

Planning Commission of the City of Fairfield
MITIGATED NEGATIVE DECLARATION
(ANX2021-002)

LEAD AGENCY: City of Fairfield

NAME OF PROJECT: Sunset Avenue Apartments

FILE NUMBER: ANX2021-002, ZC2021-006, DR2021-017, and ER2021-039

PROJECT SPONSOR: Ryan Keith, TK Consulting, Inc.

PROJECT LOCATION: Southeast Corner of Sunset Avenue and East Tabor Avenue

PROJECT DESCRIPTION: Multifamily residential development involving 130 apartments on an 8.71-acre site. The apartments will be sited within 26 buildings and include 90 two-bedroom units and 40 three-bedroom units. The residential buildings will range in height from two to three stories. The development will include a leasing office with an approximate floor area of 2,550 square feet and will be a single-story building. There will be 296 vehicle parking spaces: two garage spaces will be available for each unit and 36 spaces for guests. 1776 Sunset Avenue (APN: 0037-060-480) will require City Council approval of an annexation into Fairfield City limits and a Zone Change from Residential, Low Medium Density (RLM) District to Residential, Medium Density (RM) District.

SURROUNDING LAND USES AND SETTING: Three parcels of land comprise the 8.71-acre project site at the southeast corner of Sunset Avenue and East Tabor Avenue. The project site is bounded by East Tabor Avenue to the north, Sunset Avenue to the west, and the Laurel Creek Flood Control Channel to the east. There are existing developments that surround the project site, including multifamily residences and an office to the north, multifamily and single-family residences to the west, single-family residences to the south, and Grange Middle School to the east. The project site is largely characterized by undeveloped land, a relict channel with seasonal wetlands, and vegetation. The southernmost portion of the project site includes a vacant single-family residence, concrete slab, asphalt, well, and a collection of trees that will be demolished as part of the project.

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; Noise; Transportation; and Tribal Cultural Resources. Mitigation measures have been included in the Initial Study as follows.

Biological Resources

Mitigation Measure BIO-1

Pre-Construction Surveys – Burrowing Owl. Between February 1 and August 31, an Approved Biologist shall conduct pre-construction surveys in known or suitable habitat areas to identify and subsequently avoid nesting areas for burrowing owls. The surveys shall be conducted within 15 days prior to start of construction to in known or suitable habitat areas to identify and subsequently avoid nesting areas for burrowing owls, and shall follow standard Solano Habitat Conservation Plan protocols. If burrowing owls or suitable nesting habitat are identified, the developer, shall adhere to the Solano County Habitat Conservation Plan and California Department of Fish and Wildlife protocols relating to burrowing owls.

Mitigation Measure BIO-2

Pre-construction nest surveys – Swainson’s Hawk. Between March 1 and August 31, an Approved Biologist shall conduct pre-construction surveys to identify and subsequently avoid nesting areas for Swainson’s hawk. Surveys shall be conducted within 15 days of the anticipated start of construction and shall be designed and of sufficient intensity to document nesting within 0.25 mi (1,320 ft) of planned work activities. If a lapse in project related construction work of 15 days or longer occurs, additional preconstruction surveys shall be required before project work may be reinitiated. If Swainson’s hawk or suitable nesting habitat are identified, the developer, shall adhere to the Solano County Habitat Conservation Plan and California Department of Fish and Wildlife protocols relating to Swainson’s hawk.

Mitigation Measure BIO-3

Projects within 5 miles of an active Swainson’s hawk nest tree but greater than 1 mile from the nest tree (the nearest documented nest is 2.5 miles from the project site) shall provide 0.75 acres of Habitat Management land for each acre of urban development authorized (0.75:1 ratio). All Habitat Management lands protected under this requirement may be protected through fee title acquisition or conservation easement (acceptable to the Department) on agricultural lands or other suitable habitats which provide foraging habitat for Swainson's hawk.

Mitigation Measure BIO-4

Pre-activity Survey - Townend’s Big-eared Bat. If onsite structure demolition is anticipated, a pre-activity survey shall be conducted to determine Townend’s Big-eared Bat presence (day roosting). If bats are present within the structure, then bat exclusion methods will be incorporated into demolition activities. Pre-activity field surveys shall be conducted early in the breeding season before any construction activities begin, when bats are establishing maternity roosts but before pregnant females give birth (typically late spring to early summer). If no roosting bats are found, then no further mitigation is required. If roosting bats are found, then disturbance of the maternity roosts shall be avoided by halting construction until the end of the

breeding season or a qualified bat biologist excludes the roosting bats in consultation with the California Department of Fish and Wildlife. If at any time during the maternity roosting season construction stops for a period of two weeks or longer, preconstruction surveys shall be conducted prior to construction resuming.

Mitigation Measure BIO-5

Aquatic Resources Delineation. Prior to project implementation, an aquatic resources delineation shall be completed within the project site to refine the limits of potentially jurisdictional wetlands and waters of the U.S. and determine whether these areas are subject to Army Corps of Engineers (ACOE) jurisdiction. The delineation shall be verified by the Army Corps of Engineers.

Mitigation Measure BIO-6

Permitting. The applicant shall obtain all necessary permits for waters of the United States and wetlands impacts. The Preliminary Aquatic Resources Delineation Report prepared by Padre Associates and dated October 2021 completed for the project identified potentially federal and state jurisdictional waters and wetlands. Following Army Corps of Engineers verification of the Preliminary Aquatic Resources Delineation, an Army Corps of Engineers Nationwide permit and a Water Quality Certification from the Regional Water Quality Control Board will be required. A California Department of Fish and Wildlife Lake and Streambed Alteration permit and a Central Valley Flood Protection Board Encroachment Permit must be obtained prior to project implementation. Project activities shall comply with agency permit conditions to further reduce potential impacts to special-status species and sensitive habitats.

Mitigation Measure BIO-7

Aquatic Resources Mitigation. The applicant shall comply with all permit conditions and impacts to waters of the United States and wetlands shall be mitigated pursuant to permit conditions. Compensatory mitigation must be consistent with the permit requirements pertaining to mitigation type, location, and ratios but will be accomplished with a minimum of 1:1 replacement ratio. Additionally, mitigation must be consistent with any local policies regarding impacts and/or loss of wetlands.

As mitigation for impacts to waters of the United States and wetlands, the applicant may satisfy all or a portion of mitigation through the purchase of “credits” at a mitigation bank approved by the Army Corps of Engineers, Regional Water Quality Control Board, and/or California Department of Fish and Wildlife for compensatory mitigation of impacts to hydrologically similar wetlands and other waters of the United States.

Mitigation Measure BIO-8

Wetland Habitat Mitigation Plan. As part of the permitting process, the applicant will be required to provide a compensatory Wetland Habitat Mitigation Plan (Plan) to mitigate impacts to jurisdictional areas. The Plan shall be written and implemented by a biologist familiar with wetland mitigation strategies employed in the Solano County region. Because the project is designed to infill the entire property, no on-site restoration is possible. Therefore, alternative mitigation strategies will focus of off-site mitigation or purchase conservation credits at an approved mitigation site.

Mitigation Measure BIO-9

If the project is anticipated to take place during nesting season (March 1 through August 31), then a qualified biologist shall conduct a nesting bird pre-activity survey within 48 hours of project start. If an active nest is identified on or within 300 feet of the project Site during the pre-activity survey or any time during project activities, an appropriate work exclusion buffer of 75+ feet for migratory bird species and 300+ feet for non-listed raptor species, or a distance at the discretion of the biologist based on biological or ecological reasons, shall be established around the nest.

Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. In this case (to be determined on a case-by-case basis), the nest(s) shall be monitored by a qualified biologist during construction within the buffer. However, if it is an active raptor nest, the project proponent shall first notify the California Department of Fish and Wildlife for consultation to determine the feasibility of continuing work within the standard 300+-foot buffer. Work will start within the buffer only after approval from California Department of Fish and Wildlife. In the case of other active nests (non-raptor species), the biologist shall determine whether project activities within the buffer would impact the nest, and if so, shall immediately inform the construction manager to stop work within the designated buffer. The qualified biologist shall monitor the nest until it is no longer active and/or the young have fledged and will notify the construction manager and project proponent that work may start within the buffer.

Mitigation Measure BIO-10

Native Tree Mitigation Plan. Prior to grading permit issuance, a Native Tree Mitigation Plan shall be prepared and submitted for City approval. The Native Tree Mitigation Plan shall address the native oaks where grading, construction, utility installation or other disturbance (including removal) occurs within the dripline, and shall incorporate the following information in compliance with the Tree Protection Ordinance:

- Whether the mitigation plan replaces the environmental, cultural, aesthetic, or other values of the lost trees.

- Evaluation of the availability of land, either on-site or off-site, for mitigation planting.
- Survivability, size, and value of the proposed replacement trees.
- Provisions for maintenance and survival of the replacement trees.
- Determine the number of replacement plantings by using the DBH of the tree proposed for removal, measured at breast height (4-1/2 feet above the normal surface). Inches of replacement may be translated into standard nursery planting sizes using the following formulas:
 - 24-inch boxed tree = 3 replacement inches.
 - 15-gallon tree = 1 replacement inch.
 - 5-gallon tree = ½ replacement inch.

Cultural Resources

Mitigation Measure CR-1

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 the California Environmental Quality Act. 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) (California Code of Regulations Title 14(3) 15126.(b)(3)(C)).

Noise

Mitigation Measure NOI-1

The construction contractor shall ensure that noise and groundborne vibration construction activities whose specific location on the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise- and vibration-sensitive land uses, and natural and/or manmade barriers (e.g.,

intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses . These activities shall be located in the southeast quadrant of the project site, as feasible.

Mitigation Measure NOI-2

The construction contractor shall ensure that barriers such as plywood structures or flexible sound control curtains shall be erected between the proposed project and adjacent sensitive receptors to minimize the amount of noise during construction. These temporary sound barriers shall be capable of achieving a sound attenuation of at least 12 dBA and block the line-of-sight between the project site and these adjacent land uses. This specification shall be included on all project plans.

Mitigation Measure NOI-3

The construction contractor shall ensure the use of power construction equipment with noise shielding and muffling devices capable of attenuating sound by 3 dBA or more. This specification shall be included on all project plans.

Mitigation Measure NOI-4

The construction staging area shall be as far from sensitive receptors as possible. Staging shall occur in the along the eastern portion of the project site, where feasible.

Mitigation Measure NOI-5

The construction contractor shall ensure that no less than two weeks prior to commencement of construction, notification shall be provided to the off-site residential, school, and church uses within 500 feet of the project site that discloses the construction schedule, including the types of activities and equipment that would be used throughout the duration of the construction period. Contact information shall also be posted where readily visible to the public.

Transportation

Mitigation Measure TRA-1

The project shall provide pedestrian network improvements throughout the project site inclusive of paseos and walkways. In addition, the project shall plant street trees and provide open space improvements that will aide in pedestrian connectivity. All proposed pedestrian improvement related Vehicle Miles Traveled reduction measures shall be approved by the City's Traffic Engineer.

Mitigation Measure TRA-2

The project site is located near multiple Fairfield Fast Transit bus stops including a stop located at the southwest corner of the Sunset Avenue and East Tabor Avenue intersection. The developer shall provide a commute trip reduction program to its residents (voluntary participation) to further reduce Vehicle Miles Traveled impacts. The commute trip reduction program shall be reviewed and approved by the City's Traffic Engineer.

Tribal Cultural Resources

Mitigation Measure TCR-1

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.

Mitigation Measure TCR-2

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 the California Environmental Quality Act, 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.

Mitigation Measure TCR-3

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 of the deceased Native American (Public Resources Code Section 5097.98). The Most Likely Descendant 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 Public Resources Code Section 5097.98. Development activity on the impacted site will halt until the landowner has conferred with the Most Likely Descendant 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 Most Likely Descendant shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of human remains and associated or unassociated funerary objects (California Environmental Quality Act 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 Public Resources Code allows 48 hours to reach agreement on these matters. If the Most Likely Descendant and the other parties do not agree on the reburial method, the project will follow Public Resources Code 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 _____, the City Council 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.

