

## Legislation Text

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**File #:** AC 18-032, **Version:** 1

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Public hearing to consider a Consistency Determination (ALUC-18-11) for the proposed Pacific Flyway Project with the Travis Air Force Base Land Use Compatibility Plan. (Sponsor: City of Fairfield)

### **RECOMMENDATION:**

Determine that application ALUC-2018-11 Pacific Flyway Project is consistent with the Travis Air Force Base Land Use Compatibility Plan (Sponsor: City of Fairfield).

### **DISCUSSION:**

**Project Overview:** The applicant, the Pacific Flyway Fund, a nonprofit organization, is proposing to develop, restore and enhance the site as an open space land preserve and wildlife habitat conservation area, with an interpretive and educational facility. The purpose of this project, the Pacific Flyway Center, is to celebrate and educate the public about the environmental and societal importance of the conservation of migratory birds within the Pacific Flyway. The project is envisioned to serve up to 250,000 annual visitors at build out with up to 150 full and part time employees.

**Location:** The project site, comprised of four parcels totaling approximately 560 acres, is located within the southwest portion of the City of Fairfield's Planning Area. The site is located east of Interstate 680, south of the Gold Hill Road over crossing, adjacent to Ramsey Road. Half of the site, consisting of the two easternmost parcels (APNs: 0046- 050-310, 0046-100-270), is currently owned and managed by the California Department of Fish and Wildlife as part of the Grizzly Island Wildlife Area. The other half, consisting of the two westernmost parcels (APNs: 0046-050-300 & 0046-100-260), is owned by the project applicants.

**Site Characteristics:** The approximately 560 acres within the site are comprised of both secondary management area and primary management area habitats as defined by the Suisun Marsh Preservation Act adopted in 1974 and the Suisun Marsh Protection Plan adopted in 1977. Elevations range from 0-24' above mean-sea level. The site is known as the Garibaldi Unit of the State of California Grizzly Island Wildlife Area and was previously used by the Garibaldi family as a working cattle ranch, private waterfowl refuge and for hunting and fishing.

Various out-buildings, aircraft landing strip, and airport hangar were developed on the property. The area consists primarily of uplands along its westerly edge and is largely managed wetlands to the east. As part of

the Grizzly Island Wildlife Area, the site has been managed as habitat for migratory birds and other wildlife. Grazing, levee construction and development and management of waterfowl habitat have modified the natural habitats of the project site.

Two of the four parcels (APNs: 0046-050-300 & 0046-100-260), totaling approximately 280 acres of the site, have been transferred from the State of California to the Pacific

Flyway Fund via a land exchange. Future land exchanges are scheduled to occur for the remaining 280 acres in 2018. The first exchange consists of approximately 80 acres of Secondary Management uplands and approximately 200 acres of Primary Management marshland and are proposed for annexation into the City of Fairfield.

The annexation is necessary order to obtain the provision of City services, such as sewer and water, to serve the project's utility needs. The remaining 280 acres (APNs: 0046-050-310 & 0046- 100-270), once exchanged, will not be annexed into the City but remain within the County. These parcels will be kept in their natural state and no development or public use is

proposed on these parcels.

**Project Description:** Of the approximately 280 acres intended for annexation into

the City of Fairfield, approximately 8.3 acres would be developed with impervious

surfaces, encompassing the visitor education and interpretive center, wildlife theater, gift shop and food service facilities, maintenance area, and driveways and parking areas. The total square footage of the proposed buildings is approximately 125,000 square feet. The buildings will be constructed within the upland grasslands portion of the site, adjacent to Interstate 680.

Approximately 124 acres of the site would be enhanced and restored as an outdoor wildlife habitat viewing area, to be known as the "Walk in the Marsh". Work planned for this area will consist of the creation, restoration and enhancement of ponds, wetlands, wildlife viewing overlooks, raised boardwalk pathways, pervious pathways, and water conveyance system. Within the "Walk in the Marsh" area, improvements would include creation, restoration and enhancement of approximately 24 acres of new ponds and wetlands for wildlife. This would include restoring and habitat enhancement to approximately 6.5 acres of existing wetlands and creation of approximately 17.5 acres of new wetlands by converting upland areas into new wetlands.

