Planning Commission of the City of Fairfield
MITIGATED NEGATIVE DECLARATION
(GPA2021-003)

LEAD AGENCY: City of Fairfield

NAME OF PROJECT: 80-12 Industrial Center

FILE NUMBER: GPA2021-003, ZC2021-005, DR2021-016, and ER2021-038

PROJECT SPONSOR: 80-12 Industrial Center LLC

PROJECT LOCATION: 300 Chadbourne Road

PROJECT DESCRIPTION: Development of two industrial warehouse buildings and associated site improvements on a 19.44-acre site. Building 1 will have a building area of 103,440 square feet and a height of 42 feet and Building 2 will have a building area of 225,113 square feet and a height of 46 feet. The project site was formerly home to Walmart for which the existing vacant building and site improvements will be demolished as part of the project. The project requires City Council approval of a General Plan Amendment from Highway and Regional Commercial to Limited Industrial and Zone Change from Regional Commercial (CR) District to Limited Industrial (IL) District.

SURROUNDING LAND USES AND SETTING: Six parcels of land comprise the 19.44-acre project site at 300 Chadbourne Road. The project site is bounded by Highway 12 to the north and Chadbourne Road to the west. There are existing developments that surround the project site, including auto dealerships across Highway 12 to the north, Jelly Belly to the east, Busch Campus Park to the south, and Sutter Health medical offices across Chadbourne Road to west. The project site is characterized by a large vacant building that was formerly home to Walmart and a surface parking with several mature trees and landscape improvements.

ENVIRONMENTAL EFFECTS: Based upon an initial study prepared for the project, it has been determined that the project may have the following significant environmental impacts, but with the mitigation measures, the potential impacts will be avoided or reduced to insignificant levels.

Potentially significant impacts were identified in the Initial Study for the following environmental topic areas: Biological Resources; Cultural Resources; Hazards/Hazardous Materials; Transportation; and Tribal Cultural Resources. Mitigation measures have been included in the Initial Study as follows.

Biological Resources

Mitigation Measure BIO-1: Migratory and Native Resident Nesting Birds

If construction is to be conducted during the breeding season of migratory birds (February 1 to August 31), a qualified biologist shall conduct a pre-construction breeding bird survey in areas of suitable habitat (trees and vegetation, and also eaves and other building structures) within 15 days prior to the onset of construction activity. If bird nests are found, appropriate buffer zones shall be established around all active nests to protect nesting adults and their young from direct or indirect impacts related to project construction disturbance. Size of buffer zones shall be determined per recommendations of the qualified biologist based on site conditions and species involved. Buffer zones shall be maintained until it can be documented that either the nest has failed or the young have fledged.

Mitigation Measure BIO-2: Bat Roosts

The applicant shall conduct a Bat Habitat Assessment of all trees to be removed or trimmed and all structures scheduled for demolition. The Bat Habitat Assessment of the prior Walmart structure shall consist of a visual examination of the exterior and interior surfaces and spaces for suitable entry points, and signs of roosting bats (fecal pellet accumulations, urine or fur staining at entrances, insect prey remains, live or dead bats, characteristic odor, etc.). The Bat Habitat Assessment shall determine the presence of suitable roosting habitat in the form of tree cavities that could harbor colonial bats or exfoliating bark or suitable foliage to support solitary bats. If no bat habitat is found during the assessment, the structure can be demolished, or the tree can be removed or trimmed. If trees or structures contain suitable potential bat habitat, or if the presence of roosting bats is presumed, then additional mitigation shall be implemented as determined by the bat biologist if necessary.

Trees: Scheduled removal of trees with suitable bat habitat shall have a qualified bat biologist present at the time of removal and trimming during seasonal periods of bat activity (March 1 to April 15 or September 1 to October 15). If trees containing suitable potential bat habitat are scheduled for removal outside of these seasonal periods of bat activity, the qualified bat biologist shall conduct a visual survey of all suitable roost features to determine if bats are present, and then remove the tree if bats are not present. If roost features cannot be completely surveyed due to access, cavity depth and uncertainty remains regarding the potential presence of roosting bats, the removal of the subject tree shall be delayed until the appropriate seasonal period of bat activity cycle is completed as verified under the supervision by the qualified bat biologist.

Structures: If structures are found to contain suitable potential roost habitat or signs of past or present use by bats, or the presence of roosting bats is presumed, a detailed visual survey or night emergence survey shall be conducted to verify the absence of bats. Night emergence surveys can only be conducted when bats are active. Buildings containing bats or signs of past or

present use by bats shall require either humane eviction (installation of blockage materials and one-way exits), or partial dismantling, and only during seasonal periods of bat activity between March 1 to April 15 or between September 1 to October 15.

Mitigation BIO-3: Tree Preservation and Relocation

A. Prior to issuance of a grading permit or building permit, the applicant shall provide a detailed mitigation plan. The plan shall address the following issues:

    1. Mitigation of potential impacts on preserved protected trees. If construction activities could impact protected trees which are to be preserved, the applicant shall provide a mitigation plan that indicates construction practices, tree care measures, irrigation methods, if any, aeration techniques, retaining walls and other grading improvements, and other measures which could increase the survival rates of trees to be saved. All construction projects that would impact the area underneath a protected tree's dripline shall comply with City standards for acceptable construction practices adopted by the Planning Commission with the advice of the Open Space Commission.

    2. Mitigation of trees removed during development.

        a. On-site mitigation. When on-site mitigation is proposed, the plan shall indicate tree planting locations, size, and species of trees to be planted, and planting and irrigation methods.

        b. Off-site mitigation. Because removal of protected trees has neighborhood and citywide impacts, as well as site-specific impacts, off-site mitigation is appropriate to help preserve the City's overall quality of life and tree resources. Mitigation measures help preserve the extent and value of the City's public and private tree resources. Off-site mitigation may be appropriate when on-site mitigation is not possible, when another site is available and preferred for mitigation planting, and a reasonable relationship exists between the impacts being created as a result of the tree removal and the benefits of the off-site mitigation. The Department of Community Development may approve one or both of the following two options for off-site mitigation:

            1. The applicant implements a specific mitigation plan for an off-site location approved by the City which incorporates planting, irrigation, and monitoring (and replacement) for a five year period. The City may require a deposit to ensure that maintenance activities are implemented.

2. If a specific site has not been identified, the applicants may pay an in-lieu fee equal to the reasonable expenses incurred by the City or its contractors in installing off-site mitigation trees.

Cultural Resources

Mitigation Measure CR-1: Archaeological Resources

If prehistoric archaeological resources are discovered during grading and trenching activities, work within 25 feet of the discovery shall be redirected and a qualified archaeologist contacted to evaluate the finds and make recommendations for mitigation to be followed by the applicant. Adverse effects to such deposits shall be avoided. If such deposits cannot be avoided, it shall be determined, by a qualified archaeologist or equally qualified professional, whether they qualify as historical or unique archaeological resources under CEQA. If the deposits are not eligible, avoidance is not necessary. If they are eligible, they shall be avoided, or, if avoidance is not feasible, the adverse effects shall be mitigated.

Mitigation may include, but is not limited to, thorough recording on Department of Parks and Recreation form 523 records (DPR523) or data recovery excavation. If data recovery excavation is selected, the excavation shall be guided by a data recovery plan prepared and adopted prior to beginning the data recovery work, and a report of findings shall be submitted to the City of Fairfield and the Northwest Information Center (NWIC) (CCR Title 14(3) 15126.(b)(3)(C)).

Mitigation Measure CR-2: Archaeological Remains

If archaeological remains are discovered during grading activities, work within 25 feet of the discovery shall be redirected and the County Coroner notified immediately. At the same time, an Archeologist shall be contacted to assess the situation. If human remains are of Native American origin, the Coroner shall notify the Native American Heritage Commission within 24 hours of identification. The Native American Heritage Commission shall identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report shall be submitted to the City of Fairfield and the Northwest Information Center.

Hazards/Hazardous Materials

Mitigation Measure HAZ-1: Soil Management Plan

Should the project site's future construction activities include excavating soil from beneath the existing Walmart TLE surface-grade and basement level concrete slab for offsite disposal, specific handling, waste characterization, and off-site disposal procedures shall be required. The project proponent shall prepare a project-specific Soil Management Plan (SMP) detailing these procedures prior to issuance of a grading permit.

Transportation

Mitigation Measure TRA-1: Bikeway and Pedestrian Improvements

The project proponent, in coordination with City staff, shall implement proposed bikeway and pedestrian improvements to reduce Vehicle Miles Traveled (VMT) impacts. Should the City adopt a VMT mitigation bank program or trip credit program, the appropriate fees or credits can be applied to the project.

Mitigation Measure TRA-2: Transportation Demand Management

The project proponent, in coordination with City staff, shall implement a Transportation Demand Management (TDM) Program. The pedestrian-oriented design TDM measure shall be implemented on the front end by the developer, while ongoing TDM measures, including transit pass subsidies, commute marketing program, and carpool/vanpool incentives, shall be implemented and managed by the designated TDM Coordinator. An annual monitoring program shall be implemented to measure the TDM Program outcomes. To measure the TDM Program's commute VMT reductions and mode share, a commute survey shall be administered to employees by the site occupant. In addition, traffic counts at the project driveways shall be collected and compared to the Institution of Transportation Engineers (ITE) estimated trip generation for the project site's specific use. If the commute survey and project trip count data find that the project's trip generation is at least five percent less than the ITE estimated trip generation, then the project's TDM goal will be met. If the project's TDM goal is not met, the project shall pay penalty fees as agreed upon with the City at the project approval stage.

Tribal Cultural Resources

Mitigation Measure TC-1: Cultural Sensitivity Training

Due to the possibility of archeological resources on the project site, the City of Fairfield shall require a note on any plans that require ground disturbing excavation that there is a potential for exposing buried cultural resources, including prehistoric Native American burials.

Prior to groundbreaking, construction personnel associated with earth moving equipment, drilling, grading, and excavating, shall be provided with basic archaeological and cultural sensitivity training conducted by a qualified archaeologist and in consultation with the Yocha Dehe Wintun Nation. Issues to be included in the basic training shall be geared toward training

the applicable construction crews in the identification of archaeological deposits and tribal cultural resources. Training shall include written notification of the restrictions regarding disturbance and/or removal of any portion of archaeological deposits and the proper procedures to follow should a resource be identified. The project applicant shall inform the Yocha Dehe Wintun Nation of the project construction schedule and allow for a Yocha Dehe Wintun Nation tribal monitor to be present at the project site during any ground disturbance activities in native soil, to ensure such activities do not negatively impact cultural resources. The tribal monitor shall also be provided an opportunity to attend the pre-construction briefing. The construction contractor, or its designee, shall be responsible for implementation of this measure.

Mitigation Measure TC-2: Protocol for Inadvertent Discovery of Tribal Cultural Resources

If archaeological remains or tribal cultural resources are uncovered, all construction activities within a 100-foot radius shall be halted immediately until a qualified archaeologist, in consultation with the tribal monitor, can evaluate whether the resource requires further study. The City shall require that the applicant include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Any previously undiscovered archaeological resources are found during construction shall be recorded on appropriate Department of Parks and Recreation forms and evaluated for significance in terms of California Environmental Quality Act criteria by a qualified archaeologist. Prehistoric archaeological site indicators include but are not limited to: obsidian and chert flakes and chipped stone tools; grinding and mashing implements (e.g., slabs and handstones, and mortars and pestles); bedrock outcrops and boulders with mortar cups; and locally darkened midden soils. Midden soils may contain a combination of any of the previously listed items with the possible addition of bone and shell remains, and fire-affected stones. Historic period site indicators generally include but are not limited to: fragments of glass, ceramic, and metal objects; milled and split lumber; and structure and feature remains such as building foundations and discrete trash deposits (e.g., wells, privy pits, dumps). If the resource is determined to be significant under CEQA, the City and a qualified archaeologist shall determine whether preservation in place is feasible. Such preservation in place is the preferred mitigation. If such preservation is infeasible, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan for the resource. The archaeologist shall also conduct appropriate technical analyses, prepare a comprehensive written report and file it with the appropriate information center (California Historical Resources Information System [CHRIS]), and provide for the permanent curation of the recovered materials. For any tribal cultural resources found during the ground disturbance activities, the Yocha Dehe Wintun Nation shall be immediately notified, and the appropriate treatment method for the uncovered resources shall be determined by the City and archaeologist in consultation with the Yocha Dehe Wintun Nation and its Yocha Dehe Treatment Protocol.

The treatment of human remains and any associated or unassociated funerary objects discovered during any soil-disturbing activity within the project site shall comply with applicable State laws.

This shall include immediate notification of the Solano County Coroner and the City of Fairfield of the discovery of any human remains.

In the event of the Coroner's determination that the human remains are Native American, the coroner must contact the NAHC within 24 hours. The NAHC shall identify a Most Likely Descendant (MLD) of the deceased Native American (PRC Section 5097.98). The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for the means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98. Development activity on the impacted site will halt until the landowner has conferred with the MLD about their recommendations for treatment of the remains, and the coroner has determined that the remains are not subject to investigation under California Government Code Section 27491.

The project applicant, archaeological consultant, and MLD shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. The California PRC allows 48 hours to reach agreement on these matters. If the MLD and the other parties do not agree on the reburial method, the project will follow PRC Section 5097.98(b) which states that ". . . the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance."

DETERMINATION: On August 24, 2022, the Planning Commission of the City of Fairfield determined that the proposed project, as submitted, will not have a significant effect on the environment, including any adverse effect, either individually or cumulatively on wildlife resources.

The Initial Study was prepared by the Community Development Department, City of Fairfield. A copy of the Initial Study is attached. Additional information may be obtained at the Community Development Department, Fairfield City Hall, 1000 Webster Street, Second Floor, Fairfield, California 94533.

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JEROME CHILDS, Chairperson

ATTEST:

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DAVID FEINSTEIN, Secretary

NAME OF PROJECT: 80-12 INDUSTRIAL CENTER

MITIGATION MONITORING PROGRAM AND COMPLIANCE RECORD

FILE NO.: GPA2021-003, ZC22021-005, DR2021-016, & ER2021-038 INITIAL STUDY PREPARED BY: Jonathan Atkinson, Senior Planner

DATE: August 24, 2022 APPLICANT: 80-12 Industrial Center LLC

MITIGATION PLAN			COMPLIANCE RECORD			
MITIGATION MEASURE	**DEPARTMENT**	**ACTION(S) REQUIRED**	**REQUIRED TIME OF COMPLIANCE**	**ACTION TAKEN**	**VERIFIED BY/DEPT.**	**DATE**
BIO-1: Migratory and Native Resident Nesting Birds	Community Development	If construction is to be conducted during the breeding season of migratory birds (February 1 to August 31), a qualified biologist shall conduct a pre-construction breeding bird survey in areas of suitable habitat (trees and vegetation, and also eaves and other building structures) within 15 days prior to the onset of construction activity. If bird nests are found, appropriate buffer zones shall be established around all active nests to protect nesting adults and their young from direct or indirect impacts related to project construction disturbance. Size of buffer zones shall be determined per recommendations of the qualified biologist based on site conditions and species involved. Buffer zones shall be maintained until it can be documented that either the nest has failed or the young have fledged.	Within 15 days prior to the onset of project construction activity			
BIO-2: Bat Roosts	Community Development	The applicant shall conduct a Bat Habitat Assessment of all trees to be removed or trimmed and all structures scheduled for demolition. The Bat Habitat Assessment of the prior Walmart structure shall consist of a visual examination of the exterior and interior surfaces and spaces for suitable entry points, and signs of roosting bats (fecal pellet accumulations, urine or fur staining at entrances, insect prey remains, live or dead bats, characteristic odor, etc.). The Bat Habitat Assessment shall determine the presence of suitable roosting habitat in the form of tree cavities that could harbor colonial bats or exfoliating bark or suitable foliage to support solitary bats. If no bat habitat is found during the assessment, the structure can be demolished, or the tree can be removed or trimmed. If trees or structures contain suitable potential bat habitat, or if the presence of roosting bats is presumed, then additional mitigation shall be implemented as determined by the bat biologist if necessary. Trees: Scheduled removal of trees with suitable bat habitat shall have a qualified bat biologist present at the time of removal and trimming during seasonal periods of bat activity (March 1 to April 15 or September 1 to October 15). If trees containing suitable potential bat habitat are scheduled for removal outside of these seasonal periods of bat activity, the	Prior to issuance of a grading permit or building permit			

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		qualified bat biologist shall conduct a visual survey of all suitable roost features to determine if bats are present, and then remove the tree if bats are not present. If roost features cannot be completely surveyed due to access, cavity depth and uncertainty remains regarding the potential presence of roosting bats, the removal of the subject tree shall be delayed until the appropriate seasonal period of bat activity cycle is completed as verified under the supervision by the qualified bat biologist. <u>Structures:</u> If structures are found to contain suitable potential roost habitat or signs of past or present use by bats, or the presence of roosting bats is presumed, a detailed visual survey or night emergence survey shall be conducted to verify the absence of bats. Night emergence surveys can only be conducted when bats are active. Buildings containing bats or signs of past or present use by bats shall require either humane eviction (installation of blockage materials and one-way exits), or partial dismantling, and only during seasonal periods of bat activity between March 1 to April 15 or between September 1 to October 15.				
BIO-3: Tree Preservation and Relocation	Community Development	A. Prior to issuance of a grading permit or building permit, the applicant shall provide a detailed mitigation plan. The plan shall address the following issues: 1. Mitigation of potential impacts on preserved protected trees. If construction activities could impact protected trees which are to be preserved, the applicant shall provide a mitigation plan that indicates construction practices, tree care measures, irrigation methods, if any, aeration techniques, retaining walls and other grading improvements, and other measures which could increase the survival rates of trees to be saved. All construction projects that would impact the area underneath a protected tree's dripline shall comply with City standards for acceptable construction practices adopted by the Planning Commission with the advice of the Open Space Commission. 2. Mitigation of trees removed during development. a. <u>On-site mitigation.</u> When on-site mitigation is proposed, the plan shall indicate tree planting locations, size, and species of trees to be planted, and planting and irrigation methods. b. <u>Off-site mitigation.</u> Because removal of protected trees has neighborhood and citywide impacts, as well as site-specific	Prior to issuance of a grading permit or building permit			

