures that would be used by a proposed development project to minimize and avoid potential indirect impacts on special-status bird species.</p> <p>Implementation of these measures would reduce the potential impact to a <b>less-than-significant level</b>.</p>	<p>demonstrate compliance to County satisfaction).</p>		<p>other discretionary approval.</p>		
<p><b>Impact 6-11: Impact on California Red-legged Frog and Western Pond Turtle.</b> Future individual discretionary project-specific development undertaken in accordance with the Specific Plan may result in direct, temporary, and/or indirect impacts on California red-legged frog and western pond turtle and suitable habitat for this species, representing a <b>potentially significant impact</b>.</p>	<p><b>Mitigation 6-11.</b> The presence of suitable aquatic and dispersal habitat for California red-legged frog (CRLF) and Western Pond Turtle (WPT) shall be evaluated by a qualified biologist as part of the <i>biological resources assessment report</i> required under <i>Mitigation 6-1</i>. Projects containing suitable aquatic habitat for CRLF and WPT shall provide an analysis of potential impacts, along with avoidance, minimization, and mitigation measures for potential impacts on CRLF and WPT.</p> <p>If take of CRLF would occur, the project may seek take coverage through the Solano HCP if approved, and implement avoidance, minimization, and mitigation measures consistent with the Solano HCP. If the Solano HCP is not yet approved, projects shall consult with USFWS in accordance with ESA. Avoidance, minimization, and mitigation measures, consistent with the draft Solano HCP, shall be imposed to ensure no</p>	<p>Individual project applicants (must demonstrate compliance to County satisfaction).</p> <p>MGV County Service Area or Solano Irrigation District.</p>	<p>County.</p>	<p>Prior to any subdivision or other discretionary approval.</p> <p>Ongoing inspection/ monitoring of operations.</p>		

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	<p>net loss of habitat or individuals. Measures may include protection of habitat to be retained on site during construction, worker awareness training, timing of project activities to avoid destruction of egg masses, and purchase of conservation credits at a USFWS-approved conservation bank to compensate for the loss of habitat or individuals.</p> <p>Direct impacts on WPT habitat shall be mitigated through implementation of the mitigation measures described above for wetlands, streams, and ponds (Mitigation Measure 6-5). Indirect hydrology and water quality impacts on WPT shall be mitigated through implementation of mitigation measures recommended in Chapter 11, Hydrology and Water Quality, of the 2009 DEIR. It is recommended that final avoidance, minimization, and mitigation measures be developed in consultation with CDFW and/or be consistent with the measures outlined in the anticipated Solano HCP.</p> <p>Project-level development shall maintain the recommended riparian corridor widths (see Mitigation Measure 6-4) as mitigation for indirect impacts on wetlands, streams, and ponds due to changes in water quality runoff as well as groundwater drawdown.</p> <p><i>2014 RRDEIR Mitigation Measure 16-1</i> (Water Master Plan that identifies well locations and depths), <i>Mitigation Measure 16-2a</i> (well design process to avoid interference between new wells and surface waters), and <i>Mitigation Measure 16-2b</i> (adaptive management of groundwater wells), shall be implemented to provide for avoidance of any potential interference between new plan wells and surface streams.</p> <p>These measures would reduce the potential impact to a <b>less-than-significant level</b>.</p>					
<p><b>Impact 6-12: Impact on Steelhead.</b> The Draft Specific Plan includes land use and circulation configurations and associated measures intended to avoid or minimize potential direct and indirect impacts on plan area streams and stream habitats. Nevertheless, future individual project-specific discretionary development undertaken in accordance with the Specific Plan may result in direct, temporary, and/or indirect impacts on Steelhead in Green Valley Creek, a Federal Threatened Species, representing a <b>potentially significant impact</b>.</p>	<p><b>Mitigation 6-12.</b> Utility crossings and new and expanded road crossings over streams shall be designed and constructed to minimize disturbance to the stream channel by using measures such as clear span bridges or arch span culverts when feasible, and by minimizing the number and area of footings placed in and at the margins of stream channels. Appropriate construction Best Management Practices (BMPs) such as those recommended in this EIR or in the anticipated Solano HCP to minimize impacts on steelhead shall also be implemented. Design and minimization measures are subject to approval, and may change, based on consultation with the National Marine Fisheries Service (NMFS).</p>	<p>Individual project applicants (must demonstrate compliance to County satisfaction).</p> <p>MGV County Service Area or Solano Irrigation District.</p>	<p>County.</p>	<p>Prior to any subdivision or other discretionary approval.</p> <p>Ongoing inspection/monitoring of operations.</p>		

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	<p>Riparian vegetation mitigation measures outlined in <i>Mitigation 6-4</i> shall also be implemented to reduce impacts on riparian vegetation that may affect Steelhead. Mitigation measures for stormwater quality and quantity identified recommended in Chapter 11, Hydrology and Water Quality, of this EIR shall be implemented to minimize indirect impacts on Steelhead from stormwater and water quality changes due to construction.</p> <p>Project-level development shall maintain the recommended riparian corridor widths (see <i>Mitigation Measure 6-4</i>) as mitigation for indirect impacts on wetlands, streams, and ponds due to changes in water quality runoff as well as groundwater drawdown.</p> <p><i>2014 RRDEIR Mitigation Measure 16-1</i> (Water Master Plan that identifies well locations and depths), <i>Mitigation Measure 16-2a</i> (well design process to avoid interference between new wells and surface waters), and <i>Mitigation Measure 16-2b</i> (adaptive management of groundwater wells), shall be implemented to provide for avoidance of any potential interference between new plan wells and surface streams.</p> <p>Implementation of these measures would reduce the potential impact to a <b>less-than-significant level</b>.</p>					
<p><b>Impact 6-13: Impact on Wildlife Habitat Corridors and Linkages.</b> Compared to other forms of development, the cluster development patterns proposed by the Specific Plan would greatly reduce the potential impact on habitat corridors and linkages, and the proposed preservation of large open space areas would help preserve opportunities for wildlife habitat use and movement. Nevertheless, future individual discretionary project-level development undertaken pursuant to the Specific Plan has the potential to impact wildlife habitat corridors and linkages, through the introduction of barriers to wildlife movement in the form of wider roads with increased traffic and increased development and human presence, representing a <b>potentially significant impact</b>.</p>	<p><b>Mitigation 6-13.</b> As part of the <i>biological resources assessment report</i> required under <i>Mitigation 6-1</i>, each project undertaken pursuant to the Specific Plan shall include minimization and mitigation measures for potential impacts on wildlife corridors. Measures may vary based on project location, project design, and habitat types present.</p> <p>Project-level developments shall maintain the limits of development specified in the Specific Plan to provide adequate buffers for habitat corridors. Stream setbacks specified in <i>Mitigation 6-4</i> shall be implemented to maintain adequate corridor widths in riparian areas to allow for movement of wildlife.</p> <p>Implementation of these measures would reduce the potential impact to a <b>less-than-significant level</b>.</p>	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to any subdivision or other discretionary approval.		
<p><b>Impact 6-14: Cumulative Impact on Biological Resources.</b> Development in the Specific Plan area, in combination with other future development elsewhere in the county and subregion, could contribute to cumulative biological resources impacts, including cumulative losses of special-status species, Heritage Trees, and other vegetation and wildlife. These</p>	<p><b>Mitigation 6-14.</b> The County shall ensure that <i>Mitigations 6-1</i> through <i>6-13</i> above are implemented. With successful implementation of these measures, the Specific Plan's contribution to the cumulative biological resources impact would be reduced to a <b>less-than-significant level</b>.</p>	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to any subdivision or other discretionary approval.		

