



The great conservation opportunities of the next century will be on privately owned land, and conservation easements are the most effective way to protect these lands. Landowners like conservation easements because they are a refreshing alternative to government regulation; they are voluntary, local, and respect private property rights. For the many people who love their land, it is the best way to ensure that it will be preserved for all time.

- Rand Wentworth, Land Trust Alliance

4.0 IMPLEMENTATION : **FINANCE, INFRASTRUCTURE AND EXECUTION**

This Chapter sets forth the implementation framework for the realization of a community based on conservation and sustainability. This section is divided into six general sections: Section 4.1, Implementation Policies, describes the overarching policies that underlie the approach to financing, infrastructure improvements and development sequencing, Section 4.2, Implementation Concept describes the conservancy model and underlying policies and programs, Section 4.3, Public Utilities and Services, describes the infrastructure alternatives and concepts to serve the Plan Area, Section 4.4, Administrative Procedures outlines the administrative procedures that identify the procedural steps in implementing the Specific Plan, Section 4.5, Development Sequencing, describes the process and sequence of infrastructure to serve the Plan Area over time, and Section 4.6, Financing Plan, describes the financing methods which will allow development to proceed in an orderly and fiscally responsible manner. The implementation information described in this Chapter should be used in conjunction with the balance of the Specific Plan to understand how all these elements together create a comprehensive development plan.



4.1 IMPLEMENTATION POLICIES

The implementation policies seek to build on the main goal and policies of the SSA, the relevant goals and policies in the General Plan as well as the Principles set out in Chapter 1.0 of this Specific Plan.

[Policies]

Policy IM-1: Establish an independent non-profit conservation organization to oversee the management, protection, and restoration of environmental resources, ensure the vitality of the agriculture lands, and monitor the design and build out of the community according to the plans, policies and initiatives described in this Specific Plan.

Policy IM-2: Provide conservation, educational and agricultural programs, initiatives and performance criteria to guide both the conservation organization and the overall community in ensuring the long-term protection of resources, viability of agriculture and the engagement of the community as stewards of these lands.

Policy IM-3: Enhance development flexibility by providing a sensible phasing approach that seeks to reduce upfront costs, allows for development in relatively small increments, and encourages the early establishment of the “agricultural front door”-- the farm stand and related agricultural lands along Green Valley Road.

Policy IM-4: Incorporate incentives in the development standards that foster the utilization of green technologies and innovative designs to reduce resource consumption.

- Specific Plan Principles**
1. Respect and honor the cultural landscape and environmental setting to establish a stewardship ethic and sustainable way of life.
 3. Value flexibility and anticipate change while providing an innovative, rigorous development framework.

4.1A – GENERAL PLAN CONSISTENCY REFERENCE - IMPLEMENTATION PLAN

The implementation framework and the supporting Specific Plan policies described in this section are consistent with and build upon the following goals, policies, and the Middle Green Valley SSA implementation program of the General Plan:

[MIDDLE GREEN VALLEY SSA POLICIES:]

SS.P-4: Provide a variety of incentives and techniques to encourage property owners to preserve natural and visual resources, in addition to the transfer of development rights.

SS.P-6: In accordance with balancing the protection of resources described in these policies, adopt a program that provides residential development credits to property owners who voluntarily forego or limit development on their lands. The transfer of development rights program should focus incentives on land in areas to be preserved.

SS.P-8: Create additional methods to assist landowners who choose to continue farming, such as, but not limited to:

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

[MIDDLE GREEN VALLEY SSA - IMPLEMENTATION PROGRAM:]

SS.I-1: Adopt a plan (either a specific plan or master plan) to implement these policies for Middle Green Valley.

That plan should specify:

- the area covered by the plan;
- techniques to ensure development is compatible with the rural character of Middle Green Valley and surrounding areas. Such techniques should include design guidelines and development standards;
- guidelines for cluster development, including minimum and maximum lot sizes, development standards, and density bonus credits for clustered development;
- the details of a transfer of development rights program (with an implementing ordinance), including: the designation of areas where development is preferred, creating appropriate and equitable re-zoning, clustering of housing, and determining the ratio of credits to property owners who voluntarily forego development;
- the number of units and/or credits, with or without clustering, that will provide incentives for all landowners in the area to participate in a market driven transfer of development rights program, based on 400 units, subject to further study;
- the location and dimensions of a wildlife corridor (“green corridor”);
- the maximum number of units any property owner can develop, with or without clustering;
- the techniques to be applied voluntarily by property owners that ensure permanent protection and maintenance of resources/views on lands to remain undeveloped; and
- the details of how the development would be served with water and wastewater service. Attempt to secure public water and wastewater service through a cooperative effort of property owners, residents, the County, and the City of Fairfield.

Property owners shall receive a minimum development credit for the number of primary dwelling units that would be allowed under the land use designations under the 1980 General Plan.

For land designated as Agriculture, the number of units/credits would be one per 20 acres and for land designated Rural Residential the number of units/credits would be one per 5 acres.

[LAND USE GOAL AND POLICY:]

LU.G-2: Encourage a development pattern that first seeks to maintain existing communities, second to develop vacant lands within existing communities presently served by public services and third not to develop lands immediately adjacent to existing communities where services can easily be provided.

LU.P-35: Promote land use and design standards that create cleaner air and water and safer streets.

[AGRICULTURE GOAL AND POLICIES:]

AR.G-6: Recognize, support, and sustain agricultural water resources for farmlands.

AG.P-9: Promote efficient management and use of agricultural water resources.

AG.P-10: Support efforts by irrigation districts and others to expand the county's irrigated agricultural areas where appropriate.