The development of new ponds and wetlands and other enhancement work is expected to be authorized under a US Army Corps of Engineers (ACOE) Nationwide Permit 27, while future maintenance of the ponds and wetlands will be covered under the Suisun Resource Conservation District's Regional General Permit 3 (No. SPN-2012-00258), issued in 2018. Additionally, approximately 4,500 sq. ft. of raised boardwalks for the "Walk in the Marsh" will be constructed within and adjacent to the existing and created wetlands, with no

ACOE permit necessary for this work.

Restoration and enhancement work will include, among other activities, grading, weeding, revegetation, and salinity control. Within the upland grasslands, weeds will be removed and the area will be revegetated with native species typical of upland grassland habitats. The Project will enhance the value of the upland grasslands as habitat for Marsh-related wildlife where possible by planting and encouraging the growth of native plant species, including those that will provide valuable food and cover for wildlife.

The newly created, restored and enhanced wetlands would receive water from four potential sources, including, natural rain water, slough water which is currently being utilized in the existing managed wetlands, well-water from existing on-site wells, and raw water received from the City of Fairfield. These waters would be fed into a holding pond at the southwest corner of the visitor building area adjacent to Ramsey Road, and then transferred into the wetlands via gravity flows using a weir system. A new pump and intake located adjacent to the northerly parking lot would then re-cycle and re-circulate the water back to the holding pond, which would then again gravity flow back to the wetlands.

**Project Phasing:** The education and interpretive center building will consist of approximately 125,000 sq. ft. of area, comprised of three buildings. Construction is anticipated to occur in three phases. It is anticipated that Phase 1 will include construction of a 28,000 sq. ft. building, to be initially used as the Education Center containing exhibits and educational programs and a bus stop to accommodate buses of school children coming to view and learn. Phase 1 will also include a 137-space parking lot and site utilities, as well as the initial site grading for the “Walk in the Marsh”.

Phase 2 will consist the construction of an additional 23,000 sq. ft. “Wonders of Wildlife” theater building area, and an additional 200 parking spaces. Phase 3 of construction will add an additional 74,000 sq. ft. of building area, for a project total of approximately 125,000 sq. ft. of building area and a total of 337 parking spaces and expanded bus drop off area. All of the impervious surface development will occur in areas that are delineated as uplands and will have no impacts to existing wetlands. The last of the wetlands creation, restoration, and enhancements, will be completed by the final building construction phase. Enhancement work within the Primary Areas of the Marsh will be subject to BCDC approvals and will commence upon obtaining the necessary permits.

## **ALUC JURISDICTION**

The Pacific Flyway Project includes a pre-zoning action (pending annexation) and is statutorily required to come before the ALUC for a consistency determination. The project lies within the area of influence of the

Travis AFB LUCP.

## **REQUIRED TESTS FOR CONSISTENCY FOR REZONING ACTIONS**

State law, under Section 21661.5 of the Public Utilities Code, requires that any proposed zoning regulations or revisions to the local zoning ordinance be reviewed for consistency with adopted airport land use compatibility plans.

The ALUC is concerned with those aspects of the proposed zoning changes which have the potential to be incompatible with any of the three ALUCs in the County.

### **California Airport Land Use Planning Handbook**

The State Department of Aeronautics has published the California Airport Land Use Planning Handbook as a guide for Airport Land Use Commissions in the preparation and implementation of Land Use Compatibility Plans and Procedure Documents. Section 6.4.2 sets forth procedures for the review of local zoning ordinances and directs agencies to consider the topics listed in Table 5A, as follows:

#### **Zoning or Other Policy Documents** (from Table 5A, CalTRANS Airport Land Use Planning Handbook)

The Handbook lists the following topics for consideration when reviewing zoning or other policy documents.

- Intensity Limitations on Nonresidential Uses
- Identification of Prohibited Uses
- Open Land Requirements
- Infill Development
- Height Limitations and Other Hazards to Flight
- Buyer Awareness Measures
- Non-conforming Uses and Reconstruction

## **CONSISTENCY ANALYSIS**

The ALUC is concerned with those aspects of the Pacific Flyway Project that have the potential to be incompatible with the Travis Plan. The Pacific Flyway Project covers a geographic area which lies entirely within Compatibility Zone D.