MAYOR

ATTEST:

CITY CLERK

NAME OF PROJECT: SUNSET AVENUE APARTMENTS

MITIGATION MONITORING PROGRAM AND COMPLIANCE RECORD

FILE NO.: ANX2021-002

INITIAL STUDY PREPARED BY: JONATHAN ATKINSON

DATE: _____

APPLICANT: RYAN KEITH, TK CONSULTING, INC.

MITIGATION PLAN			COMPLIANCE RECORD			
MITIGATION MEASURE	DEPARTMENT	ACTION(S) REQUIRED	REQUIRED TIME OF COMPLIANCE	ACTION TAKEN	VERIFIED BY/DEPT.	DATE
Mitigation Measure BIO-1	Community Development	Pre-Construction Surveys – Burrowing Owl. Between February 1 and August 31, an Approved biologist shall conduct pre-construction surveys in known or suitable habitat areas to identify and subsequently avoid nesting areas for burrowing owls. The surveys shall be conducted within 15 days prior to start of construction to in known or suitable habitat areas to identify and subsequently avoid nesting areas for burrowing owls, and shall follow standard Solano Habitat Conservation Plan protocols. If burrowing owls or suitable nesting habitat are identified, the developer, shall adhere to the Solano County Habitat Conservation Plan and California Department of Fish and Wildlife protocols relating to burrowing owls.	Prior to grading permit			
Mitigation Measure BIO-2	Community Development	Pre-construction nest surveys – Swainson’s Hawk. Between March 1 and August 31, an Approved biologist shall conduct pre-construction surveys to identify and subsequently avoid nesting areas for Swainson’s hawk. Surveys shall be conducted within 15 days of the anticipated start of construction and shall be designed and of sufficient intensity to document nesting within 0.25 mi (1,320 ft) of planned work activities. If a lapse in project related construction work of 15 days or longer occurs, additional preconstruction surveys shall be required before project work may be reinitiated. If Swainson’s hawk or suitable nesting habitat are identified, the developer, shall adhere to the Solano County Habitat Conservation Plan and California Department of Fish and Wildlife protocols relating to Swainson’s hawk.	Prior to grading permit			
Mitigation Measure BIO-3	Community Development	Projects within 5 miles of an active Swainson’s hawk nest tree but greater than 1 mile from the nest tree (the nearest documented nest is 2.5 miles from the project site) shall provide 0.75 acres of Habitat Management land for each acre of urban development authorized (0.75:1 ratio). All Habitat Management lands protected under this requirement may be protected through fee title acquisition or conservation easement (acceptable to the Department) on agricultural lands or other suitable habitats which provide foraging habitat for Swainson's hawk.	Prior to grading permit			

MITIGATION MEASURE	DEPARTMENT	ACTION(S) REQUIRED	REQUIRED TIME OF COMPLIANCE	ACTION TAKEN	VERIFIED BY/DEPT.	DATE
Mitigation Measure BIO-4		Pre-activity Survey - Townend's Big-eared Bat. If onsite structure demolition is anticipated, a pre-activity survey shall be conducted to determine Townend's Big-eared Bat presence (day roosting). If bats are present within the structure, then bat exclusion methods will be incorporated into demolition activities. Pre-activity field surveys shall be conducted early in the breeding season before any construction activities begin, when bats are establishing maternity roosts but before pregnant females give birth (typically late spring to early summer). If no roosting bats are found, then no further mitigation is required. If roosting bats are found, then disturbance of the maternity roosts shall be avoided by halting construction until the end of the breeding season or a qualified bat biologist excludes the roosting bats in consultation with the California Department of Fish and Wildlife. If at any time during the maternity roosting season construction stops for a period of two weeks or longer, preconstruction surveys shall be conducted prior to construction resuming.	Prior to grading permit			
Mitigation Measure BIO-5	Community Development	Aquatic Resources Delineation. Prior to project implementation, an aquatic resources delineation shall be completed within the project site to refine the limits of potentially jurisdictional wetlands and waters of the U.S. and determine whether these areas are subject to Army Corps of Engineers jurisdiction. The delineation shall be verified by the Army Corps of Engineers.	Prior to issuance of a grading permit			
Mitigation Measure BIO-6	Responsible Permitting Agencies, Community Development (for verification)	Permitting. The applicant shall obtain all necessary permits for waters of the United States and wetlands impacts. The Preliminary Aquatic Resources Delineation Report prepared by Padre Associates and dated October 2021 completed for the project identified potentially federal and state jurisdictional waters and wetlands. Following Army Corps of Engineers verification of the Preliminary Aquatic Resources Delineation, an Army Corps of Engineers Nationwide permit and a Water Quality Certification from the Regional Water Quality Control Board will be required. A California Department of Fish and Wildlife Lake and Streambed Alteration permit and a Central Valley Flood Protection Board Encroachment Permit must be obtained prior to project implementation. Project activities shall comply with agency permit conditions to further reduce potential impacts to special-status species and sensitive habitats.	Prior to issuance of a grading permit			
Mitigation Measure BIO-7	Responsible Permitting Agencies, Community	Aquatic Resources Mitigation. The applicant shall comply with all permit conditions and impacts to waters of the United States and wetlands shall be mitigated pursuant to permit conditions. Compensatory mitigation must be consistent with the permit requirements pertaining to mitigation	Prior to issuance of a grading permit			

MITIGATION MEASURE	DEPARTMENT	ACTION(S) REQUIRED	REQUIRED TIME OF COMPLIANCE	ACTION TAKEN	VERIFIED BY/DEPT.	DATE
	Development (for verification)	<p>type, location, and ratios but will be accomplished with a minimum of 1:1 replacement ratio. Additionally, mitigation must be consistent with any local policies regarding impacts and/or loss of wetlands.</p> <p>As mitigation for impacts to waters of the United States and wetlands, the applicant may satisfy all or a portion of mitigation through the purchase of "credits" at a mitigation bank approved by the Army Corps of Engineers, Regional Water Quality Control Board, and/or California Department of Fish and Wildlife for compensatory mitigation of impacts to hydrologically similar wetlands and other waters of the United States.</p>				
Mitigation Measure BIO-8	Responsible Permitting Agencies, Community Development (for verification)	Wetland Habitat Mitigation Plan. As part of the permitting process, the applicant will be required to provide a compensatory Wetland Habitat Mitigation Plan (Plan) to mitigate impacts to jurisdictional areas. The Plan shall be written and implemented by a biologist familiar with wetland mitigation strategies employed in the Solano County region. Because the project is designed to infill the entire property, no on-site restoration is possible. Therefore, alternative mitigation strategies will focus of off-site mitigation or purchase conservation credits at an approved mitigation site.	Prior to issuance of a grading permit			
Mitigation Measure BIO-9	Community Development	<p>If the project is anticipated to take place during nesting season (March 1 through August 31), then a qualified biologist shall conduct a nesting bird pre-activity survey within 48 hours of project start. If an active nest is identified on or within 300 feet of the project Site during the pre-activity survey or any time during project activities, an appropriate work exclusion buffer of 75+ feet for migratory bird species and 300+ feet for non-listed raptor species, or a distance at the discretion of the biologist based on biological or ecological reasons, shall be established around the nest.</p> <p>Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. In this case (to be determined on a case-by-case basis), the nest(s) shall be monitored by a qualified biologist during construction within the buffer. However, if it is an active raptor nest, the project proponent shall first notify the California Department of Fish and Wildlife for consultation to determine the feasibility of continuing work within the standard 300+-foot buffer. Work will start within the buffer only after approval from California Department of Fish and Wildlife. In the case of other active nests (non-raptor species), the biologist shall determine whether project activities within the buffer would impact the nest, and if so, shall immediately inform the construction manager to stop work within the designated buffer. The qualified biologist shall monitor the nest until it is no longer active and/or the young have fledged and will notify the construction manager and project proponent that work may start within the buffer.</p>	Prior to grading permit or building permit, whichever occurs first			

MITIGATION MEASURE	DEPARTMENT	ACTION(S) REQUIRED	REQUIRED TIME OF COMPLIANCE	ACTION TAKEN	VERIFIED BY/DEPT.	DATE
Mitigation Measure BIO-10	Community Development	<p>Native Tree Mitigation Plan. Prior to grading permit issuance, a Native Tree Mitigation Plan shall be prepared and submitted for City approval. The Native Tree Mitigation Plan shall address the native oaks where grading, construction, utility installation or other disturbance (including removal) occurs within the dripline, and shall incorporate the following information in compliance with the Tree Protection Ordinance:</p> <ul style="list-style-type: none"> • Whether the mitigation plan replaces the environmental, cultural, aesthetic, or other values of the lost trees. • Evaluation of the availability of land, either on-site or off-site, for mitigation planting. • Survivability, size, and value of the proposed replacement trees; and • Provisions for maintenance and survival of the replacement trees. • Determine the number of replacement plantings by using the DBH of the tree proposed for removal, measured at breast height (4-1/2 feet above the normal surface). Inches of replacement may be translated into standard nursery planting sizes using the following formulas: <ul style="list-style-type: none"> ➤ 24-inch boxed tree = 3 replacement inches. ➤ 15-gallon tree = 1 replacement inch. ➤ 5-gallon tree = ½ replacement inch. 	Prior to issuance of a grading permit			
Mitigation Measure CR-1	Community Development	<p>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 the California Environmental Quality Act. 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.</p> <p>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) (California Code of Regulations Title 14(3) 15126.(b)(3)(C)).</p>	During grading activities			

MITIGATION MEASURE	DEPARTMENT	ACTION(S) REQUIRED	REQUIRED TIME OF COMPLIANCE	ACTION TAKEN	VERIFIED BY/DEPT.	DATE
Mitigation Measure NOI-1	Community Development	The construction contractor shall ensure that noise and groundborne vibration construction activities whose specific location on the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise- and vibration-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses . These activities shall be located in the southeast quadrant of the project site, as feasible.	During grading and construction activities			
Mitigation Measure NOI-2	Community Development	The construction contractor shall ensure that barriers such as plywood structures or flexible sound control curtains shall be erected between the proposed project and adjacent sensitive receptors to minimize the amount of noise during construction. These temporary sound barriers shall be capable of achieving a sound attenuation of at least 12 dBA and block the line-of-sight between the project site and these adjacent land uses. This specification shall be included on all project plans.	During grading and construction activities			
Mitigation Measure NOI-3	Community Development	The construction contractor shall ensure the use of power construction equipment with noise shielding and muffling devices capable of attenuating sound by 3 dBA or more. This specification shall be included on all project plans.	During grading and construction activities			
Mitigation Measure NOI-4	Community Development	The construction staging area shall be as far from sensitive receptors as possible. Staging shall occur in the along the eastern portion of the project site, where feasible.	During grading and construction activities			
Mitigation Measure NOI-5	Community Development	The construction contractor shall ensure that no less than two weeks prior to commencement of construction, notification shall be provided to the off-site residential, school, and church uses within 500 feet of the project site that discloses the construction schedule, including the types of activities and equipment that would be used throughout the duration of the construction period. Contact information shall also be posted where readily visible to the public.	During grading and construction activities			
Mitigation Measure TRA-1	Public Works, Community Development	The project shall provide pedestrian network improvements throughout the project site inclusive of paseos and walkways. In addition, the project shall plant street trees and provide open space improvements that will aide in pedestrian connectivity. All proposed pedestrian improvement	Prior to grading permit			

MITIGATION MEASURE	DEPARTMENT	ACTION(S) REQUIRED	REQUIRED TIME OF COMPLIANCE	ACTION TAKEN	VERIFIED BY/DEPT.	DATE
		related Vehicle Miles Traveled reduction measures shall be approved by the City's Traffic Engineer.				
Mitigation Measure TRA-2	Public Works, Community Development	The project site is located near multiple Fairfield Fast Transit bus stops including a stop located at the southwest corner of the Sunset Avenue and East Tabor Avenue intersection. The developer shall provide a commute trip reduction program to its residents (voluntary participation) to further reduce Vehicle Miles Traveled impacts. The commute trip reduction program shall be reviewed and approved by the City's Traffic Engineer.	Prior to occupancy			
Mitigation Measure TCR-1	Community Development	<p>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.</p> <p>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.</p>	Prior to grading			
Mitigation Measure TCR-2	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.	During grading activities			