AG.P-14: Support and promote streamlined permit processing procedures for agriculture-related buildings on Agriculture designated parcels (including barns, farm stands, and agricultural processing plants).

AG.P-20: Protect, encourage, and provide incentives to agricultural processors that serve local/regional markets.

[RESOURCE POLICIES:]

RS.P-2: Manage the habitat found in natural areas and ensure its ecological health and ability to sustain diverse flora and fauna.

RS.P-4: Together with property owners and federal and state agencies, identify feasible and economically viable methods of protecting and enhancing natural habitats and biological resources.

RS.P-50: Provide incentives for city and county residents and businesses to produce and use renewable sources of energy.

RS.P-52: Ensure adequate and affordable supplies of energy to meet the energy needs of the county.

[WATER RESOURCES POLICY:]

RS.P-71: Ensure that land use activities and development occur in a manner that minimizes the impact of earth disturbance, erosion, and surface runoff pollutants on water quality.

RS.P-76: Promote sustainable management and efficient use of agricultural water resources.

[PUBLIC HEALTH AND SAFETY POLICY:]

HS.P-17: Restrict the crossing of ground failure areas by new public and private transmission facilities, including power and water distribution lines, sewer lines, and gas and oil transmission lines.

HS.P-47: Promote GHG emission reductions by supporting carbon efficient farming methods (e.g., methane capture systems, no-till farming, crop rotation, cover cropping, residue farming); installation of renewable energy technologies; protection of grasslands, open space, and farmlands from conversion to other uses; and encouraging development of energy-efficient structures.

[PUBLIC FACILITIES AND SERVICES POLICIES:]

PFP-3: Increase efficiency of water, wastewater, stormwater, and energy use through integrated and cost-effective design and technology standards for new development and redevelopment.

PFP-6: Guide development requiring urban services to locations within and adjacent to cities.

PFP-7: Coordinate with the cities to strongly encourage compact urban development within city urban growth areas to avoid unnecessary extension or reconstruction of roads, water mains, and services and to reduce the need for increased school, police, fire, and other public facilities and services.

PFP-11: Promote and model practices to improve the efficiency of water use, including the use of water-efficient landscaping, beneficial reuse of treated wastewater, rainwater harvesting, and water-conserving appliances and plumbing fixtures.

PFP-13: Support efforts by irrigation districts and others to expand Solano County's irrigated agricultural areas.

PFP-15: Domestic water for rural development shall be provided through the use of on-site individual wells or through public water service.

PFP-16: Provide and manage public water service through public water agencies.

PFP-21: Sewer services for development within the unincorporated area may be provided through private individual on-site sewage disposal systems, or centralized community treatment systems managed by a public agency utilizing the best systems available that meet tertiary treatment or higher standards. Use of such centralized sewage treatment systems shall be limited to: (1) existing developed areas, (2) areas designated for commercial or industrial uses, or (3) areas designated for rural residential development when part of a specific plan or policy plan overlay.

PFP-22: Ensure that new and existing septic systems and sewage treatment systems do not negatively affect groundwater quality.

PFP-26: Implement and participate in local and regional programs that encourage source reduction and recycling of solid and hazardous wastes in Solano County.

PFP-50: Locate, design, and construct transmission lines in a manner that minimizes disruption of natural vegetation, agricultural activities, scenic areas, and avoids unnecessary scarring of hill areas.

4.2 THE IMPLEMENTATION CONCEPT: THE CONSERVANCY MODEL

The conservancy model is based on these main concepts, described throughout this document:

- **Protection** - *the long-term protection and support for the unique environmental and cultural values of the land;*
- **Establishing a stewardship ethic** - *a settlement that limits development to environmentally suitable lands and is an integral, interactive part of a healthy, productive, rural ecosystem;*
- **Sustainable** - *a vital, small, residential community that provides the philosophical, cultural and financial support required for the on-going preservation and management of the natural and cultural assets.*

The key to implementing the Plan is a new, independent non-profit organization, to be called the *Green Valley Agricultural Conservancy (Conservancy)* that is established consistent with the Land Trust Alliance's *Land Trust Standards and Practices* to act as an objective body in overseeing the management and monitoring of the Plan Area resources and build-out. The Conservancy, combined with the goals, policies, programs, initiatives and Neighborhood Design Code (Chapter 5) outlined in this document, assures that this resource-based Plan is carried out year-after-year.





4.2.1 THE GREEN VALLEY AGRICULTURAL CONSERVANCY

[PROVIDING FOR THE FUTURE]

Preserving the rural beauty and cultural legacy of the Green Valley area is the guiding vision in crafting a long term, equitable, and sustainable development plan. This Specific Plan seeks to celebrate and perpetuate the tradition of the working landscapes that have characterized this part of Solano County for over 150 years. A core component is the promotion of sustainable food and agriculture systems as a means to synergize the relationship between agricultural lands, the built and natural environments, community health and natural resource stewardship.

To provide assurances for the long term preservation and management of the Open Lands, this Specific Plan envisions the creation of the Conservancy to oversee the ±1,490 acres of productive agricultural land, pastures, and natural areas. The Conservancy has three primary areas of responsibility:

- **Assisting and encouraging the farms in Green Valley** and where appropriate helping to manage agricultural operations and public education activities;
- **Overseeing the management, stewardship, enhancement, restoration** and access easements for conservation lands including oak woodlands, riparian areas, pastures, rangelands, and agricultural lands and assisting landowners to identify and interface with an established, qualified, accredited land trust to hold title to the conservation easements (Conservation Easement Holder);
- **Managing and developing a design review process** for the community consistent with Specific Plan goals and principles.