### **Compatibility Criteria for Zone D**

Compatibility Zone D of the Travis Plan requires review for structures in excess of 200' above ground level. Height review is based on the part 77 Surfaces for Travis AFB. The proposed project does not penetrate any of the Part 77 Surfaces for Travis AFB. In addition, Compatibility Zone D provides for review of the following special circumstances:

- All proposed wind turbines must meet line-of-sight criteria in Policy 3.4.4
- All new or expanded commercial-scale solar facilities must conduct an SGHAT glint and glare study for ALUC review
- All new or expanded meteorological towers > 200 feet AGL, whether temporary or permanent, require ALUC review
- For areas within the Bird Strike Hazard Zone, reviewing agencies shall prepare a WHA for discretionary projects that have the potential to attract wildlife that could cause bird strikes. Based on the findings of the WHA, all reasonably feasible mitigation measures must be incorporated into the planned land use.
- For areas outside of the Bird Strike Hazard Zone but within the Outer Perimeter, any new or expanded land use involving discretionary review that has the potential to attract the movement of wildlife that could cause bird strikes are required to prepare a WHA.

## **ANALYSIS OF CONSISTENCY FACTORS**

Staff has reviewed the proposed Pacific Flyway Project for consistency with the Travis Plan s and the State mandated compatibility factors for rezoning actions. Our analysis is presented below.

## Zoning Change Consistency Factor Analysis

As previously discussed, the CalTRANS Handbook lists the following topics for consideration when reviewing zoning or other policy documents.

Each of these categories is reviewed below:

1. Intensity Limitations on Nonresidential Uses

Within Compatibility Zone D, there are no limitations on density for residential land uses or limitations on intensity for non-residential land uses. Therefore, the Pacific Flyway Project is consistent with this provision of the LUCP.

2. Identification of Prohibited Uses

Compatibility Zone D does not prohibit any specific uses. As a result, the Pacific Flyway Project is consistent with this provision of the LUCP.

3. Open Land Requirements

Compatibility Zone D has no open land requirements for development. Therefore, the Pacific Flyway Project is consistent with this provision of the LUCP.

4. Infill Development

This project area is open, undeveloped marsh land. The proposed project represents new development in the area and does not qualify for consideration as an infill project. The development itself is permitted since there are no limitations on intensity or land uses within Compatibility Zone D. Consequently, the Pacific Flyway Project is consistent with Compatibility Zone D land use criteria.

5. Height Limitations and Other Hazards to Flight

As previously discussed, within Compatibility Zone D, the relevant factors for consideration include height review for objects in excess of 200 feet in height, wind turbines in excess of 100 feet in height, and projects within either the Bird Strike Hazard Zone or the Outer Perimeter Area.

*Height Review for Objects Greater than 200 Feet in Height and Wind Turbines in Excess of 100 Feet in Height*

The Pacific Flyway Project do not permit structures taller than 81 feet, so airspace review standards in zone D are satisfied.

*Projects within the Bird Strike Hazard Zone or the Outer Perimeter Area*

The project lies outside of the Bird Strike Hazard Zone and outside the Outer Perimeter Area. The project protects existing wildlife habitat and provides for additional enhancement to existing habitat. Since the project lies outside the Outer Perimeter of the Wildlife Hazard Area, there are no requirements in the Travis Plan which impact the project.

6. Buyer Awareness Measures

The proposed project lies within Compatibility Zone D and outside of any noise contours of concern. As a result, Buyer Awareness Measures are not required by the Travis Plan.

7. Non-conforming Uses and Reconstruction

The project includes a pre-zoning of the property which will specifically allow the for the development of the project upon annexation into the City of Fairfield. As a result, there will be no non-conforming aspects of the project.

Therefore, the project is consistent with this compatibility factor of the Travis Plan.

Based on the discussion above, staff recommends that the Commission find that the Pacific Flyway Project meets these tests for consistency for a zoning action and further find as follows:

**DETERMINATION:** Determine that application ALUC-2018-11 Pacific Flyway Project is consistent with the Travis Air Force Base Land Use Compatibility Plan (Sponsor: City of Fairfield).

**Attachments:**

Attachment A: Resolution (To Be Distributed Under Separate Cover)  
Attachment B: Location Map  
Attachment C: Aerial Photo  
Attachment D: Initial Study and Mitigated Negative Declaration  
Attachment E: Travis Plan Context Map