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cumulative impacts have been considered in the preparation and adoption of the Solano County General Plan and County-certified General Plan EIR, as well as in similar documents prepared for and adopted in other jurisdictions. The Specific Plan's potential contribution to cumulative effects on biological resources would represent a <b>potentially significant cumulative impact</b> .						
<b>Impact 6-15: Cumulative Impact on Riparian and Aquatic Biological Resources due to Groundwater Extraction under Water Supply Option B or Option C1.</b> Cumulative impacts on biological resources were addressed in the original 2009 DEIR in Impact 6-14. With regard to such impacts from groundwater use, specifically, extraction of groundwater to serve the Specific Plan under Water Supply Option B or Option C1, in combination with groundwater pumping from existing and future development in Middle Green Valley, could contribute to cumulative indirect effects from groundwater pumping on riparian and aquatic biological resources. If pumping from multiple wells were to combine to create substantial drawdown such that the water table were to drop below levels sufficient to support riparian vegetation, or below levels sufficient to maintain surface water flows that support fish and aquatic species, this would represent a <b>potentially significant cumulative impact</b> .	<b>Mitigation 6-15.</b> The County shall ensure that <i>Mitigation Measures 6-4, 6-5, 6-11, 6-12, 16-1, 16-2a, and 16-2b</i> are implemented. With successful implementation of these measures, the Specific Plan's contribution to the cumulative riparian and aquatic biological resource impacts would be <b>less than cumulatively considerable</b> .	Individual project applicants (must demonstrate compliance to County satisfaction).  MGV County Service Area or Solano Irrigation District.	County.	Prior to any subdivision or other discretionary approval.  Ongoing inspection/monitoring of operations.		
<b>CLIMATE CHANGE</b>						
<b>Impact 7-1: Specific Plan-Related and Cumulative Increase in Greenhouse Gas Emissions.</b> Construction and ongoing operation of Specific Plan-facilitated development would result in a net increase in carbon dioxide and other greenhouse gas emissions.  The Specific Plan contains guidelines and principles for encouraging energy efficiency in new development within the plan area. In addition, Specific Plan-facilitated new building construction and other improvements would be required to meet California Energy Efficiency Standards for Residential and Nonresidential Buildings, helping to reduce associated future energy demand and associated Specific Plan contributions to cumulative regional greenhouse gas emissions.  Nevertheless, conservatively assuming construction	<b>Mitigation 7-1.</b> The proposed Specific Plan contains measures to encourage energy efficiency in new Specific Plan-facilitated development. To further ensure that the proposed Specific Plan facilitates growth in a manner that reduces the rate of associated greenhouse gas emissions increase, discretionary approvals for Specific Plan-related individual residential, commercial, agricultural, and public services projects in the Specific Plan area shall be required to comply with the Climate Action Plan to be developed and adopted by the County. In the interim, Specific Plan-related discretionary approvals shall incorporate an appropriate combination of the following greenhouse gas emissions reduction measures (from Table 7.3): <ul style="list-style-type: none"><li>features in the project design that would accommodate convenient public transit and promote direct access for pedestrians and bicyclists</li></ul>	Individual project applicants (must demonstrate compliance to County satisfaction).	MGV Conservancy Design Review Committee and County.	Prior to any subdivision or other discretionary approval.		

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emissions of 66 to 1,443 tons per year and an estimated ongoing "worst case" net increase in greenhouse gas emissions of approximately 10,779 metric tons per year (or 6.65 metric tons per year per capita), the proposed Specific Plan could be expected to result in a <b>significant project and cumulative global climate change impact</b> .	<p>to major destinations;</p> <ul style="list-style-type: none"> <li>▪ adoption of a project design objective for residential and commercial buildings to achieve Leadership in Energy and Environmental Design (LEED) New Construction "Silver" Certification or better, in addition to compliance with California Code of Regulations Title 24 Energy Efficient Standards;</li> <li>▪ planting of trees and vegetation near structures to shade buildings and reduce energy requirements for heating and cooling;</li> <li>▪ preservation or replacement of existing onsite trees;</li> <li>▪ construction and demolition waste recycling (see Mitigation 16-12 of this EIR); and</li> <li>▪ preference for replacement of project exterior lighting, street lights and other electrical uses with energy efficient bulbs and appliances.</li> </ul> <p>Implementation of appropriate combinations of these mitigation measures in individual Specific Plan-related developments would substantially reduce Specific Plan-related greenhouse gas emissions impacts. However, because the effectiveness of this mitigation program in reducing the Specific Plan-related contribution to cumulative greenhouse gas emissions in the region cannot be reasonably quantified, it has been determined that the Specific Plan, when combined with anticipated overall cumulative development in the region as a whole, would potentially produce a substantial net increase in greenhouse gas emissions, representing a <b>significant unavoidable project and cumulative climate change impact</b>.</p>					
<b>CULTURAL, HISTORIC AND PALEONTOLOGICAL RESOURCES</b>						
<b>Impact 8-1: Disturbance of Archaeological Resources.</b> The Draft Specific Plan (DSP) neighborhood and open lands framework (DSP sections 3.2.1 and 3.2.2), streetwork (DSP section 3.4.3) and associated environmental stewardship objectives (DSP section 3.3.4) have been formulated with the intent to preserve and protect archaeological resources. The DSP proposes development of housing, community/public service uses, "agricultural tourism uses," and neighborhood commercial uses clustered around four neighborhoods, with the remaining 78 percent of the plan area preserved as open land. The DSP-proposed Green Valley Conservancy, a non-profit conservation organization,	<p><b>Mitigation 8-1.</b> During the County's normal project-specific environmental review (Initial Study) process for all future, discretionary, public improvement and private development projects in the Specific Plan area, the County shall determine the possible presence of, and the potential impacts of the action on, archaeological resources, based on the information provided by this EIR. For projects involving substantial ground disturbance, the individual project sponsor or environmental consultant shall be required to contract with a qualified archaeologist to conduct a determination in regard to cultural values remaining on the site and warranted mitigation measures.</p> <p>In general, to make an adequate determination, the</p>	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Ongoing inspection/monitoring during construction.		

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would oversee these preserved areas. Nevertheless, DSP-designated development and agricultural areas have the substantial potential to contain buried or obscured prehistoric cultural resources, as verified by the EIR consulting archaeologist. Agricultural activities and grading activities associated with future individual development projects undertaken in accordance with the DSP may disturb existing unrecorded sensitive archaeological resources in the plan area. This possibility represents a <b>potentially significant impact</b> .	<p>archaeologist shall conduct a preliminary field inspection to (1) assess the amount and location of visible ground surface, (2) determine the nature and extent of previous impacts, and (3) assess the nature and extent of potential impacts. Such field inspection may demonstrate the need for some form of additional subsurface testing (e.g., excavation by auger, shovel, or backhoe unit), or, alternatively, the need for onsite monitoring of subsurface activities (i.e., during grading or trenching). To complete the inventory of prehistoric cultural resources, mechanical testing is recommended in areas adjoining Hennessey Creek and Green Valley Creek where ground disturbance may be proposed. In addition, evaluative testing may be necessary to determine whether a resource is eligible for inclusion on the California Register of Historic Places.</p> <p>If a significant archaeological resource is identified through this field inspection process, the County and project proponent shall seek to avoid damaging effects on the resource. Preservation in place to maintain the relationship between the artifact(s) and the archaeological context is the preferred manner of mitigating impacts on an archaeological site. Preservation may be accomplished by:</p> <ul style="list-style-type: none"> <li>▪ planning construction to avoid the archaeological site;</li> <li>▪ incorporating the site within a park, green space, or other open space element;</li> <li>▪ covering the site with a layer of chemically stable soil; or</li> <li>▪ deeding the site into a permanent conservation easement (e.g., an easement administered by the proposed Green Valley Conservancy).</li> </ul> <p>When in-place mitigation is determined by the County to be infeasible, a <i>data recovery plan</i>, which makes provisions for adequate recovery of culturally or historically consequential information about the site, shall be prepared and adopted prior to any additional excavation being undertaken. Such studies shall be submitted to the California Historical Records Information System (CHRIS). If Native American artifacts are indicated, the studies shall also be submitted to the Native American Heritage Commission. Identified cultural resources shall be recorded on form DPR 422 (archaeological sites). Mitigation measures recommended by these two groups and required by the County shall be undertaken, if necessary, prior to resumption of</p>					

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	<p>construction activities.</p> <p>A <i>data recovery plan</i> and data recovery shall not be required if the County determines that testing or studies already completed have adequately recovered the necessary data, provided that the data have already been documented in another EIR or are available for review at the CHRIS (CEQA Guidelines section 15126.4[b]).</p> <p>In the event that subsurface cultural resources are otherwise encountered during approved ground-disturbing activities for a plan area construction activity, work in the immediate vicinity shall be stopped and a qualified archaeologist retained to evaluate the finds following the procedures described above.</p> <p>If human remains are found, special rules set forth in State Health and Safety Code section 7050.5 and CEQA Guidelines section 5064.5(e) shall apply.</p> <p>Implementation of this measure would supplement the County's existing General Plan policies and implementation programs and would reduce this impact to a <b>less-than-significant level</b>.</p>					
<p><b>Impact 8-2: Destruction/Degradation of Historic Resources.</b> The planning process for the Draft Specific Plan (DSP) included consideration of the Secretary of the Interior's standards and other provisions for protecting historic resources. In addition, the 55 existing housing units in the plan area--some of which represent historic-period resources--would not be affected by DSP-facilitated neighborhood and infrastructure framework. Nevertheless, future project-specific development in accordance with the Specific Plan may result in substantial adverse changes in the significance of one or more individual potentially significant historic properties in the plan area. If a historic resource were the subject of a future, site-specific development proposal, substantial adverse changes that may potentially occur include physical demolition, destruction, relocation, or alteration of one or more of these identified resources, such that the resource is "materially impaired." A historic resource is considered to be "materially impaired" when a project demolishes or materially alters the physical characteristics that justify the determination of its significance (CEQA Guidelines section 15064.5[b]). Such an adverse change to a CEQA-defined historic resource would constitute a <b>potentially significant impact</b>.</p>	<p><b>Mitigation 8-2.</b> Generally, for any future discretionary action within the Specific Plan area that the County determines through the CEQA-required Initial Study review process may cause a "substantial adverse change" to an identified historic resource, the County and applicant shall incorporate measures that would seek to improve the affected resource in accordance with either of the following publications:</p> <ul style="list-style-type: none"> <li>▪ The Secretary of the Interior's <i>Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings</i>; or</li> <li>▪ The Secretary of the Interior's <i>Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings</i>.</li> </ul> <p>In accordance with the recommendations of the Holman &amp; Associates cultural resources inventory, evaluation of the affected resource shall include consideration of (a) the research potential of the property type, (b) the total number of similar resources in the Specific Plan area and potential impacts on the plan area as a whole, and (c) the preservation and study priorities identified in the Holman &amp; Associates inventory. Each site shall be formally recorded on State of California primary record forms (form DPR 523) and</p>	County (CEQA-required Initial Study responsibility) and individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to issuance of grading or building permit.		