THE CONSERVANCY: SHAPING THE COMMUNITY STEWARDSHIP ETHIC

THE CONSERVANCY IS A DEFINING FEATURE FOR THE MIDDLE GREEN VALLEY PLAN. IT IS ENVISIONED AS:

- **an agricultural operation**, growing for the local community and regional foodshed,
- **a land steward**, managing conservation and agricultural easements, as well as overseeing the evolution of the built environment through its design review role;
- **a community builder** – providing educational and interpretive opportunities and the social glue for the community.

Living in a working landscape that is connected to the regional network of Open Lands will shape community life in numerous ways. Buying seasonal fresh food from the Green Valley Farm Stand, attending an outdoor fundraiser at the main Green, or helping to restore the creeks and related habitats will be typical events of everyday life in Green Valley.



MAKING AGRICULTURE WORK: [PLANNING TO PROTECT QUALITY OF LIFE]

For over a century, Green Valley, just like neighboring Suisun Valley, was known for the abundance and variety of its orchards and row crops. The conducive agronomic conditions still exist – good soils, moderate climate, and plentiful water. Access to flavorful, fresh local food and awareness of the local foodshed is once again becoming synonymous with quality of life and with community health. What has threatened the rich agricultural valleys of Solano County and metropolitan edge agriculture almost everywhere for the past few decades is the very challenging economics of farming in urban areas while competing in a global marketplace for food products. Local artisan grown food is currently the fastest growing segment in the food industry, but the industry needs support if it is to grow past a boutique exclusive offering to select communities.

[THE GREEN VALLEY FARM STAND]

The Heart of the Neighborhood

The Green Valley Farm Stand, located along Green Valley Road, will be one of the first tangible results of the Plan. It will celebrate and further the area's agricultural traditions. It will help to satisfy burgeoning local and regional demand for fresh local food and provide for strengthening the connections to local farmers and regional farmlands. It will do this by addressing the challenge that has undermined urban-edge farming

economies – **long-term, financial stability**. As described in Section 3.5.5, this Specific Plan requires the design and construction of the Farm Stand to occur in the first phases of the project. The establishment of transfer tax assessments on the properties within the Plan Area may provide for ongoing maintenance and operations, as described in this section.

[CONNECTING ON MANY LEVELS]

Connectivity will be a hallmark of the Conservancy. The Conservancy will be connected to the farmers in the surrounding agricultural areas for the purposes of collaborating on regional branding and opportunities for developing distribution and processing infrastructure. More broadly, the Conservancy will connect the community with the increasing awareness about the greater Bay Area foodshed and the benefits of locally grown food.

To accomplish the vision, the Conservancy will oversee the management of the Open Lands by the landowners and the Conservation Easement Holder to ensure appropriate stewardship and conservation. Conservation easements will be held by a qualified, accredited non-profit organization for those portions of the Open Lands that require agricultural, grazing and/or ongoing resource management. The Conservancy will assist in overseeing and coordinating these easements to ensure that a comprehensive management strategy is used.

PROTECTING LANDS IN PERPETUITY

THE GREEN VALLEY AGRICULTURAL CONSERVANCY MISSION:

The mission shall be to protect the natural diversity, agricultural vitality and rural character of Green Valley by overseeing the preservation, monitoring and management of the natural and agricultural lands and by fostering an appreciation and understanding of the environment, the connection to regional food systems and a healthy lifestyle.

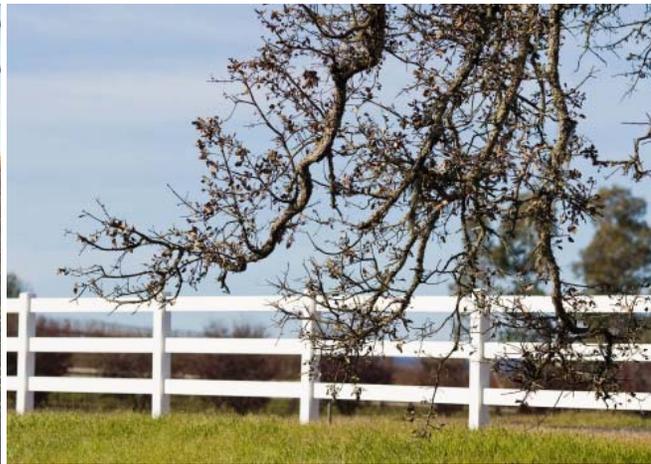




[CONSERVANCY GOALS:]

Develop a mission statement consistent with these Goals:

- Oversee a conservation easement program to protect significant, scenic and agricultural lands based on developing solid partnerships with landowners for the mutually beneficial goal of practicing excellent stewardship.
- Oversee the appropriate management and monitoring of conservation easements and ensure enforcement of restrictions to protect natural, cultural and agricultural values.
- Support the establishment and management of the Green Valley Farm Stand to provide the heart of the agricultural operation by providing local produce, connections to regional farming activities, and community engagement.
- Utilize farm leases, management agreements, farm subsidies and other tools to support and improve the agricultural production of the Specific Plan Area.
- Provide educational and related interpretive opportunities to foster appreciation and understanding of the natural environment and regional food systems.
- Support the establishment of a stewardship ethic that encourages the conservation of resources, responsible development practices and community participation.
- Effectively communicate with the community and the public to promote greater involvement in Conservancy activities and the region as a whole.
- Create and implement a fair, effective process for design review of all Built Improvements within the Plan Area.
- Continually improve the effectiveness and involvement of the board, staff and volunteers.
- Obtain and manage funds to carry out the Conservancy's work in a fiscally responsible manner.