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		impacts, off-site mitigation is appropriate to help preserve the City's overall quality of life and tree resources. Mitigation measures help preserve the extent and value of the City's public and private tree resources. Off-site mitigation may be appropriate when on-site mitigation is not possible, when another site is available and preferred for mitigation planting, and a reasonable relationship exists between the impacts being created as a result of the tree removal and the benefits of the off-site mitigation. The Department of Community Development may approve one or both of the following two options for off-site mitigation: 1. The applicant implements a specific mitigation plan for an off-site location approved by the City which incorporates planting, irrigation, and monitoring (and replacement) for a five year period. The City may require a deposit to ensure that maintenance activities are implemented. 2. If a specific site has not been identified, the applicants may pay an in-lieu fee equal to the reasonable expenses incurred by the City or its contractors in installing off-site mitigation trees.				
CR-1: Archaeological Resources	Community Development	If prehistoric archaeological resources are discovered during grading and trenching activities, work within 25 feet of the discovery shall be redirected and a qualified archaeologist contacted to evaluate the finds and make recommendations for mitigation to be followed by the applicant. Adverse effects to such deposits shall be avoided. If such deposits cannot be avoided, it shall be determined, by a qualified archaeologist or equally qualified professional, whether they qualify as historical or unique archaeological resources under CEQA. If the deposits are not eligible, avoidance is not necessary. If they are eligible, they shall be avoided, or, if avoidance is not feasible, the adverse effects shall be mitigated. Mitigation may include, but is not limited to, thorough recording on Department of Parks and Recreation form 523 records (DPR523) or data recovery excavation. If data recovery excavation is selected, the excavation shall be guided by a data recovery plan prepared and adopted prior to beginning the data recovery work, and a report of findings shall be submitted to the City of Fairfield and the Northwest Information Center (NWIC) (CCR Title 14(3) 15126.(b)(3)(C)).	During project construction			

MITIGATION MEASURE	DEPARTMENT	ACTION(S) REQUIRED	REQUIRED TIME OF COMPLIANCE	ACTION TAKEN	VERIFIED BY/DEPT.	DATE
CR-2: Archaeological Remains	Community Development	If archaeological remains are discovered during grading activities, work within 25 feet of the discovery shall be redirected and the County Coroner notified immediately. At the same time, an Archeologist shall be contacted to assess the situation. If human remains are of Native American origin, the Coroner shall notify the Native American Heritage Commission within 24 hours of identification. The Native American Heritage Commission shall identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report shall be submitted to the City of Fairfield and the Northwest Information Center.	During project construction			
HAZ-1: Soil Management Plan	Public Works, Community Development	Should the project site's future construction activities include excavating soil from beneath the existing Walmart TLE surface-grade and basement level concrete slab for offsite disposal, specific handling, waste characterization, and off-site disposal procedures shall be required. The project proponent shall prepare a project-specific Soil Management Plan (SMP) detailing these procedures prior to issuance of a grading permit.	Prior to issuance of a grading permit			
TRA-1: Bikeway and Pedestrian Improvements	Public Works, Community Development	The project proponent, in coordination with City staff, shall implement proposed bikeway and pedestrian improvements to reduce Vehicle Miles Traveled (VMT) impacts. Should the City adopt a VMT mitigation bank program or trip credit program, the appropriate fees or credits can be applied to the project.	During project design and construction			
TRA-2: Transportation Demand Management	Public Works	The project proponent, in coordination with City staff, shall implement a Transportation Demand Management (TDM) Program. The pedestrian-oriented design TDM measure shall be implemented on the front end by the developer, while ongoing TDM measures, including transit pass subsidies, commute marketing program, and carpool/vanpool incentives, shall be implemented and managed by the designated TDM Coordinator. An annual monitoring program shall be implemented to measure the TDM Program outcomes. To measure the TDM Program's commute VMT reductions and mode share, a commute survey shall be administered to employees by the site occupant. In addition, traffic counts at the project driveways shall be collected and compared to the Institution of Transportation Engineers (ITE) estimated trip generation for the project site's specific use. If the commute survey and project trip count data find that the project's trip generation is at least five percent less than the ITE estimated trip generation, then the project's TDM goal will be met. If the	During ongoing project operations			

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		project's TDM goal is not met, the project shall pay penalty fees as agreed upon with the City at the project approval stage.				
TC-1: Cultural Sensitivity Training	Community Development	Due to the possibility of archeological resources on the project site, the City of Fairfield shall require a note on any plans that require ground disturbing excavation that there is a potential for exposing buried cultural resources, including prehistoric Native American burials. Prior to groundbreaking, construction personnel associated with earth moving equipment, drilling, grading, and excavating, shall be provided with basic archaeological and cultural sensitivity training conducted by a qualified archaeologist and in consultation with the Yocha Dehe Wintun Nation. Issues to be included in the basic training shall be geared toward training the applicable construction crews in the identification of archaeological deposits and tribal cultural resources. Training shall include written notification of the restrictions regarding disturbance and/or removal of any portion of archaeological deposits and the proper procedures to follow should a resource be identified. The project applicant shall inform the Yocha Dehe Wintun Nation of the project construction schedule and allow for a Yocha Dehe Wintun Nation tribal monitor to be present at the project site during any ground disturbance activities in native soil, to ensure such activities do not negatively impact cultural resources. The tribal monitor shall also be provided an opportunity to attend the pre-construction briefing. The construction contractor, or its designee, shall be responsible for implementation of this measure.	Prior to project construction			
TC-2: Protocol for Inadvertent Discovery of Tribal Cultural Resources	Community Development	If archaeological remains or tribal cultural resources are uncovered, all construction activities within a 100-foot radius shall be halted immediately until a qualified archaeologist, in consultation with the tribal monitor, can evaluate whether the resource requires further study. The City shall require that the applicant include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Any previously undiscovered archaeological resources are found during construction shall be recorded on appropriate Department of Parks and Recreation forms and evaluated for significance in terms of California Environmental Quality Act criteria by a qualified archaeologist. Prehistoric archaeological site indicators include but are not limited to: obsidian and chert flakes and chipped stone tools; grinding and mashing implements (e.g., slabs and handstones, and mortars and pestles); bedrock outcrops and boulders with mortar cups; and locally darkened midden soils. Midden soils may contain a combination of any of the previously listed items with the possible addition of bone and shell remains, and fire-affected stones. Historic period site indicators generally include but are not limited to: fragments of glass, ceramic, and metal objects; milled and split lumber; and structure and feature remains such as building foundations and	During project construction			

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		discrete trash deposits (e.g., wells, privy pits, dumps). If the resource is determined to be significant under CEQA, the City and a qualified archaeologist shall determine whether preservation in place is feasible. Such preservation in place is the preferred mitigation. If such preservation is infeasible, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan for the resource. The archaeologist shall also conduct appropriate technical analyses, prepare a comprehensive written report and file it with the appropriate information center (California Historical Resources Information System [CHRIS]), and provide for the permanent curation of the recovered materials. For any tribal cultural resources found during the ground disturbance activities, the Yocha Dehe Wintun Nation shall be immediately notified, and the appropriate treatment method for the uncovered resources shall be determined by the City and archaeologist in consultation with the Yocha Dehe Wintun Nation and its Yocha Dehe Treatment Protocol. The treatment of human remains and any associated or unassociated funerary objects discovered during any soil-disturbing activity within the project site shall comply with applicable State laws. This shall include immediate notification of the Solano County Coroner and the City of Fairfield of the discovery of any human remains. In the event of the Coroner's determination that the human remains are Native American, the coroner must contact the NAHC within 24 hours. The NAHC shall identify a Most Likely Descendant (MLD) of the deceased Native American (PRC Section 5097.98). The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for the means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98. Development activity on the impacted site will halt until the landowner has conferred with the MLD about their recommendations for treatment of the remains, and the coroner has determined that the remains are not subject to investigation under California Government Code Section 27491. The project applicant, archaeological consultant, and MLD shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. The California PRC allows 48 hours to reach agreement on these matters. If the				

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		MLD and the other parties do not agree on the reburial method, the project will follow PRC Section 5097.98(b) which states that ". . . the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance."				

MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

AB 3180 (Public Resources Code section 21081.6) requires public agencies to adopt a reporting or monitoring program whenever: a) a Negative Declaration which incorporates mitigation measures is adopted for a project; and b) after certifying an EIR, CEQA findings are adopted which concludes that otherwise significant impacts will be substantially lessened or avoided through the adoption of mitigation measures.

The following procedures shall be followed to ensure compliance with AB 3180. Please note that these procedures are intended to cover all project categories (private or public) and all stages of a project when monitoring or reporting may be required. A typical mitigation or monitoring program will consist of the checklist (Appendix "A"), the General Provisions, and appropriate portions of the section titled "Types of project and mitigation and their monitoring/reporting procedures." The monitoring or reporting program may be attached to the Mitigated Negative Declaration or EIR findings and made a part of that document.

The CEQA Guidelines require mitigation of "significant impacts", except where findings of overriding significance are made. Unless this threshold of "significant impact" is reached, it is advisable to address project issues as conditions of project approval outside the CEQA process.

Mitigation measures must be written in very clear language, and must specify what, who, when, where, and if possible, the why.

GENERAL PROVISIONS

A. Checklist: All mitigation measures for a Negative Declaration or EIR shall be incorporated into the attached checklist for the purpose of monitoring or reporting their implementation.

B. Disagreement over the interpretation of a mitigation condition: Where staff and the applicant cannot agree on the exact meaning of a mitigation condition, the matter shall be referred to the Community Development Director. The applicant shall have the right to appeal the Director's interpretation to the Planning Commission.

C. Reporting: All reports submitted by the developer and consultant shall be under the penalty of perjury.

D. Records: All records pertaining to a Mitigated Negative Declaration shall be kept in the project file at the offices of the Community Development Department.

E. Fees: For private projects, the applicant shall bear the cost of monitoring and/or reporting. Fees charged for staff time shall be established by City Council Resolution. Where necessary, the applicant will be required to deposit a lump sum with the Community Development Department. Monitoring costs will be debited against said deposit. For public projects where fees are not charged, the cost of monitoring shall be borne by the Department responsible for the project.

F. Penalties: If an applicant fails to properly implement mitigation measures, the Community Development Director the appropriate City Department may issue a stop-work order, or deny subsequent approvals necessary to complete and occupy the project. In some cases, the City may require performance bonds or letters of credit to ensure that mitigation conditions are properly implemented. The amount of such bonds or letters of credit shall be determined by the Community Development Director. Failure to implement mitigation measures or to furnish required mitigation reports may be cause for suspension or revocation of a permit or the basis for legal action by the City to enforce compliance with the mitigation measure or reporting requirement.

TYPES OF PROJECTS AND MITIGATION AND THEIR MONITORING/REPORTING PROCEDURES:

Private Projects

A. Conditions affecting permanent construction. These conditions affect the permanent design and location of a structure. Examples include limiting building height, requiring a setback, or providing a landscape buffer.

- The department applying the condition signs off on the mitigation condition(s) before the building permit is issued, verifying that the plans conform with the condition(s).

- The building inspector ensures that construction conforms with approved plans.

- Affected department signs off on the mitigation condition(s) before final inspection/occupancy, verifying that the project conforms to the mitigation condition(s).

B. Conditions during construction. These conditions affect the way construction is carried out. Examples will be hours of operation, erosion control plans, preservation of archaeological sites, and preservation and protection of marshes.

- Responsibility for monitoring and reporting shall be placed on the applicant. The City department which imposed the condition will investigate complaints and review reports that are submitted. City inspectors should be informed about mitigation conditions so they can report obvious violations.

- Reporting by applicant shall be under penalty of perjury.

C. Operational Conditions. These require permanent monitoring/reporting on a regular basis. Examples will include: hours of operation, maximum occupancy, toxic handling and disposal, and limits on nuisances like noise and odors.

- The burden would be placed on the applicant to provide reports to the City as required. The content and frequency of the reports would be specified as part of the conditions. Specialized inspectors may be required.

- Failure to implement an operational mitigation measure or to furnish required mitigation reports may be cause for suspension or revocation of a permit or the basis for legal action by the City to enforce compliance with the mitigation measure or reporting requirement.

- Reporting shall be under penalty of perjury.

- The City may enter into agreement with another agency to monitor compliance (e.g. Fish and Game for creek conditions; County Health for toxins).

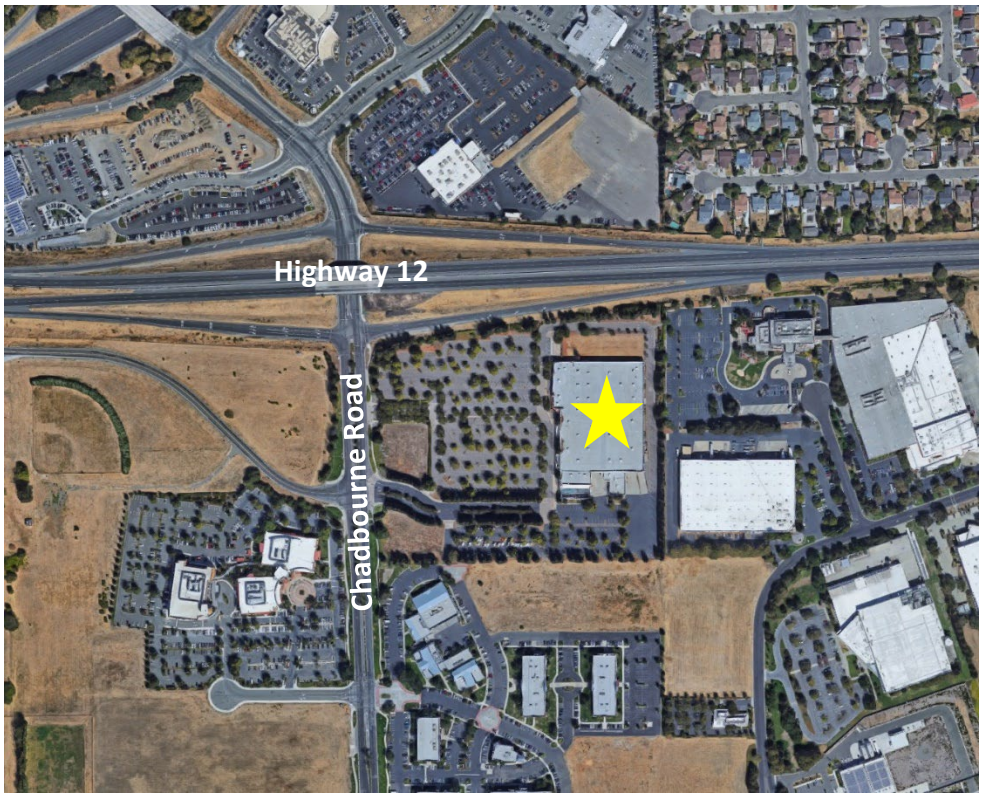
- Code enforcement officer, planning staff, appropriate City staff will investigate complaints, and also ensure that reports are submitted as required to the Community Development Department.