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	<p>applicable attachments. Recording shall consolidate as many of the structures and features as possible into one site (i.e., record form) where there is a clear historical association, despite the frequent dispersal of features across the plan area.</p> <p>Successful incorporation of these measures would supplement the County's existing General Plan policies and implementation programs and would reduce the impact to a <b>less-than-significant level</b> (CEQA Guidelines section 15126.4[b]). This mitigation shall be made enforceable by its incorporation into the Specific Plan as a County-adopted requirement to be implemented through subsequent development-specific permits, conditions, agreements, or other measures, pursuant to CEQA Guidelines section 15064.5(b)(3-5).</p> <p>For any future discretionary action that would result in the <u>demolition</u> of an identified historic resource, or otherwise cause the significance of the resource to be "materially impaired," the County shall determine through the Initial Study process that the resulting potential for a significant impact is unavoidable, thereby requiring a project-specific EIR (CEQA Guidelines section 15064.5[a] and [b]). In these instances, potentially significant standing structures and/or features shall be evaluated by a qualified architectural historian familiar with the region and its resources. The County shall use this information to formulate a mitigation plan for the resource, including avoiding the structure or feature or moving it to another location and/or donating some features or samples of artifacts to local historical guilds for public interpretation and permanent curation. If standing structures would be moved or destroyed, potential subsurface impacts and the presence/absence of below-ground features, such as buried foundations and filled-in privies and wells, shall be evaluated and addressed. While existing archival information may be sufficient to address applicable research issues for some resources, focused documentary research and/or oral histories may be required to develop an appropriate contextual framework for interpretation and evaluation of other resources.</p>					
<p><b>Impact 8-3: Destruction/Degradation of Paleontological Resources.</b> Development facilitated by the Specific Plan could disturb existing known or unrecorded paleontological resources in the plan area. This possibility represents a <b>potentially significant</b></p>	<p><b>Mitigation 8-3.</b> During the County's normal project-specific environmental review (Initial Study) process for all future, discretionary public improvement and private development projects in the Specific Plan area, the County shall determine the possible presence of, and the potential impacts of the action on, paleontological</p>	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Ongoing inspection/monitoring during construction.		

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impact.	<p>resources. For projects involving substantial ground disturbance, the County shall require individual project applicants to carry out the following measures:</p> <p>(1) <i>Education Program.</i> Project applicants shall implement a program that includes the following elements:</p> <ul style="list-style-type: none"> <li>▪ Resource identification training procedures for construction personnel;</li> <li>▪ Spot-checks by a qualified paleontological monitor of all excavations deeper than seven feet below ground surface; and</li> <li>▪ Procedures for reporting discoveries and their geologic content.</li> </ul> <p>(2) <i>Procedures for Resources Encountered.</i> If subsurface paleontological resources are encountered, excavation shall halt in the vicinity of the resources and the project paleontologist shall evaluate the resource and its stratigraphic context. The monitor shall be empowered to temporarily halt or redirect construction activities to ensure avoidance of adverse impacts on paleontological resources. During monitoring, if potentially significant paleontological resources are found, "standard" samples shall be collected and processed by a qualified paleontologist to recover micro vertebrate fossils. If significant fossils are found and collected, they shall be prepared to a reasonable point of identification. Excess sediment or matrix shall be removed from the specimens to reduce the bulk and cost of storage. Itemized catalogs of material collected and identified shall be provided to the museum repository with the specimens. Significant fossils collected during this work, along with the itemized inventory of these specimens, shall be deposited in a museum repository for permanent curation and storage. A report documenting the results of the monitoring and salvage activities, and the significance of the fossils, if any, shall be prepared. The report and inventory, when submitted to the lead agency, shall signify the completion of the program to mitigate impacts on paleontological resources.</p> <p>Implementation of this measure would reduce the impact to a <b>less-than-significant level</b>.</p>					
<b>GEOLOGY AND SOILS</b>						
<b>Impact 10-1: Landslide and Erosion Hazards.</b> The Specific Plan would allow development in areas that may be subject to landslide and erosion hazards,	<b>Mitigation 10-1.</b> At County discretion and consistent with Solano County General Plan policies HS.P-12 through HS.P-15 and HS.P- 17 and implementation	Individual project applicants (must demonstrate	County.	Prior to any subdivision or other		

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representing a potentially significant impact.	programs HS.I-21 and HS.I-22, future subdivision and other discretionary development approvals may be subject to <i>detailed, design-level geotechnical investigations</i> that include analysis of landslide and erosion hazards and recommend stabilization measures. The County may also require preparation of Preliminary Grading Plans and/or Preliminary Geotechnical Reports, prepared by a licensed Engineering Geologist, before approval of specific developments within the plan area. Under this existing County authority, the investigating Engineering Geologist may be required to determine the extent of any necessary landslide remediation and supervise remediation activities during project construction to ensure that any existing or potential future landslides are fully stabilized. Mitigation measures (e.g., soil replacement, setbacks, retaining walls) shall be required as needed to protect against damage that might be caused by slope failure. Required compliance with these existing Solano County policies, implementation programs and development review procedures to the satisfaction of the County would reduce the potential effects of landsliding and soil erosion to a <b>less-than-significant level</b> .	compliance to County satisfaction).		discretionary approval.		
<b>Impact 10-2: Expansive Soil Hazards.</b> Most of the areas proposed for development under the Specific Plan have "moderate" to "high" shrink-swell potential. The plan area's moderately to highly expansive soils would be expected to undergo repeated cycles of shrinking and swelling in response to changes in soil moisture. Utility lines, road and building foundations, and sidewalks and concrete flatwork constructed on top of naturally occurring expansive soils, or based on fills that contain a high percentage of expansive soils, would be subject to long-term damage, representing a <b>potentially significant impact</b> .	<b>Mitigation 10-2.</b> The <i>detailed, design-level geotechnical investigations</i> required at the County's discretion (see <i>Mitigation 10-1</i> ) shall include analysis of expansive soil hazards and shall recommend warranted stabilization measures. The individual project Engineering Geologist shall inspect and certify that any expansive soils underlying individual building pads and all roadway subgrades have been either removed or amended in accordance with County-approved construction specifications, or shall make site-specific recommendations for grading, drainage installation, foundation design, the addition of soil amendments, and/or the use of imported, non-expansive fill materials, as may be required to fully mitigate the effects of weak or expansive soils and prevent future damage to project improvements. These recommendations shall be reviewed and approved by a County-retained registered geologist and incorporated into a report to be included with each building permit application and with the plans for all public and common area improvements. Implementation of these measures to the satisfaction of the County, combined with conformance with standard Uniform Building Code and other applicable	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to any subdivision or other discretionary approval.		

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	regulations, would reduce the potential effects of expansive soils to a <b>less-than-significant level</b> .					
<b>Impact 10-3: Groundwater Impacts.</b> Mass grading, construction of cuts and fills, redirection of existing drainage patterns, and installation of landscaping irrigation as part of future development allowed by the Specific Plan could affect existing patterns of groundwater flow in the plan area, resulting in slope instabilities that would represent a <b>potentially significant impact</b> .	<b>Mitigation 10-3.</b> Onsite drainage systems shall be regularly maintained to ensure that storm water runoff is directed away from all slope areas. Educational materials that discourage overwatering in landscaped areas shall be furnished to all future lot owners and property managers at the time of purchase and periodically thereafter (perhaps by inclusion with water or tax bills), as part of an effort to control groundwater seepage. Implementation of these measures to the satisfaction of the County would reduce this potential effect to a <b>less-than-significant level</b> .	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to any subdivision or other discretionary approval.		
<b>HYDROLOGY AND WATER QUALITY</b>						
<b>Impact 11-1: Construction-Period Impacts on Water Quality.</b> Surface water pollutants associated with Specific Plan-facilitated construction activity, including soil disturbance associated with grading activities, could significantly degrade the quality of receiving waters in Hennessey Creek, Green Valley Creek and, ultimately, Suisun Bay, representing a <b>potentially significant impact</b> .	<b>Mitigation 11-1.</b> The County shall ensure that the developer of each future Specific Plan-facilitated discretionary development in the plan area complies where applicable with all current state, regional, and County water quality provisions, and in particular, complies with the process of development plan review established in the County's Storm Water Management Plan (SWMP), and associated County NPDES permit issuance requirements instituted to address short-term and long-term water quality issues, including construction period activities. Implementation of this requirement would reduce this impact to a <b>less-than-significant level</b> .	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to any subdivision or other discretionary approval.		
<b>Impact 11-2: Ongoing Impacts on Water Quality.</b> Ongoing activities associated with project-facilitated development could increase the level of contaminants in receiving waters. Sources of pollutants could include (a) runoff from new roadways, parking areas, and other paved areas; (b) increased soil disturbance, erosion and sedimentation in surface waters due to expanded and new agricultural activities; and (c) herbicides, pesticides, and fertilizers used in expanded and new agricultural activities and new domestic landscaping. These factors could combine to significantly reduce drainage channel capacities and degrade the quality of receiving waters in Hennessey Creek, Green Valley Creek, and ultimately, Suisun Bay, representing a <b>potentially significant impact</b> .	<b>Mitigation 11-2.</b> As a condition of future discretionary development approvals in the plan area, the County shall ensure that developers comply with applicable Solano County Storm Water Management Plan and NPDES permit requirements, including implementation of erosion and sediment control measures for farming activities in accordance with Solano County storm water management requirements and best management practices. In addition, as recommended in the County General Plan under Implementation Program RS.I-67, the minimum riparian buffer width to protect water quality and ecosystem function shall be determined according to existing parcel size. For parcels more than 2 acres in size, a minimum 150- foot development setback shall be provided. For parcels of 0.5-2.0 acres, a minimum 50-foot setback shall be provided. For parcels less than 0.5 acre a minimum 20-foot setback shall be provided. Exceptions to these	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to any subdivision or other discretionary approval.		