THE CONSERVANCY STRUCTURE

The Conservancy offers a strategic and powerful land conservation tool that promises a more certain future for the ability to shape and manage the growing community, protect working agriculture and help define the community character and stewardship ethic. The Conservancy will be a nonprofit Internal Revenue Code Section 501(C)(3), tax exempt organization. The Conservancy shall be committed to implementing the *Land Trust Standards and Practices* (Land Trust Alliance) which describes the ethical management and technical guidelines for conservation easements.

This corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for charitable purposes.

The specific purposes of this corporation are to:

- (1) Promote and facilitate the stewardship of the agricultural lands through managing and monitoring conservation easements to protect natural, scenic, cultural and agricultural values;
- (2) Provide educational and related interpretive efforts to foster appreciation and understanding of the natural environment and regional food systems
- (3) Plant, cultivate and harvest agricultural products demonstrating sustainable land practices;
- (4) Use farm leases, management agreements, farm subsidies and other efforts to support ecologically sound farming practices and improve the agricultural production of the Middle Green Valley area.

[RESPONSIBILITIES AND OWNERSHIP]

The Conservancy will be formed to oversee the conservation lands, and potentially operate and/or manage certain areas of the agricultural land for the benefit of the community as well as manage the community design review process. The level and type of management and responsibility will vary depending on the needs and plans of each landowner.

In addition, there are several scenarios for land ownership, which may necessitate a mix of legal responsibilities for the Conservancy, depending on the needs and plans of the landowners, including fee title ownership (for lands donated to the Conservancy), leaseholds and/or management agreements for certain agricultural property overseeing easement monitoring and management by the Conservation Easement Holder, and an overall program to provide financial and technical support. The primary legal mechanisms used will be land donations, farm leases, management agreements and conservation easements.

For example, leases with property owners could allow the Conservancy to conduct farm operations itself with employees. Or, the Conservancy through a Request for Proposal (RFP) process could sublease land to individual farmers to operate enterprises on their own, but in accordance with Conservancy policies.

[LAND TRUST STANDARDS AND PRACTICES]

Land Trust Standards and Practices are guidelines for the responsible operation of a land trust, which is run legally, ethically and in the public interest and conducts a sound program of land transactions and stewardship.

The Land Trust Alliance originally developed the standards and practices in 1989 at the urging of land trusts, which believe a strong land trust community depends on the credibility and effectiveness of all its members. Land Trust Standards and Practices was last revised in 2004.

The Land Trust Accreditation Commission is an independent program of the Land Trust Alliance, that provides independent verification of the 37 indicator practices from Land Trust Standards and Practices that show a land trust's ability to operate in an ethical, legal and technically sound manner and ensure the long-term protection of land in the public interest.

[CONSERVANCY PROGRAMS]

The Conservancy will utilize the following documents to establish monitoring, management and education initiatives within the community:

Resource Management Plan (RMP) An RMP will be developed for the Plan Area by the Conservancy in cooperation with the landowners based on the General Plan, the Specific Plan Goals and Policies, the Final EIR (FEIR) and applicable federal or state permits related to natural resources. The purpose of the RMP will be to establish a framework of management standards and performance guidelines for the natural resources within the Open Lands. Supported by appropriate technical reports, the RMP will identify and describe specific management, monitoring and mitigation measures that are required to ensure the protection and on-going vitality of the resources consistent with approved project documents. The Conservancy will use this plan to formulate its management and oversight for the natural lands that are placed under conservation easements. Each landowner will be required to prepare and submit a RMP to the Conservancy for their property as part of their application for design review (as applicable), addressing the following:

- *Purpose and Objectives*
- *The Natural Resource Setting*
- *Identification and Protection of Valuable Resources*
- *Resource and Mitigation Monitoring*
- *Conservancy Education Initiatives*
- *Community Safety and Resource Protection*

The Conservancy shall utilize the following relevant General Plan policies and program to craft the RMP, ABP and community design review process documents:

[AGRICULTURE POLICIES]

AG.P-14: Support and promote streamlined permit processing procedures for agriculture-related buildings on Agriculture designated parcels (including barns, farm stands, and agricultural processing plants).

AG.P-19: Require agricultural practices to be conducted in a manner that minimizes harmful effects on soils, air and water quality, and marsh and wildlife habitat.

AG.P-20: Protect, encourage, and provide incentives to agricultural processors that serve local/regional markets.

AG.P-21: Promote natural carbon sequestration to offset carbon emissions by supporting sustainable farming methods (such as no-till farming, crop rotation, cover cropping, and residue farming), encouraging the use of appropriate vegetation within urban-agricultural buffer areas, and protecting grasslands from conversion to non-agricultural uses.

AG.P-23: Support recreation and open space activities that are complementary and secondary to the primary agricultural activities on the land.

AG.P-24: Continue to support nursery crop industries at locations with favorable growing conditions and transportation access.

AG.P-25: Facilitate partnerships between agricultural operations and habitat conservation efforts to create mutually beneficial outcomes.

[PUBLIC HEALTH AND SAFETY IMPLEMENTATION PROGRAM]

HS.I-58: Encourage agricultural best management practices regarding herbicide and pesticide use, odor control, fugitive dust control, and agricultural equipment emissions to minimize air quality impacts.