CITY OF FAIRFIELD

Initial Study Questionnaire

PROJECT DESCRIPTION AND BACKGROUND

Project title:	80-12 Industrial Center Project
Contact Person:	Jonathan Atkinson, Senior Planner (707) 428-7387 jatkinson@fairfield.ca.gov
Project Sponsor's Name and Address:	80-12 Industrial Center LLC 415 Mission Street, 45th Floor San Francisco, CA 94105
General Plan Designation:	Highway and Regional Commercial (CHR)
Zoning:	Commercial Retail (CR)
Project Location:	300 Chadbourne Road
Longitude/Latitude:	"N" 38°14'17.76"N "W" 122° 4'52.02"W
Assessor's Parcel Numbers:	028-750-240, -250, -260, -270, -290 and -300

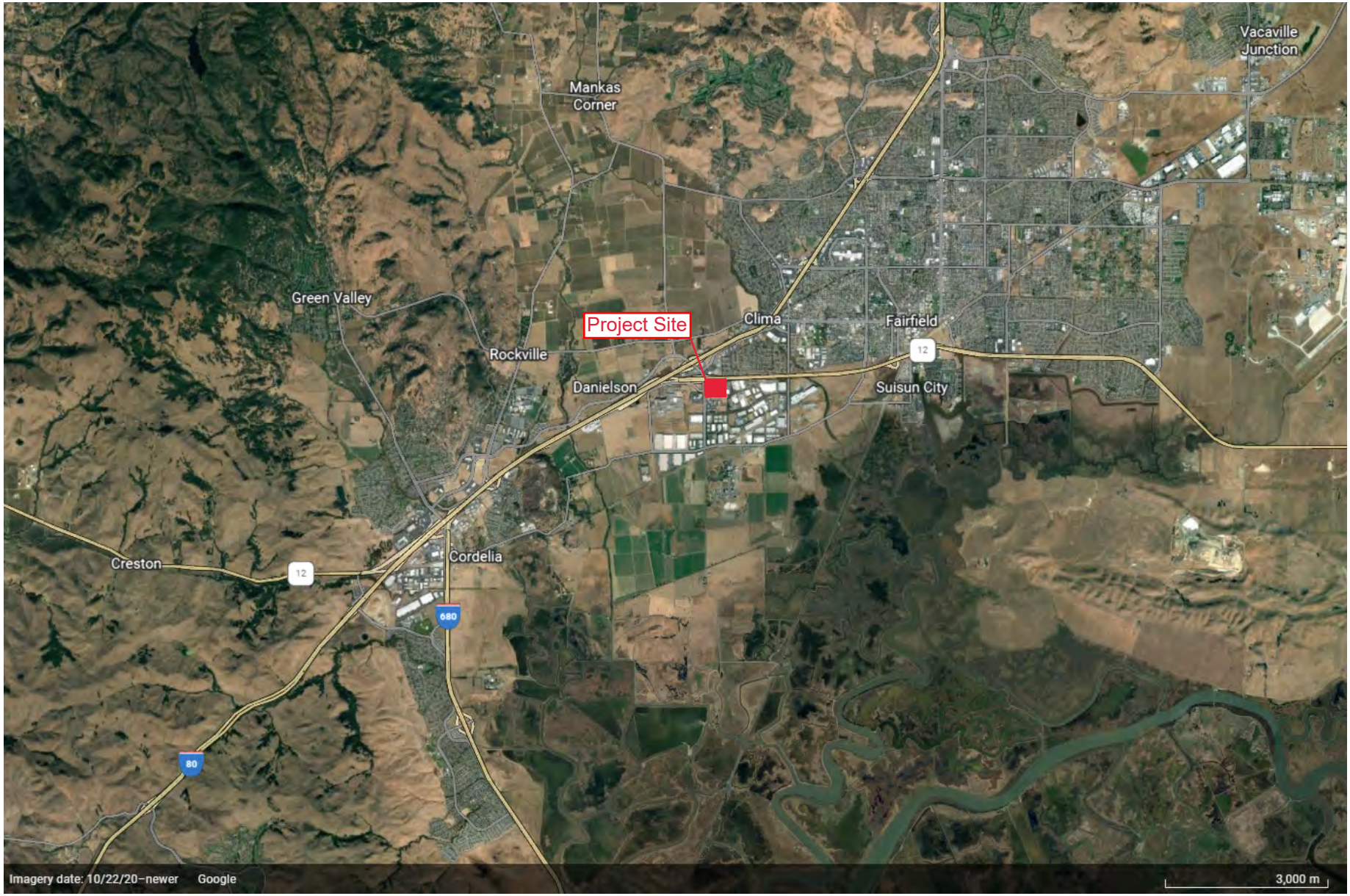


AVAILABILITY OF DOCUMENT: This document is available for review at:
1000 Webster St, 2nd fl., Fairfield, CA; 8am-12pm, 1-5:30pm; Monday-Thursday, and the second, fourth, and fifth Fridays of each month.

PROJECT DESCRIPTION: Development of two industrial warehouse buildings and associated site improvements on a 19.44-acre site. Building 1 will have a building area of 103,440 square feet and a height of 42 feet and Building 2 will have a building area of 225,113 square feet and a height of 46 feet. The project site was formerly home to Walmart for which the existing vacant building and site improvements will be demolished as part of the project. The project requires City Council approval of a General Plan Amendment from Highway and Regional Commercial to Limited Industrial and Zone Change from Regional Commercial (CR) District to Limited Industrial (IL) District.

SURROUNDING LAND USES AND SETTING: Six parcels of land comprise the 19.44-acre project site at 300 Chadbourne Road. The project site is bounded by Highway 12 to the north and Chadbourne Road to the west. There are existing developments that surround the project site, including auto dealerships across Highway 12 to the north, Jelly Belly to the east, Busch Campus Park to the south, and Sutter Health medical offices across Chadbourne Road to west. The project site is characterized by a large vacant building that was formerly home to Walmart and a surface parking with several mature trees and landscape improvements.

Exhibit 1: Regional Vicinity



Michael Baker INTERNATIONAL

NOT TO SCALE

Source: Google Earth

80-12 Industrial Center Project
Initial Study/Mitigated Negative Declaration

Regional Vicinity

Exhibit 1

Exhibit 2: Project Vicinity

Michael Baker INTERNATIONAL

NOT TO SCALE

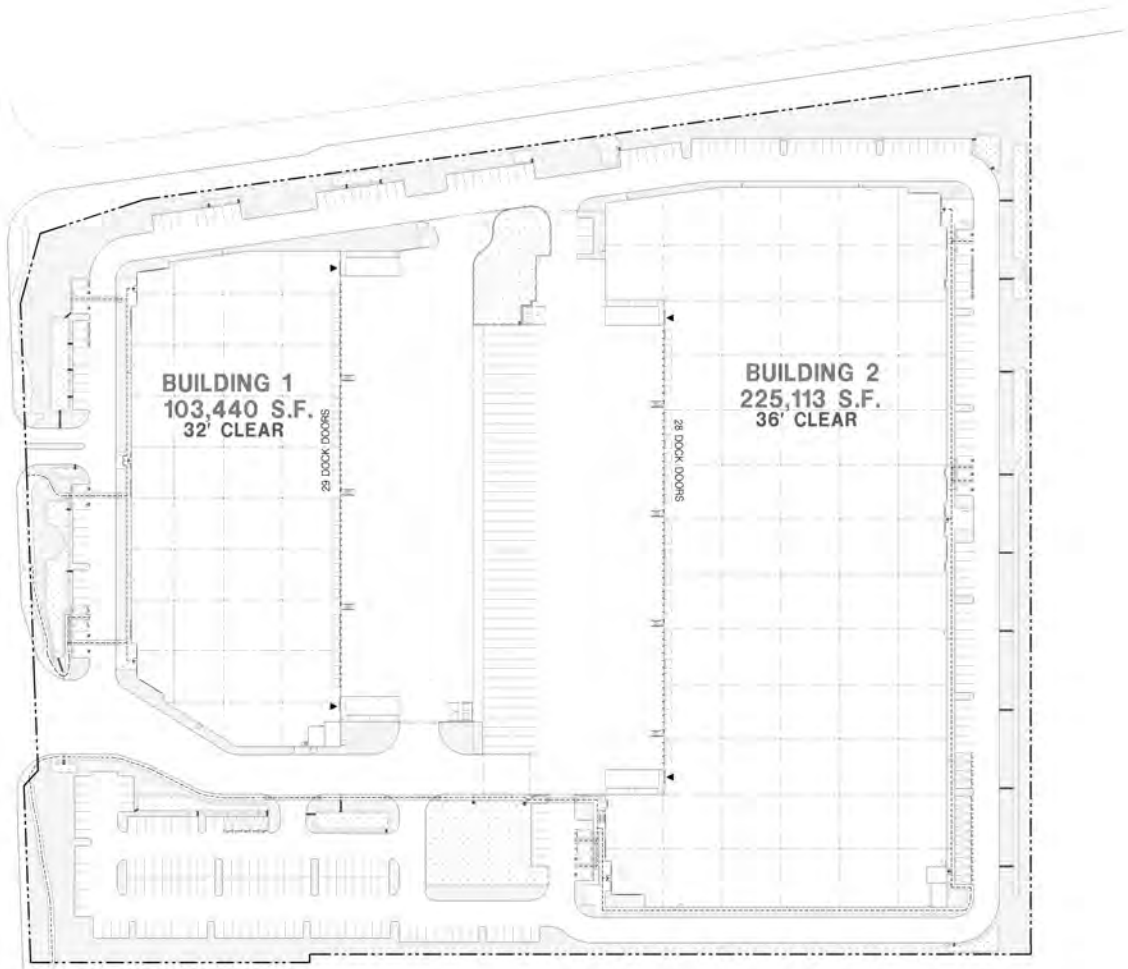
Source: Google Earth

80-12 Industrial Center Project
Initial Study/Mitigated Negative Declaration

Project Vicinity

Exhibit 2

Exhibit 3a: Conceptual Site Plan



OVERALL SITE PLAN A

VICINITY MAP

TABULATION

	BLDG 1	BLDG 2	TOTAL
SITE AREA			
In s.f.			846,923 s.f.
In acres			19.44 acres
BUILDING AREA			
Office	15,000	24,000	39,000 s.f.
Warehouse	88,440	201,113	289,553 s.f.
TOTAL	103,440	225,113	328,553 s.f.
FLOOR AREA RATIO			0.39
AUTO PARKING REQUIRED			
Office: 1/250 s.f.	60	96	156 stalls
Whse: 1/1000 s.f. (First 10k s.f.)	10	10	20 stalls
1/1500 s.f. (Between 10k to 40k s.f.)	27	27	53 stalls
1/3000 s.f. (above 40k s.f.)	17	54	71 stalls
TOTAL	114	187	301 stalls
AUTO PARKING PROVIDED			
Standard (9' x 20')	103	165	268 stalls
Accessible Parking (9' x 19' + 5' aisle)	3	4	7 stalls
Accessible Van Parking (12' x 19' + 5' aisle)	3	3	6 stalls
EV/ Clean air/ Van pool (9' x 17' w/2' overhang)	4	5	9 stalls
EV standard (9' x 17' w/2' overhang)	5	14	19 stalls
Accessible EV Van Parking (12' x 19' + 5' aisle)	1	1	2 stalls
Accessible EV Parking (9' x 19' + 5' aisle)	1	1	2 stalls
TOTAL	120	193	313 stalls
BICYCLE RACK REQUIRED			
Short Term (5% of total stalls)	6	12	
Long Term (5% of total stalls)	6	12	
BICYCLE RACK PROVIDED			
Short Term	6	12	
Long Term	6	12	
TRAILER PARKING PROVIDED			
Trailer (10' x 55')	0	43	43 stalls

ZONING ORDINANCE

Zoning Designation -IL (Limited Industrial) with Zoning amendment

MAXIMUM BUILDING HEIGHT ALLOWED

Height - 50'

(Final building height shall be determined prior to the issuance of building permit)

MAXIMUM FLOOR AREA RATIO

FAR - 0.6

SETBACKS

Building

Front/ Side Street Yard - 20'

Side/ Rear Yard - 0' or as required to meet applicable building and fire codes

Side/ Rear Yard adjacent to residential - 25', plus 1' set back for each 1' of bldg height over 35'

Rear yard abutting road - 15'

Landscape

frontage abutting a roadway - 10'

Interior property lines - 5' within 75' of a street frontage, and abutting auto parking area

Interior property lines adjacent to residential district - 10'

entry to a tenant space : 5' in other areas where parking or a drive aisle is adjacent to a bldg; 0' in

Michael Baker INTERNATIONAL

NOT TO SCALE

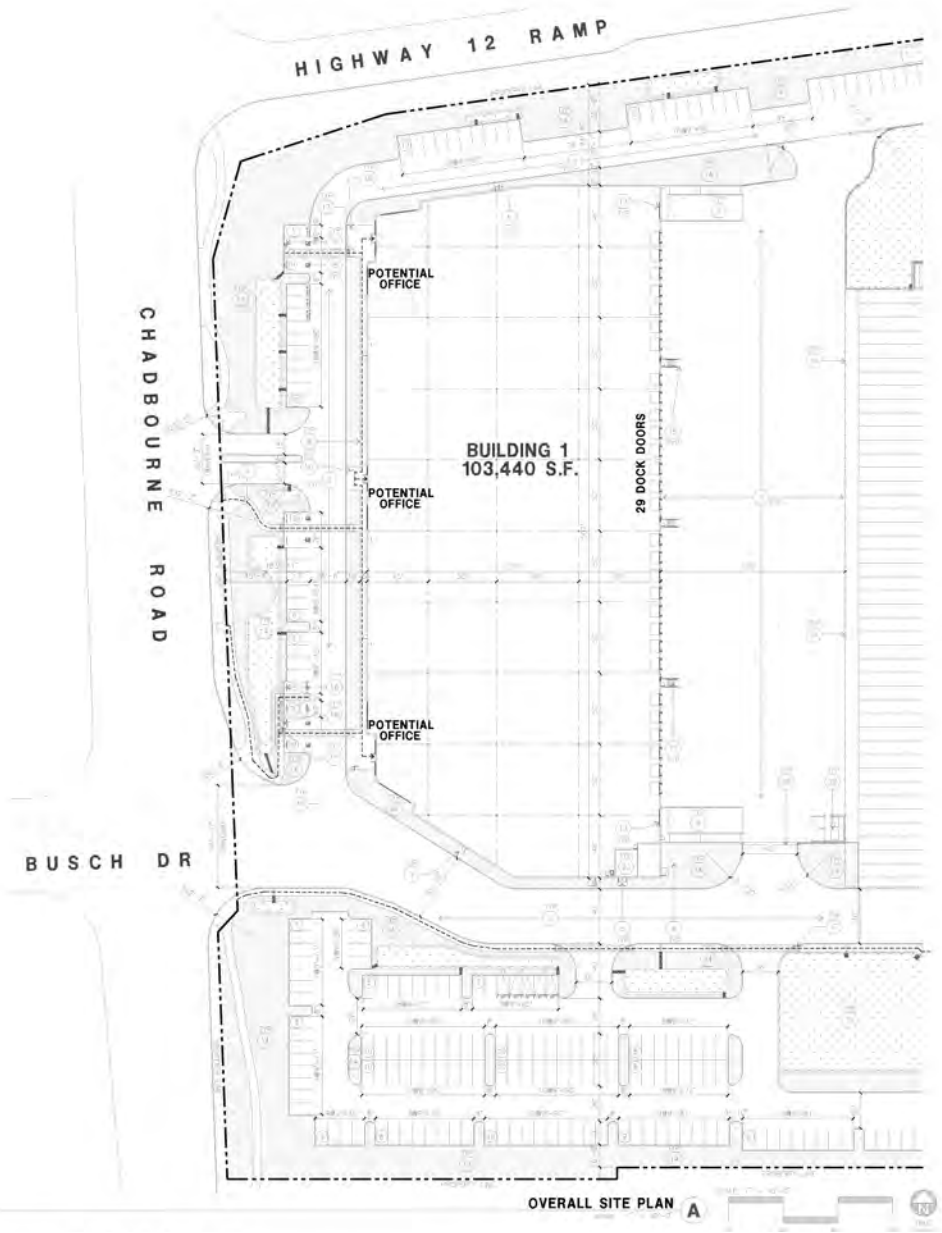
Source: HPA Architecture

80-12 Industrial Center Project
Initial Study/Mitigated Negative Declaration

Conceptual Site Plan

Exhibit 3a

Exhibit 3b: Conceptual Site Plan, cont'd



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80-12 Industrial Center Project
Initial Study/Mitigated Negative Declaration

Michael Baker INTERNATIONAL

NOT TO SCALE

Source: HPA Architecture

Conceptual Site Plan, cont'd

Exhibit 3b

Exhibit 4: Building 1 Elevation

80-12 Industrial Center Project
Initial Study/Mitigated Negative Declaration

Michael Baker INTERNATIONAL

NOT TO SCALE

Source: HPA Architecture

Building 1 Elevation

Exhibit 4

Exhibit 5: Building 2 Elevation

80-12 Industrial Center Project
Initial Study/Mitigated Negative Declaration

Michael Baker INTERNATIONAL

NOT TO SCALE

Source: HPA Architecture

Building 2 Elevation

Exhibit 5

OTHER PUBLIC AGENCY APPROVALS: N/A

TRIBAL NOTIFICATION: Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

☒ Yes ☐ No

NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below could be potentially affected by this project, involving at least one impact that is a "Less than Significant with Mitigation" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☒ Biological Resources	☒ Cultural Resources	☐ Energy
☐ Geology / Soils	☐ Greenhouse Gas Emissions	☒ Hazards & Hazardous Materials
☐ Hydrology / Water Quality	☐ Land Use / Planning	☐ Mineral Resources
☐ Noise	☐ Population / Housing	☐ Public Services
☐ Recreation	☒ Transportation	☒ Tribal Cultural Resources
☐ Utilities / Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

DETERMINATION

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Jonathan Atkinson, Senior Planner

08/03/2022
Date

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the Lead Agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) A "Mitigated Negative Declaration" (Negative Declaration: Less Than Significant with Mitigation Incorporated) applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The Lead Agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration (California Code of Regulations [CCR], Guidelines for the Implementation of CEQA § 15063(c)(3)(D)). References to an earlier analysis should:

   a) Identify the earlier analysis and state where it is available for review.

   b) Identify which effects from the environmental checklist were adequately analyzed in the earlier document, pursuant to applicable legal standards, and whether these effects were adequately addressed by mitigation measures included in that analysis.

   c) Describe the mitigation measures in this document that were incorporated or refined from the earlier document and indicate to what extent they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

   a) the criteria or threshold, if any, used to evaluate each question; and

   b) the mitigation measure identified, if any, to reduce the impact to less than significance.