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	development setbacks apply to parcels where a parcel is entirely within the riparian buffer setback or development on the parcel entirely outside of the setback is infeasible or would have greater impacts on water quality and wildlife habitat. Implementation of this measure would reduce the impact to a <b>less-than-significant level</b> .					
<b>Impact 11-3: Flooding Impacts.</b> For the most part, the Specific Plan-designated development areas avoid identified creek and dam failure inundation areas. Nevertheless, a limited number of Specific Plan-designated Agricultural-Residential (5-acre minimum lots), Rural Farm (1 to 5 acres per unit) and Rural Neighborhood (1 to 4 units per acre) land use designations in the proposed Elkhorn, Nightingale and Three Creeks neighborhoods overlap the Solano County General Plan-identified Lakes Madigan & Frey Dam Inundation Area and Green Valley Creek 100-year flood zone, the latter as mapped by the Federal Emergency Management Agency (FEMA) flood insurance rate map (FIRM) program. Since there are as yet no specific development proposals associated with these residential land use designations, direct flooding impacts cannot be determined. Nevertheless, these Specific Plan-designated residential development area overlaps could potentially result in the placement of housing within a dam failure inundation zone or 100-year flood hazard area, with associated risks to public safety and property damage, and could result in the placement of structures in the flood zone which would impede or redirect flood flows. These possible effects represent a <b>potentially significant environmental impact</b> .	<b>Mitigation 11-3.</b> As a condition of future residential subdivision and other discretionary development approvals in these particular areas, the County shall ensure that project-specific applications comply with Solano County General Plan policies and requirements related to flood hazard protection, including policies HS.P-5 (appropriate elevation and flood proofing), HS.P-7 (mitigation requirements to bring risks from dam failure inundation to a reasonable level), and HS.I-11 (applicant-prepared engineering report requirements for new development for human occupancy in designated dam failure inundation areas). Implementation of this measure would reduce the impact to a <b>less-than-significant level</b> .	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to any subdivision or other discretionary approval.		
<b>NOISE</b>						
<b>Impact 13-1: Impact of Green Valley Road Traffic Noise on Specific Plan-Facilitated Residential Development.</b> The Draft Specific Plan (DSP) designated neighborhood framework (DSP section 3.2.1) has been formulated with the intent to separate noise sensitive land uses from Green Valley Road. Nevertheless, DSP-designated residential development in the Three Creeks Neighborhood along Green Valley Road may be exposed to traffic noise that exceeds "normally acceptable" levels established by the Solano County General Plan (i.e., noise greater than 60 dBA L <sub>dn</sub> ), representing a <b>potentially</b>	<b>Mitigation 13-1.</b> For project-specific residential development proposals on sites adjoining Green Valley Road, the County shall require applicants to conduct site-specific noise studies that identify, to County satisfaction, noise reduction measures that would be included in final design to meet State and County noise standards. These measures may include the following: <ul style="list-style-type: none"><li>Minimizing noise in residential outdoor activity areas (i.e., ensuring that noise levels would be below 65 dBA L<sub>dn</sub>) by locating the areas at least 50 feet from the center line of Green Valley Road and/or behind proposed buildings.</li></ul>	Individual project applicants (must demonstrate compliance to County satisfaction).	MGV Conservancy Design Review Committee and County.	Prior to any subdivision or other discretionary approval.		

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significant impact.	<ul style="list-style-type: none"> <li>Providing air conditioning in all houses located within 100 feet of Green Valley Road so that windows can remain closed to maintain interior noise levels below 45 dBA L<sub>dn</sub>.</li> </ul> <p>Implementation of these measures would reduce the impact to a <b>less-than-significant level</b>.</p>					
<b>Impact 13-2: Effect of Proposed Noise-Generating Land Uses on Noise-Sensitive Land Uses.</b> Noise-generating land uses facilitated by the Draft Specific Plan, such as agricultural activities, commercial uses, and the possible fire station and wastewater treatment plant, may expose noise-sensitive uses such as housing, recreational areas, and the possible future onsite school to noise and/or vibration. Possible noise exposure exceeding State and Solano County standards represents a <b>potentially significant impact</b> .	<p><b>Mitigation 13-2.</b> New noise-generating uses facilitated by the Specific Plan shall be subject to the noise compatibility guidelines, standards, policies, and implementation programs established by the Solano County General Plan. In accordance with General Plan Implementation Program HS.I-67, noise analysis and acoustical studies shall be conducted for proposed noise-generating uses, as determined necessary by the County, and noise abatement measures shall be included to County satisfaction to ensure compliance with applicable guidelines and standards.</p> <p>In addition, new noise-sensitive uses developed adjacent to noise-generating uses shall be designed to control noise to meet the noise compatibility guidelines, standards, policies, and implementation programs established by the Solano County General Plan. In accordance with General Plan Implementation Program HS.I-67, noise analysis and acoustical studies shall be conducted for proposed noise-sensitive uses, as determined necessary by the County, and noise attenuation features shall be included to ensure compliance with applicable guidelines and standards.</p> <p>Implementation of these measures would reduce this impact to a <b>less-than-significant level</b>.</p>	Individual project applicants (must demonstrate compliance to County satisfaction).	MGV Conservancy Design Review Committee and County.	Prior to any subdivision or other discretionary approval.		
<b>Impact 13-3: Specific Plan-Facilitated Construction Noise.</b> Existing and future rural residential and other potential noise-sensitive land uses throughout the Specific Plan area could be intermittently exposed to noise from Specific Plan-facilitated future, project-specific construction activity, representing a <b>potentially significant impact</b> .	<p><b>Mitigation 13-3.</b> To reduce noise impacts from Specific Plan-related construction activities, the County shall require future project-specific discretionary developments to implement the following measures, as appropriate:</p> <ul style="list-style-type: none"> <li><i>Construction Scheduling.</i> Ensure that noise-generating construction activity is limited to between the hours of 7:00 AM to 8:00 PM, Monday through Friday, and that construction noise is prohibited on Saturdays, Sundays, and holidays.</li> <li><i>Construction Equipment Mufflers and Maintenance.</i> Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.</li> </ul>	Individual project applicants (must demonstrate compliance to County satisfaction).	MGV Conservancy Design Review Committee and County.	Prior to any subdivision or other discretionary approval.		

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	<ul style="list-style-type: none"> <li>▪ <i>Equipment Locations.</i> Locate stationary noise-generating equipment as far as possible from sensitive receptors when sensitive receptors adjoin or are near a construction project site.</li> <li>▪ <i>Construction Traffic.</i> Route all construction traffic to and from the construction sites via designated truck routes where possible. Prohibit construction-related heavy truck traffic in residential areas where feasible.</li> <li>▪ <i>Quiet Equipment Selection.</i> Use quiet construction equipment, particularly air compressors, wherever possible.</li> <li>▪ <i>Noise Disturbance Coordinator.</i> For larger construction projects, designate a "Noise Disturbance Coordinator" who would be responsible for responding to any local complaints about construction noise. The Disturbance Coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and institute reasonable measures to correct the problem. Conspicuously post a telephone number for the Disturbance Coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule. (The County should be responsible for designating a Noise Disturbance Coordinator and the individual project sponsor should be responsible for posting the phone number and providing construction schedule notices.)</li> </ul> <p>Implementation of these measures would reduce this impact to a <b>less-than-significant level</b>.</p>					
<b>Impact 13-4: Specific Plan-Facilitated and Cumulative Traffic Noise Impacts on Green Valley Road.</b> Traffic from Specific Plan-facilitated development would increase traffic noise levels on Green Valley Road by 3 to 4 dB above existing levels. While the Specific Plan-related traffic noise increase alone would not represent a significant impact, its contribution to the cumulative traffic noise increase on Green Valley Road south of Eastridge Drive would represent a <b>significant cumulative impact</b> .	<b>Mitigation 13-4.</b> To reduce the traffic noise increase along Green Valley Road, the County should consider the use of noise-reducing pavement, along with traffic calming measures (which could achieve noise reductions of approximately 1 dBA for each 5 mile-per-hour reduction in traffic speed). These measures may not be feasible, however, and may not be directly applicable to the Specific Plan, particularly since the segment of Green Valley Road where the highest traffic noise increase is expected (the northbound segment south of Eastridge Drive) is not within the Specific Plan area. The Specific Plan's contribution to the cumulative traffic noise increase along Green Valley Road is therefore considered a <b>significant unavoidable impact</b> .	County.	County.	None.		