MITIGATION MEASURE	DEPARTMENT	ACTION(S) REQUIRED	REQUIRED TIME OF COMPLIANCE	ACTION TAKEN	VERIFIED BY/DEPT.	DATE
		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 the California Environmental Quality Act, 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.				
Mitigation Measure TCR-3	Community Development	<p>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.</p> <p>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 of the deceased Native American (Public Resources Code Section 5097.98). The Most Likely Descendant 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 Most Likely Descendant 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.</p> <p>The project applicant, archaeological consultant, and Most Likely Descendant shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of human remains and associated or unassociated funerary objects (California Environmental Quality Act Guidelines Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis,</p>	During grading activities			

MITIGATION MEASURE	DEPARTMENT	ACTION(S) REQUIRED	REQUIRED TIME OF COMPLIANCE	ACTION TAKEN	VERIFIED BY/DEPT.	DATE
		custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. The California Public Resources Code allows 48 hours to reach agreement on these matters. If the Most Likely Descendant and the other parties do not agree on the reburial method, the project will follow Public Resources Code 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

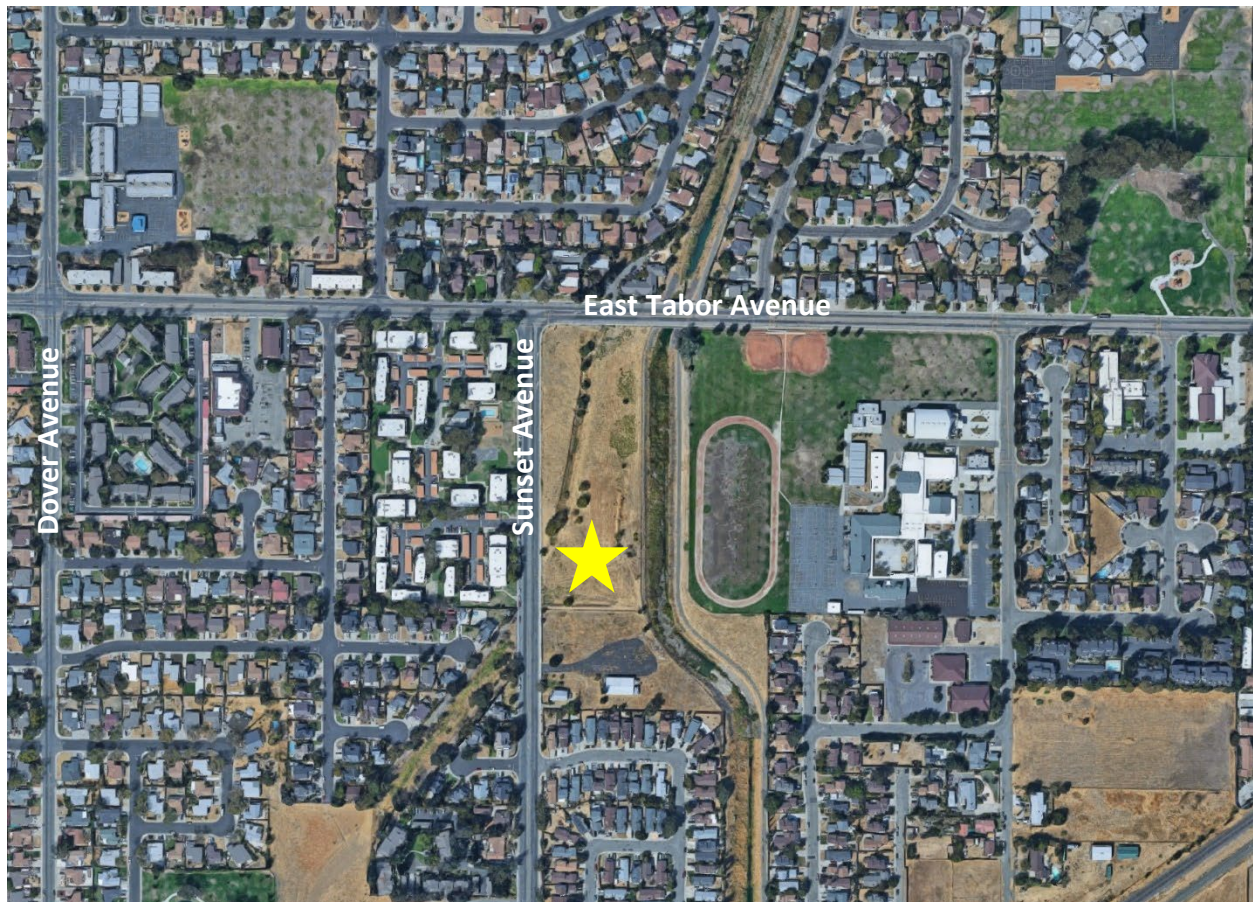
PROJECT DESCRIPTION AND BACKGROUND

Project title: Sunset Avenue Apartments
Contact Person: Jonathan Atkinson, Senior Planner
(707) 428-7387 | jatkinson@fairfield.ca.gov

Project Sponsor's Name and Address: Ryan Keith, TK Consulting, Inc.
2082 Michelson Drive: 4th Floor, Irvine, CA 92612

General Plan Designation: Medium Density Residential
Zoning: RM (Residential, Medium Density) District
RLM (Residential, Low Medium Density) District (Pre-Zoning)

Project Location: Southeast Corner of Sunset Avenue and East Tabor Avenue
Longitude/Latitude: "N" 38°15'46.40"N "W" 122° 1'11.65"W
Assessor's Parcel Numbers: 0037-030-200, 0037-030-210 and 0037-060-480



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: Multifamily residential development involving 130 apartments on an 8.71-acre site. The apartments will be sited within 26 buildings and include 90 two-bedroom units and 40 three-bedroom units. The residential buildings will range in height from two to three stories. The development will include a leasing office with an approximate floor area of 2,550 square feet and will be a single-story building. There will be 296 vehicle parking spaces: two garage spaces will be available for each unit and 36 spaces for guests. 1776 Sunset Avenue (APN: 0037-060-480) will require City Council approval of an annexation into Fairfield City limits and a Zone Change from Residential, Low Medium Density (RLM) District to Residential, Medium Density (RM) District.

SURROUNDING LAND USES AND SETTING: Three parcels of land comprise the 8.71-acre project site at the southeast corner of Sunset Avenue and East Tabor Avenue. The project site is bounded by East Tabor Avenue to the north, Sunset Avenue to the west, and the Laurel Creek Flood Control Channel to the east. There are existing developments that surround the project site, including multifamily residences and an office to the north, multifamily and single-family residences to the west, single-family residences to the south, and Grange Middle School to the east. The project site is largely characterized by undeveloped land, a relict channel with seasonal wetlands, and vegetation. The southernmost portion of the project site includes a vacant single-family residence, concrete slab, asphalt, well, and a collection of trees that will be demolished as part of the project.

Exhibit 1: Regional Vicinity



Exhibit 2: Project Vicinity



Sunset Avenue Apartments Project
Initial Study/Mitigated Negative Declaration

Project Vicinity

Exhibit 2



Exhibit 3: Site Plan

Sunset Avenue Apartments Project



Exhibit 4: Building B4 Elevation



PLAN 3A

PLAN 2A

PLAN 2AR

PLAN 3AR

SPANISH COLONIAL

- A - 'S' TILE CONCRETE ROOF
- B - STUCCO
- C - VINYL WINDOW
- D - COMPOSITE ENTRY DOOR
- E - PANELED SECTIONAL GAR. DOOR
- F - WOOD FASCIA
- G - STUCCO WRAPPED FOAM BEAM
- H - STUCCO WRAPPED FOAM TRIM
- I - STUCCO WRAPPED FOAM CORBEL
- J - STUCCO WRAPPED FOAM HOOD
- K - FAUX VENT
- L - FAUX RECESSED GRILLE
- M - W.I. DECORATIVE BRACE
- N - METAL RAILING
- P - STUCCO WRAPPED FOAM SURROUND
- Q - DECORATIVE TILE
- R - METAL LOUVER
- S - METAL GATE
- T - PAVER CAP

FRONT ELEVATION
BUILDING B4

Sunset Avenue Apartments Project



Exhibit 5: Building B6 Elevation



SPANISH COLONIAL

- A - 'S' TILE CONCRETE ROOF
- B - STUCCO
- C - VINYL WINDOW
- D - COMPOSITE ENTRY DOOR
- E - PANELED SECTIONAL GAR. DOOR
- F - WOOD FASCIA
- G - STUCCO WRAPPED FOAM BEAM
- H - STUCCO WRAPPED FOAM TRIM
- I - STUCCO WRAPPED FOAM CORBEL
- J - STUCCO WRAPPED FOAM HOOD
- K - FAUX VENT
- L - FAUX RECESSED GRILLE
- M - W.I. DECORATIVE BRACE
- N - METAL RAILING
- P - STUCCO WRAPPED FOAM SURROUND
- Q - DECORATIVE TILE
- R - METAL LOUVER
- S - METAL GATE
- T - PAVER CAP

FRONT ELEVATION
BUILDING B6

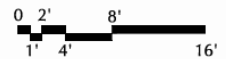


Exhibit 6: Building B4T Elevation



SPANISH COLONIAL

- A - 'S' TILE CONCRETE ROOF
- B - STUCCO
- C - VINYL WINDOW
- D - COMPOSITE ENTRY DOOR
- E - PANELED SECTIONAL GAR. DOOR
- F - WOOD FASCIA
- G - STUCCO WRAPPED FOAM BEAM
- H - STUCCO WRAPPED FOAM TRIM
- I - STUCCO WRAPPED FOAM CORBEL
- J - STUCCO WRAPPED FOAM HOOD
- K - FAUX VENT
- L - FAUX RECESSED GRILLE
- M - W.I. DECORATIVE BRACE
- N - METAL RAILING
- P - STUCCO WRAPPED FOAM SURROUND
- Q - DECORATIVE TILE
- R - METAL LOUVER
- S - METAL GATE
- T - PAVER CAP

PLAN 1B

PLAN 1A

PLAN 1AR

PLAN 1CR

FRONT ELEVATION
BUILDING B4T

Sunset Avenue Apartments Project



Exhibit 7: Building B6T Elevation



SPANISH COLONIAL

- A - 'S' TILE CONCRETE ROOF
- B - STUCCO
- C - VINYL WINDOW
- D - COMPOSITE ENTRY DOOR
- E - paneled SECTIONAL GAR. DOOR
- F - WOOD FASCIA
- G - STUCCO WRAPPED FOAM BEAM
- H - STUCCO WRAPPED FOAM TRIM
- I - STUCCO WRAPPED FOAM CORBEL
- J - STUCCO WRAPPED FOAM HOOD
- K - FAUX VENT
- L - FAUX RECESSED GRILLE
- M - W.I. DECORATIVE BRACE
- N - METAL RAILING
- P - STUCCO WRAPPED FOAM SURROUND
- Q - DECORATIVE TILE
- R - METAL LOUVER
- S - METAL GATE
- T - PAVER CAP

FRONT ELEVATION
BUILDING B6T

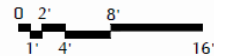
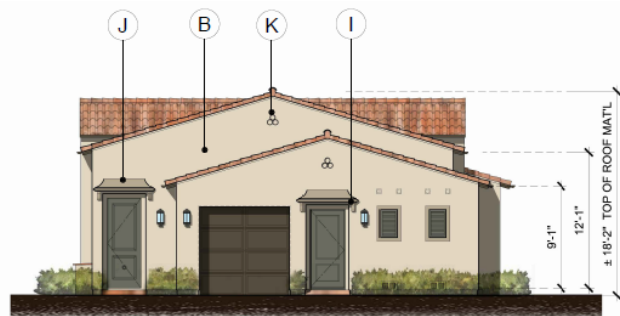
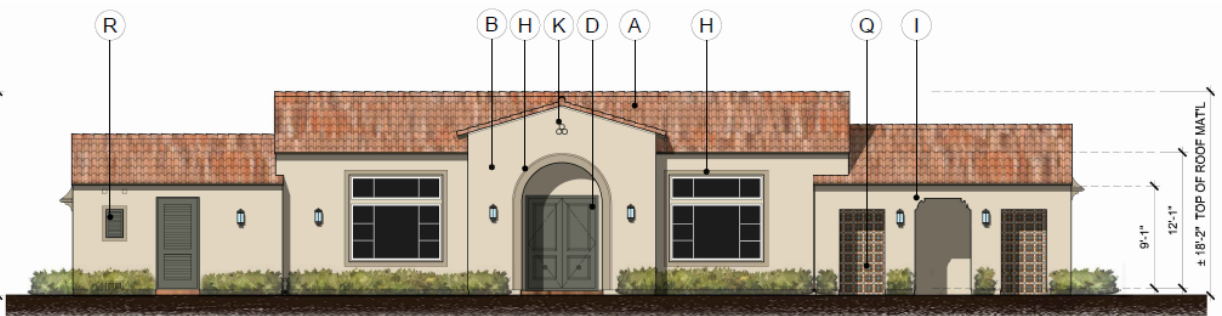