ISSUES

I. **AESTHETICS** – Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Discussion: According to the City's adopted *Scenic Vistas and Roadways Plan* (adopted in 1999), the project site is not located near an identified "Scenic Vista" or along an identified "Scenic Roadway." The nearest scenic roadway, Cordelia Road, is approximately 0.63-mile south of the project site. Views of the project site from Cordelia Road are currently blocked by existing light industrial buildings located in between the project site and Cordelia Road. In addition, there are no officially designated State scenic highways in the City. The nearest scenic highway is State Route 29 (SR-29) (designated as eligible for listing), which is located 12.5 miles west of the project site in Napa County.[1] Views of the project site are not afforded from SR-29 due to intervening topography, structures, and vegetation. Thus, the project would not substantially damage scenic resources within a State scenic highway.

As the project is located in an urbanized area, existing sources of light and glare typically come from vehicles traveling on adjacent roadways, streetlights, exterior lighting on surrounding buildings, and reflection from windows and roofs on the surrounding commercial/industrial development. The project is consistent with the applicable standards for development under the Zoning Ordinance and the City's Design and Development Guidelines for industrial projects, as proposed and conditioned. In addition, the City requires, as a standard condition, that lighting be

[1] California Department of Transportation State Scenic Highway System Map. nd. https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa Accessed July 19, 2022.

of appropriate intensity and shielded to avoid unreasonable impacts to surrounding property. Therefore, impacts would be less than significant.

(Source 1)

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
II. <u>AGRICULTURE AND FOREST RESOURCES</u>: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. -- Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined in Public Resources Code section 4526), or timberland zoned Timberland Production (as defined in Public Resources Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X

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e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

<u>Discussion</u>: The project site is located in an area designated as Urban and Built-Up Land on the California Department of Conservation Important Farmland Finder map for Solano County.[2] The project site and adjacent land are not designated as farmland in any statewide study, nor do they involve any Williamson Act contracts. Furthermore, the project site is already developed and is not located in a forested area that would result in the conversion of forest land into a non-forest use. Therefore, no impact would occur.

(Source 2)

[2] California Department of Conservation, California Important Farmland Finder, https://maps.conservation.ca.gov/DLRP/CIFF/, accessed July 19, 2022.

III. **AIR QUALITY** – Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			X	

Discussion: The project site is located along the northeastern portion of the San Francisco Bay Area Air Basin (SFBAAB). The SFBAAB includes all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara Counties as well as the southern half of Sonoma County and the southwestern portion of Solano County. Fairfield has a semi-arid temperate climate. The annual average minimum temperature is 47°F in Fairfield. July is usually the warmest month with annual average maximum temperatures around 73°F. Fairfield gets, on average, over 23 inches of precipitation annually (Western Regional Climate Center). The region averages approximately 30 inches of rain per year, with most of the rain falling during winter. Fog from nearby marshes and bays is common during winter. The prevailing wind in the region is from the southwest through the Carquinez Strait and wind speeds average 20-45 miles per hour.

Air pollutants of concern in the air basin are primarily generated by three categories of sources: mobile, stationary, and area sources. Mobile sources refer to operational and evaporative emissions from motor vehicles. Stationary sources include “point sources” which have one or more emission sources at a single facility. Point sources are usually associated with manufacturing and industrial uses and include sources such as refinery boilers or combustion equipment that produces electricity or process heat. Area sources include sources that produce widely distributed emissions. Examples of area sources include residential water heaters, painting operations, lawn mowers, agricultural fields, landfills, and consumer products, such as lighter fluid or hair spray. Criteria air pollutants (listed in the following section) are defined as pollutants for which the federal and state governments have established ambient air quality standards for outdoor concentrations. The federal and State standards have been set at levels

above which concentrations could be harmful to human health and welfare. These standards are designed to protect the most sensitive persons such as children, pregnant women, and the elderly, from illness or discomfort.

The California Air Resources Board (CARB) is the State agency responsible for ensuring implementation of the California Clean Air Act (CAA), setting the California Ambient Air Quality Standards (CAAQS), and overseeing air quality planning and control throughout the state. The California CAA established a legal mandate for air basins to achieve the CAAQS by the earliest practical date. These standards apply to the following 10 criteria pollutants: ozone (O_3), nitrogen dioxide (NO_2), carbon monoxide (CO), sulfur dioxide (SO_2), particulate matter 2.5 microns or less in diameter ($PM_{2.5}$), particulate matter ten microns or less in diameter (PM_{10}), and lead (Pb), visibility-reducing particles, hydrogen sulfide, and vinyl chloride. CARB is also responsible for designating air basin areas of the State as 'attainment', 'nonattainment', or 'unclassified' based on the 10 criteria pollutants per State standards. The air quality of a region is considered to be in attainment of the State standards if the measured ambient air pollutant levels for O_3, CO, NO_2, PM_{10}, $PM_{2.5}$, SO_2 (1-and 24-hour), and lead are not exceeded, and all other standards are not equaled or exceeded at any time in any consecutive three-year period.

The SFBAAB is considered in non-attainment for ozone, PM_{10}, and $PM_{2.5}$ with regards to standards established by the State of California. Management of air quality in the SFBAAB is the responsibility of the Bay Area Air Quality Management District (BAAQMD). Specifically, the BAAQMD has responsibility for monitoring ambient air pollutant levels throughout the air basin area and developing and implementing attainment strategies to ensure that future emissions will be within federal and State standards. The following plans have been developed by the BAAQMD to achieve attainment of the federal and state ozone standards:

- The Clean Air Plan (CAP) and Ozone Strategy fulfill the planning requirements of the California CAA.

- The Ozone Attainment Plan fulfills the federal CAA requirements.

In addition to the aforementioned plans, the BAAQMD CEQA Air Quality Guidelines ("BAAQMD Guidelines") set forth methodologies and quantitative significance thresholds that a lead agency may use to estimate and evaluate the significance of a project's air emissions and health risks posed to nearby sensitive receptors.

Air quality impacts were evaluated in accordance with the methodologies recommended by CARB and the BAAQMD. Where criteria air pollutant quantification was required, emissions were modeled by technical consultants using the California Emissions Estimator Model version 2016.3.2 (CalEEMod). Average daily emissions from project construction and from operational activities were calculated, including both on-site and off-site activities. According to Table 8, *Construction Phase Daily Emissions* and Table 9, *Construction Phase Annual Emissions* of the *Air Quality and Climate Change Impact Assessment* (Appendix A), neither the project's construction nor net operational emissions would exceed the BAAQMD Guidelines thresholds for any criteria air pollutants, nor would the proposed project produce cumulatively considerable emissions of

nonattainment pollutants since the project would not exceed regional thresholds. Quantitative assessments of these discussed emissions, as well as CalEEMod projected construction equipment and methods, can be reviewed in the *Air Quality and Climate Change Impact Assessment* (Appendix A). Therefore, a less than significant impact would occur.

Neighboring properties are primarily industrial and commercial with some residential to the northeast but separated from the project site by SR-12. Given the lack of significant criteria pollutant impacts and lack of industrial sources in the project, the public exposures to project-generated pollutants would be of minimal concentration and toxicity. Therefore, the project impact on sensitive receptors would be less than significant.

The project does not involve other emissions that may affect a substantial number of people. The land uses that would comprise the project are not found in the Odor Screening Distances table in the BAAQMD CEQA Guidelines. Therefore, the project impact from other emissions that would affect a substantial number of people would be less than significant.

(Source 3)

IV. BIOLOGICAL RESOURCES – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) 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?				X
b) Have substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife		X		

IV. **BIOLOGICAL RESOURCES** – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
corridors, or impede the use of native wildlife nursery sites?				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X		
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	

Discussion: The project site is bounded by Highway 12 to the north and Chadbourne Road to the west. There are existing developments that surround the project site, including auto dealerships across Highway 12 to the north, Jelly Belly to the east, Busch Campus Park to the south, and Sutter Health medical offices across Chadbourne Road to west. Vegetation on the property consists of a variety of planted trees and weedy and non-native grassland species and landscaping species common in disturbed urban sites.

The project site is in Covered Urban Zone 1 and therefore would be subject to the Solano Habitat Conservation Plan (HCP) conservation measures. Figure 3-6 of the Solano HCP, *Vegetation and Cover Types,* as prepared by the Solano County Water Agency (SCWA), shows the site as "Developed" and not included within any of the mapped vegetation cover types. The nearest vegetation cover type mapped in the Solano HCP are nearby areas designated as Valley Floor Grassland Conservation Area.

A *Biological Evaluation* was prepared for the project site, which evaluates the site for impacts on special-status species. Special-status species are plant and animal species that meet the CEQA Guidelines definition of endangered, threatened, or rare (CEQA Guidelines §15380); species listed pursuant to California Endangered Species Act (CESA), Endangered Species Act (ESA), or Native Plant Protection Act (NPPA). Refer to Tables 1 and 2 of the *Biological Evaluation* (Appendix B-1) for additional information.

According to the *Biological Evaluation*, the project would not result in any significant adverse impacts on special-status plant or animal species and would not substantially reduce the number or restrict the range of a rare, endangered, or threatened species of fauna. None of the special-status plant or animal species discussed in Tables 1 and 2 of the *Biological Evaluation* have the potential to occur at the project site.

Special-Status Plants. All the special-status plant species listed in Table 1 of the *Biological Evaluation* as occurring in the project vicinity require habitat conditions that are not found at the site of the proposed project. Because of the urbanized nature of the project site and the surrounding area, the presence of a high component of non-native vegetation at the site, and the lack of specialized habitats known to harbor special status plants occurring in the vicinity, make this site a poor candidate for supporting special-status plant species. No special-status plant species occur on the property, therefore, no impacts to special-status species of flora would result from the proposed project.

Special-Status Animals. Two special-status animal species that have occurred in the vicinity of the project are Swainson's Hawk and burrowing owl.

- Swainson's Hawk: According to the *Biological Evaluation*, the project site does not provide habitat that would be suitable as a nesting or foraging habitat by Swainson's Hawk, which prefers foraging in agricultural fields and grasslands in the vicinity of riparian systems. No impacts to Swainson's Hawk would result from the project.

- Burrowing owl: Habitat for burrowing owl does not occur on the proposed project site. There are no ground squirrels or ground squirrel colonies on the property; therefore, there are no burrows suitable to support burrowing owl. No impacts to burrowing owl would result from the project.

No riparian habitat or other sensitive natural community as defined by the California Natural Diversity Database (CNDDB), Solano HCP, or the CEQA Guidelines occurs on or in the vicinity of the project site. Therefore, no impacts to riparian habitat or other sensitive natural communities would result from the project.

As no wetlands or waters of the U.S. or State are found on the property, development of the project as proposed would not result in filling (direct impacts) or any indirect impacts to any area that would be subject to the jurisdiction of the U.S. Army Corps of Engineers (USACE), the Porter-Cologne Act jurisdiction of the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB), or subject to California Fish and Game Code (CFGC) jurisdiction of California Department of Fish and Wildlife (CDFW). No permits from the USACE, SFRWQCB, or CDFW would be required and no impacts to wetlands would result from the project.

A number of wildlife species, including a variety of bird species, were observed on the project site during the field survey. As a result of this finding, the following impact discussions regarding migratory and native resident nesting birds and bat roosts are discussed below and mitigation measures are required.

No aquatic habitats or fish exist on or adjacent to the project site; therefore, no impacts to migratory fish would occur with the project.

Migratory and Native Resident Nesting Birds

Nesting bird species protected by the federal Migratory Bird Treaty Act (MBTA) or CFGC could be impacted during project construction. The project would require the removal of a large number of trees that could provide suitable substrate for nesting birds. In fact, a family group of recently-fledged bushtits was observed on the project site, indicating that nesting by this species occurred on the site during the 2021 nesting season. Work related to construction involving the removal of trees or vegetation or related to building demolition during the February 1 to August 1 bird breeding season could result in mortality of nesting avian species, if they are present. To ensure compliance with the MBTA and the CFGC, bird nesting surveys are generally required if construction work requires vegetation removal during the bird nesting season.

Because the project proposes the removal of existing planted trees in landscape islands, berms and strips, and such removal could occur during the February 1 to August 31 breeding season, the project would therefore be required to conduct pre-construction breeding bird surveys prior to the removal of trees through Mitigation Measure BIO-1. Implementation of Mitigation Measure BIO-1 would ensure that impacts to migratory and native resident nesting birds are reduced to less than significant.

Mitigation Measure BIO-1: Migratory and Native Resident Nesting Birds

If construction is to be conducted during the breeding season of migratory birds (February 1 to August 31), a qualified biologist shall conduct a pre-construction breeding bird survey in areas of suitable habitat (trees and vegetation, and also eaves and other building structures) within 15 days prior to the onset of construction activity. If bird nests are found, appropriate buffer zones shall be established around all active nests to protect nesting adults and their young from direct or indirect impacts related to project construction disturbance. Size of buffer zones shall be determined per recommendations of the qualified biologist based on site conditions and species involved. Buffer zones shall be maintained until it can be documented that either the nest has failed or the young have fledged.

Bat Roosts

The proposed project has the potential to affect special-status and common roosting bat species during either the removal of trees or demolition of the existing building (especially during removal of the Spanish tile roof). Bats have the potential to roost in existing vacant or underutilized buildings and other man-made structures and could be present within the structure. In addition, many of the planted trees along the borders of the project site, in the area of the existing building, along entrance roads, and within parking lots on the property are mature trees, show evidence of small cavities and exfoliating bark that could serve as roost sites for populations of bats or could harbor solitary bats.

Significant impacts to bats prohibited under the CFGC could result from disruption of an occupied non-breeding bat roost or the loss of a maternity colony of bats. This may occur through direct

disturbance from destruction of a roost site during removal or pruning of trees or an indirect disturbance causing behavioral alterations due to construction noise or vibration, or by increased human activity in the area. Because of this potential impact, a Bat Habitat Assessment is required to be conducted by a qualified bat biologist prior to construction in order to determine whether suitable habitat for bats is found in the trees that are scheduled for removal or trimming. Implementation of Mitigation Measure BIO-2, which requires this protocol to be activated to achieve humane removal of bat populations if present, would ensure that impacts to bats are reduced to less than significant.

Mitigation Measure BIO-2: Bat Roosts

The applicant shall conduct a Bat Habitat Assessment of all trees to be removed or trimmed and all structures scheduled for demolition. The Bat Habitat Assessment of the prior Walmart structure shall consist of a visual examination of the exterior and interior surfaces and spaces for suitable entry points, and signs of roosting bats (fecal pellet accumulations, urine or fur staining at entrances, insect prey remains, live or dead bats, characteristic odor, etc.). The Bat Habitat Assessment shall determine the presence of suitable roosting habitat in the form of tree cavities that could harbor colonial bats or exfoliating bark or suitable foliage to support solitary bats. If no bat habitat is found during the assessment, the structure can be demolished, or the tree can be removed or trimmed. If trees or structures contain suitable potential bat habitat, or if the presence of roosting bats is presumed, then additional mitigation shall be implemented as determined by the bat biologist if necessary.

Trees: Scheduled removal of trees with suitable bat habitat shall have a qualified bat biologist present at the time of removal and trimming during seasonal periods of bat activity (March 1 to April 15 or September 1 to October 15). If trees containing suitable potential bat habitat are scheduled for removal outside of these seasonal periods of bat activity, the qualified bat biologist shall conduct a visual survey of all suitable roost features to determine if bats are present, and then remove the tree if bats are not present. If roost features cannot be completely surveyed due to access, cavity depth and uncertainty remains regarding the potential presence of roosting bats, the removal of the subject tree shall be delayed until the appropriate seasonal period of bat activity cycle is completed as verified under the supervision by the qualified bat biologist.

Structures: If structures are found to contain suitable potential roost habitat or signs of past or present use by bats, or the presence of roosting bats is presumed, a detailed visual survey or night emergence survey shall be conducted to verify the absence of bats. Night emergence surveys can only be conducted when bats are active. Buildings containing bats or signs of past or present use by bats shall require either humane eviction (installation of blockage materials and one-way exits), or partial dismantling, and only during seasonal periods of bat activity between March 1 to April 15 or between September 1 to October 15.

The project would not conflict with any policies of the City of Fairfield or of the Solano HCP. The project would adhere to the preservation of tree species protected by City and as described in further detail in the following sections.

Tree Preservation

The project site was landscaped as a requirement of City of Fairfield development approval with a number of tree plantings persisting without irrigation since the site was vacated. The proposed project would require the removal of landscape trees, which are considered protected under Fairfield Municipal Code Section 25.36, *Tree Conservation,* of which Section 25.36.3, *Protected Trees*, states:

> The following trees are hereby designated as protected trees by this ordinance:
>
> A. All trees on public property.
>
> B. Trees planted or preserved on private property or within the public right of way which were:
>
> 1. Required by the City as a condition of approval for the project; or
> 2. Shown on a landscape drawing or plan for a project approved by the City.

To be authorized to remove "protected" trees, Section 25.36.6, *Tree Conservation and Mitigation Planning During Projects that Require City Review,* requires the following:

A. An applicant proposing to remove (a) protected tree(s) as part of a project which otherwise requires review and action by City staff, the Commission, or the City Council, shall provide the following information to the City for use during project review:

1. A scaled drawing showing:

   a. All protected trees that the applicant is proposing to preserve that might be impacted by development. These trees should be identified by species or type, condition, and size.

   b. All protected trees proposed for removal. The applicant shall provide a table summarizing the size (diameter), condition, species, and other pertinent information such as canopy size. The applicant shall indicate the reason(s) for the removal of any protected tree. The City will review the tree removal requests based on the criteria in Section 25.36.7.