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PUBLIC HEALTH AND SAFETY						
<b>Impact 15-1: Future Storage and Use of Agricultural Chemicals.</b> In all four Draft Specific Plan-designated neighborhoods, the plan would permit residential development adjoining agricultural uses, some of which may store and/or use pesticides or other hazardous substances. Agricultural uses allowed by the Draft Specific Plan would also adjoin certain offsite residential areas, such as the upper Green Valley neighborhood north of the Specific Plan area and the Hidden Meadows subdivision south of the plan area. In addition, in the proposed Nightingale Neighborhood, the Specific Plan would also allow development of an elementary school in the northwestern corner of the neighborhood, close to but not adjoining agricultural areas. The potential exposure of residents or other site occupants to pesticides or other hazardous substances used in agriculture would represent a <b>potentially significant impact</b> .	<b>Mitigation 15-1.</b> As an amendment to the proposed Specific Plan (Policy OL-11) and/or as part of the proposed Resource Management Plan and/or Agricultural Business Plan, the County shall require a minimum 200-foot-wide buffer between residential and school uses and locations on agricultural properties within and adjoining the Specific Plan area where agricultural pesticides or other hazardous substances may be stored or used. In addition, the County shall ensure that agricultural operators within the Specific Plan area comply with all applicable local, state, and federal regulations regarding hazardous materials, including Solano County General Plan provisions, Solano County Code requirements, and the permitting processes of the Solano County Department of Resource Management and Solano County Agriculture Department. These measures would reduce the impact to a <b>less-than-significant level</b> .	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to any subdivision or other discretionary approval.		
<b>Impact 15-2: Hazardous Materials from Proposed Onsite Wastewater Treatment Plant (Wastewater Options B and C).</b> Operation of the proposed wastewater treatment plant within the Specific Plan area under proposed Wastewater Option B (Onsite Treatment) and Wastewater Option C (Fairfield-Suisun Sewer District Connection/ Onsite Treatment Combination) would involve regular handling, use, and disposal of hazardous materials and wastes during the course of normal operations. In addition, the onsite wastewater treatment plant would create the potential for release of raw or treated sewage or other stored hazardous materials through mishandling or an emergency situation. These potential hazards would represent a <b>potentially significant impact</b> .	<b>Mitigation 15-2.</b> Implement <i>Mitigation 16-5</i> . In addition, after the wastewater treatment plant and associated collection system have been installed, the County shall confirm that a full environmental regulatory compliance review has been conducted to verify that, based on the actual equipment stalled and specific quantities of hazardous materials handled, used, and disposed, the facility is operating in compliance with applicable environmental laws and regulations. These measures would reduce the impact to a <b>less-than-significant level</b> .	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to any subdivision or other discretionary approval.		
PUBLIC SERVICES AND UTILITIES						
<b>Impact 16-1: Water Supply Adequacy to Meet Project Domestic Demands--Option B (Onsite Groundwater).</b> The proposed Specific Plan would result in an increased demand for water supplies. Studies indicate that sufficient groundwater supplies are available to meet existing and projected future demands in addition to the proposed project through 2035 under all water year types (e.g., normal, single-dry, and multiple-dry years). However, without implementation of established County and State water	<b>Mitigation 16-1a:</b> Prior to subdivision map approval, a Water Master Plan for water supply Option B shall be prepared that describes engineering specifications and other related components necessary for completion of established County and State well and public water system permitting requirements and review procedures. The Water Master Plan shall be approved by Solano County.  The Water Master Plan shall contain as one of its components engineering specifications including, but	MGV County Service Area or Solano Irrigation District.	County.	Under Water Supply Option B (Onsite Groundwater):  Monitoring and reporting procedure shall be established to County		

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system regulations and review procedures, this would be a <b>potentially significant impact</b> related to adequacy of water supply.	<p>not limited to:</p> <ul style="list-style-type: none"> <li>▪ well locations and depths;</li> <li>▪ water pumping, filtration, and disinfection specifications; and</li> <li>▪ water storage and distribution facilities and sizing.</li> </ul> <p>The Water Master Plan and its components shall be designed to provide water service only to the Specific Plan designated development areas, so as to preclude any growth-inducing impacts on adjoining designated agricultural and open space lands (pursuant to General Plan Housing Element Policy G.2).</p> <p>As part of the Water Master Plan process, the applicant shall obtain input from the Cordelia Fire Protection District to ensure that the plan meets District fire flow rate and duration standards (pursuant to General Plan Policies and Implementation Programs PF.I-35, PF.P-38, PF.P-39, HS.P-23, and HS.I-28).</p> <p>The Water Master Plan shall contain as one of its components the information required for application to the California Department of Public Health (CDPH) for a public water system initial operating permit, which requires demonstration that the proposed water system (including well, pumping, storage, and distribution components) meets State (including Title 22) requirements. The proposed operator of the public water system shall complete the CDPH public water system initial operating permit issuance process. (It is anticipated that the County Services Area [CSA] will need to have been formed prior to or as part of preparation of the Water Master Plan, including completion of the applicable LAFCO review process, for the Water Master Plan to be able to describe the technical, managerial, financial, and other information that the CDPH permit process requires.)</p> <p>The Water Master Plan shall contain as one of its components the information required for application to the County Environmental Health Services Division for well permits to construct the public water system wells. The applicant or operator shall complete the County well construction permit issuance process.</p> <p><b>Mitigation 16-1b:</b> Prior to subdivision map approval, the County shall comply with the statutory requirements of SB 221 (Government Code Section 66473.7), which includes preparation of a water supply verification to demonstrate with firm assurances that there is a sufficient water supply for the project.</p> <p>Implementation of these measures would ensure that,</p>			satisfaction prior to approval of first subdivision map.		

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	under water supply Option B, the project would result in a <b>less-than-significant impact</b> related to adequacy of water supply.					
<p><b>Impact 16-2: Project Domestic Water Facilities Impacts on Existing Wells and Stream Habitats-- Option B (Onsite Groundwater) and Option C1 (Solano Irrigation District [SID] Surface Water and Onsite Groundwater).</b> Implementation of water supply Option B or Option C1 would involve the extraction of groundwater from the aquifer system in the Suisun-Fairfield Valley Groundwater Basin via the use of at least three new groundwater wells (or at least one well under Option C1). Under water supply Options B or C1, placement and use of at one or more new groundwater wells could, if improperly placed, contribute to underperformance or failure of existing nearby domestic wells and could have substantial adverse effects on stream hydrology or riparian habitat. Until the proposed well locations are identified and tested, analyzed, and monitored, this impact would be <b>potentially significant</b>.</p>	<p><b>Mitigation 16-2a:</b> The wells under water supply Option B or Option C1 shall be designed to avoid any potential interference between new Plan wells and (1) other Plan wells, (2) existing nearby private wells, and (3) surface streams. A non-exclusive list of the tools and methods to be used to accomplish avoidance are: appropriate well siting, placement, and spacing; selection of well depths and of equipment for pumping and testing; and monitoring, including testing and monitoring wells.</p> <p>Based on available water supply, aquifer characteristics, post-project demand, and the number and location of existing wells and surface streams, it is expected that a well design plan could be devised that avoids adverse impacts on neighboring wells and surface streams.</p> <p>The well design process will also generate additional information in the future. The well design process shall precede, and under industry practice would precede, determination of the engineering specifications for well locations and depths. The engineering specifications for well locations and depths are required to be identified as part of the Water Master Plan specified under Mitigation 16-1a. The Water Master Plan is required to be prepared prior to subdivision map approval (a discretionary approval subject to CEQA). Additional information resulting from the well design process will therefore be available at a time when subsequent activities and approvals are later examined in light of this program EIR to determine whether an additional environmental document would then need to be prepared in conformance with the requirements of CEQA. At the latest, additional information resulting from the well design process would be available prior to subdivision map approval by the County, but for purposes of approval of CSA formation or issuance of an operating permit, Solano County Local Agency Formation Commission (LAFCO) or CDPH, respectively, may require some or all of the information resulting from the well design process to be available earlier. If the well design process generates new relevant factual information relating to Impact 16-2, that information will be generated at a time when it would be examined in conformance with CEQA's requirements for subsequent review following a</p>	MGV County Service Area or Solano Irrigation District.	County.	Under Water Supply Option B (Onsite Groundwater) or Option C1 (SID Surface Water and Onsite Groundwater):  Prior to any subdivision or other discretionary approval.  Ongoing inspection/ monitoring of operations.		