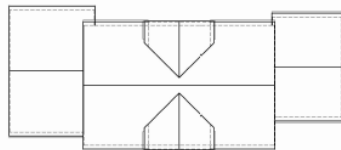
Exhibit 8: Leasing Building Elevation



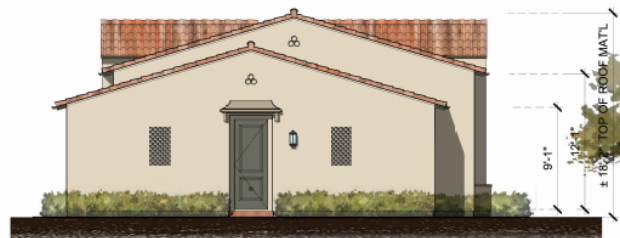
LEFT ELEVATION



REAR ELEVATION



ROOF- NTS



RIGHT ELEVATION

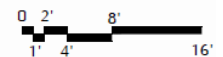


FRONT ELEVATION

SPANISH COLONIAL

- A - 'S' TILE CONCRETE ROOF
- B - STUCCO
- C - VINYL WINDOW
- D - COMPOSITE ENTRY DOOR
- E - paneled sectional GAR. DOOR
- F - WOOD FASCIA
- G - STUCCO WRAPPED FOAM BEAM
- H - STUCCO WRAPPED FOAM TRIM
- I - STUCCO WRAPPED FOAM CORBEL

- J - STUCCO WRAPPED FOAM HOOD
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- Q - DECORATIVE TILE
- R - METAL LOUVER
- S - METAL GATE
- T - PAVER CAP



OTHER PUBLIC AGENCY APPROVALS: Solano Land Agency Formation Commission (LAFCO) for the annexation of 1776 Sunset Avenue (APN: 0037-060-480) into Fairfield City limits.

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.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology / Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources |
| <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> 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

08/30/2022
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 [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. <u>AESTHETICS</u> – 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: A scenic vista is generally defined as a view of undisturbed natural lands exhibiting a unique or unusual feature that comprises an important or dominant portion of the viewshed. Scenic vistas may also be represented by a particular distant view that provides visual relief from less attractive views of nearby features. Other designated Federal and State lands, as well as local open space or recreational areas, may also offer scenic vistas if they represent a valued aesthetic view within the surrounding landscape of nearby features.

According to the City's adopted *Scenic Vistas and Roadways Plan* (1999), the project site is not located within an identified scenic vista area nor along an identified scenic roadway. The nearest scenic vista area as designated by the 1999 *Plan* is Suisun Marsh located more than five miles to the south of the project site beyond Suisun City. Additionally, the project site has not been

identified by the City's General Plan or other applicable planning documents as being located within or near a scenic vista. Therefore, the proposed project would not have a substantial adverse effect on a scenic vista and no impact would occur in this regard.

According to the California Department of Transportation, there are no officially designated State scenic highways within the vicinity of the project site nor does the site contain scenic resources as identified by the City's General Plan or other applicable planning documents. As a result, the proposed project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. Therefore, no impact would occur in this regard.

The project site is surrounded by urbanized uses including a middle school to the east and a variety of housing types located to the north, south, and west of the project site. The proposed project is consistent with the applicable development standards under the Zoning Ordinance and the City's Design and Development Guidelines to ensure aesthetic quality, as proposed and conditioned. While project implementation would change the visual quality of the project site and in vicinity, it would not degrade the visual quality of the surrounding area because the project is compatible with the surrounding uses and its current zoning designations. Therefore, the project would not conflict with applicable Zoning Ordinance requirements and other regulations governing scenic quality. As a result, a less than significant impact would occur in this regard.

Light impacts are typically associated with the use of artificial light during the evening and nighttime hours. Glare may be a daytime occurrence caused by the reflection of sunlight or artificial light from highly polished surfaces, such as window glass and reflective cladding materials, and may interfere with the safe operation of a motor vehicle on adjacent streets. Daytime glare is common in urban areas and is typically associated with mid to high-rise buildings with exterior façades largely or entirely comprising highly reflective glass or mirror-like materials. Nighttime glare is primarily associated with bright point source lighting that contrasts with existing low ambient light conditions.

Project construction could involve temporary glare impacts because of construction equipment and materials. However, based on the project's limited scope of construction activities, these sources of glare would not be substantial, compared to the existing building materials present in the surrounding area. The project's exterior building materials are anticipated to consist of stucco, wood, concrete roofing, metal railings and louvers. If not properly treated, these materials could result in increased daytime glare. However, the project would be required to be consistent with City's Design and Development Guidelines, as previously stated. Additionally, as part of the Development Review process, the City would review proposed building materials to ensure neighboring uses are not exposed to substantial glare and negatively affected by new developments. Furthermore, the City requires, as a standard condition, that lighting be of appropriate intensity and shielded to avoid unreasonable impacts to surrounding property. Therefore, impacts would be less than significant.

(Source: 3, 4, 8)

II. AGRICULTURE AND FOREST RESOURCES: 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:

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
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
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

Discussion: According to the California Department of Conservation Important Farmland Finder, the project site is designated as Urban and Built-Up Land and is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore, the proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) and as such, no impact would occur in this regard.

The project site is zoned RM (Residential, Medium Density) District and RLM (Residential, Low Medium Density) District for residential use, and no portion of the project site is enrolled in a Williamson Act contract. Additionally, the project site is not occupied nor used for forest land or timberland. There will be no impacts on agricultural or forest resources with the implementation of the project.

(Source: 3, 5)

III. <u>AIR QUALITY</u> – 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 is located within the San Francisco Bay Area Air Basin, which is governed by the Bay Area Air Quality Management District (BAAQMD). 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.

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 below) 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 California. 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 (O₃), nitrogen dioxide (NO₂), carbon monoxide (CO), sulfur dioxide (SO₂), particulate matter 2.5 microns or less in diameter (PM_{2.5}), particulate matter ten microns or less in diameter (PM₁₀), 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 O₃, CO, NO₂, PM₁₀, PM_{2.5}, SO₂ (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, PM₁₀, 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: (1) The Clean Air Plan (CAP) and Ozone Strategy fulfill the planning requirements of the California CAA; and (2) 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. The BAAQMD screening criteria is a conservative indication of whether or not a proposed project may result in potentially significant air quality impacts. If a proposed project is determined to meet all the screening criteria, additional detailed air quality assessments are not required. The established screening criteria was created without taking any

mitigation measures into account and the levels are primarily representative of new development occurring on greenfield sites.

The proposed project was evaluated in accordance with the methodologies established by the BAAQMD Guidelines and was determined to screen out of the need for additional air quality analysis per the BAAQMD's screening criteria as demonstrated in **Table 1, BAAQMD Screening Criteria Compared to Project, below:**

Table 1 – BAAQMD Screening Criteria Compared to Project

Criteria Category	BAAQMD Screening Threshold (Low Rise Apartments)	Proposed Project Details	Screen Out? Yes/No
Operational Criteria Pollutant	451 du (ROG)	130 du	Yes
Construction	240 du (ROG)	130 du	Yes
Notes: du = dwelling units; ROG = reactive organic gases.			

(Source: 2)

IV. BIOLOGICAL RESOURCE – 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,		X		

IV. <u>BIOLOGICAL RESOURCE</u> – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X		
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 East Tabor Avenue to the north, The Laurel Creek Flood Control Channel and Grange Middle School to the east, single-family residences and Brandon Way to the south, and Sunset Avenue to the west. The project site is surrounded by a collection of developed land uses to the north, east, west, and south. Vegetation on the project site consists of wild oat, annual brome grasslands, and mixed riparian, with an anthropogenic land cover type described as developed.

A biological resources assessment field survey was conducted on August 26, 2021, in order to document existing biological conditions and determine the potential for special-status plant and wildlife species to occur within the project site. Prior to conducting the field survey, thorough literature reviews and records searches were conducted to determine which special-status biological resources have the potential to occur on or within the general vicinity of the project site. The project site is located within the boundaries of the Solano County Multiple Species Habitat Conservation Plan (SMHCP); as such, the project was reviewed against the SMHCP as well as the City's General Plan and Zoning Ordinance for consistency.

The project site was evaluated 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). The biological

resources assessment, prepared January 2022 by Padre Associates, Inc. (Appendix A) includes a list of regional special status plant and wildlife species.

Special Status Plants: All the special status plant species mentioned in the assessment as occurring in the project vicinity require habitat conditions that are not found at the project site. The urbanized nature of the project site and the project 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. However, the project site does contain two distinct vegetation communities consisting of an upland and wetland/riparian plant communities. No special status plant species occur on the property, therefore, no impacts to special status plant species would result from construction of the proposed project at the site.

Special Status Animals: Based on the biological resources assessment, the Tricolored Blackbird (*Agelaius tricolor*), Burrowing Owl (*Athene cunicularia*), Swainson's Hawk (*Buteo swainsoni*) and migratory birds have the potential to nest, breed, roost, forage and/or temporarily pass through the project site. Additional details regarding these species are as follows:

Tricolored Blackbird: Tricolored Blackbird is considered a California species of special concern (CSC). No Tricolored Blackbirds were observed during the August 2021 field survey. The Biological Study Area (BSA) was dominated by disturbed annual grassland and the adjacent flood control channel supported dense stands of bulrush and willows and contained narrow channel of running water and ponded areas. The nearest documented occurrence is approximately 1.8 miles from the BSA. Based on the presence of marginally suitable habitat and proximity of documented occurrence, there is a low potential for Tricolored Blackbird to occur within the project site.

Burrowing Owl: Burrowing Owl is considered a CSC of management concern listed by the U.S. Fish and Wildlife Service (USFWS). No direct or indirect observations of Burrowing Owl were observed during the August 2021 field survey. However, there were several ground squirrel burrows observed, and the nearest documented occurrence is approximately one mile from the BSA. Therefore, due to presence of marginally suitable habitat and proximity of documented occurrence there is a moderate potential for Burrowing Owl to occur within the project site. Given the moderate potential for Burrowing Owl to occur at the project site, Mitigation Measure BIO-1 will be required to reduce potential impacts. Through implementation of Mitigation Measure BIO-1, potential impacts would be less than significant.

Swainson's Hawk: Swainson's Hawk is listed as State threatened and is considered a CSC with the California Department of Fish and Wildlife (CDFW). The nearest documented nesting occurrence of Swainson's Hawk is approximately 2.5 miles from the BSA. No Swainson's Hawks or suitable nesting trees were observed onsite during the August 2021 field survey. Therefore, there is no potential for Swainson's Hawk to nest within the project site. However, the annual grassland within the project site provides suitable foraging habitat although it is highly disturbed and surrounded by urban development for Swainson's Hawks nesting in the region. Due to presence of suitable foraging habitat onsite and proximity to known nesting occurrences, there is a moderate potential for Swainson's Hawk to forage within the project site. Given the moderate

potential for Swainson's Hawk to forage within the project site, Mitigation Measures BIO-2 and BIO-3 have been included to reduce potential impacts. Through implementation of Mitigation Measures BIO-2 and BIO-3, potential impacts would be less than significant.

Migratory Birds: No nesting bird activity was observed within the project site during the August 2021 field survey. However, vegetation, trees, and other substrates (e.g., man-made structures, areas of open ground, etc.) present within the site provide suitable nesting habitat for a variety of bird species.