In order to create a design that would ensure tree health/stability that minimizes tree removal and protects tree resources on the project site during construction, a *Tree Resource Analysis* was performed (Appendix B-2). Site inspections were conducted during the month of August 2021. Four-hundred forty-one (441) trees/tree groups were inspected, numerically tagged and inventoried. Where tree trunks were inaccessible due to dense shrubbery surrounds or transient encampment restrictions, trunk diameters were approximated. The project site is subject to frequent, strong wind forces developing from the western direction. The western side of the more exposed trees display "burned" and thinning canopies typical of those affected by high winds, low

soil moisture levels and/or salinity influences. Many trees lean dramatically to the east as a direct result of the high winds.

Following the tagged inventory, a *Tree Mitigation Plan* (Appendix B-3) was drafted compiling the findings from the *Tree Resource Analysis*. According to the findings, a total of 412 trees (326 in good condition, 86 in poor condition) are scheduled for removal, and a total of 126 protected trees are to be preserved on-site as part of the project landscaping. With implementation of Mitigation Measure BIO-3, which requires the safe removal and preservation of protected trees pursuant to Section 25.36, *Tree Conservation*, of the Fairfield Municipal Code, impacts regarding tree preservation would be reduced to less than significant.

Mitigation BIO-3: Tree Preservation and Relocation

A. *Prior to issuance of a grading permit or building permit, the applicant shall provide a detailed mitigation plan. The plan shall address the following issues:*

   1. *Mitigation of potential impacts on preserved protected trees. If construction activities could impact protected trees which are to be preserved, the applicant shall provide a mitigation plan that indicates construction practices, tree care measures, irrigation methods, if any, aeration techniques, retaining walls and other grading improvements, and other measures which could increase the survival rates of trees to be saved. All construction projects that would impact the area underneath a protected tree's dripline shall comply with City standards for acceptable construction practices adopted by the Planning Commission with the advice of the Open Space Commission.*

   2. *Mitigation of trees removed during development.*

      a. *On-site mitigation. When on-site mitigation is proposed, the plan shall indicate tree planting locations, size, and species of trees to be planted, and planting and irrigation methods.*

      b. *Off-site mitigation. Because removal of protected trees has neighborhood and citywide impacts, as well as site-specific impacts, off-site mitigation is appropriate to help preserve the City's overall quality of life and tree resources. Mitigation measures help preserve the extent and value of the City's public and private tree resources. Off-site mitigation may be appropriate when on-site mitigation is not possible, when another site is available and preferred for mitigation planting, and a reasonable relationship exists between the impacts being created as a result of the tree removal and the benefits of the off-site mitigation. The Department of Community Development may approve one or both of the following two options for off-site mitigation:*

         1. *The applicant implements a specific mitigation plan for an off-site location approved by the City which incorporates planting, irrigation, and monitoring*

(and replacement) for a five year period. The City may require a deposit to ensure that maintenance activities are implemented.

2. *If a specific site has not been identified, the applicants may pay an in-lieu fee equal to the reasonable expenses incurred by the City or its contractors in installing off-site mitigation trees.*

The project has been reviewed pursuant to requirements of the Solano HCP and Natural Communities Conservation Planning Act (NCCP). The member agencies, including the City of Fairfield, have agreed to implement conservation measures to ensure the protection of threatened and endangered species and their habitat within the SCWA contract service area. The project site is within Covered Urban Zone 1; therefore, the project site would be subject to appropriate HCP conservation measures. Figure 3-6 of the HCP, *Vegetation and Cover Types*, shows the site as "Developed" and not included within any of the mapped vegetation cover types. The nearest vegetation cover type mapped in the HCP are nearby areas designated as Valley Floor Grassland Conservation Area. The project is consistent with measures to ensure protection of special-status species covered by the Solano HCP and the project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. A less than significant impact would occur.

(Source 4, 5, 6)

V. CULTURAL RESOURCES – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to 15064.5 of the State CEQA Guidelines?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5 of the State CEQA Guidelines?		X		
c) Disturb any human remains, including those interred outside of formal cemeteries?		X		

Discussion: The project site is relatively flat and was previously fully graded and developed as a big box retail store with associated parking, landscaping driveway paving and parking lots. There have been no known discoveries of archeological resources at the site or within its immediate vicinity. However, cultural resources could be encountered unexpectedly during project construction. The greater Fairfield area has a rich tribal history, which has resulted in the discovery of human remains and artifacts during construction projects in the past.

Construction of the proposed project may result in the identification of historic-era or prehistoric archaeological materials including human remains. In the event that such resources are encountered unexpectedly during excavation activities, the City requires that no resources shall be handled or photographed, and construction activity of subject property shall cease. In the event of inadvertent discoveries of cultural resources, Mitigation Measures CR-1 and CR-2 shall be implemented. With implementation of Mitigation Measures CR-1 and CR-2, project impacts to cultural resources would be reduced to less than significant.

Archaeological Resources

Archaeological resources could be discovered during grading and potentially significant impacts could result to unidentified archaeological resources during the project construction stage.

Mitigation Measure CR-1: Archaeological Resources

If prehistoric archaeological resources are discovered during grading and trenching activities, work within 25 feet of the discovery shall be redirected and a qualified archaeologist contacted to evaluate the finds and make recommendations for mitigation to be followed by the applicant. Adverse effects to such deposits shall be avoided. If such deposits cannot be avoided, it shall be determined, by a qualified archaeologist or equally qualified professional, whether they qualify as historical or unique archaeological resources under CEQA. If the deposits are not eligible, avoidance is not necessary. If they are eligible, they shall be avoided, or, if avoidance is not feasible, the adverse effects shall be mitigated.

Mitigation may include, but is not limited to, thorough recording on Department of Parks and Recreation form 523 records (DPR523) or data recovery excavation. If data recovery excavation is selected, the excavation shall be guided by a data recovery plan prepared and adopted prior to beginning the data recovery work, and a report of findings shall be submitted to the City of Fairfield and the Northwest Information Center (NWIC) (CCR Title 14(3) 15126.(b)(3)(C)).

Archaeological Remains

Archaeological remains could be discovered during grading and potentially significant impacts could result to unidentified archaeological remains at the construction stage.

Mitigation Measure CR-2: Archaeological Remains

If archaeological remains are discovered during grading activities, work within 25 feet of the discovery shall be redirected and the County Coroner notified immediately. At the same time, an Archeologist shall be contacted to assess the situation. If human remains are of Native American origin, the Coroner shall notify the Native American Heritage Commission within 24 hours of identification. The Native American Heritage Commission shall identify a Most Likely Descendant

(MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report shall be submitted to the City of Fairfield and the Northwest Information Center.

VI. <u>ENERGY</u> – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

<u>Discussion</u>: An *Energy Impact Assessment* (Appendix C) was performed to evaluate the project's overall energy consumption in using the following three categories of fuel consumption: 1) diesel and gasoline fuel use and associated vehicle trips generated (i.e., transportation sources); 2) natural gas usage; and 3) electricity consumption. The primary sources of project fuel energy consumption (diesel and gasoline) would come from off-road equipment activity (primarily during construction) and from on-road vehicular traffic (i.e., delivery trucks) and equipment used during operations to manage the warehouse (e.g., refrigeration, general HVAC, lighting, etc.). Additional sources of project energy consumption would include electricity and natural gas (for building HVAC, refrigeration, etc.).

<u>Project Construction Energy Consumption</u>. During project construction, there would be a temporary consumption of energy resources required for the movement of equipment and materials. Compliance with local, State, and federal regulations would reduce short-term energy demand during the project's construction to the extent feasible (the construction phase is estimated to last approximately 11 to 12 months total), and project construction would not result in a wasteful or inefficient use of energy. As summarized in Table 3 of the *Energy Impact Assessment*, off-road equipment consumption would amount to approximately 51,459 gallons of fuel and approximately 21,442,753 gallons for on-road Vehicle Fuel Consumption. Energy use during project construction would be primarily in the form of fuel consumption to operate heavy equipment, vehicles, machinery, and generators. Temporary power may also be provided to construction trailers or electric construction equipment; however, electricity use during project construction is expected to be minimal.

Project Operational Energy Consumption. Once constructed, the proposed project would also use energy resources for the operation of the warehouse and office buildings (electricity and natural gas), and for on-road vehicle trips (gasoline and diesel fuel). As shown in Table 4 of the *Energy Impact Assessment*, project operational fuel resource consumption is estimated to result in a worst-case net increased fuel consumption of approximately 95,161 additional gallons annually compared to the zero-baseline scenario. Compared to the California Energy Commission's (CEC) Retail Fuel Outlet Annual Reporting (CEC-A15) Results, which shows that approximately 180 million gallons of fuel was sold in Solano County during the most recent 2020 reporting year, the project's estimated increase in fuel consumption would constitute an approximate 0.0005 percent of the overall total annual fuel energy consumption within the County.

Similarly, as shown in Table 5 and Table 6 of the *Energy Impact Assessment*, project operational electricity and natural gas consumption is estimated to result in a worst-case scenario increase of approximately 3,529,422 kilowatt hours (kWh) and approximately 1,727,244 kilo-British thermal unit (kBtu) of additional annual consumption compared to the zero baseline scenario. Per the CEC's most recent energy report, specifically the most recent "Natural Gas Consumption by County" and "Electricity Consumption by County" 2020 data sets for Solano County, nonresidential sector operations consumed an estimated 2.1 billion kWh's and 1.6 billion kBtu's total in 2020. Compared to the CEC's 2020 County-wide data set, the project's estimated increase in electricity and natural gas consumption would constitute in an approximate 0.002 percent and 0.0001 percent increase, respectively, compared to the total annual consumption within the County. As such, project activities would have a minimal effect on the local and regional fuel energy supplies and availability.

Project Energy Conservation. There are no unusual project characteristics or processes involved during construction or operations that would require the use of equipment or vehicles that would be more energy intensive than is used for comparable activities, or the use of equipment that would not conform to current emissions standards and related fuel efficiencies. As required by the City, the project site would be developed using water and energy efficiency features as applicable, including water efficient landscaping, 32 parking spaces with EV infrastructure, nine parking stalls designated for clean air/carpool parking, LED light fixtures, and other warehouse features meant to reduce energy use from lighting (e.g., skylights, solar paneling, etc.). In addition, although not part of this project, there are future plans to develop 15 percent of the warehouse roofs with solar panels, which would further reduce the total facility energy consumption. Lastly, the proposed project would be constructed consistent with applicable CALGreen Building Code and Title 24, which would also reduce consumption from area and energy sources. For these reasons, the construction and operation of this proposed project would not require the creation of a new source of energy, and compliance with applicable State and local requirements would help ensure the project does not result in wasteful, inefficient, or unnecessary consumption of energy resources.

Lastly, equipment and vehicles used by project workers and vendors would be subject to increasingly stringent federal and State fuel efficiency standards, which would minimize the

potential for inefficient fuel usage. The project would be required to comply with the provisions of 13 CCR Sections 2449 and 2485, which prohibit diesel- fueled commercial motor vehicles and off-road diesel vehicles from idling for more than five minutes. Heavy equipment would also be subject to the U.S. Environmental Protection Agency (USEPA) Construction Equipment Fuel Efficiency Standard (40 Code of Federal Regulations Parts 1039, 1065, and 1068) and CARB's AB 1493 (i.e., Pavley) regulations, which would also minimize inefficient fuel consumption and ensure that the fuel efficiency of equipment and vehicles operating on- and off-site would continue to improve over time. In the interest of cost efficiency and in accordance with federal and State requirements, on-site staff and vendors would not utilize fuel in a manner that is wasteful or unnecessary during project construction and operation phases.

For the reasons outlined above, the proposed project would not result in a potential impact due to wasteful, inefficient, or unnecessary consumption of energy resources, and impacts would be less than significant.

Currently, the City of Fairfield does not yet have a specific threshold of significance for energy impacts. At this time, other than the policies found within the General Plan, the City has not adopted local programs or policies that support energy efficiency and/or sustainability that would apply to the project. Nonetheless, in accordance with the City's General Plan Open Space, Conservation, and Recreation Element, the project would incorporate Green Building Code and energy efficiency measures as required by the City.

The project's mobile equipment and vehicles would also comply with federal, state, and regional requirements where applicable. Specifically, the USEPA and the National Highway Traffic Safety Administration (NHTSA) have adopted fuel efficiency standards for medium- and heavy-duty trucks which apply to truck fleet operators, such as the project proponent. CARB has also adopted cleaner technology and fuel standards pursuant to AB 1493. While Phase 1 and Phase 2 regulation published by both the USEPA/NHTSA and CARB primarily apply to manufacturers of on-road vehicles and not the end user, it is assumed the project operator and off-site vendors will ensure engines purchased are certified in accordance with the appropriate state and federal regulations. This would ensure that the efficiency of mobile equipment and vehicles would continue to improve over time through compliance with increasingly stringent standards adopted by applicable regulatory agencies. The energy modeling for trucks does not consider specific fuel reductions from these regulations, as they would apply to fleets as they incorporate newer trucks meeting the regulatory standards; however, these regulations would have an overall beneficial effect on reducing fuel consumption from trucks over time as older trucks are replaced with newer models that meet the standards.

The State of California's Energy Efficiency Strategic Plan (adopted 2008, updated January 2011) outlines specific goals and strategies to help promote energy efficiency in California's industrial sector in three (3) areas: 1) Support industry adoption of energy efficiency by integrating energy efficiency savings with achievement of GHG goals; 2)Build market value of and demand for energy efficiency; and 3) Provide technical and public policy guidance for resource efficiency. The Energy Efficiency Strategic Plan promotes reductions in energy consumption through compliance with

GHG emission reductions, water conservation, and proper waste disposal. As applicable, the project would utilize the best available equipment to improve diesel fuel efficiency, and equipment that uses energy would be implemented with modern design and technology to maximize efficiency improvements.

Lastly, the project is expected to have a minimal effect on local population growth (i.e., a warehouse would not require a large number of new on-site employees), and the 2020 Strategic Plan contains no additional control measures with which the project may conflict.

In summary, the project construction and operations activities would not result in a significant increase in energy consumption over the existing environmental baseline and would not conflict with or obstruct with a State or local plan for renewable energy or energy efficiency. Therefore, impacts would be less than significant.

(Source 7)

VII. <u>GEOLOGY AND SOILS</u> – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				
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			X	

VII. **GEOLOGY AND SOILS** – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
landslide, lateral spreading, subsidence, liquefaction or collapse?				
d) Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating substantial risks direct or indirect to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

Discussion: Based on the *Geotechnical Feasibility Assessment* prepared for the project on August 11, 2021 (Appendix D), the project is not located on an Alquist-Priolo Earthquake Fault Zone, as mapped by the California Geological Survey. The closest mapped active fault that could affect the project site is the Cordelia Fault zone located approximately 4.38 miles southwest of the project. Therefore, the potential for fault rupture at the site is considered low. Although no active faults traverse the project site, as a condition of issuance of building and grading permits, the project would be required to comply with the requirements of the Alquist-Priolo Earthquake Fault Zoning Act, as well as with the 2022 California Building Code (CBC), which includes specific design measures intended to maximize structural stability in the event of an earthquake. Construction of project structures would also be required to comply with current seismic design parameters and all other recommendations as contained in the *Geotechnical Feasibility Assessment* to ensure the structural integrity of the project in the event of an earthquake. Impacts would be less than significant.

During a major earthquake, seismic shaking has the potential to occur at the project site, as is typical throughout the Bay Area and as experienced during both the 2014 South Napa earthquake and 1989 Loma Prieta events. Shaking during an earthquake can result in ground failure, such as that associated with soil liquefaction, lateral spreading, and cyclic densification. As such, it should be anticipated that the project site will experience moderate to strong ground shaking in the near future. However, as a condition of issuance of grading and building permits, the project would be required to comply with current CBC seismic design parameters and all other recommendations as contained in the *Geotechnical Feasibility Assessment*. Compliance with these parameters would require proposed buildings to be designed and constructed to withstand expected seismic activity and associated potential hazards, thereby minimizing risk to the public and property. The project would be designed and developed consistent with the CBC and standard engineering

practices and reviewed in conjunction with the City Engineer. Therefore, a less than significant impact would occur.

Based on the *Geotechnical Feasibility Assessment*, it was concluded that the potential for on-site liquefaction would occur within the upper 50 feet below ground surface (bgs) and that liquefaction potential is considered low across most of the project site, with the exception of a single boring. Potentially liquefiable soils were identified between approximately 7.5 and 23 feet bgs in boring B-1, located at the northern end of the proposed location for Building 1 (see Figure 2 of Appendix D). The analysis indicated that approximately 2.5 inches of liquefaction-induced settlement may occur within this layer following a design seismic event and is a level of hazard common for the area. If the estimated settlement exceeds the tolerance of the proposed structures, the risk may be minimized through ground improvement. Because the *Geotechnical Feasibility Assessment* only encountered the liquefiable soils in one boring, it was recommended that a supplemental geotechnical exploration including cone penetration tests be performed prior to grading and construction to better define the limits of the liquefiable soils and the potential need, if any, for localized ground improvement. Therefore, as a standard condition by the City, the project proponent would be required to provide this additional analysis to the City's Public Works Director and to provide appropriate measures for the ground improvement to Building 1, which would be determined and implemented during the grading process. Therefore, a less than significant impact would occur.

The majority of the project site contour is relatively flat and the potential for landslides is considered negligible. Therefore, no impact would occur.