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	<p>program EIR.</p> <p>Implementation of this measure would provide for avoidance of any potential interference between new Plan wells and (1) other Plan wells, (2) existing nearby private wells, and (3) surface streams, such that any potentially significant effect would be reduced to a <b>less-than-significant level</b>.</p> <p>Although Mitigation 16-2a would provide for avoidance sufficient to reduce Impact 16-2 to a less-than-significant level, in response to public concerns expressed to the County regarding potential interference with private water supply wells the County would additionally implement the Mitigation Measure 16-2b in the unlikely event that groundwater pumping associated with the proposed project resulted in adverse effects to existing nearby wells.</p> <p><b>Mitigation 16-2b:</b> If, in the unlikely event that ongoing monitoring conducted as part of the well design plan or water supply Option B or Option C1 operation reveals potentially significant drawdown may be occurring in existing wells in the vicinity of the new project wells, some or all of the following measures to mitigate those impacts will be implemented by the CSA or SID until subsequent monitoring shows that drawdown is not adversely affecting surface waters or operations of existing wells to the satisfaction of the County Division of Environmental Health:</p> <ul style="list-style-type: none"> <li>▪ lowering existing pumping equipment within the well structure in affected well(s),</li> <li>▪ deepening or replacing the affected well(s),</li> <li>▪ altering the amount or timing of pumping from the project well (i.e., shifting some pumpage to another project well and/or drilling a supplemental project well) to eliminate the adverse impact,</li> <li>▪ providing replacement project well(s), and/or</li> <li>▪ providing a water supply connection for the property/uses served by the affected well(s) to the Option B or Option C1 water supply system, sufficient to provide the property/uses with a substantially similar quality of water and the ability to use water in substantially the same manner that they were accustomed to doing if the project had not existed and caused a decline in water levels of their wells.</li> </ul> <p>These measures would reduce the potential impacts to riparian communities to a <b>less-than-significant level</b>.</p>					

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<p><b>Impact: SID System Adequacy to Meet Project Agricultural Irrigation Demands—Options A (Municipal Connection), B (Onsite Groundwater), and C (SID Surface Water).</b> The project would increase the demand for agricultural irrigation water, which would be supplied by SID, consistent with its current practice of supplying water for agricultural irrigation needs within its boundaries. Because SID has confirmed it has sufficient water supply to meet this increased demand, this impact would be <b>less than significant</b>.</p>	<p><i>Although this impact is determined appropriately to be less than significant in the Final EIR, in comments on the Notice of Preparation in 2009, SID indicated that a developer should expect that some additional facilities may be needed because the existing agricultural distribution system in the Plan Area may be serving at or near its capacity. SID also indicated that SID has a number of district development requirements concerning facilities, such as a requirement that a separate "turnout" be provided at the developer's expense for each newly created parcel that would receive agricultural water service within the District, a requirement that an SID inspector be onsite during system installation, and similar matters reflected below in Mitigation 16-2c. Including the following SID district development requirements within the requirements for the project will help ensure that any required facilities are prepared according to SID's requirements. Implementation of SID's district development requirements will further help to ensure that any additional system features that may be needed will be provided in an appropriate manner.</i></p> <p><b>Mitigation Measure 16-2c:</b> Implement the following:</p> <ol style="list-style-type: none"> <li>(1) SID will not serve any lands located outside the SID boundary. SID service to any lands within the plan area that are outside the existing SID boundary would require annexation to SID. Annexation of land to SID shall conform to the requirements of SID, USBR, and the Solano County Local Agency Formation Commission (LAFCO). For any proposed SID annexation, complete the additional analysis deemed necessary by SID to determine whether sufficient capacity is available to serve the proposed annexation area, and satisfy the other annexation requirements of SID, USBR, and LAFCO.</li> <li>(2) Per SID Rules and Regulations, a separate water service (turnout) shall be provided to each newly created parcel within the district (i.e., with the current SID boundary or annexed plan area land) at the applicant/ developer's expense. SID and the applicant/ developer will need to determine how, if, and what type of service (agricultural irrigation or municipal landscape irrigation) each separate parcel is to receive. The applicant/developer may be required to pay to have SID's engineer perform an analysis of the existing system to determine if there is sufficient capacity to serve the proposed</li> </ol>	Individual project applicants (must demonstrate compliance to County satisfaction).	County	Under Water Supply Option A (Municipal Connection), Option B (Onsite Groundwater) or Option C (SID Surface Water):  Prior to any subdivision or other discretionary approval.		

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	<p>development.</p> <p>(3) Landscape irrigation service to the proposed development would require the design and installation of a municipal-style water system. At a minimum, the applicant/ developer shall provide for a headworks pumping plant, either off one of SID's pipelines or off the USBR Green Valley Conduit, to provide pressurized service to each parcel of the development. Depending on anticipated demand and existing SID system capacity, the applicant/developer may be required to pay for any necessary upgrades to existing SID water facilities required to adequately serve all parcels of the development at the same times, since rotated water service deliveries are impractical and difficult to enforce on municipal-type systems.</p> <p>(4) If additional SID agricultural service to the proposed development is required, the design and installation of individual turnouts to each parcel and a rotational service schedule would need to be determined and followed. At a minimum, the applicant/developer shall provide for pipelines and appurtenances to provide service to each parcel of the development. In addition, the applicant/developer may be required to pay for any necessary upgrades to existing SID water facilities required to adequately serve all parcels of the development at the same time, depending on the proposed demand and system capacity.</p> <p>(5) All costs associated with the design and installation of any SID water extension system shall be at the expense of the applicant/ developer. SID shall review and approve the proposed system design prepared by the applicant/developer's engineer.</p> <p>(6) System installation shall be to SID's standards. SID would require the applicant/ developer to sign a work order acknowledging and approving all costs associated with the review of the design and to have a SID inspector onsite during system installation.</p> <p>(7) Arrangements satisfactory to SID shall be made for the design and construction of the new system before SID will approve a parcel map.</p> <p>(8) The applicant/developer shall provide easements for all new pipelines and facilities that would be granted to SID, including all facilities up to and including individual lot meters.</p>					

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	<p>(9) No permanent structures shall be allowed to be constructed over SID's existing rights-of-way, nor shall any trees be planted within 6 feet of the edge of any SID pipelines.</p> <p>(10) SID pipelines shall not be located within any of the proposed residential lots.</p> <p>(11) Water that could be provided by SID is non-potable and not for human consumption, and cannot be treated onsite for potable uses. Therefore, before SID provides non-potable water service, the developer shall provide proof of an alternate source of potable water for the property. Since each parcel would be served with both potable and non-potable water, all lines and fixtures connected to SID's non-potable service shall be clearly marked "NON-POTABLE – DO NOT DRINK."</p> <p>(12) Upon completion of construction of non-potable service to the subject properties, land owners shall contact SID to establish water service accounts.</p> <p>(13) The SID certificate shall be added to all final parcel maps, subdivision maps, and improvements plans in the plan area, and SID shall review, approve, and sign all maps and plans.</p>					
<p><b>Impact 16-3: Project Construction Impacts on Existing SID, USBR, City of Fairfield, and City of Vallejo Facilities in the Plan Area—Options A (Municipal Connection), B (Onsite Groundwater), and C (SID Surface Water).</b> Construction activity associated with buildout under the proposed Specific Plan, including general development activity as well as Specific Plan-proposed water and wastewater facilities construction, may affect existing Solano Irrigation District (SID), U.S. Bureau of Reclamation (USBR), City of Fairfield, and City of Vallejo water easements and facilities in the plan area, representing a <b>potentially significant environmental impact.</b></p>	<p><b>Mitigation 16-3:</b> Plans for development contiguous to SID, USBR, City of Fairfield, and City of Vallejo easements and facilities, or roadway or utility crossings of these facilities, shall be submitted to and approved by these agencies prior to implementation. Any submittal to the USBR shall be through the SID. No permanent structures shall be located over or within these existing pipeline easements without an alternative route being offered at developer expense. Utility crossings shall provide a minimum of three feet of clearance between the utility and the pipelines. Proposals for roadway crossings of any of these pipes shall include an engineered stress analysis on the pipe to ensure the pipeline would withstand proposed roadway loadings. Residential lots shall not be located within SID, USBR, City of Fairfield, City of Vallejo easements. Wastewater lines and other facilities on residential lots shall be kept clear of SID and USBR easements. Any sewer lines crossing USBR facilities shall be installed in a secondary casing across the USBR right-of-way.</p> <p>The applicant/developer shall sign an "Agreement for</p>	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Under Water Supply Option A (Municipal Connection), Option B (Onsite Groundwater) or Option C (SID Surface Water):  Prior to any subdivision or other discretionary approval.		