Townsend's Big Eared Bat: According to the biological assessment found in Appendix A, the Townsend's Big-Eared Bat is considered a CSC with the CDFW and is found throughout California, but the details of its distribution are not well known. The species was once considered common in California, most abundant in in mesic habitats, has since been determined to be uncommon. The species requires caves, mines, tunnels, buildings, or other human-made structures for roosting and may use separate sites for night, day, hibernation, or maternity roosts. No direct or indirect sign of Townsend's Big-Eared Bat was observed during the August 2021 field survey. However, the abandoned single-family residence may provide suitable habitat within the project site and the nearest documented occurrence is less than five miles from the BSA. Therefore, there is a moderate potential for Townsend's Big-Eared Bat to occur within the project site. Given the moderate potential for the Townsend's Big-Eared Bat to occur within the project site, Mitigation Measure BIO-4 has been included to reduce potential impacts. Through implementation of Mitigation Measure BIO-4, potential impacts would be less than significant.

Mitigation Measure BIO-1

Pre-Construction Surveys – Burrowing Owl. Between February 1 and August 31, an Approved Biologist shall conduct pre-construction surveys in known or suitable habitat areas to identify and subsequently avoid nesting areas for burrowing owls. The surveys shall be conducted within 15 days prior to start of construction in known or suitable habitat areas to identify and subsequently avoid nesting areas for burrowing owls, and shall follow standard Solano Habitat Conservation Plan protocols. If burrowing owls or suitable nesting habitat are identified, the developer, shall adhere to the Solano County Habitat Conservation Plan and California Department of Fish and Wildlife protocols relating to burrowing owls.

Mitigation Measure BIO-2

Pre-construction nest surveys – Swainson's Hawk. Between March 1 and August 31, an Approved Biologist shall conduct pre-construction surveys to identify and subsequently avoid nesting areas for Swainson's hawk. Surveys shall be conducted within 15 days of the anticipated start of construction and shall be designed and of sufficient intensity to document nesting within 0.25 mi (1,320 ft) of planned work activities. If a lapse in project related construction work of 15 days or longer occurs, additional preconstruction surveys shall be required before project work may be reinitiated. If Swainson's hawk or suitable nesting habitat are identified, the developer, shall adhere to the Solano County Habitat Conservation Plan and California Department of Fish and Wildlife protocols relating to Swainson's hawk.

Mitigation Measure BIO-3

Projects within 5 miles of an active Swainson's hawk nest tree but greater than 1 mile from the nest tree (the nearest documented nest is 2.5 miles from the project site) shall provide 0.75 acres of Habitat Management land for each acre of urban development authorized (0.75:1 ratio). All Habitat Management lands protected under this requirement may be protected through fee title acquisition or conservation easement (acceptable to the Department) on agricultural lands or other suitable habitats which provide foraging habitat for Swainson's hawk.

Mitigation Measure BIO-4

Pre-activity Survey - Townsend's Big-eared Bat. *If onsite structure demolition is anticipated, a pre-activity survey shall be conducted to determine Townsend's Big-eared Bat presence (day roosting). If bats are present within the structure, then bat exclusion methods will be incorporated into demolition activities. Pre-activity field surveys shall be conducted early in the breeding season before any construction activities begin, when bats are establishing maternity roosts but before pregnant females give birth (typically late spring to early summer). If no roosting bats are found, then no further mitigation is required. If roosting bats are found, then disturbance of the maternity roosts shall be avoided by halting construction until the end of the breeding season or a qualified bat biologist excludes the roosting bats in consultation with the California Department of Fish and Wildlife. If at any time during the maternity roosting season construction stops for a period of two weeks or longer, preconstruction surveys shall be conducted prior to construction resuming.*

According to the biological resources assessment, the relict channel of Laurel Creek supports mixed wetland riparian vegetation. The flood control channel is located adjacent to the eastern portion of the project site. The project site supports approximately 0.247 acres of potentially Federal jurisdictional waters of the U.S. (under Army Corps of Engineers [ACOE] jurisdiction) within the relict channel and the Flood Control Channel which is approximately 0.247 acres of potentially state jurisdictional aquatic resources under Regional Water Quality Control (RWQCB) jurisdiction, and 0.547 acres under CDFW jurisdiction. Additionally, 0.007 acres (flood control channel only) would fall under the jurisdiction of the Central Valley Flood Protection Board (CVFPB). The relict channel will be permanently impacted due to complete removal during project implementation while, the flood control channel within the proposed project would be temporarily impacted during storm drain outfall installation.

As such, Mitigation Measures BIO-5 through BIO-8 will be required for the project. BIO-5 requires an aquatic resources delineation in an effort to refine the limits of the potential resources while BIO-6 requires the project's compliance with obtaining all required agency permitting through the necessary Federal and State agencies. BIO-7 requires aquatic resources mitigation requiring compensatory mitigation consistent with agency requirements and BIO-8 will require a wetland mitigation plan in an effort to ensure that all potential impacts are mitigated.

Mitigation Measure BIO-5

Aquatic Resources Delineation. Prior to project implementation, an aquatic resources delineation shall be completed within the project site to refine the limits of potentially jurisdictional wetlands and waters of the U.S. and determine whether these areas are subject to Army Corps of Engineers (ACOE) jurisdiction. The delineation shall be verified by the Army Corps of Engineers.

Mitigation Measure BIO-6

Permitting. The applicant shall obtain all necessary permits for waters of the United States and wetlands impacts. The Preliminary Aquatic Resources Delineation Report prepared by Padre Associates and dated October 2021 completed for the project identified potentially federal and state jurisdictional waters and wetlands. Following Army Corps of Engineers verification of the Preliminary Aquatic Resources Delineation, an Army Corps of Engineers Nationwide permit and a Water Quality Certification from the Regional Water Quality Control Board will be required. A California Department of Fish and Wildlife Lake and Streambed Alteration permit and a Central Valley Flood Protection Board Encroachment Permit must be obtained prior to project implementation. Project activities shall comply with agency permit conditions to further reduce potential impacts to special-status species and sensitive habitats.

Mitigation Measure BIO-7

Aquatic Resources Mitigation. The applicant shall comply with all permit conditions and impacts to waters of the United States and wetlands shall be mitigated pursuant to permit conditions. Compensatory mitigation must be consistent with the permit requirements pertaining to mitigation type, location, and ratios but will be accomplished with a minimum of 1:1 replacement ratio. Additionally, mitigation must be consistent with any local policies regarding impacts and/or loss of wetlands.

As mitigation for impacts to waters of the United States and wetlands, the applicant may satisfy all or a portion of mitigation through the purchase of “credits” at a mitigation bank approved by the Army Corps of Engineers, Regional Water Quality Control Board, and/or California Department of Fish and Wildlife for compensatory mitigation of impacts to hydrologically similar wetlands and other waters of the United States.

Mitigation Measure BIO-8

Wetland Habitat Mitigation Plan. As part of the permitting process, the applicant will be required to provide a compensatory Wetland Habitat Mitigation Plan (Plan) to mitigate impacts to jurisdictional areas. The Plan shall be written and implemented by a biologist familiar with wetland mitigation strategies employed in the Solano County region. Because the project is designed to infill the entire property, no on-site restoration is possible. Therefore, alternative mitigation strategies will focus on off-site mitigation or purchase conservation credits at an approved mitigation site.

With implementation of Mitigation Measures BIO-5 through BIO-8, potential impacts to riparian areas or federal or state wetlands would be less than significant.

As discussed above, the project site is surrounded by urban development, is highly disturbed, bounded by heavily trafficked roads, and does not connect to open spaces frequented by wildlife. The adjacent flood control channel provides low quality habitat and connectivity to fragmented open spaces in the region of the project site. Therefore, there is low potential for wildlife to use the flood control channel and impacts to wildlife movement corridor habitat would be minimized by implementation of avoidance and minimization measures discussed below.

Migratory and Native Resident Nesting Birds: Nesting bird species protected by the federal Migratory Bird Treaty Act or California Fish and Game Code could be impacted during project construction. The project will require removal of many trees that could provide suitable substrate for nesting birds. In fact, a family group of recently-fledged bushtits was observed on the property, 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 31 breeding season of birds could result in mortality of nesting avian species, if they are present. To ensure compliance with the MBTA and the California Fish and Game Code, bird nesting surveys are generally required if construction work requires vegetation removal during the bird nesting season.

Because the project proposes would involve the removal of trees, and that such removal could occur during the February 1 to August 31 breeding season, the project will therefore be required for proper pre-construction breeding bird surveys to occur prior to the removal of trees through implementation of Mitigation Measure BIO-9 and would ensure that impacts in regard to migratory and native resident nesting birds are reduced to less than significant.

Mitigation Measure BIO-9

If the project is anticipated to take place during nesting season (March 1 through August 31), then a qualified biologist shall conduct a nesting bird pre-activity survey within 48 hours of project start. If an active nest is identified on or within 300 feet of the project Site during the pre-activity survey or any time during project activities, an appropriate work exclusion buffer of 75+ feet for migratory bird species and 300+ feet for non-listed raptor species, or a distance at the discretion of the biologist based on biological or ecological reasons, shall be established around the nest.

Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. In this case (to be determined on a case-by-case basis), the nest(s) shall be monitored by a qualified biologist during construction within the buffer. However, if it is an active raptor nest, the project proponent shall first notify the California Department of Fish and Wildlife for consultation to determine the feasibility of continuing work within the standard 300+-foot buffer. Work will start within the buffer only after approval from California Department of Fish and Wildlife. In the case of other active nests (non-raptor species), the biologist shall determine whether project activities within the buffer would impact the nest, and if so, shall immediately inform the construction manager to stop work within the designated buffer. The

qualified biologist shall monitor the nest until it is no longer active and/or the young have fledged and will notify the construction manager and project proponent that work may start within the buffer.

Therefore, no impacts would occur to fish or wildlife associated with streams or wetlands anywhere in the project area. The project would not cause a fish or wildlife population to drop below self-sustaining levels.

Fairfield Zoning Ordinance Section 25.36: Tree Conservation protects designated native trees and is intended to conserve tree resources by protecting significant trees from unnecessary destruction or removal, and encourages the replacement of trees lost to disease, natural hazards, or human intervention. It identifies the following as protected trees: native Oaks (*Quercus sp.*), bay Laurel (*Umbellularia californica*), madrone (*Arbutus menziesii*), and buckeye (*Aesculus californica*).

In accordance with Fairfield Zoning Ordinance requirements, Padre completed a tree inventory survey in August 2021 that was focused on identification and mapping of all trees within the project site to determine potential impacts to protected native trees. Padre documented all trees within the study area using standard industry methods. According to the field survey, trees occurred intermittently as individuals and small clumps scattered throughout the study area. The most common species was the native northern California black walnut (*Juglans hindsii*) with other native, non-native, and cultivated species including English walnut (*Juglans regia*), cultivated walnut (*Juglans sp.*), valley oak (*Quercus lobata*), interior live oak (*Quercus wislizeni*), common fig (*Ficus carica*), cultivated apple (*Malus sp.*), date palm (*Phoenix sp.*), Mexican fan palm (*Washingtonia robusta*), pepper tree (*Schinus molle*), cottonwood (*Populus fremontii*), and redwood (*Sequoia sempervirens*).

The northern California black walnut trees within the BSA appeared to be remnants of agricultural history of this area and not naturally occurring. Many of the northern California black walnuts were sprouted rootstock from grafted trees that had been cut above the graft and others appear to be escaped from previous walnut orchards in the surrounding area. The other trees within the study area appeared to be mature remnant planted ornamentals associated with the past residential land use and a few scattered oaks. Trees within the relict channel primarily consisted of northern California black walnut saplings with several Mexican fan palms. Many of trees in the northern portion of the relict channel were dead or charred due to a recent fire within the channel feature.

The results of the inventory survey documented a total of 60 native and non-native trees ranging in size from sapling to large mature trees. Of these trees, there were a total of four protected oak trees. In addition, two clusters of northern California black walnut saplings and/or sprouting rootstock were mapped within the study area. Given the presence of protected trees at the project site that are proposed for removal, Mitigation Measure BIO-6 would be required in an effort to reduce potential impacts to protected trees by requiring a tree mitigation plan.