Agriculture Business Plan (ABP) – This plan will be developed by the Conservancy and will provide the road map to establish a viable, vital and community based agriculture operation connected to the regional network of open space and agricultural lands. This plan will include potential business strategies, suggested farming types, sustainable agricultural practices, branding and marketing opportunities, educational, regional tie-in concepts and long term management and educational opportunities. The Conservancy will use this plan to formulate its management and oversight of the farming lands placed under conservation easements. Each landowner will be required to prepare and submit an ABP for their property as part of their application for design review (as applicable) addressing the following:

- *Purpose and Objectives*
- *The Agricultural Resource Setting*
- *Identification of potential farming types and consistency with Conservancy sustainable agricultural practices*
- *Branding and marketing opportunities*
- *Financial information and proposed role of the Conservancy*

Community Design Review – Combined with the oversight of the natural and agricultural lands, the Conservancy shall provide the design review functions for all improvements within the Middle Green Valley SSA in accordance with Chapter 5, Neighborhood Design Code. The Conservancy Design Review Committee (CRC) and the design review process shall be developed by the Conservancy in accordance with the Guidelines set out in Section 5.9 of this document. The Conservancy shall ensure that all built improvements and resource and agricultural programs are consistent and complementary to the mission of the Conservancy and community goals. The design review requirements within the Middle Green Valley SSA are in addition to all applicable County, state and federal processing and submittal requirements.

[GOVERNANCE]

The primary purpose of the Board will be to establish organizational objectives and policies and to ensure progress toward those objectives. The Board shall undertake annual long-term planning, and in the early stages, as staff and capacity is built, the Board may need to carry out basic functions of the organization. The Board shall be comprised of property owners and qualified persons with expertise in agriculture, natural resource stewardship, easement management, business development, and agri-tourism. Conservancy staffing should start with a general manager and office manager; additional staff with expertise in marketing, public education, and conservation lands management, would be added as needed over time.

[CONSERVANCY FEES AND REVENUE MECHANISMS]

As the responsible entity for agricultural management, marketing, conservation stewardship, community design review, educational and related activities, the Conservancy will require sufficient initial and long term funding. The Conservancy will be financially supported by a combination of sources, including but not limited to, donations, charitable grants, and an endowment funded by a portion of the sale price for each lot (transfer tax).

Endowments

The Conservancy will set up an endowment that is funded primarily from the transfer tax from the sale and resale of property within the Plan Area. The Conservancy will use this endowment fund as the on-going primary funding mechanism for the management of the Conservancy and its operations.

Grant Funds

The Conservancy may be eligible for County, state, federal and foundation grant funds for various stewardship programs to support the cost of agricultural and resource land management and educational programming expenses. The Conservancy shall examine the requirements of the State Department of Land Conservation criteria and ensure that their articles of incorporation and bylaws contain the required language to make them eligible for these grant programs. These funds may only be for short-term or one-time programs and the Conservancy should anticipate leveraging these grants for long-term programs that generate revenue.

Examples of additional funding programs for the Conservancy include:

- **Green Valley Land Conservation Project** - In 1990, the City of Fairfield, County of Solano and residents of the Green Valley community finalized an agreement designed to foster the preservation of a viable agricultural base to maintain open space within Green Valley. In order to accomplish these goals, the Green Valley community voted to assess itself to generate funds for the acquisition of property and easements of open space and agricultural land, and where necessary, to maintain the same. The City of Fairfield maintains the funds in a separate, interest-bearing account, and provides matching monies from a City-sponsored Mello-Roos tax district, the proceeds of which are to be used in the Green Valley area.

The board of directors of the Solano Land Trust are the trustees for this specific fund. The Board of Supervisors have the final review of the disbursement of these funds and it has established priorities based on advice from the Green Valley Landowners Association (GVLA) as follows:

- Floor of middle Green Valley,
- Lands east of Green Valley and west of the floor of Green Valley,
- More remote and rugged lands west, north and east of Green Valley, and
- Other lands within the service area.

- **Ecosystem Restoration Program for Agricultural Properties** (a draft program of the California Council of Land Trusts)
- **Various State Bond funds**
- **Oak Woodland Conservation Act of 2001** - As referred to in the General Plan, the California Legislature passed the *California Oak Woodland Conservation Act in 2001*. This act grew out of concern that California's oak woodland habitats were threatened and that the State was continuing to lose oaks to development, firewood harvesting, and agricultural conversions. This act recognized the importance of California's oak woodlands - how they enhance the natural and scenic beauty of California, the critical role of the private landowner, and the importance of private land stewardship. The act further acknowledged how oak woodlands increase the monetary and ecological value of real property and promote ecological balance.

[FORMATION OF THE CONSERVANCY]

The establishment of the Conservancy shall be a condition of approval of any subdivision map, which shall require its formation prior to the recordation of the first final map within the Plan Area. The Conservation Easement Holder's governance, mission, operations and regulations shall be in accordance with the *Land Trust Standards and Practices*.



4.2.2 RELATED COUNTY AND STATE-WIDE AGRICULTURAL PRESERVATION PROGRAMS

This Specific Plan encourages and supports the use of existing County programs that focus on the preservation of agricultural lands. These programs will be used in concert with the on-going support and preservation of agricultural lands:

Farmland Mapping and Monitoring Program (FMMP) – The Specific Plan has utilized this program to prioritize lands best suited for agricultural conservation. Currently, 212 acres of vineyards are being actively farmed within the Study Area. As identified on the “Important Farmlands” map (refer to Figure 4-2), Middle Green Valley has two types of farmlands: “*Prime Farmland*” and “*Unique Farmland*.” The resulting development plan places over 55% (or 350 acres) of the identified Prime Farmland and Unique Farmland in protected, productive agriculture.

Williamson Act – As part of reinforcing the ideas of providing financial incentives to landowners to maintain farmland, it is envisioned that agricultural lands to the extent feasible are placed under a Williamson Act contract. In tandem with recordation of a conservation easement on agricultural lands, a 10-year contract may be entered into with the County by the landowner.