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	<p>Protection of Facilities" before the start of any construction on or contiguous to any SID or USBR facilities. The agreement shall be followed during construction contiguous to or crossing any SID or USBR pipelines and easements. At the applicant/ developer's expense, SID would repair any construction damage to SID or USBR facilities, and the City of Fairfield or City of Vallejo would repair any construction damage to City facilities.</p> <p>Implementation of this measure would reduce this impact to a <b>less-than-significant level</b>.</p>					
<p><b>Impact 16-4: Potential Project Exceedance of FSSD Wastewater Treatment System Capacity--Options A (FSSD Connection) and C (FSSD Connection/Onsite Treatment Combination).</b> Specific Plan wastewater treatment Option A would involve connection of the proposed Specific Plan development area to the Fairfield Suisun Sewer District (FSSD) via an existing City of Fairfield conveyance system. The proposed Specific Plan development program would generate an estimated approximately 135 acre feet per year of wastewater treatment demand not specifically accounted for in current FSSD wastewater management planning, including the current FSSD Master Plan. The adequacy of the FSSD treatment plant, Cordelia Pump Station and associated City of Fairfield collection mains to accommodate the project contribution to anticipated cumulative future treatment demands has not been determined. The project-plus-cumulative demands for wastewater treatment may therefore exceed future City of Fairfield conveyance and FSSD treatment capacity, representing a <b>potentially significant project and cumulative environmental impact</b>.</p>	<p><b>Mitigation 16-4:</b> The Specific Plan proposes establishment of a County Service Area (CSA) pursuant to California Government Code section 25210.1 et seq. to provide the financing and management for providing wastewater treatment services to the proposed Specific Plan development areas. Once approved, the CSA would be granted limited funding and management powers and the Board of Supervisors may act as the CSA board. The proposed CSA may issue general obligation bonds or revenue bonds to finance the necessary wastewater and other common infrastructure, which would be funded by development connection and user fees.</p> <p>Prior to County approval of any future residential subdivision map or substantive discretionary non-residential development application in the plan area under wastewater treatment Options A or C, implement the following:</p> <ol style="list-style-type: none"> <li>(1) establish the Specific Plan-proposed County Services Area (CSA) for the development area;</li> <li>(2) formulate and adopt the Specific Plan-proposed Wastewater Master Plan for the development area;</li> <li>(3) establish agreement with the FSSD to serve the ultimate development area wastewater treatment need identified in the Wastewater Master Plan; and</li> <li>(4) establish associated wastewater system connection and user fees sufficient to fund the ultimate development area wastewater treatment facility needs identified in the Wastewater Master Plan, including purchase of required FSSD treatment capacity and construction of associated sewer system infrastructure—e.g., onsite collection system, offsite parallel municipal sewer main installation, associated capacity upgrades to the Cordelia Pump station, etc. (CSA Responsibility).</li> </ol>	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to any subdivision or other discretionary approval.		

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	Incorporation of these measures as Specific Plan policy would reduce this potential impact to a <b>less-than-significant level</b> .					
<b>Impact 16-5: Potential Project Inconsistency with State Tertiary Wastewater Discharge Standards--Options B (Onsite Treatment) and C (FSSD Connection/Onsite Treatment Combination).</b> Under proposed wastewater service Option B (onsite wastewater treatment system), Wastewater from the Specific Plan development areas would be collected and treated onsite using a local collection system similar to Option A, but instead of a connection to the FSSD, the collected wastewater would be conveyed to an onsite Membrane Bioreactor (MBR) package wastewater treatment plant that would treat the collected wastewater to tertiary recycled water standards. The tertiary treated wastewater would then be reused onsite for agricultural irrigation, ornamental landscaping irrigation, park and playing field landscaping irrigation, toilet flushing, and other jurisdictionally permitted uses. Although the Specific Plan proposes to treat all collected wastewater to County and State tertiary recycled water standards, until the Specific Plan proposed Master Wastewater Plan for Options B and C, including complete engineering specifications for the onsite treatment system, are completed to County satisfaction and the associated recycled wastewater reuse aspect is approved by the RWQCB and CDPH, it is assumed that Options B and C may not comply with the wastewater treatment water quality and environmental health protection standards, and ongoing monitoring and reporting requirements, administered by these two state agencies, representing a <b>potentially significant environmental impact</b> .	<b>Mitigation 16-5:</b> Prior to County approval of any future residential subdivision map or discretionary non-residential development application in the plan area under wastewater treatment option B or C, implement the following: <ol style="list-style-type: none"> <li>(1) establish the Specific Plan-proposed CSA for the Specific Plan development area;</li> <li>(2) formulate and adopt the Specific Plan-proposed Wastewater Master Plan for the proposed development areas (CSA responsibility);</li> <li>(3) establish associated wastewater system connection and user fees sufficient to fund ultimate Specific Plan development area wastewater treatment facility needs identified in the Wastewater Master Plan, including construction and ongoing operation, monitoring and maintenance of the onsite wastewater treatment and disposal system (CSA responsibility); and</li> <li>(4) complete the RWQCB Discharge Permit process for the proposed irrigation in designated areas, and CDPH permit procedures pursuant to CCR Title 22 standards for the proposed use of tertiary treated wastewater for irrigation (CSA responsibility).</li> </ol>	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to any subdivision or other discretionary approval.		
<b>Impact 16-6: Potential Project Inconsistencies with SID Standards--Options B (Onsite Treatment) and C (FSSD Treatment Combination/Onsite Treatment).</b> The Specific Plan proposes that, under wastewater treatment Options B or C, tertiary-treated wastewater would be reused onsite for agricultural and domestic irrigation purposes in conjunction with Solano Irrigation District (SID) water. The Solano Irrigation District (SID) may determine that delivery of tertiary effluent from the onsite MBR treatment plant via the existing SID conveyance system for agricultural and domestic irrigation purposes may be unsuitable for certain types of irrigation and therefore undesirable to the District.	<b>Mitigation 16-6:</b> In addition to compliance with California Department of Public Health (CDPH) and San Francisco Bay Regional Water Quality Control Board (RWQCB) groundwater and environmental health protection standards (see Mitigation 16-1-2), any project Wastewater Management Plan proposal to use SID conveyance or delivery components to supplement the project recycling system shall be designed to SID satisfaction or eliminated. One possible approach may involve SID delivery of raw water to a single point in the proposed CSA system, for plan area distribution by a CSA-operated distribution system. Formulation of this Wastewater Master Plan component to SID satisfaction	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to any subdivision or other discretionary approval.		

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This proposed aspect of Wastewater treatment Options B and C may therefore be infeasible, representing a <b>potentially significant impact</b> .	would reduce this impact to a <b>less-than-significant level</b> .					
<b>Impact 16-7: Project Impact on Fire Protection and Emergency Medical Services.</b> Development in accordance with the Specific Plan may increase the demand for fire protection and emergency medical services sufficiently to create a need for new or altered facilities, representing a <b>potentially significant impact</b> .	<b>Mitigation 16-7.</b> Before approval of the first Tentative Subdivision Map application in the Specific Plan area, the County shall obtain written verification from the Cordelia Fire Protection District (CFPD) that either (1) the CFPD's need for a new fire station in the general vicinity has been met (e.g., by plans for a new station on the Rockville Trails Estates site), or (2) a new fire station is needed within the Specific Plan area. If the latter is verified, the County shall require plans for construction of a fire station within the plan area as a condition of Tentative Subdivision Map approval, and confirm that any necessary additional environmental review is conducted. Incorporation of these measures as Specific Plan policy would reduce the impact to a <b>less-than-significant level</b> .	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to any subdivision or other discretionary approval.		
<b>Impact 16-8: Project Impacts on Emergency Response, Evacuation, and Access.</b> Development in accordance with the Specific Plan would cause traffic increases and congestion on Green Valley Road, possibly delaying emergency response and evacuation, representing a <b>potentially significant impact</b> .	<b>Mitigation 16-8.</b> Implement mitigation measures identified in chapter 17, Transportation and Circulation, to reduce the impacts of Specific Plan-related traffic on Green Valley Road and other local roads. In addition, before approval of each Tentative Subdivision Map in the Specific Plan area, the County shall obtain written verification from the CFPD and Cal-Fire that proposed emergency access provisions meet CFPD and Cal-Fire road design and emergency access standards and require any necessary changes as a condition of map approval. Incorporation of these measures as Specific Plan policy would reduce impacts on emergency response, evacuation, and access to a <b>less-than-significant level</b> .	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to any subdivision or other discretionary approval.		
<b>Impact 16-9: Project Wildfire Hazard Impact--Ongoing.</b> The Specific Plan would introduce residential (Rural Meadow, Rural Neighborhood and Agriculture-Residential) and residential/commercial (Rural Neighborhood/ Community Service) land within or adjacent to areas where wildland fire danger is "moderate" to "very high." Specific Plan-facilitated development within or abutting these areas would create an "urban/wildland interface," increasing the risk of wildland fires and associated needs for additional fire protection personnel and facilities. Failure to sufficiently reduce this urban/wildland interface fire hazard through appropriate fuel management and	<b>Mitigation 16-9.</b> Implement <i>Mitigation 16-7</i> and <i>Mitigation 16-8</i> . In addition, as a condition of Certificate of Occupancy approval, each individual discretionary development project in the Specific Plan area shall meet all applicable California Building Code and California Uniform Fire Code standards (including standards for building materials, construction methods, fire sprinklers, etc.) and all applicable State and County standards (including Solano County General Plan policies) for fuel modification and/or brush clearance in adjacent areas. Incorporation of these measures as Specific Plan policy would reduce the impact to a <b>less-</b>	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to County issuance of Certificate of Occupancy.		