Mitigation Measure BIO-10:

Native Tree Mitigation Plan. Prior to grading permit issuance, a Native Tree Mitigation Plan shall be prepared and submitted for City approval. The Native Tree Mitigation Plan shall address the native oaks where grading, construction, utility installation or other disturbance (including removal) occurs within the dripline, and shall incorporate the following information in compliance with the Tree Conservation Ordinance:

- *Whether the mitigation plan replaces the environmental, cultural, aesthetic, or other values of the lost trees.*
- *Evaluation of the availability of land, either on-site or off-site, for mitigation planting.*
- *Survivability, size, and value of the proposed replacement trees; and*
- *Provisions for maintenance and survival of the replacement trees.*
- *Determine the number of replacement plantings by using the DBH of the tree proposed for removal, measured at breast height (4-1/2 feet above the normal surface). Inches of replacement may be translated into standard nursery planting sizes using the following formulas:*
 - *24-inch boxed tree = 3 replacement inches.*
 - *15-gallon tree = 1 replacement inch; and*
 - *5-gallon tree = ½ replacement inch.*

With implementation of Mitigation Measure BIO-10, the proposed project would comply with the City's tree preservation requirements and the tree mitigation plan would require additional review and approval of the proposed work related to protected trees. Therefore, impacts would be less than significant with mitigation incorporated.

The project has been reviewed pursuant to requirements of the Solano Multi-Species Habitat Conservation Plan (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. According to the biological resources assessment, Solano County incorporates all USFWS, ACOE, CDFW, and RWQCB standards when assessing project impacts to vegetation, wildlife, and wetland habitats, as well as the CEQA evaluation process, when applicable. 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 Upland Grassland. 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: 17, 19, 22)

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
V. <u>CULTURAL RESOURCES</u> – Would the project:				
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 primarily vacant with the exception of a vacant single-family residence, a concrete slab, asphalt, and a well located in the southern portion of the site. ECORP Consulting, Inc. conducted a confidential cultural resources inventory report dated April 19, 2021 (Appendix J) for the proposed project which included a records search, literature review and field survey of the project area in 2021. ECORP subsequently conducted a supplemental cultural resources inventory in 2022 for an outfall area (less than one acre) that was not included in the 2021 inventory's project area. The cultural resource inventory did not identify any historical resources within the project area. Neither the existing single-family residence nor the existing well met the established CEQA, California Register of Historical Resources (CRHR), or National Historic Preservation Act (NRHP) criteria for historical resources. Therefore, project implementation would not cause an adverse change in the significance of a historical resource and no impact would occur in this regard.

The cultural inventory and evaluations did not encounter any archaeological resources or tribal cultural resources within the project area and portions of the project area have previously been disturbed. However, the report did conclude that given the project site's proximity to Laurel Creek, there is the potential for incidental discovery of subsurface archaeological resources during ground disturbing activities. 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 Measure CR-1 shall be implemented. With implementation of Mitigation Measure CR-1, project impacts to cultural resources would be reduced to less than significant.

Mitigation Measure CR-1:

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 the California Environmental Quality Act. 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) (California Code of Regulations Title 14(3) 15126.(b)(3)(C)).

No formal cemeteries are on or near the project site. As previously mentioned, the project site and the surrounding area has been previously disturbed and it is not anticipated that human remains, including those interred outside of formal cemeteries would be encountered during ground disturbing activities. However, given the proximity of the project site to Laurel Creek, there is a possibility that incidental discovery of subsurface archaeological resources may be discovered during ground disturbing activities. Nonetheless, if human remains are found, those remains would require proper treatment, in accordance with applicable laws. State of California Public Resources Health and Safety Code Section 7050.5 through 7055 describe the general provisions for human remains. Specifically, State Health and Safety Code Section 7050.5 requires if any human remains are accidentally discovered during excavation of a site, the County Coroner shall be notified of the find immediately, and no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. As required by State law, if the remains are determined to be Native American, the County Coroner shall notify the NAHC, which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC and shall have the opportunity to offer recommendations for the disposition of the remains. In the event such resources are uncovered, the City requires that no resources shall be handled or photographed, and construction activity of subject property shall cease. With implementation of existing State law, project impacts related to the disturbance of human remains would be less than significant.

(Source: 13)

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	

Discussion: California Code Title 24, Part 6 (also referred to as the California Energy Code), was promulgated by the CEC in 1978 in response to a legislative mandate to create uniform building codes to reduce California’s energy consumption. To these ends, the California Energy Code provides energy efficiency standards for residential and nonresidential buildings. California’s building efficiency standards are updated on an approximately three-year cycle. The 2019 Standards for building construction, which went into effect on January 1, 2020, improved upon the former 2016 Standards for residential and nonresidential buildings.

For new development such as that proposed by the project, compliance with California Building Standards Code Title 24 energy efficiency requirements (Cal Green) are considered demonstrable evidence of efficient use of energy. Residential development on the project site would be required to promote and provide for energy efficiencies beyond those required under other applicable Federal or State of California standards and regulations, and in so doing would meet all California Building Standards Code 24 standards. Moreover, energy consumed by the project is expected to be comparable to, or less than, energy consumed by other residential uses of similar scale and intensity that are constructed and operating in California. On this basis, the project would not result in the inefficient, wasteful, or unnecessary consumption of energy. Furthermore, the project would not cause or result in the need for additional energy facilities or energy delivery systems. Less than significant impacts would occur.

(Source: 11)

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?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
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 Exploration* prepared by ENGEO for the project and dated August 16, 2021 (Appendix D), the project site is not located within an Alquist-Priolo Earthquake Fault Zone. The closest mapped active fault that could affect the project site is the Green Valley

fault zone, which is located approximately 5.3 miles from the project site. 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 Appendix D 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 San Francisco Bay Area and as experienced during both the 2014 South Napa and 1989 Loma Prieta earthquake 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 identified in Appendix D. 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.

Liquefaction and seismically-induced settlement or ground failure is generally related to strong seismic shaking events where the groundwater occurs at shallow depth (generally within 50 feet of the ground surface) or where lands are underlain by loose, cohesionless deposits. Liquefaction typically results in the loss of shear strength of a soil, which occurs due to the increase of pore water pressure caused by the rearrangement of soil particles induced by shaking or vibration. During liquefaction, soil strata behave similarly to a heavy liquid.

The Association of Bay Area Government's liquefaction hazard map identified the majority of the project site as having a moderate susceptibility to liquefaction while those portions of the site located along the former alignment of Laurel Creek having a high susceptibility to liquefaction. Appendix D was completed for the project site and analyzed the site's potential for liquefaction using conventional liquefaction analysis methodologies. The exploration concluded that the southern portion of the project site contains Pleistocene-aged soil and suggests that no liquefaction potential exists. However, the northern portion of the site was determined to contain sandy layers of soil at a depth of 20 feet to 30 feet and was considered susceptible to liquefaction. The analysis estimated approximately 1 to 1.5 inches of total liquefaction-induced settlement on the northern portion of the site. As a result, ENGEO recommends that structures be designed to accommodate up to 1.5 inches of total seismic-induced settlement and 0.75 inch of differential settlement over 50 feet. Therefore, the project will include a condition of approval by the City, requiring that structures be designed to accommodate up to 1.5 inches of total seismic-induced settlement and $\frac{3}{4}$ inch of differential settlement over 50 feet. With

implementation of the condition of approval, potential impacts from seismic-related ground failure, including liquefaction would be less than significant.

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 applicable BAAQMD rules 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 Appendix D, potentially expansive lean clay near the surface of the project site was observed in each boring and consisted of both native soil and fill. According to lab results, the soil has medium to high shrink/swell potential. In an effort to prevent damage to proposed structures due to potential shrinking and swelling of soil, the report recommended that proposed buildings be supported on post-tensioned mat foundations on competent native or fill soil. In addition, the report also provided grading recommendations for compaction of the clay soil at the project site. The City will include any necessary recommendations as conditions of approval for the project. Therefore, potential impacts related to unstable soils that result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse 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.

While no known fossils have been collected at the project site, ground-disturbing activities in previously undisturbed portions of the project site may result in the disturbance of paleontological resources, leading to potentially significant impacts. Impacts would be significant if construction activities result in the destruction, damage, or loss of scientifically important paleontological resources and associated stratigraphic and paleontological data.

Should unanticipated fossil discoveries occur, the City's standard condition of approval for inadvertent paleontological finds, would be required. This condition of approval would require project construction activities to halt until a qualified paleontologist evaluates the paleontological significance of the find and recommends a course of action. With implementation of the standard inadvertent paleontological find condition of approval, impacts in this regard would be reduced to less than significant levels.

(Sources: 14)

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
VIII. <u>GREENHOUSE GAS EMISSIONS</u> – Would the project:				
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: Global climate change refers to changes in average climatic conditions on earth, including temperature, wind patterns, precipitation and storms. Global warming, a related concept, is the observed increase in average temperature of the earth's surface and atmosphere. Major greenhouse gases (GHGs) include carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs). GHGs absorb longwave radiant energy reflected by the earth, which warms the atmosphere. GHGs also radiate long wave radiation both upward to space and back down toward the surface of the earth. The downward part of this longwave radiation absorbed by the atmosphere is known as the "greenhouse effect." The potential effects of global climate change may include rising surface temperatures, loss in snowpack, sea level rise, more extreme heat days per year, and more drought years.

It should also be noted that while the City is in the process of preparing a Climate Action Plan to address community GHG emissions, the plan had not been adopted at the time this analysis was completed. The City also has not adopted a quantitative threshold of significance for GHGs but rather uses thresholds established by the BAAQMD for the screening of GHGs. The BAAQMD's *California Environmental Quality Act Air Quality Guidelines*, dated May 2017, identifies the threshold of significance for operational-related GHG emissions as less than 1,100 metric tons per year (MY/yr) of CO₂e or 4.6 MT CO₂/SP/yr (residents and employees).

The BAAQMD recommends using an approach which evaluates a project based on its effect on California's efforts to meet the state's long-term climate goals as previously established by the

State Supreme Court. As such, a project that would be consistent with meeting those goals can be found to have a less-than-significant impact on climate change under CEQA. If a project would contribute its “fair share” of what will be required to achieve those long-term climate goals, then a reviewing agency can find that the impact will not be significant as the project would aid in combating global climate change.

Applying this approach, the BAAQMD has analyzed what will be required of new land use development projects to achieve California’s long-term climate goal of carbon neutrality by 2045. The BAAQMD has found, based on this analysis, that a new land use development project being built today needs to incorporate specified design elements, as listed below, to do its “fair share” of implementing the goal of carbon neutrality by 2045 or be consistent with local GHG reduction strategy that meets the necessary CEQA criteria:

A. Projects must include, at a minimum, the following project design elements:

a. Buildings

- i. The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development)*
- ii. The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.*

b. Transportation

- i. Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor’s Office of Planning and Research’s Technical Advisory on Evaluating Transportation Impacts in CEQA:*
 - 1. Residential projects: 15 percent below the existing VMT per capita*
 - 2. Office projects: 15 percent below the existing VMT per employee*
 - 3. Retail projects: no net increase in existing VMT*
- ii. Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2*

As previously mentioned, the City is in the process of preparing a Climate Action Plan which had not been adopted at the time this analysis was completed. Therefore, the project could not be determined to contribute its “fair share” through consistency with a GHG reduction strategy. Therefore, the Greenhouse Gas Emissions and Energy Assessment dated May 6, 2022 and prepared by Dudek (Appendix E) analyzed the project for consistency with the design elements detailed in Item A, above, in order to determine whether or not the project’s “fair share” is being met. The results are as follows:

Buildings:

- i. *The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development)*

Consistent: The proposed project would exclude natural gas appliances and natural gas plumbing, see PDF-GHG-2.

- ii. *The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 2100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.*

Consistent: The proposed project will meet CAL Green 2019 Title 24 Standards. The proposed project will include onsite photovoltaic systems and Electric Vehicle (EV) charging stations. The project will not result in any wasteful, inefficient, or unnecessary energy usage.

Transportation:

- i. *Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA.*

- a. *Residential projects: 15 percent below the existing VMT per capita*

Consistent: As provided in the Red Tail Fairfield Traffic Study, dated October 26, 2021 and prepared by TJKM (Appendix I), the project will require mitigation measures in order to meet VMT requirements as the project's TAZs generate a VMT value that is slightly higher than the threshold average VMT rate per multifamily dwelling units in the City of Fairfield. With implementation of the mitigation measures included in Section XVII, *Transportation*, the proposed project is expected to be at 15 percent or more below the existing VMT per capita in the City of Fairfield.