Proposed construction activities would include clearing the site of vegetation, soil excavation, grading, asphalt paving, building construction, and landscaping. Such activities would disturb site soils, exposing them to the erosive effects of wind and water. However, all construction activities related to the proposed project would be subject to implementation of best management practices (BMPs) for erosion control, as required under National Pollutant Discharge Elimination System (NPDES) regulations pursuant to the federal Clean Water Act. NPDES requirements for construction projects of one acre or more in area are set forth in the Construction General Permit issued by the State Water Resources Control Board (State Water Board Order No. 2009-0009-DWQ). Furthermore, the project's demolition of the existing building, asphalt/planter removal, land clearing, grading, and construction activities would be required to comply with SCAQMD Rules 403 and 403.2 regulating fugitive dust emissions, thus minimizing wind erosion from such ground-disturbing activities. Therefore, the proposed project would not generate substantial erosion. Soil erosion impacts would be less than significant.

Expansive soils contain significant amounts of clay particles that swell considerably when wet and shrink when dried. Foundations constructed on these soils are subjected to large uplifting forces caused by the swelling. Without proper measures taken, heaving and cracking of both building foundations and slabs-on-grade could result.

According to the *Geotechnical Feasibility Assessment,* settlement-sensitive and compressible soils are present in the vicinity and at the project site. The proposed development may be supported on shallow, spread foundations, however, the *Geotechnical Feasibility Assessment* recommends that general fills be limited to no more than 3 feet to limit static settlements. Furthermore, as stated in the *Geotechnical Feasibility Assessment*, the results from settlement analyses have yet to be confirmed, which would guide in creating the project's design parameters. Therefore, as a standard condition by the City, the project would be required to complete these analyses and to create design parameters for the project prior to the approval of grading plans. Therefore, project impacts with regard to expansive soils would be less than significant.

The proposed project would be served by the municipal sewer system of the Fairfield California Municipal Utility (FMU) and would therefore have no need for a septic system or other alternative wastewater disposal system. There would be no impact.

Based on the results of the subsurface investigation conducted as part of the *Geotechnical Feasibility Assessment*, subsurface conditions at the project site typically consist of approximately 7 to 12 feet of silt, lean clay, and silty clay, underlain by soft to stiff lean clay and fat clay extending to a depth of approximately 52 to 57 feet bgs. This thick clay layer is underlain by interbedded strata consisting of dense to very dense silty sand and sandy silt, clay, and silty clay that extend to the maximum explored depth of approximately 100 feet bgs. Although the subsurface conditions are predominately composed of fine-grained soils, granular soils consisting of medium dense silty sand with gravel were encountered at boring B-1, within a depth range of approximately 7.5 to 23 feet bgs.

The project site is not anticipated to contain significant paleontological or geologic features. No prehistoric resources were identified during background research or field survey for the project site. As such, a less than significant impact would occur.

(Source 9)

VIII. <u>GREENHOUSE GAS EMISSIONS</u> – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Discussion: California State law defines Greenhouse Gases (GHG) to include the following six compounds: Carbon Dioxide (CO_2), Methane (CH_4), Nitrous Oxide (N_2O), Hydrofluorocarbons (HFCs), Perfluorocarbons (PFCs), and Sulfur Hexafluoride (SF_6). The State of California has implemented a series of greenhouse gas plans and policies aimed at reducing state greenhouse gas emissions.

On June 1, 2005, Executive Order (EO) S-03-05 was issued by Governor Schwarzenegger in order to set statewide emissions reduction standards. The order required the State to reduce GHG emissions to 1990 levels by 2020 and reduce GHG emissions to 80 percent below 1990 levels by 2050. Assembly Bill (AB) 32 (California Global Warming Solutions Act of 2006) was codified into law in 2006 and codified into law the 2020 GHG emissions targets set by EO S-03-05. AB 32 represents the first enforceable statewide program to limit GHG emissions from all major sectors with penalties for noncompliance. Senate Bill (SB) 32 was signed into law in 2015 and sets into law the mandated reduction targets set in EO B-30-15, which required a reduction in GHG emissions to 40 percent below the 1990 levels by 2030.

In collaboration with over twenty State agencies, CARB issued a Final Scoping Plan in 2017 in order to set a framework for the State to meet the overall reduction goals set in SB 32. The 2017 Scoping Plan identified key sectors of the implementation strategy, which includes improvements in low carbon energy, industry, transportation sustainability, natural and working lands, waste management, and water. Through a combination of data synthesis and modeling, CARB determined that the 2030 statewide target emissions limit is 260 million metric tons of carbon dioxide equivalents ($MMTCO_2e$), and that further commitments will need to be made to achieve an additional reduction of 50 $MMTCO_2e$ beyond current policies and programs. Key elements of the 2017 Update include a proposed 20 percent reduction in GHG emissions from refineries and an expansion of the Cap-and-Trade program to meet the aggressive 2030 GHG emissions goal.

Locally, the City of Fairfield is currently in the process of preparing the Fairfield Forward Climate Action Plan (CAP), which will contain a series of measures to reduce GHG emissions by 2050. It is anticipated that the CAP will be adopted with the City's General Plan update.

GHGs were evaluated in accordance with the methodologies recommended by CARB and the BAAQMD. Emissions were modeled by technical consultants using the California Emissions Estimator Model version 2016.3.2 (CalEEMod). Sources of GHG emissions during operation include emissions from area sources, electricity, mobile sources, waste, and water. Emissions from area sources and electricity usage emissions are based on land use sizes, GHG emission factors for fuel combustion, and the global warming potential values for the GHGs emitted. As shown in Table 7, *Operation Phase Trips*, of the *Air Quality and Climate Change Impact Assessment* (Appendix A), total mobile-source GHG emissions are determined based on an estimated 994 weekday trips. Waste and water emissions are derived from the anticipated water usage and wastewater generated based on the project's proposed land uses and the associated water demand factors.

GHG impacts would not screen out but current practice in GHG impact assessment is best applied. Current practice for project-level GHG impact assessment is that of the first analysis taken by South Coast Air Quality Management District (SCAQMD) in the Final Negative Declaration for the Phillips 66 Los Angeles Refinery Carson Plant – Crude Oil Storage Capacity Project on December 12, 2014, which states the following relative to GHG impacts from that project.

> "The Refinery is subject to GHG emission reductions pursuant to AB 32, the state-wide GHG reduction plan. In December 2010, CARB adopted regulations establishing a cap-and-trade program for the largest sources of GHG emissions in the state that altogether are responsible for about 85 percent of California's GHGs. Among these are fossil-fuel fired power plants, including both plants that generate power within California's borders, and those located outside of California that generate power imported to the state. GHG emissions from this universe of sources were capped for 2013 at a level approximately two percent below the emissions level forecast for 2012, and the cap will steadily decrease at a rate of two to three percent annually from now to 2020. Sources regulated by the cap must reduce their GHG emissions or buy credits from others who have done so. This means that the additional power utilized at the LARC as a result of the proposed project cannot result in an increase in GHG emissions from the increased use of third-party power, compared to GHG emissions at the time of issuance of the NOP. The proposed project does not affect compliance with the requirements of AB 32, since no change in GHG emissions at LARC from operation of the proposed project are expected. Therefore, the proposed project would not conflict with AB 32, the applicable GHG reduction plan, policy, and regulations that have been adopted to implement AB 32."

As discussed above, sources affected by the cap-and-trade regulation would not conflict with AB 32, the applicable GHG reduction plan, policy, and regulations that have been adopted to implement AB 32. Although the quote discusses third-party generated power, the same would be true for fuels in California including natural gas and automotive fuels that are produced or imported by a third-party. There is no direct stationary combustion component proposed under the project and indirect emissions would come from use of fuels and electricity captured upstream in the supply chain by AB 32 regulation and cap-and-trade. Therefore, the project would pay its fair share to mitigate the cumulative impact of GHGs on the environment and the impact is considered less than significant.

As shown in Table 12, *GHG Emissions*, of the *Air Quality and Climate Change Impact Assessment* (Appendix A), the project's combined long-term net operational emissions and amortized construction emissions would be approximately 1,611.23 $MTCO_2e$ per year. Quantification of GHG emissions is provided for informational purposes; significance under CEQA is based on the project's consistency with statewide and regional policies and plans to meet the state reduction goals set in AB 32, including CARB's 2017 Scoping Plan.

As discussed above, the project would exclusively use electricity and fuels that are regulated by the AB 32 Scoping Plan and related programs such as cap-and-trade and the fuels program. Accordingly, the project would pay its fair share of the cost to mitigate the cumulative impact of climate change. The project has no associated direct combustion feature and thus would have a less than significant impact.

(Sources 3)

IX. **HAZARDS AND HAZARDOUS MATERIALS** – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
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?		X		
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

Discussion: Exposure of the public or the environment to hazardous materials can occur through improper handling or use of hazardous materials or hazardous wastes particularly by untrained personnel, a transportation accident, environmentally unsound disposal methods, or fire, explosion, or other emergencies. The severity of potential effects varies with the activity conducted, the concentration and type of hazardous material or waste present, and the proximity of sensitive receptors.

Project construction could expose construction workers and the public to temporary hazards related to the transport, use, and maintenance of construction materials (i.e., oil, diesel fuel, transmission fluid, etc.). These activities would be short-term, and the materials used would not be in such quantities or stored in such a manner as to pose a significant safety hazard. All project construction activities would demonstrate compliance with the applicable laws and regulations governing the use, storage, and transportation of hazardous materials, ensuring that all potentially hazardous materials are used and handled in an appropriate manner. Impacts concerning the routine transport, use, or disposal of hazardous materials during project construction would be less than significant.

As discussed in the *Phase I Environmental Site Assessment* (Phase I ESA) dated June 16, 2021, (Appendix E-1) prepared for the project, the project site does not contain recognized environmental conditions (REC), historical RECs (HRECs), or controlled RECs (CRECs). However, the Phase I ESA has revealed evidence of two potential environmental concerns associated with the project site including the following: 1) Due to lack of documentation available for the dismantling of the former Walmart Tire Lube Express (TLE) station, including the removal of aboveground storage tanks (ASTs) and hydraulic lifts, associated residual impacts beneath the surface-grade and basement level concrete slab may be present; and 2) the project site was historically used as a pear orchard from at least 1937 to 1982. These historical agricultural activities may have included the application of organochlorine pesticides and associated metals such as arsenic and lead. Although residual concentrations of organochlorine pesticides and associated metals may be present in the site's surface soil as a result of past agricultural activities, given the site's planned commercial/industrial use and its previous grading and development activities, these residual concentrations, if any, would not be expected to present a concern.

Because the Phase I ESA at the time of preparation was unable to obtain documentation available for the dismantling of the former Walmart TLE station, including the removal of ASTs and hydraulic lifts, the Phase I ESA recommended that a Phase II Environmental Investigation be performed. Therefore, a *Limited Phase II Environmental Investigation* (Phase II ESA) was conducted in February 2022 (Appendix E-2). The results of the Phase II ESA did not identify environmental concerns associated with the project. However, it was noted that a limited area of petroleum-impacted soil is present in the vicinity of the former TLE sub-level vehicle maintenance area at depths of greater than 8 feet bgs. In addition, shallow soil below the TLE's main level concrete slab contained chromium and nickel at concentrations that could potentially qualify as California or federal hazardous waste. Additional leachability testing would be necessary to make this determination. Therefore, Mitigation Measure HAZ-1, which requires the

project proponent to prepare a Soil Management Plan (SMP), is required to reduce the project's potentially significant hazardous materials impacts to a less than significant level.

Hazardous Materials Release. Project demolition activities could result in the release hazardous of materials into the environment. As discussed in the *Phase II ESA*, to evaluate whether subsurface environmental conditions of concern may exist that need to be addressed when redeveloping the project site, the detected concentrations were compared to the Commercial/Industrial: Shallow Soil Exposure environmental screening levels (ESLs) published in July 2019 (Revision 2) by the San Francisco Bay Regional Water Quality Control Board (SFRWQCB). The commercial/industrial ESLs were selected for comparison based on the proposed redevelopment plan for the project site.

For metals, the detected concentrations in soil were also compared against the CCR Title 22 Soluble Threshold Limit Concentration (STLC) and the Total Threshold Limit Concentration (TTLC) and the Federal Resource Conservation and Recovery Act (RCRA) Toxicity Characteristic Leaching Procedure (TCLP). Based on the industry rule-of-thumb, if a concentration detected in soil exceeds 20 times the TCLP or 10 times the STLC, then additional leachability analysis is required to determine if the soil would be characterized as Federal or California hazardous waste if excavated for offsite disposal; if a concentration detected in soil exceeds the TTLC, then the soil would be characterized as California hazardous waste. The results of this analysis are as follows:

- Total Petroleum Hydrocarbons: Total petroleum hydrocarbons detected onsite did not exceed commercial/industrial ESLs.
- Volatile Organic Compounds (VOCs): VOCs detected onsite did not exceed commercial/industrial ESLs.
- Metals: The following metals were detected onsite:
    - Arsenic was detected at concentrations ranging from 3.5 to 8.1 mg/kg, exceeding the commercial/industrial ESL, 0.31 mg/kg in the nine samples. However, the detected concentrations are below the background arsenic concentration accepted by the RWQCB for San Francisco Bay Area soil, 11 mg/kg.
    - Chromium was detected in the shallow samples collected from the main level service bays (TLE-1 and TLE-2) at 130 mg/kg and 160 mg/kg, respectively, exceeding 10 times the STLC, 50 mg/kg, and 20 times the TCLP, 100 mg/kg. Given these detected concentrations, additional leachability testing would be required to determine if this soil would be characterized as hazardous waste if excavated for offsite disposal. Chromium was detected in the other seven samples at concentrations ranging from 27 mg/kg to 41 mg/kg. None of the detected chromium concentrations exceeds the commercial/industrial ESL.
    - Nickel was detected in the shallow samples collected from the main level service bays (TLE-1 and TLE-2) at 810 mg/kg and 1,100 mg/kg, respectively, exceeding 10 times the STLC for nickel, which is 200 mg/kg. Given these detected concentrations, additional

leachability testing would be required to determine if this soil would be characterized as hazardous waste if excavated for offsite disposal.

- Additional CCR T22 metals detected at concentrations greater than laboratory reporting limits and below their respective commercial/industrial ESL include antimony, barium, beryllium, cadmium, cobalt, copper, lead, mercury, vanadium, and zinc. Molybdenum, selenium, silver, and thallium were not detected at concentrations greater than laboratory reporting limits.

Mitigation Measure HAZ-1: *Should the project site's future construction activities include excavating soil from beneath the existing Walmart TLE surface-grade and basement level concrete slab for offsite disposal, specific handling, waste characterization, and offsite disposal procedures shall be required. The project proponent shall prepare a project-specific Soil Management Plan (SMP) detailing these procedures prior to issuance of a grading permit.*

There are no schools located within one-quarter mile of the project site. The nearest school to the project site is Fairview Elementary School, located at 830 1st Street in Fairfield, approximately 1.75 miles to the northeast. In addition, operation and maintenance of the proposed project would not produce hazardous emissions. Therefore, the proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. No impact would occur.

As discussed in the *Phase I ESA,* the project site is listed in the following databases:

- The existing building is listed in the Resource Conservation and Recovery Act (RCRA) NonGen/NLR database as a former generator of hazardous wastes including ignitable waste, corrosive waste, reactive waste, metals, benzene, chloroform, tetrachloroethylene, and other hazardous wastes. The subject site was listed as a small quantity generator in 2010. Listings in the HAZNET and FINDS databases are similarly associated with former generation of hazardous wastes. No violations were reported.
- The existing building is listed in the Statewide Environmental Evaluation and Planning System (SWEEPS) Underground Storage Tank (UST) database for a 1,000-gallon waste oil UST, which was installed in 1993 and removed in 1998. During removal, the UST was inspected for evidence of cracking or other damage, which was not found. Soil samples collected from beneath the UST showed no detectable concentrations of petroleum hydrocarbons or benzene, toluene, ethylbenzene, and xylenes (BTEX). These factors, in addition to the age of the UST, indicate a release into the environment was unlikely.

As discussed above, no previous hazardous materials releases nor violations have occurred onsite. Therefore, this impact is less than significant.

The project site is not located within a potentially hazardous airport area. The nearest airport to the project site is Travis Air Force Base located approximately 6.5 miles to the east. According to the *Air Installation and Compatible Use Zone Study for Travis Air Force Base, California* (December

2009), the project site is not located within any clear zones or accident potential zones.[3] Therefore, no impact would occur relative to airport safety hazards.

The project would not interfere with an emergency response plan. As indicated in Section XVII, *Transportation*, of this IS/MND, the project does not propose changes to the City's circulation system, such as sharp curves or dangerous intersections, and would not introduce incompatible uses to area roadways. Should partial lane closures be required as part of project construction activities, implementation of a traffic management plan would minimize congestion and ensure safe travel, including emergency access in the project vicinity. Impacts would be less than significant.

The project would not expose people or structures to a significant risk of wildland fires. As discussed in Section XX, *Wildfire,* the project site is located in a developed urban area surrounded by commercial/industrial uses and is not located in a zone designated as Very High Fire Hazard by the California Department of Forestry and Fire Protection (CalFire). Urban levels of fire protection would be provided to the project area. In addition, the project would adhere to building codes and any conditions included through review by the City's Fire Department. A less than significant impact would occur in this regard.