Right-to-Farm Ordinance – This Specific Plan recognizes that the Right to Farm ordinance supports and protects the on-going viability of farming in the area. The layout of the community incorporates the concepts of providing transition and buffer areas to farming operations. At the same time though, this Specific Plan celebrates agriculture as a very visible component and the foundation of the community design and ethic.

COUNTY AGRICULTURAL PRESERVATION PROGRAMS: A SUMMARY

Farmland Mapping and Monitoring Program (FMMP)

Prime Farmland is “farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.”

Unique Farmland consists of “lesser quality soils used for the production of the states leading agricultural crops. This land is usually irrigated, but may include nonirrigated orchards or vineyards as found in some climatic zones in California.”

Williamson Act

The California Land Conservation Act of 1965 (referred to as the Williamson Act) is the most effective agricultural conservation tool currently available. Under the Williamson Act, local governments can enter contracts with private property owners to protect land for agricultural and open space purposes. This voluntary program offers tax breaks by assessing lands based on actual use (agricultural or open space) as opposed to their potential full market value, creating a financial incentive to maintain farmland and open space, as opposed to allowing conversion to other uses.

Right to Farm Ordinance

Chapter 2.2 of the Solano County Code protects farm operations from nuisance complaints associated with residential uses located next to active agricultural operations. These complaints often cause farm operators to cease or curtail operations. They may also deter others from investing in farm-related improvements that would support the county’s agriculture economy. This “right-to-farm ordinance” ..., guarantees the right to continue agricultural operations, including...cultivating and tilling the soil, burning agricultural byproducts, irrigating, raising crops and/or livestock, and applying approved chemicals in a proper manner to fields and farmland. This ordinance limits the circumstances under which agriculture may be considered a nuisance.

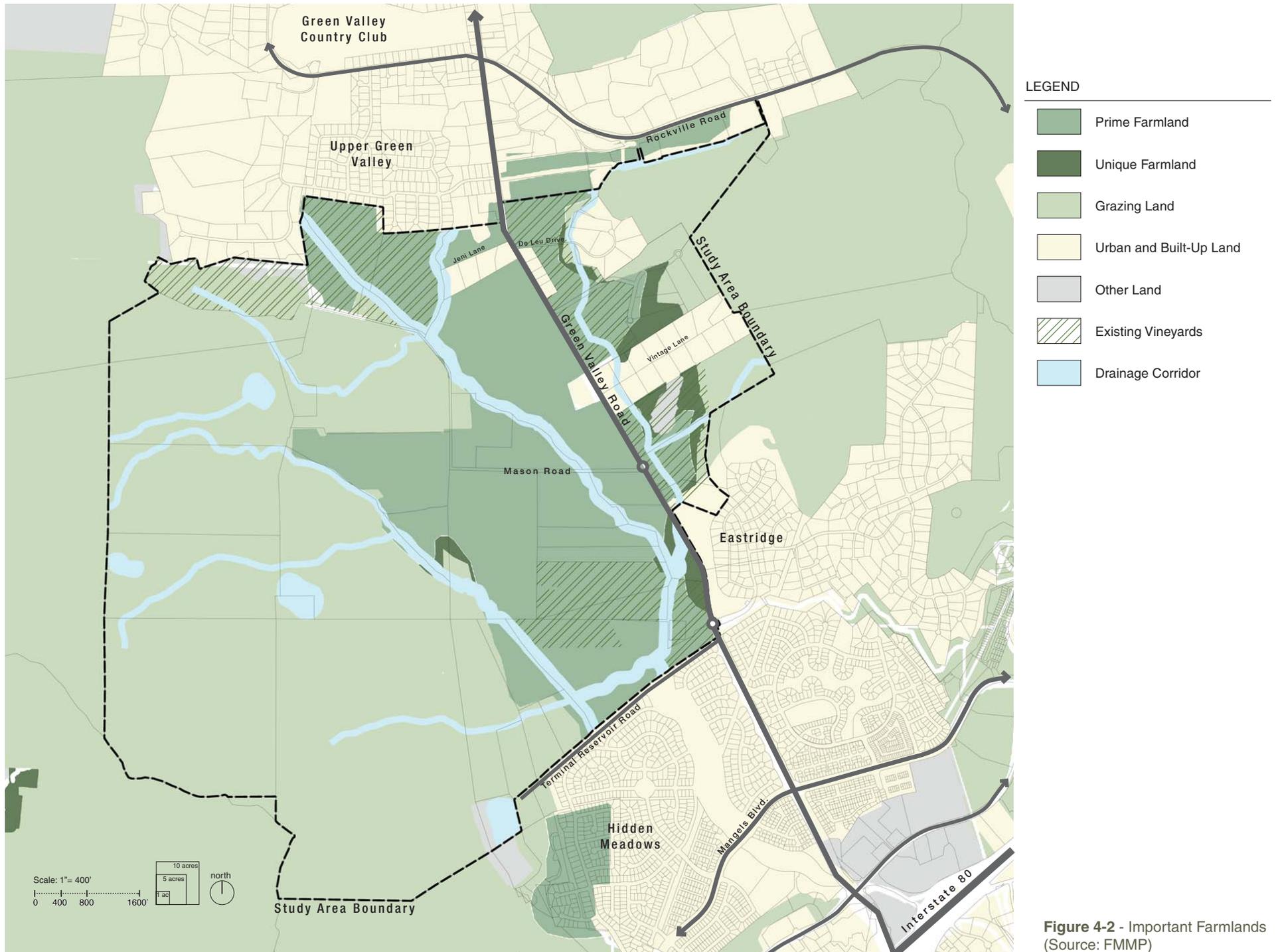


Figure 4-2 - Important Farmlands
(Source: FMMP)

4.2.3 TRANSFER OF DEVELOPMENT RIGHTS PROGRAM

This Specific Plan utilizes a transfer of development rights (TDR) program to provide a fair and equitable incentive for landowners within the SSA to relocate their development rights from areas to be preserved to areas identified as suitable for development. These preserved lands (designated as OL-N, OL-R, AG-WS and AG-P as described in Section 3.5.3A of the Specific Plan) will then be placed under a conservation easement in favor of the Conservation Easement Holder in exchange for these development rights. The desire for a TDR program was agreed upon in a series of community meetings as the most suitable planning tool to preserve the rural character and agricultural viability of Middle Green Valley.