- b. *Office projects: 15 percent below the existing VMT per employee*

Not applicable as the proposed project is a residential development.

- c. *Retail projects: no net increase in existing VMT*

Not applicable as the proposed project is a residential development.

- ii. *Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CAL Green Tier 2*

Consistent: The proposed project will include Electric Vehicle (EV) charging stations that meet CAL Green Tier 2 standards.

As the project will incorporate design elements recommended by BAAQMD, it has been determined that the project will meet its “fair share” contribution towards achieving the state’s long-term climate goals and therefore is considered a less than significant impact in this regard.

(Source 2, 11)

IX. <u>HAZARDS AND HAZARDOUS MATERIALS</u> – 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	

IX. <u>HAZARDS AND HAZARDOUS MATERIALS</u> – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
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: The project could result in a significant hazard to the public if the project includes the routine transport, use, or disposal of hazardous materials or places housing near a facility which routinely transports, uses, or disposes of hazardous materials. The routine use, transport, or disposal of hazardous materials is primarily associated with industrial uses that require such materials for operations or produce hazardous wastes as by-products of production applications. The proposed project does not propose or facilitate any activity involving significant use, routine transport, or disposal of hazardous substances. During construction, a minor level of transport, use, and disposal of hazardous materials and wastes would occur that are typical of construction projects. This would include fuels and lubricants for construction machinery, coating materials, etc. Routine construction control measures and best management practices for hazardous materials storage, application, waste disposal, accident prevention and clean-up, etc. in compliance with the established regulatory framework (i.e., local, regional, state) would sufficiently reduce potential impacts to less than significant. During project operations, widely used hazardous materials common at residential uses include cleaners, pesticides, and food waste. The remnants of these and other products are disposed of as household hazardous waste that are prohibited or discouraged from being disposed of at local landfills. Regular operation and cleaning of the apartments would not result in significant impacts involving use, storage, transport or disposal of hazardous wastes and substances. Use of common household hazardous materials and their disposal does not present a substantial health risk to the community.

The proposed project site is not in an industrial area. Therefore, the project would not place housing near any hazardous materials facilities. Project impacts associated with the routine transport and use of hazardous materials or wastes would be less than significant.

The project site is primarily undeveloped except for an existing single-family residence and well located in the southern portion of the site that are proposed for demolition as a part of the project. With adherence to existing regulations, the proposed project would not 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; impacts would be less than significant.

Additionally, the project includes the development of 130 apartment units. Although typical hazardous materials associated with residential development may be used (household pesticides, oils, fertilizers, household chemicals, etc.) these hazardous materials would not be used in large amounts and thus would not create a significant hazard involving the release of these materials. Therefore, based on the findings summarized above, the project would not 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. A less than significant impact would occur in this regard.

Government Code Section 65962.5 refers to the Hazardous Waste and Substances Site List, commonly known as the Cortese List, maintained by the Department of Toxic Substances Control (DTSC). According to the *Phase I Environmental Site Assessment*, dated March 2021 and prepared by Padre Associates (Appendix H) and the DTSC EnviroStor Database, the project site was listed as a School Site. The DTSC list properties as School Site when they have been or are currently being evaluated by the DTSC for possible hazardous materials contamination as required by the California Education Code. Further review of the EnviroStor listing indicated that a Phase I ESA was conducted for the project site in 1999. The database indicated that no contaminants were found and that no action was required. Based on the information listed in the EnviroStor database there were no environmental conditions identified that would pose a risk to the project site.

Furthermore, the Phase I ESA indicated that the project site is identified as historically containing two underground storage tanks (USTs). Padre identified that two USTs were removed from the southern portion of the project site in 1986 with oversight of the Solano County Health Services Department (SCEHS). Additionally, two soil samples collected from the UST excavation did not indicate that a release of petroleum hydrocarbons had occurred at the UST locations. The UST case was subsequently closed by SCEHS. The project site was not listed on any other environmental databases and/or listings reviewed. Therefore, the project would not create a significant hazard to the public or the environment in this regard.

The following airports/airstrips are located nearest the project site: Travis Air Force Base at 690 Airmen Drive, Fairfield, approximately 6.4 miles to the east.

According to the *Travis Air Force Base Land Use Compatibility Plan* (October 2015), the project site is located within Zone D of the land use compatibility plan. Zone D represents other airport environs in and around the airport that don't include runway, approach or traffic pattern areas. Zone D does not include any residential density restrictions nor any indoor or outdoor use restrictions. However, the zone does require review by the Solano County Airport Land Use Commission when a project proposes objects that are 200 feet above ground level. However, the proposed project does not include objects that exceed 200 feet above ground level as the height of the tallest proposed object/building is approximately 35 feet. Therefore, the project has been found consistent with the land use compatibility plan and would not result in airport/airstrip related safety hazard for people residing or working in the project area. A less than significant impact would occur in this regard.

The project would not interfere with an emergency response plan. As indicated in Section XVII, *Transportation*, of this Initial Study, 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, the developer would be required to comply with the City's standard practices regarding partial lane closures in order to minimize congestion and ensure safe travel, including emergency access in the project vicinity. Impacts in this regard 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 residential, office and public facility 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 16, 24)

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	
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?			X	

X. <u>HYDROLOGY AND WATER QUALITY</u> – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
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 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 increase the site's impervious surfaces as the project site has only experienced development in the southern portion of the project site. To accommodate peak runoff, storm drainage from the project site would be handled through an on-site 13,936-square foot detention basin area located in the southeastern portion of the site and piped off-site to the existing infrastructure per the conditions of approval prepared by the City of Fairfield 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 and Engineering Design Standards. 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, resulting in a less than significant impact during construction and operation of the project.

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. 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 previously mentioned, 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: 10, 16)

XI. <u>LAND USE AND PLANNING</u> – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
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	

Discussion: The factors that could physically divide a community are generally large, linear infrastructure projects including, but are not limited to construction of major highways or roadways; construction of storm channels; closing bridges or roadways; and construction of utility transmission lines. The project site is primarily undeveloped except for a vacant single-family residence, a concrete slab, asphalt, and a well located in the southern portion of the site and is surrounded by a variety of urbanized uses including residential, public facility and office uses. The project does not propose to construct any major infrastructure or utilities that could physically divide an established community within the project site or the immediate vicinity. No changes to the connectivity of the surrounding area are proposed that would separate persons from other areas of the community. Therefore, no impacts would occur in this regard.

The site has a General Plan land use designation of Medium Density Residential. The project is consistent with this land use designation in that the General Plan anticipates a variety of attached residential units, such as duets, townhomes, rowhouses, condominiums, and apartments for properties with the Medium Density Residential designation. The Medium Density Residential designation is implemented by the zoning designation of RM (Residential, Medium Density) District. 1776 Sunset Avenue (APN: 0037-060-480) will require City Council approval of a Zone Change from RLM (Residential, Low Medium Density) District to RM (Residential, Medium Density) District. The project is consistent with the applicable development standards of the Zoning Ordinance, as proposed and conditioned. Therefore, no impacts would occur in this regard.

(Source: 3, 9)

	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
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 of the City. 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. As such, the project site is not considered a source for mineral resources, and project development would not result in the loss of availability of known mineral resources. No impacts relative to mineral resources would occur.

(Source: 22)

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
XIII. <u>NOISE</u> – Would the project result in:				
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			X	

XIII. NOISE – Would the project result in:

public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
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Discussion: The General Plan Health and Safety Element establishes the following maximum allowable transportation noise exposure levels for residential land use:

- 60 decibels (dB) for residential outdoor activity areas
- 45 dB for residential interior spaces

The proposed project site is located in an urbanized area and is surrounded by existing development. According to the July 21, 2022 *Traffic Noise* memo, prepared by Padre and Associates, Inc., no point noise sources are located within approximately 2,000 feet of the project site and traffic related noise would be the primary noise source for the site. The noise memo used noise levels from a typical two-lane roadway as a traffic noise scenario to determine that areas of the project site that are adjacent to the street would likely receive noise levels ranging from 55 to 60 dB and noise levels would be reduced with distance away from the roadway, consistent with General Plan standards. Additionally, the proposed project would be required to utilize appropriate construction materials as determined by the latest building code, which would ensure interior noise levels are at appropriate levels and comply with applicable regulations. Operation of the project would not result in increased exposure to transportation noise more than City Standards. Therefore, a less than significant impact would occur.

Construction: 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. Noise sensitive uses can be found in all directions surrounding the project site with Grange Middle School being located to the east of the project site and existing residential uses being located to the north, south and west of the site. However, 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 conditions of which the project would be required to comply. In addition, implementation of Mitigation Measures NOI-1 through NOI-5 would further ensure that potential impacts related to construction noise would be less than significant.

Mitigation Measure NOI-1

The construction contractor shall ensure that noise and groundborne vibration construction activities whose specific location on the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise- and vibration-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses. These activities shall be located in the southeast quadrant of the project site, as feasible.

Mitigation Measure NOI-2

The construction contractor shall ensure that barriers such as plywood structures or flexible sound control curtains shall be erected between the proposed project and adjacent sensitive receptors to minimize the amount of noise during construction. These temporary sound barriers shall be capable of achieving a sound attenuation of at least 12 dBA and block the line-of-sight between the project site and these adjacent land uses. This specification shall be included on all project plans.

Mitigation Measure NOI-3

The construction contractor shall ensure the use of power construction equipment with noise shielding and muffling devices capable of attenuating sound by 3 dBA or more. This specification shall be included on all project plans.

Mitigation Measure NOI-4

The construction contractor shall ensure that the construction staging area is sited as far from sensitive receptors as possible. Staging shall occur in the along the eastern portion of the project site, where feasible.

Mitigation Measure NOI-5

The construction contractor shall ensure that no less than two weeks prior to commencement of construction, notification shall be provided to the off-site residential, school, and church uses within 500 feet of the project site that discloses the construction schedule, including the types of activities and equipment that would be used throughout the duration of the construction period. Contact information shall also be posted where readily visible to the public.

Refer to Discussion 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 6.4 miles to the east. The project site is located within the Zone D of the Travis Air Force Base Land Use Compatibility Plan and has been found to be consistent with the plan. Therefore, potential impacts from the proposed project exposing people residing or working in the project area to excessive noise levels would be less than significant.

(Source: 3, 20)

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: A project could induce population growth in an area either directly, through the development of new residences or businesses, or indirectly, through the extension of roads or other infrastructure. The most recent Department of Finance (DOF) estimate for the average household size in the City of Fairfield is 2.98 persons per household (DOF 2022). This household size has been used in this analysis to estimate the total residential population associated with the proposed project. Thus, the proposed 130 new apartments have the potential to increase the population of the City of Fairfield by approximately 388 people. The DOF estimates the total population for the City of Fairfield in 2022 was 119,897 people (DOF 2022), and the proposed project would thus increase the City’s population by approximately 0.3 percent to 120,285 persons. This direct increase would not be considered substantial. The proposed project would not directly or indirectly induce substantial unplanned population in the area and a less than significant impact would occur in this regard.

The project site includes a vacant single-family residence that is proposed for demolition as part of the project. Because the single-family residence is currently vacant, project implementation would not displace existing people or housing, necessitating the construction of replacement housing elsewhere. In addition, as the project proposes 130 apartments, it would more than offset the loss of one unit overall by providing additional housing in the City. Therefore, a less than significant impact would occur in this regard.

(Source: 23)

XV. PUBLIC SERVICES

- 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:

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
Fire protection?			X	
Police protection?			X	
Schools?			X	
Parks?			X	
Other public facilities?			X	

Discussion:

Fire Protection: The Fairfield Fire Department provides fire protection services in the City. The responding fire station for the project site is located approximately 2.5 miles from the project site at 1975 Huntington Drive, Fairfield, CA 94533. The proposed project would create an increased demand for fire protection services. However, as discussed in Section XIV, *Population and Housing*, the project would not induce significant or unplanned population growth and would not result in the need for new or physically altered fire protection facilities. Further, the proposed project would be conditioned to comply with the requirements of the Fairfield Fire Department for emergency access, fire flow, fire protection standards, fire lanes, and other site design/building standards. The project would also be subject to the project design requirements set forth in the latest versions of the 2022 California Fire Code and the 2022 California Building Standards Code. The City would collect one-time development impact fees, which are imposed on all new developments to pay fair share of costs in upgrading Fairfield Fire Department fire facilities, as needed. Payment of these fees would offset the project's impacts to the acquisition, design, and construction of new fire facilities. Following collection of development impact fees and compliance with Fairfield Fire Department requirements, California Fire Code, and California Building Code requirements, impacts to fire protection facilities would be less than significant.