(Source 7, 8)

X. **<u>HYDROLOGY AND WATER QUALITY</u>** – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c) Substantially alter the existing drainage pattern of the site or areas including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			X	
i) Result in substantial erosion or siltation on- or off-site?			X	

[3] Travis Air Force Base. *Air Installation and Compatible Use Zone Study for Travis Air Force Base.* December 2009. Figure 4.8, *Clear Zones and Accident Potential Zones*.

X. **HYDROLOGY AND WATER QUALITY** – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?			X	
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
iv) Impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X

Discussion: As part of Section 402 of the Clean Water Act, the USEPA has established regulations under the NPDES program to control direct stormwater discharges. In California, the State Water Resources Control Board (SWRCB) administers the NPDES permitting program and is responsible for developing NPDES permitting requirements. The NPDES program regulates industrial pollutant discharges, which include construction activities. The SWRCB works in coordination with the Regional Water Quality Control Boards to preserve, protect, enhance, and restore water quality. The project site is within the jurisdiction of the San Francisco Bay Regional Water Quality Control Board (SFRWQCB). In addition, the proposed project site is located within the service area of the Fairfield-Suisun Sewer District.

Project construction could result in short-term impacts to water quality due to the handling, storage, and disposal of construction materials, maintenance and operation of construction equipment, and earthmoving activities. These potential pollutants could damage downstream waterbodies. Dischargers whose projects disturb one or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the SWRCB's General Permit for Discharges of Stormwater Associated with Construction Activity Construction General Permit Order 2009-0009-DWQ (Construction General Permit). The Construction General Permit requires the project applicant to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP would specify BMPs to be used during project construction to minimize or avoid water pollution, thereby reducing potential short-term impacts to water quality. Upon completion of the project, the project applicant would be required to submit a Notice of Termination to the SWRCB to indicate that construction has been completed.

The project would not significantly increase the site's impervious surfaces as the project site is already developed. Nonetheless, to accommodate peak runoff, storm drainage from the project site would be handled through on-site storm water treatment areas and piped off-site to the existing infrastructure per the conditions of approval prepared by the City Public Works Department. The project would be required to comply with the Fairfield-Suisun Sewer District standard requirements to pre-treat storm run-off, including but not limited to the use of BMPs to address the issue of ongoing post-construction storm water quality for the project site. All project drainage improvements shall comply with the City of Fairfield Standard Specifications and Details, Engineering Design Standards (Section 4 - Storm Drainage). Additionally, the project applicant would be required to prepare an erosion and sedimentation control plan and comply with the NPDES Permit and SWPPP requirement.

Therefore, the project would not substantially alter the existing drainage pattern of the site or areas including through the alteration of the course of a stream or river or through the addition of impervious surfaces. Construction and operation of the project would result in a less than significant impact in this regard.

Water for the project would be provided by the City of Fairfield. According to the City's 2020 Urban Water Management Plan (UWMP), the City does not use groundwater as a water supply source because groundwater in the area is brackish and unsuitable for irrigation or drinking water use without relatively expensive treatment compared to other sources. Groundwater is not used in the municipal water supply of Fairfield and is not considered a viable component of water in Fairfield because of tidal inflows that impact water quality. In addition, existing water infrastructure already exists onsite due to being previously developed. Therefore, the project would not decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Impacts would be less than significant.

The project is not located within the 100-year flood hazard zone as indicated on the applicable Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map. No impacts regarding flood hazards, tsunami, or seiche zones would occur.

The City, including the project site, is located within the San Francisco Bay Area hydrologic region. The SFRWQCB oversees basin planning and water quality in the San Francisco Bay Area hydrologic region. The Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) is the Board's master water quality control planning document. It designates beneficial uses and water quality objectives for waters of the State within the Region, including surface waters and groundwater. It also includes programs of implementation to achieve water quality objectives and discharge prohibitions. The Basin Plan was duly adopted and approved by the State Water Resources Control Board, U.S. EPA, and the Office of Administrative Law where required. The latest version is effective as of December 22, 2006.

As discussed above, the proposed project would not substantially increase the site's impervious surfaces as the project site is already developed. However, the project is required to comply with the Fairfield-Suisun Sewer District standard requirements to pre-treat storm run-off, including but not limited to the use of BMPs to address the issue of ongoing post-construction storm water quality for the project site. Additionally, the project proponent would be required to prepare an erosion and sedimentation control plan and comply with the NPDES and SWPPP requirement. Since the NPDES permit is intended to protect water quality, compliance with the permit would ensure that the project would not impair existing or potential beneficial uses of nearby or downstream water bodies and would not conflict with or obstruct implementation of the Basin Plan. The proposed project does not propose the drilling of a well to obtain groundwater for consumption; thus, the project would not conflict with a groundwater management plan. No impact would occur.

(Source 9)

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
XI. <u>LAND USE AND PLANNING</u> – Would the project:				
a) Physically divide an established community?				X
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				X

<u>Discussion</u>: The project is not in conflict with any applicable land use plan and meets the standards and regulations of the General Plan and Zoning Ordinance with City Council approval of a General Plan Amendment and Zone Change. The proposed project is adjacent to existing industrial development. In this location, the project would create no physical division of the existing neighborhood. The project site is not subject to any adopted Specific Plans. Therefore, no impacts relative to land use and planning would occur.

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
XII. <u>MINERAL RESOURCES</u> – Would the project:				
a) Result in the loss of availability of a known mineral resource of value to the region and the residents of the state?				X

XII. **MINERAL RESOURCES** – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Discussion: According to Figure RS-4, *Mineral Resources,* of the Solano County General Plan Chapter 4, *Resources,* the project site is not located within an identified Mineral Resource Zone (MRZ). The project is not in conflict with any applicable land use plan and meets the standards and regulations of the General Plan and Zoning Ordinance (with City Council approval of a General Plan Amendment and Zone Change). In addition, the project site has no history of use as a mineral resource recovery operation and is located in a predominantly developed area of the City. No impacts relative to mineral resources would occur.

XIII. **NOISE** – Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

Discussion: Operation of the project would not result in increased exposure to noise in excess of City Standards, as the City does not have noise standards for industrial uses. Although the project may generate noise typical of light industrial manufacturing and warehousing operations, it is not anticipated that the project will produce excess noise.

Noise generated by project construction activities would temporarily elevate ambient noise levels in the project vicinity. Noise impacts resulting from construction depend on the noise generated by various pieces of construction equipment, the timing and duration of noise generating activities, and the distance between construction noise sources and noise sensitive receptors. Construction noise impacts primarily occur when construction activities occur during noise-sensitive times of the day (early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise sensitive land uses, or when construction durations last over extended periods of time. The closest noise sensitive use is the residential community along the north side of SR-12, west of Beck Avenue, at approximately 900 feet or 0.17-mile northeast of the project site.

Typically, significant noise impacts do not result when standard construction noise control measures are enforced at the project site and when the duration of the noise generating construction period is limited to one construction season (typically one year) or less. Once construction moves indoors (building siding erected and roofed), minimal noise would be generated at the on-site location.

Based on the City's Noise Ordinance Chapter 25, Article X, *Noise Regulations,* the project is limited to hours of construction between 7 a.m. and 10 p.m. Additionally, noise and vibration during construction would be moderated by the City standard construction noise requirements of which the project would be required to comply. As such, construction related noise impacts would be less than significant.

Refer to Discussion e in Section IX, *Hazards and Hazardous Materials,* of this Initial Study. The nearest airport to the project site is Travis Air Force Base located approximately 6.5 miles to the east and the project site is not located within any the airport's land use compatibility zones. No impact would occur.

XIV. <u>POPULATION AND HOUSING</u> – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

Discussion: Because the project involves the proposed demolition of an existing commercial building for the construction of two (2) concrete tilt-up industrial buildings, the project does not have potential to displace any people or housing. No existing homes would be removed, nor would a substantial number of new homes be required to house an increase in residents moving to the City. The project would not significantly induce population growth above that already assumed in the General Plan. No impact relative to population and housing would occur.

XV. PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 any of the public services:				
Fire protection?			X	
Police protection?			X	
Schools?				X
Parks?				X
Other public facilities?				X

Discussion: According to the City's General Plan Public Facilities and Services Element, police protection services are provided by the City's Police Department located at 1000 Webster Street in Fairfield, approximately 3.5 miles east of the project site. Fire suppression services are provided by the City's Fire Department from five fire stations located throughout the City, the closest of which is Station 1 located at 2351 North Watney Way in Fairfield, approximately 1.3 miles east of the project site. Both the Fairfield Fire Department and Police Department have reviewed the proposed project plans and determined that limited additional resources would be required with project implementation. The Fire Department has imposed conditions to meet fire safety standards. In accordance with Fairfield Municipal Code Chapter 25, Article XI, *Development Impact Fees,* the project would be required to pay development impact fees for fire and police protection facilities to offset the impacts and increased demand for public services and facilities created by the project. A less than significant impact relative to fire and police protection services would occur.

The proposed project does not include residential housing and would not increase the student population of the area. In addition, future population growth is accounted for in the General Plan since the project would be consistent with the land use and zoning designations (with Xity Council approval of a General Plan Amendment and Zone Change). As such, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered schools in the project area, and no impact would occur.

The proposed project does not include residential housing and would not increase the population in the project area. Therefore, the project would not result in a significant increase in the demand for park space. As such, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered parks in the project area, and no impact would occur.

Other public facilities in the area would not be adversely impacted because the proposed project is not anticipated to add substantial population growth that would require the use of public facilities. As such, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered public facilities in the project area, and no impact would occur.

XVI. RECREATION	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Discussion: The demand for parks is determined by changes in housing and population. In this case, the project consists of the demolition of an existing commercial building for the construction of two (2) concrete tilt-up industrial buildings and no new residents or housing would be introduced to the area. The project would not directly or indirectly induce population growth or increase demand on parks and recreational resources. In addition, the project does not include recreational facilities or require the expansion of recreational facilities which might have an adverse physical effect on the environment. Therefore, the project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park and no impact would occur.

XVII. **TRANSPORTATION** – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?		X		
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(1)?		X		
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d) Result in inadequate emergency access?			X	

Discussion: Senate Bill 743 was adopted in 2013 to change how public agencies evaluate the transportation impacts of projects under CEQA. The law directed the Governor's Office of Planning and Research (OPR) to propose revisions to the CEQA Guidelines to establish criteria for determining the significance of transportation impacts that would "promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." (Public Resources Code Section 21099(b)(1).) Measurements of transportation impacts may include vehicle miles traveled (VMT), vehicle miles traveled per capita/employee, automobile trip generation rates, or automobile trips generated. OPR released a Technical Advisory in December 2018 identifying VMT as the most appropriate measure of transportation impacts for land use projects, land use plans, and transportation projects, and the Natural Resources Agency updated the CEQA Guidelines to replace congestion-based metrics such as Level of Service (LOS) with VMT as the basis for determining whether a project would have a significant impact on the environment. Automobile delay, as described by LOS or similar measures, is no longer considered a significant impact. (CEQA Guidelines § 15064.3(a); Citizens for Positive Growth & Preservation v. City of Sacramento (2019) 43 Cal.App.5th 609.) The City Council adopted the City of Fairfield Senate Bill 743 Implementation Procedures ("SB 743 Implementation Procedures"), as well as the thresholds of significance and mitigation measures contained therein, on September 23, 2020.

The City retains the ability to use LOS as a condition of approval to maintain consistency with the General Plan and City policies. Therefore, projects over a certain size will continue to be evaluated for contributing to LOS deficiencies and this evaluation will be referred to as "local transportation analysis" to distinguish from impacts under CEQA. Pedestrian and bicycle circulation, safety, parking, traffic control warrant analysis, site circulation, and other operational topics will also continue to be addressed under local transportation analysis, as appropriate.

The screening guidelines within the City's SB 743 Implementation Procedures state that nonresidential projects that generate less than 110 daily trips, consist of 100 percent affordable housing or local serving retail, are within 0.5-mile of high-quality transit, or are located in a low VMT area as determined by screening maps shall be presumed to have less than significant impacts and do not require further VMT analysis.

A *Vehicle Miles Traveled Assessment* (VMT Assessment) was prepared for the proposed project on February 23, 2022 (Appendix F). The *Fairfield Guidelines for Project VMT Screening Transportation Analysis* states that VMT analysis shall be prepared using the City of Fairfield travel demand model. VMT calculations were prepared for the following four scenarios: 1) Near-Term No Project; 2) Near-Term (2020) Plus Project; 3) Cumulative (2040) No Project; and 4) Cumulative (2040) Plus Project. Based on the *Fairfield Guidelines for Project VMT Screening Transportation Analysis,* a project would result in a significant impact if:

- Single-Family Residential Projects: Project VMT would be in excess of 85 percent of the City-wide average VMT per single-family dwelling unit;
- Multifamily Residential Projects: Project VMT would be in excess of 85 percent of the City-wide average VMT per multifamily dwelling unit;
- Office Projects: Project VMT would be in excess of 85 percent of the City-wide average VMT per 1,000 square feet of office space; or
- Other Projects (Retail, Industrial, and Other Non-residential Uses): Any net increase in total model-wide VMT.

Based on the project's proposed industrial land use, the "Other Projects" threshold of significance would apply. As such, the project would result in a significant impact if the addition of the project increases the Near-Term or Cumulative total model-wide VMT.

<u>Trip Generation.</u> As discussed in the VMT Assessment, the project is estimated to generate approximately 600 daily vehicle trips, 90 AM peak hour trips, and 90 PM peak hour trips. The project is expected to generate 5,700 fewer daily trips than the previously occupied use, including approximately 150 fewer AM peak hour trip and 450 fewer PM peak hour trips.

<u>VMT.</u> As concluded in the VMT Assessment, the addition of the project is expected to increase the total VMT under Near-Term conditions by approximately 18,000 VMT and decrease total VMT by approximately 1,000 in Cumulative conditions. Therefore, the project would result in a significant impact in the Near-Term (2020) and a less than significant impact under Cumulative (2040) conditions. Therefore, mitigation measures are required to reduce this impact to a less than significant level.

Because the project would result in a potentially significant VMT impact under the Near-Term conditions, Mitigation Measures TRA-1 and TRA-2 are required. Mitigation Measure TRA-1

requires the project to implement alternative transportation improvements as described in the General Plan. Specifically, as discussed in the *VMT Assessment*, the Fairfield Active Transportation Plan proposes to build new bicycle facilities adjacent to the project site. Class II buffered bike lanes are proposed along Chadbourne Road, between Cordelia Road and SR-12, adjacent to the project site. Additionally, Class II buffered bike lanes are proposed along Auto Mall Parkway, Cordelia Road, and Courage Drive, which intersect Chadbourne Road. The City of Fairfield's Street Capital Improvement Program also includes pavement and ADA accessibility improvements on Beck Avenue, Chadbourne Road, Courage Drive, Cordelia Road, Guittard Way, and Low Court. These improvements may increase the safety, bikeability, and walkability of the project site, thereby encouraging more biking or walking trips which can reduce VMT.

Mitigation Measure TRA-2 requires the project to implement a Transportation Demand Management (TDM) program, since the project involves an employment-focused land use. TDM refers to strategies that motivate alternatives to automobile travel, either through positive incentives or walking, biking, and transit, or through adding additional costs to automobile use at the project site. Typical vehicle trip reduction strategies for employment-based development like the proposed project are related to commuter trip reductions. The recommended TDM measures include transit pass subsidies, a commuter marketing program, carpool/vanpool incentives, and a ridematch program; refer to Table 4 of the *VMT Assessment* for the detailed strategies and their respective VMT reduction percentages. Given the project site's characteristics using a conservative assessment, the VMT Assessment assumes that the maximum reduction this site could achieve with implementation of the TDM program is approximately 5 percent. As such, implementation of Mitigation Measures TRA-1 and TRA-2 would reduce the project's VMT impacts to a less than significant level.

Mitigation Measure TRA-1: *The project proponent, in coordination with City staff, shall implement proposed bikeway and pedestrian improvements to reduce VMT impacts. Should the City adopt a VMT mitigation bank program or trip credit program, the appropriate fees or credits can be applied to the project.*

Mitigation Measure TRA-2: *The project proponent, in coordination with City staff, shall implement a Transportation Demand Management (TDM) Program. The pedestrian-oriented design TDM measure shall be implemented on the front end by the developer, while ongoing TDM measures, including transit pass subsidies, commute marketing program, and carpool/vanpool incentives, shall be implemented and managed by the designated TDM Coordinator. An annual monitoring program shall be implemented to measure the TDM Program outcomes. To measure the TDM Program's commute VMT reductions and mode share, a commute survey shall be administered to employees by the site occupant. In addition, traffic counts at the project driveways shall be collected and compared to the Institution of Transportation Engineers (ITE) estimated trip generation for the project site's specific use. If the commute survey and project trip count data find that the project's trip generation is at least five percent less than the ITE estimated trip generation, then the project's TDM goal will be met. If the project's TDM goal is not met, the project shall pay penalty fees as agreed upon with the City at the project approval stage.*

The design features of the proposed project do not incorporate any hazardous or incompatible features. The internal traffic circulation on the project site would not include sharp turns, and the drive aisles/fire lanes within the project site have been designed to be both efficient and safe for vehicular traffic. Additionally, the project would not be an incompatible use, nor would it be hazardous due to its design. Therefore, a less than significant impact would occur.