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other fire suppression techniques and/or provide the necessary fire equipment access, emergency evacuation, and additional fire protection personnel and facilities, could result in substantial safety hazard and impair CFPD response time and evacuation efforts, representing a <b>potentially significant impact</b> .	<b>than-significant level.</b>					
<b>Impact 16-10: Project Wildfire Hazards-- Construction Period.</b> Construction in Specific Plan-designated development areas may involve handling and storage of fuels and other flammable materials, creating temporary fire hazards in the "urban/wildland interface" and representing a <b>potentially significant impact</b> .	<b>Mitigation 16-10.</b> As a condition of each Tentative Subdivision Map in the Specific Plan area, the County shall require that construction contractors conform to all applicable fire-safe regulations in applicable codes, including California Occupational Safety and Health Administration (OSHA) and local requirements for appropriate storage of flammable liquids and prohibition of open flames within 50 feet of flammable storage areas. Incorporation of these measures as Specific Plan policy would reduce the impact to a <b>less-than-significant level</b> .	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to any subdivision or other discretionary approval.		
<b>Impact 16-11: Impact of Specific Plan Proposed Trails on Bay Area Ridge Trail Plan.</b> Unless subsequent trail implementation plans are coordinated with the Bay Area Ridge Trail Council, proposed trails within the Specific Plan area may not meet Bay Area Ridge Trail standards, representing a <b>potentially significant impact</b> .	<b>Mitigation 16-11.</b> As a condition of each Tentative Subdivision Map in the Specific Plan area, the County shall require written verification that the Bay Area Ridge Trail Council has reviewed and approved final trail design and construction to ensure that trails within the Specific Plan area comply with Bay Area Ridge Trail standards, as appropriate. Incorporation of this measure as Specific Plan policy would reduce the impact to a <b>less-than-significant level</b> .	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to any subdivision or other discretionary approval.		
<b>Impact 16-12: Project Construction-Period and Long-Term Solid Waste Impact on Landfills.</b> Construction and operation of land uses proposed by the Specific Plan would generate solid waste that would require disposal at a landfill. While landfill capacity is currently expected to be adequate to serve this development, the situation could change over the life of the Specific Plan, particularly if the currently pending Potrero Hills Landfill expansion proposal is not approved before the scheduled landfill closure date of January 1, 2011. Any potential for inadequate landfill capacity or the potential need for new facilities would represent a <b>potentially significant impact</b> .	<b>Mitigation 16-12.</b> The project shall comply with Solano County General Plan policies and other provisions calling for source reduction and recycling in construction and ongoing operations. As a condition of each Tentative Subdivision Map in the Specific Plan area, the County shall require the applicant to provide written verification from the appropriate landfill operator that adequate landfill capacity is available to accommodate construction and operation of the project.  In addition, the applicant shall be required to prepare and implement a recycling plan for the construction phase of the project.  The recycling plan shall address the major materials generated by project construction and identify means to divert a portion of these materials away from the chosen solid waste landfill.  Incorporation of this measure as Specific Plan policy would reduce the impact to a <b>less-than-significant</b>	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to any subdivision or other discretionary approval.		

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	level.					
<b>TRANSPORTATION AND CIRCULATION</b>						
<p><b>Impact 17-1: Baseline Plus Project Impacts on Intersection Operations.</b> The project would contribute significantly to baseline level of services impacts (i.e., intersection turning movement volumes) at the following local intersections during typical weekday peak hours:</p> <p><i>Weekday AM Peak Hour:</i></p> <p>(Intersection #9) Green Valley Road at the I-80 Westbound On-Ramp (project-generated traffic would exacerbate already unacceptable baseline operations [LOS F] by increasing the overall intersection traffic volume by more than one percent at this stop-sign controlled intersection)</p> <p>(Intersection #10) Green Valley Road at the I-80 Eastbound Ramps (project-generated traffic would exacerbate already unacceptable baseline operations [LOS F] by increasing the overall intersection traffic volume by more than one percent at this signalized intersection)</p> <p><i>Weekday PM Peak Hour:</i></p> <p>(Intersection #5) Green Valley Road at Westlake Drive (project-generated traffic would result in an LOS change from C under baseline conditions to E under baseline plus project conditions at this stop sign controlled intersection)</p> <p>(Intersection #7) Green Valley Road at Business Center Drive (project-generated traffic would result in an LOS change from E under baseline conditions to F under baseline plus project conditions at this signalized intersection)</p> <p>(Intersection #9) Green Valley Road at the I-80 Westbound On-Ramp (project-generated traffic would exacerbate already unacceptable baseline operations [LOS F] by increasing the overall intersection traffic volume by more than one percent at this stop-sign controlled intersection)</p> <p>(Intersection #10) Green Valley Road at the I-80 Eastbound Ramps (project-generated traffic would result in an LOS change from E under baseline conditions to F under baseline plus project conditions at this signalized intersection)</p> <p>These project-generated intersection LOS changes</p>	<p><b>Mitigation 17-1:</b></p> <p>(1) Baseline plus project impacts on this stop sign controlled intersection 5, Green Valley Road at Westlake Drive, would trigger the need for mitigation sufficient to bring project-plus-baseline operations back to LOS B and C in the AM and PM peak hours respectively. If the City of Fairfield determines in the future that a traffic signal is warranted at this intersection, the City and County shall agree on a fair-share portion of the signal installation cost to be assigned to the plan area, and the County shall identify an associated fair share per residential unit contribution as a condition of subsequent individual subdivision map approvals in the plan area.</p> <p>Implementation of this measure would reduce this particular intersection impact to a <b>less-than-significant level</b>.</p> <p>(2) For project impacts on intersections 7 and 9, the City and County shall agree on a proportionate fair-share of the cost of planned interim improvements to the Green Valley Road/I-80 interchange that have been identified by the City of Fairfield to be assigned to future subdivision and other discretionary development approvals in the plan area, including:</p> <ul style="list-style-type: none"> <li>At signalized intersection 7, Green Valley Road at Business Center Drive, improvement plans are being developed to allow for free right-turn movements on the northbound and southbound approaches to the intersection. The southbound free right-turn would also include construction of a separate right-turn lane for the southbound Green Valley Road approach to Business Center Drive.</li> <li>At unsignalized intersection 9, Green Valley Road at the I-80 Westbound on-ramp, the on ramp leg of the intersection is to be realigned to allow for the addition of a separate left-turn lane for northbound Green Valley Road, along with a new traffic signal.</li> </ul> <p>The County and City shall agree on a fair-share cost to be assigned to the plan area for these improvements, and the County shall identify an associated fair share per residential unit contribution as a condition of</p>	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to any subdivision or other discretionary approval.		

IDENTIFIED IMPACT	RELATED MITIGATION MEASURE	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
would represent a <b>significant impact</b> .	<p>subsequent individual subdivision map approvals in the plan area.</p> <p>(3) For project impacts on signalized intersection 10, Green Valley Road at the I-80 Eastbound Ramps, the planned reconstruction of the Green Valley Road/I-80 interchange would ultimately mitigate the anticipated AM and PM peak hour baseline plus project operational impacts; however, no feasible interim improvements to the interchange have been identified to mitigate this impact (mitigation would ultimately require reconstruction—i.e., widening—of the overpass).</p> <p>Implementation of the mitigation measures identified above for intersections 7 and 9 would substantially reduce the amount of peak hour delay per vehicle at these two intersections, but not to less than significant levels. The projected background plus project peak hour ratings at study intersections 7, 9, and 10 would remain at LOS E or F. In addition, because the County does not have jurisdiction over any of these study intersections within the City of Fairfield, implementation of the mitigation measures listed above for intersections 5, 7 and 9 cannot be assured. Therefore, until the proposed City/County fair-share funding program for intersections 5, 7 and 9 is established, and the planned I-80/I-680/SR 12 Interchange Improvement Project (the planned reconstruction of the I-80/I-680/SR 12 and Green Valley Road interchange, as described in section 17.1.3 herein) is funded and implemented, the projected interim baseline plus project intersection impacts on intersections (5), (7), (9) and (10) are considered to be <b>significant and unavoidable</b>.</p>					
<b>Impact 17-2: Cumulative Plus Project Impacts on Intersection Operations.</b> Under projected cumulative (2030) plus project conditions, the project would contribute significantly to further deterioration of traffic operations at intersection 5, Green Valley Road at Westlake Drive, in the PM peak hour, reducing operations from LOS C to LOS E. This intersection LOS change would represent a <b>potentially significant cumulative impact</b> .	<b>Mitigation 17-2:</b> The cumulative plus project condition at this intersection would not warrant installation of a traffic signal. It is recommended that this intersection remain in its current unsignalized condition, since the project-related significant delay would be limited to the left-turn movement at the side street (Westlake Drive) approach in the PM peak hour only, and alternative routes are available to motorists at this location. This impact is therefore considered to be <b>significant and unavoidable</b> .	Individual project applicants (must demonstrate compliance to County satisfaction).	County.	Prior to any subdivision or other discretionary approval.		