Police Protection: The Fairfield Police Department provides police protection services to the City. The Fairfield Police Department headquarters are located approximately 2 miles west of the project site at 1000 Webster Street, Fairfield, CA 94533. Development of the proposed project would generate an increase in demand for police protection services. However, due to the infill nature of the project, the project would not result in the need for new or physically altered police protection facilities. Additionally, the City collects development impact fees to offset increased demand for public facilities caused by development. Following collection of requisite fees and following compliance with State and local site safety requirements, the project's operational impacts to police services would be less than significant, and would not result in the need for new or physically altered police protection facilities.

Schools: The project site is located within the boundaries of the Fairfield-Suisun Unified School District (transitional kindergarten through grade 12 and alternative and adult schools). The closest schools are as follows:

- Grange Middle School at 1975 Blossom Avenue, Fairfield, CA 94533, adjacent to the project site.
- Cleo Gordon Elementary School at 1950 Dover Avenue, Fairfield, CA 94533, approximately 0.5 miles to the northwest of the project site.
- Fairfield High School at 205 East Atlantic Avenue, Fairfield, CA 94533, approximately 1.5 miles northwest of the project site.

As a residential development, the project would generate additional students within the project area because of additional housing being built and thereby, nominally increasing the demand for school facilities/services. However, as previously mentioned in Section XIV, *Population and Housing*, the project is not anticipated to induce substantial unplanned growth and would not significantly increase the need for new school facilities. Furthermore, the project would be required to comply with SB 50 requirements, which allow school districts to collect impact fees from developers of new projects, including commercial construction. Thus, upon payment of required fees by the project applicant consistent with existing state and local requirements, impacts would be less than significant.

Parks: The City's Parks and Recreation Department currently operates and maintains 26 parks, facilities (including, but not limited to aquatic and community centers), and golf courses. The closest facility to the proposed project site is Dover Neighborhood Park which is located approximately 0.6-miles from the project site. The project proposes apartments and is not subject to the City's parkland dedication requirements under the Quimby Act. Although the project is not required to dedicate parkland, the proposal includes a pool, an open lawn for passive recreation with BBQ areas, and multiple paseos throughout the site which will provide recreational opportunities for the residents of the project. Therefore, reducing the need for residents to use City-owned facilities. Additionally, the City collects development impact fees, including a bedroom tax, to offset increased demand for public services caused by development, including parks. Thus, following collection of requisite fees, the project would not result in substantial adverse physical impacts to any parks or recreational facilities in the City. Upon

payment of required fees to the City in accordance with current regulations, this impact would be less than significant.

Other Public Facilities: Other public facilities that could potentially be impacted by the proposed project include library services. The nearest library to the project site, Fairfield Civic Center Library, is operated by the Solano County Library. It is located at 1150 Kentucky Street, Fairfield, CA 94533, approximately 2 miles southwest of the project site. Due to the nominal population increase that will occur because of the project, as discussed in Section XIV, *Population and Housing*, is not anticipated that the project would result in a significant impact on library services. Impacts would be less than significant in this regard.

(Sources: 3, 23)

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 City's Parks and Recreation Department currently operates and maintains 26 parks, facilities (including, but not limited to aquatic and community centers), and golf courses. The closest facility to the proposed project site is Dover Neighborhood Park which is located approximately 0.6-miles from the project site. The project proposes apartments and is not subject to the City's parkland dedication requirements under the Quimby Act. Although the project is not required to dedicate parkland, the proposal includes a pool, an open lawn for passive recreation with BBQ areas, and multiple paseos throughout the site which will provide recreational opportunities for the residents of the project. Therefore, reducing the need for residents to use City-owned facilities.

Additionally, as discussed in Section XIV, *Population and Housing*, the proposed project would only increase the City's population by approximately 0.3 percent which is not considered substantial; thereby, causing negligible impacts to the deterioration of existing recreational

facilities. Lastly, the City collects development impact fees, including a bedroom tax, to offset increased demand for public services caused by development, including parks and to cover maintenance costs for City-owned recreational facilities. Thus, following collection of requisite fees, given the minor increase in the City's population due to the proposed project and due to the project's proposed on-site recreational amenities, the project would not result in substantial deterioration to the City's recreational facilities due to increased usage because of the project, this impact would be less than significant.

(Sources: 3, 23)

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
XVII. <u>TRANSPORTATION</u> – Would the project:				
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: As described in the traffic study, dated October 26, 2021 as prepared by TJKM, in accordance with Senate Bill 743 (SB 743) and the resulting changes to the CEQA Guidelines published by the Natural Resources Agency, local agencies may no longer use measures of vehicle delay such as Level of Service (LOS) to quantify transportation impacts on the environment. CEQA Guidelines specify Vehicle Miles Traveled (VMT) as the required measure of impact. Projects should first be compared to screening criteria to see whether they may be presumed less than significant. If projects do not meet any of the screening criteria, an analysis of project VMT is required.

The City of Fairfield Guidelines were updated in December 2020 to include project VMT Screening Transportation Analysis. The City states the following projects may be exempt from VMT analysis:

- Small projects
- Projects within a half mile of high-quality transit
- Affordable housing projects (100 percent affordable units)
- Locally serving projects

- Projects located in areas that have been shown to generate VMT below the significance threshold

For VMT forecasting, the Fairfield Senate Bill 743 Implementation Procedures (August 2020, page 5) recommends that the estimated VMT for a proposed project be obtained by either:

- Incorporating the project land uses into the Fairfield Travel Demand Model and running a project scenario.
- Stand-alone VMT analysis (based on the market area of retail establishment) or use of other available tools (Napa-Solano Activity Based Model).

The traffic study included a VMT analysis for the proposed project which consists of 130 apartments on an 8.71-acre site. The project was identified as being located between two traffic analysis zones (TAZs) within the City of Fairfield. VMT per unit numbers provided by the City identified the average rate for multifamily dwelling units as 45.6 VMT per unit for the project. However, this value is slightly greater than the threshold set by the City's VMT Guidelines which is 44 VMT per unit for a project's impacts to be considered insignificant. As such, to meet the significance threshold, the project would have to reduce its VMT. Therefore, Mitigation Measures TRA-1 and TRA-2 would be required for the project in order to reduce VMT. Mitigation Measure TRA-1 requires improvements related to pedestrian connectivity for the project. Per the City's VMT Guidelines, pedestrian improvements have a VMT reduction effectiveness of 2 percent. Mitigation Measure TRA-2 encourages ride share and transit usage through a commute trip reduction program for the residents of the project given the project site's location near multiple Fairfield Fast Transit bus stops. Per the City's VMT Guidelines, encouraging ride share and transit use have a reduction effectiveness of 2 percent.

Mitigation Measure TRA-1:

The project shall provide pedestrian network improvements throughout the project site inclusive of paseos and walkways. In addition, the project shall plant street trees and provide open space improvements that will aide in pedestrian connectivity. All proposed pedestrian improvement related Vehicle Miles Traveled reduction measures shall be approved by the City's Traffic Engineer.

Mitigation Measure TRA-2:

The project site is located near multiple Fairfield Fast Transit bus stops including a stop located at the southwest corner of the Sunset Avenue and East Tabor Avenue intersection. The developer shall provide a commute trip reduction program to its residents (voluntary participation) to further reduce Vehicle Miles Traveled impacts. The commute trip reduction program shall be reviewed and approved by the City's Traffic Engineer.

Through implementation of Mitigation Measures TRA-1 and TRA-2, the proposed project would reduce its VMT by 4 percent to 41.6 VMT per unit, which is below the City's threshold of 44 VMT

per unit. Therefore, the project would be consistent with the City's VMT Guidelines and CEQA Guidelines Section 15064.3(b)(1) and would not conflict with a program plan, ordinance or policy addressing the circulation system and a less than significant impact would occur.

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.

Vehicular access to the site will be provided via one gated access point on Sunset Avenue and one emergency vehicle access only driveway on East Tabor Avenue. Pedestrian access is proposed via perimeter and internal sidewalks. The Fairfield Fire Department reviews projects for access requirements concerning minimum roadway width, fire apparatus access roads, fire lanes, signage, access devices and gates, and access walkways, among other requirements, which would enhance emergency access to the project site. Following compliance with Fire Department access requirements, adequate emergency access to the project site would be provided. Project impacts concerning emergency access would be less than significant.

(Source: 3, 26)

XVIII. TRIBAL CULTURAL RESOURCES – 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:

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
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		

XVIII. TRIBAL CULTURAL RESOURCES – 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:

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
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		

Discussion: Pursuant to AB 52 requirements, the City of Fairfield notified the Yocha Dehe Wintun Nation of the proposed project on November 22, 2021. On December 7, 2021, the Yocha Dehe Tribal Historic Preservation Officer provided a letter to the City stating that the project site was within the aboriginal territories of the Yocha Dehe Wintun Nation and therefore have a cultural interest and authority in the proposed project area. The December 7, 2021 correspondence indicated that the tribe is not aware of any known cultural resources near the project site and that a cultural monitor would not be required. However, the tribe requested that mitigation be added to the project requiring cultural sensitivity training for all necessary project personnel. As such, Mitigation Measure TCR-1 has been included to address the required sensitivity training. Implementation of Mitigation Measures TCR-1 through TCR-3 would ensure that potential impacts related to previously undiscovered tribal cultural resources would be less than significant.

Mitigation Measure TCR-1:

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.

Mitigation Measure TCR-2:

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.

Mitigation Measure TCR-3:

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 California Native American Heritage Commission shall identify a Most Likely Descendant of the deceased Native American (Public

Resources Code Section 5097.98). The Most Likely Descendant 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 Most Likely Descendant 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 Most Likely Descendant shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of human remains and associated or unassociated funerary objects (California Environmental Quality Act 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 Most Likely Descendant and the other parties do not agree on the reburial method, the project will follow Public Resources Code 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."

(Source: 12, 13)

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:				
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	

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
XIX. <u>UTILITIES AND SERVICE SYSTEMS</u> – Would the project:				
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	

Discussion: The project site is located within a developed area of the City and is already partially 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 City departments and agencies for wastewater and water supply have reviewed the project and determined that capacities would be adequate. In addition, a 13,936 square foot detention basin is proposed for the project site at a depth of 3.5 feet to hold the City's required volume of storm drain runoff. Therefore, it is not anticipated that the project would generate stormwater beyond the capacity of the existing storm drainage system. Lastly, the 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 waste is 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.

(Source: 3)

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 in a developed urban area surrounded by residential, office and public facility land uses. According to the CalFire Fire Hazard Severity Zone Viewer, and the Adopted State Responsibility Area Fire Hazard Severity Zone Maps, the project site is not located in a zone designated as a Very High Fire Hazard Severity Zone. Therefore, no impacts would occur.

(Source: 3, 6, 7)

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		X		

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

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?

- | | Potentially
Significant
Impact | Less Than
Significant
With
Mitigation | Less than
Significant
Impact | No
Impact |
|---|--------------------------------------|--|------------------------------------|--------------|
| 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-10, 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, TCR-1, TCR-2 and TCR-3, 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 on 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.

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Initial Site Assessment Checklist for Special Status Species or Habitat

PROJECT NAME: SUNSET AVENUE APARTMENTS

SITE LOCATION: SOUTHEAST CORNER OF SUNSET AVENUE AND EAST TABOR AVENUE

ASSESSMENT PREPARED BY: JONATHAN ATKINSON, SENIOR PLANNER

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

*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?		COMMENTS
	Yes	No	
II. SPECIES-SPECIFIC CRITERIA			
<u>Vernal Pool Species</u>			
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	_____
<u>Giant Garter Snake</u>			
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?		COMMENTS
	Yes	No	
<u>Valley Elderberry Longhorn Beetle</u>			
Creeks, small drainages, man-made watercourses	X	_____	_____
Elderberry Shrubs	_____	X	_____
Riparian vegetation	X	_____	_____
<u>California Red-legged Frog</u>			
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	_____
<u>Coastal Marsh Species</u>			
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.