The General Plan specifically outlines this component in Policy SS.P-6 for inclusion in the Specific Plan and outlines the approximate sending and receiving areas in Figure SS-3, which states:

In accordance with balancing the protection of resources described in these policies, adopt a program that provides residential development credits to property owners who voluntarily forego or limit development on their lands. The transfer of development rights program should focus incentives on land in areas to be preserved.

Figure 4-3 is an updated and refined diagram that builds on Figure SS-3 of the General Plan that indicates the approximate sending and receiving zones of the Plan Area. Through a community consensus and environmental review process, development areas were identified by the CAC as the recommended areas for clustered development. Table 4-1 identifies the allocation of the 400 residential units within the Specific Plan Area and designates the specific sending and receiving sites by participating landowner. It is important to note that this TDR Program does not transfer any existing development rights, but simply reallocates the excess residential density created and allocated on a pro rata acre basis by the Specific Plan process.

A conservation easement(s), in a form acceptable to the County Counsel, shall be recorded for the benefit of the Conservation Easement Holder over the conservation lands as a condition of approval of each subdivision map and must be recorded the earlier of:

- The sale of the receiving site, if applicable under the Sales Participation Agreement,
- The recordation of a final map, or
- The issuance of a building permit for any new unit, except a building permit issued which does not require any subdivision approval (including certificate of lot line adjustment, parcel map or tentative subdivision map).

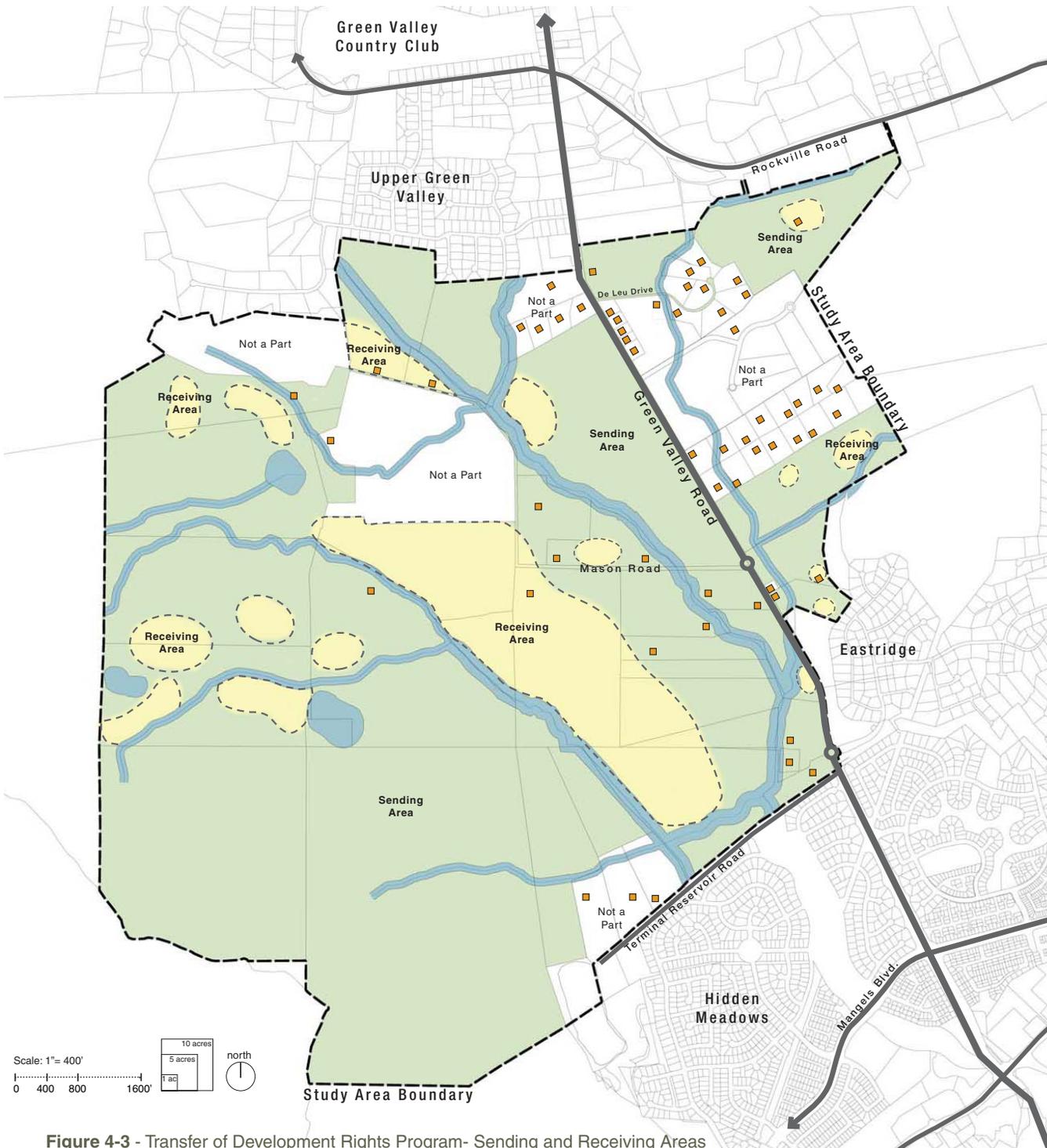
Participating Landowners	Acreage	% of Participating Area	Allowed New Unit Count (TDR Program)	Allowed New Unit Count (No TDR Program)
B+L Properties	253.0	16.1%	63	9
Engell	52.3	3.3%	13	9
Hager	40.2	2.6%	10	2
Mason/Lindemann	296.0	18.8%	73	14
Mason/Lawton Trust	476.1	30.3%	118	21
Maher	146.8	9.3%	36	7
Ragsdale	168.6	10.7%	42	7
Siebe (James)	18.2	1.2%	5	0
Siebe (Jean)	23.7	1.5%	6	0
Volkhardt	40.0	2.5%	10	1
Wiley	15.6	1.0%	4	0
Wirth	40.7	2.6%	10	1
SUBTOTAL	1,571		390	71