The access and circulation features on the project site would accommodate emergency ingress and egress. The project is subject to the City's development review to ensure that the project as designed does not temporarily or permanently interfere with the provision of emergency access or with evacuation routes. All emergency access features are subject to and must satisfy the City of Fairfield design requirements and be approved by the City's Fire Department. During periods when partial road closures are required, the project proponent would be required to implement a temporary traffic management plan to minimize temporary impacts to emergency access and evacuation routes during the construction process. Therefore, the project would not result in inadequate emergency access and a less than significant impact would occur.

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
XVIII. <u>TRIBAL CULTURAL RESOURCES</u> – Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		X		
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		X		

<u>Discussion</u>: Pursuant to AB 52 requirements, the City of Fairfield commenced consultation with the appropriate and potentially affected Tribal Historic Preservation Officers (THPO) in October

2021. On October 29, 2021, the Yocha Dehe Cultural Resources Manager provided a letter stating that the project site was within the aboriginal territories of the Yocha Dehe Wintun Nation and requested to be included in correspondence regarding project updates. The October 29, 2021 correspondence from the tribe did not identify specific mitigation measures to be included in the project. However, the City has provided mitigation for the inadvertent discovery of Tribal Cultural Resources (TCRs) (refer to Mitigation Measures TC-1 and TC-2 below). Additional correspondence was received from the Yocha Dehe Cultural Resources Manager on July 11, 2022, stating that the Yocha Dehe Wintun Nation is not aware of any known cultural resources near the project site and that a cultural monitor is not needed. However, the Tribe recommends that cultural sensitivity training for any pre-project personnel to be added to the permit as a condition of approval. Cultural sensitivity training is included in Mitigation Measure TC-1. Therefore, implementation of Mitigation Measures TC-1 and TC-2 would reduce potentially significant impacts to TCRs to a less than significant level.

Tribal Cultural Resources

Tribal cultural resources could be discovered during grading and potentially significant impacts could result to unidentified tribal cultural resources at the construction stage. Implementation of Mitigation Measures TC-1 and TC-2 would ensure that potential impacts related to previously undiscovered historic or archaeological resources and human remains would be less than significant.

Mitigation Measure TC-1: Tribal Cultural Resources

Due to the possibility of archeological resources on the project site, the City of Fairfield shall require a note on any plans that require ground disturbing excavation that there is a potential for exposing buried cultural resources, including prehistoric Native American burials.

Prior to groundbreaking, construction personnel associated with earth moving equipment, drilling, grading, and excavating, shall be provided with basic archaeological and cultural sensitivity training conducted by a qualified archaeologist and in consultation with the Yocha Dehe Wintun Nation. Issues that shall be included in the basic training will be geared toward training the applicable construction crews in the identification of archaeological deposits and tribal cultural resources. Training will include written notification of the restrictions regarding disturbance and/or removal of any portion of archaeological deposits and the proper procedures to follow should a resource be identified. The project applicant shall inform the Yocha Dehe Wintun Nation of the project construction schedule and allow for a Yocha Dehe Wintun Nation tribal monitor to be present at the project site during any ground disturbance activities in native soil, to ensure such activities do not negatively impact cultural resources. The tribal monitor will also be provided an opportunity to attend the pre-construction briefing. The construction contractor, or its designee, shall be responsible for implementation of this measure.

Mitigation Measure TC-2: Tribal Cultural Resources

If archaeological remains or tribal cultural resources are uncovered, all construction activities within a 100-foot radius shall be halted immediately until a qualified archaeologist, in consultation with the tribal monitor, can evaluate whether the resource requires further study. The City shall require that the applicant include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Any previously undiscovered archaeological resources are found during construction shall be recorded on appropriate Department of Parks and Recreation forms and evaluated for significance in terms of California Environmental Quality Act criteria by a qualified archaeologist. Prehistoric archaeological site indicators include but are not limited to: obsidian and chert flakes and chipped stone tools; grinding and mashing implements (e.g., slabs and handstones, and mortars and pestles); bedrock outcrops and boulders with mortar cups; and locally darkened midden soils. Midden soils may contain a combination of any of the previously listed items with the possible addition of bone and shell remains, and fire-affected stones. Historic period site indicators generally include but are not limited to: fragments of glass, ceramic, and metal objects; milled and split lumber; and structure and feature remains such as building foundations and discrete trash deposits (e.g., wells, privy pits, dumps). If the resource is determined to be significant under CEQA, the City and a qualified archaeologist shall determine whether preservation in place is feasible. Such preservation in place is the preferred mitigation. If such preservation is infeasible, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan for the resource. The archaeologist shall also conduct appropriate technical analyses, prepare a comprehensive written report and file it with the appropriate information center (California Historical Resources Information System [CHRIS]), and provide for the permanent curation of the recovered materials. For any tribal cultural resources found during the ground disturbance activities, the Yocha Dehe Wintun Nation shall be immediately notified, and the appropriate treatment method for the uncovered resources shall be determined by the City and archaeologist in consultation with the Yocha Dehe Wintun Nation and its Yocha Dehe Treatment Protocol.

The treatment of human remains and any associated or unassociated funerary objects discovered during any soil-disturbing activity within the project site shall comply with applicable State laws. This shall include immediate notification of the Solano County Coroner and the City of Fairfield of the discovery of any human remains.

In the event of the Coroner's determination that the human remains are Native American, the coroner must contact the NAHC within 24 hours. The NAHC shall identify a Most Likely Descendant (MLD) of the deceased Native American (PRC Section 5097.98). The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for the means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98. Development activity on the impacted site will halt until the landowner has conferred with the MLD about their recommendations for treatment of the remains, and the coroner has determined that the remains are not subject to investigation under California Government Code Section 27491.

The project applicant, archaeological consultant, and MLD shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. The California PRC allows 48 hours to reach agreement on these matters. If the MLD and the other parties do not agree on the reburial method, the project will follow PRC Section 5097.98(b) which states that ". . . the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance."

XIX. <u>UTILITIES AND SERVICE SYSTEMS</u> – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment facilities or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

<u>Discussion</u>: The project site is located within a developed area of the City and is already developed; therefore, the project would not require construction of new or expanded water,

wastewater treatment facilities or storm water drainage, electric power, natural gas, or telecommunications facilities. The responsible departments and agencies for wastewater and water supply have reviewed the project and determined that capacities would be adequate. The project would not significantly increase the site's impervious surfaces as the project site is already developed; therefore, it is not anticipated that the project would generate stormwater beyond the capacity of the existing storm drainage system. As discussed in Section X, *Hydrology and Water Quality,* of this Initial Study, the proposed drainage of this project would be required to comply with City standards for drainage and grading and the appropriate permits would be required to be obtained prior to construction. Impacts relative to water supply and utility facilities, would be less than significant.

Implementation of the project is anticipated to generate additional solid waste during the temporary, short-term construction phase, as well as the operational phase, but it would not be expected to result in inadequate landfill capacity. According to the General Plan Public Facilities and Services Element, solid waste management, including waste disposal and curbside recycling is handled by a local franchised hauler under contract with the City. Solid wastes are currently taken to Potrero Hills Landfill and recyclables processed at an interim facility in Fairfield. With project implementation, solid waste would be managed on-site and redirected to a secondary facility with adequate capacity. Therefore, impacts relative to solid waste would be less than significant.

XX. WILDFIRE -- If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X	
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	

Discussion: The project site is located in a developed urban area surrounded by commercial/industrial land uses. According to the CalFire Fire Hazard Severity Zone Viewer,[4] and the Adopted State Responsibility Area Fire Hazard Severity Zone Maps,[5] the project site is not located in a zone designated as a Very High Fire Hazard Severity Zone. The proposed project would be required to comply with the provisions of the City of Fairfield Emergency Operations Plan, Solano County Multi-Jurisdictional Local Hazard Mitigation Plan, and the emergency access requirements of the California Fire Code, which include but are not limited to providing access with adjoining uses and providing suitable access for emergency vehicles. In addition, emergency access to the site would be maintained during construction. Impacts would be less than significant.

The project site is generally flat and does not support areas of steep slopes. In addition, the project site is located within an urbanized area of the city, where the risk of wildland fire is decreased. As such, the proposed project would not be located in a critical fire danger zone or adjacent to wildlands subject to wildfires. Urban levels of fire protection would be provided to the project area. In addition, the project would adhere to building codes and any conditions included through review by the City's Fire Department. Impacts would be less than significant.

The project site is located in a developed area of the city and is situated within close proximity to existing electric power, natural gas, and telecommunications facilities. The project is situated on a site that is already developed and includes existing access to adjoining uses and suitable access for emergency vehicles. In addition, the proposed industrial uses on-site would not include any features that would have the potential to exacerbate fire risk or result in temporary or ongoing impacts to the environment. Emergency access to the site would be maintained during project construction. Impacts would be less than significant.

The project site is relatively flat with no major changes in elevations. There are no channels or creeks running through the project site. The project site is not located within a 100-year flood hazard area. In addition, there are no known landslides at the project site, nor is the site in the path of any known or potential landslides. Therefore, the project would not expose people or structures to risks involving flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes. A less than significant impact would occur.

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[4] CalFire. nd. Fire and Resource Assessment Program: FHSZ Viewer. https://egis.fire.ca.gov/FHSZ/ Accessed July 19, 2022.

[5] CalFire. 2007. Map of CalFire's Fire Hazard Severity Zones in the Local Responsibility Area – Western Riverside County. https://osfm.fire.ca.gov/media/6754/fhszl_map60.pdf Accessed July 19, 2022.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Does the project have the potential to significantly degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X		
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

Discussion: As discussed in Section IV, *Biological Resources*, after implementation of Mitigation Measures BIO-1 through BIO-3, the proposed project would result in less than significant impacts to biological resources. Similarly, as discussed in Section V, *Cultural Resources*, and Section XVIII, *Tribal Cultural Resources*, after implementation of Mitigation Measures CR-1, CR-2, TC-1, and TC-2, the proposed project would result in less than significant impacts to human remains, archaeological resources, paleontological resources, and tribal cultural resources.

In accordance with CEQA Guidelines Section 15183, this environmental analysis was conducted to determine if there were any project-specific effects that are peculiar to the project or its site. No project-specific significant effects peculiar to the project or its site were identified that could not be mitigated to a less than significant level. The project would not induce substantial population growth or significant traffic volumes. The project would contribute to environmental effects in the area of noise. However, this impact would not be cumulatively considerable, since it is site-specific. Furthermore, mitigation measures incorporated herein mitigate any potential impacts associated with this environmental issue. Cumulative projects would be required to prepare the appropriate CEQA environmental documentation on a project-by-project basis. Therefore, the project does not have impacts that are individually limited, but cumulatively considerable.

Given the scope and nature of the proposed development, project implementation would not result in environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly. Compliance with applicable existing laws and regulations and implementation of recommended mitigation measures would ensure that the project would not result in substantial adverse effects on human beings. Therefore, impacts would be less than significant and no additional mitigation measures are required.

Sources:

1. City of Fairfield, *City of Fairfield General Plan*, 2002.
2. City of Fairfield*, City of Fairfield Scenic Vistas and Roadways Plan,* 1999.
3. *California Department of Conservation, California Important Farmland Finder* mapping interactive online, https://maps.conservation.ca.gov/DLRP/CIFF/, accessed December 28, 2021.
4. *California Department of Forestry and Fire Protection, Fire and Resource Assessment Program:* FHSZ Viewer, https://egis.fire.ca.gov/FHSZ/ accessed July 19, 2022.
5. *California Department of Forestry and Fire Protection,* Map of CalFire's Fire Hazard Severity Zones in the Local Responsibility Area – Western Riverside County, 2007. https://osfm.fire.ca.gov/media/6754/fhszl_map60.pdf Accessed July 19, 2022.
6. *California Department of Transportation, State Scenic Highway System Map*. https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa Accessed July 19, 2022.
7. Fairfield Municipal Code, current through Ordinance 2022-07, passed April 19, 2022.
8. Federal Emergency Management Agency (FEMA) Flood Service Map Center online, https://msc.fema.gov/portal/home, accessed December 15, 2021.
9. Fehr and Peers, *Vehicle Miles Traveled Assessment 80-12 Industrial Center, LLC Industrial Project*, February 23, 2022.
10. Haley Aldrich, *Geotechnical Feasibility Assessment*, August 11, 2021.
11. Haley Aldrich, *ASTM Phase I Environmental Site Assessment 300 Chadbourne Road Fairfield, California*, June 2021.
12. Haley Aldrich, *Limited Phase II Environmental Investigation Results 80-12 Industrial Center Development*, February 24, 2022.
13. Huffman-Broadway Group Inc., *Biological Evaluation for the 80-12 Industrial Center at 300 Chadbourne Road, Fairfield, Solano County, California*, September 14, 2021.
14. Huffman-Broadway Group Inc. and James P. Allen and Associates, *Tree Mitigation Plan 80-12 Industrial Project 300 Chadbourne Road Fairfield, Solano County, California*, January 2022.
15. James P. Allen and Associates, *Tree Resource Analysis 80-12 Industrial Center 300 Chadbourne Road, Fairfield Road, Fairfield CA APNs 028-750-240/50/60/70/80/90 & 300*, September 13, 2021.
16. SESPE Consulting, Inc., *Air Quality and Climate Change Impact Assessment 80-12 Industrial Center Project – Fairfield, CA*, January 3, 2022.
17. SESPE Consulting Inc., *Energy Impact Assessment 80-12 Industrial Center Project – Fairfield, California*, January 24, 2022.

18. Travis Air Force Base, *Air Installation and Compatible Use Zone Study for Travis Air Force Base,* December 2009, Figure 4.8, *Clear Zones and Accident Potential Zones.*

Initial Site Assessment Checklist for Special Status Species or Habitat

PROJECT NAME: 80-12 INDUSTRIAL CENTER

SITE LOCATION: 300 CHADBOURNE ROAD

ASSESSMENT PREPARED BY: JONATHAN ATKINSON, SENIOR PLANNER

SITE CHARACTERISTICS	PRESENT? Yes	No	COMMENTS
I. GENERAL CRITERIA			
A. Is the Proposed Project Site located within one of the following Areas of Concern*:			
Vernal Pool Species	____	X	_____
Giant Garter Snake	____	X	_____
Valley Elderberry Longhorn Beetle	____	X	_____
California Red-legged Frog	____	X	_____
Coastal Marsh Species	____	X	_____
Callippe Silverspot Butterfly (i.e., Potrero Hills or the open space area formed by Interstate Highways 80, 680, 780)	____	X	_____
B. Is the Proposed Project Site located along a watercourse?	____	X	_____

*See accompanying Areas of Concern Guidelines for descriptions and map.

If the answer to any of the above Section I criteria is "yes":

1. The site should be evaluated by a qualified biologist/botanist to determine the presence of special status species and/or habitat for such species.

2. The project will require evidence of compliance with the federal Endangered Species Act. The applicant should contact the USFWS regarding compliance with the Endangered Species Act and the Solano Project Biological Opinion. Details are provided in the Areas of Concern Guidelines.

If "no": Complete Section II of this checklist on the following pages.

The USFWS can be reached at: Sacramento Fish and Wildlife Office, Endangered Species Program
2800 Cottage Way, Rm. W-2605
Sacramento, CA 95825.
(916) 414-6600

Initial Site Assessment Checklist for Special Status Species or Habitat

SITE CHARACTERISTICS	PRESENT? Yes	No	COMMENTS
II. SPECIES-SPECIFIC CRITERIA			
Vernal Pool Species			
Vernal pool and/or seasonal wetlands, including alkaline wetlands and stock ponds	____	X	_____
Level topography with shallow depressions capable of containing standing water during the rainy season (Nov.-May)	____	X	_____
Has a wetland delineation has been completed?	____	X	_____
Grassland with low-lying areas with stunted vegetation growth	____	X	_____
Shallow stock ponds which normally dry on an annual basis	____	X	_____
Presence of the following soil types: Pescadero series, Antioch series, San Ysidro series, Solano series, and associated complex soils (excludes existing developed areas and areas cultivated with perennial crops)	____	X	_____
Giant Garter Snake			
Freshwater marshes, sloughs, ponds, low flow drainages, irrigation canals, backwater areas, rice fields	____	X	_____
Emergent aquatic vegetation (e.g., cattails, bulrushes)	____	X	_____
Grassy banks and vegetated uplands adjacent to or within 200ft of habitats listed above	____	X	_____

Initial Site Assessment Checklist for Special Status Species or Habitat

SITE CHARACTERISTICS	PRESENT? Yes	No	COMMENTS
Valley Elderberry Longhorn Beetle			
Creeks, small drainages, man-made watercourses	____	X	_____
Elderberry Shrubs	____	X	_____
Riparian vegetation	____	X	_____
California Red-legged Frog			
Perennial and seasonal creeks and ponds, small drainages, seeps and springs, stock ponds and other artificial water sources	____	X	_____
Aquatic or riparian vegetation	____	X	_____
Oak woodlands nearby or other suitable migration corridors between wet areas	____	X	_____
Coastal Marsh Species			
Brackish or salt marsh, tidal sloughs	____	X	_____
Dense patches of pickleweed, saltgrass, or other perennial marsh vegetation	____	X	_____
Adjacent high marsh (non-submerged) areas for refuge	____	X	_____
Presence of any of above habitat conditions within 1,000 feet of proposed new development	____	X	_____

Summary:

If the answer to any of the above Section II criteria is "yes", the site should be evaluated by a qualified biologist or botanist to determine the presence of special status species and/or potential habitat of such species. Also, the applicant should contact the Sacramento Fish and Wildlife Office regarding compliance with the Endangered Species Act and the Solano Project Biological Opinion.