Non-Participating Landowners	Acreage	New Unit Count	New Unit Count (No TDR Program)
DeDomenico	40.6	1	1
Del Castillo	82.4	3	3
Parenti	12.9	0	0
Vintage Lane	42.1	0	0
De Leu Drive/GVR	23.5	0	0
Jeni Lane	20.8	0	0
Terminal Reservoir Ln	30.2	0	0
Terminal Reservoir	8.7	0	0
	323	10	10

Existing Infrastructure			
	11		
TOTAL STUDY AREA	1,905	400	81

Table 4-1 - Unit Allocation

{ What I like best about the project is that all parties concerned got something. }
 Jim Wiley – Landowner and CAC Member



TDR ZONES

- Approximate Sending Area
- Approximate Receiving Area
- Drainage Corridors
- Existing Residential Units
- Not a Part of TDR Program

TRANSFER OF DEVELOPMENT RIGHTS PROGRAM: TERMINOLOGY AND DESCRIPTION

A transfer of development rights program (TDR) is a market tool communities can use to achieve land preservation. The preservation is accomplished by allowing a landowner to sever their development rights in exchange for compensation from another landowner who wants their development rights to increase. TDR programs transfer the development rights of a predetermined lot — known as a “sending area” — to another lot, known as the “receiving area”. While the development rights are reduced or severed on the sending area, increased density and development is allowed on the receiving area. The sending sites are deed-restricted so that only appropriate uses are allowed from the rights sale onward.

- Flexible Zoning Techniques - American Planning Association

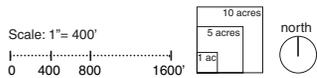


Figure 4-3 - Transfer of Development Rights Program- Sending and Receiving Areas

4.3 PUBLIC UTILITIES AND SERVICES

This Specific Plan includes the proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the Plan Area needed to support the land uses described in the Specific Plan. Refer to Section 4-6 which describes implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out the development plan.

4.3.1 OVERVIEW OF WATER AND WASTEWATER PROVISIONS

Two water and wastewater system options are proposed for the Specific Plan area: Option A would involve connection of the Specific Plan development areas (“neighborhoods”) to the City of Fairfield municipal water and sewer systems; and Option B would involve use of a common “onsite” or “off the grid” water and wastewater system to serve the Specific Plan development areas (“neighborhoods”). The two alternative proposals are summarized below:

Option A:

Water supply system

Option A would involve Specific Plan development area connection to the City of Fairfield municipal water system. The City’s municipal water is partially supplied through the Solano County Water Agency (SCWA). The City operates two water treatment plants, the Waterman Plant and the North Bay Regional Plant. City water distribution infrastructure includes a 24-inch main in Green Valley Road where the Specific Plan development areas would connect. Agricultural irrigation water would continue to be supplied by the Solano Irrigation District (SID). SID water will also be available for domestic irrigation. The proposed water supply infrastructure system under Option A would include approximately 9 miles of onsite pipeline and 500,000 gallons of onsite storage.

Wastewater treatment system

Alternative A would involve Specific Plan development area connection to the Fairfield-Suisun Sewer District (FSSD). The FSSD operates a wastewater treatment plant approximately four miles southeast of the Specific Planning area. The FSSD does not typically provide sewer service outside of the Fairfield and Suisun City city limits. The closest existing FSSD wastewater infrastructure to the Specific Plan area is a 12-inch main in Green Valley Road approximately one quarter mile south of the Specific Plan area boundary. Due to the capacity limitations of this existing sewer main, installation of a new parallel sewer main from the Specific Plan area to the Cordelia Pump Station, approximately 2 miles to the south, may be required. The Cordelia Pump Station and FSSD wastewater treatment plant may also require capacity upgrades to accommodate the Specific Plan. The proposed wastewater system infrastructure under Option B would include approximately 9 miles of onsite pipeline.

Water and wastewater treatment Option A would require City of Fairfield, Solano County, and Solano County Local Agency Formation Commission (LAFCO) approvals. There is also a scenario under Option A whereby the Solano Irrigation District (SID) would “redirect” a portion of the untreated water currently assigned to Middle Green Valley. This amount could be purchased by the City of Fairfield and treated for domestic use and delivered via the existing water infrastructure in Green Valley. Under this scenario, the City of Fairfield would become a wholesale supplier to the County Service Area proposed for Middle Green Valley and virtually no net increase of water would be required for this project than that which is already allocated for this area.

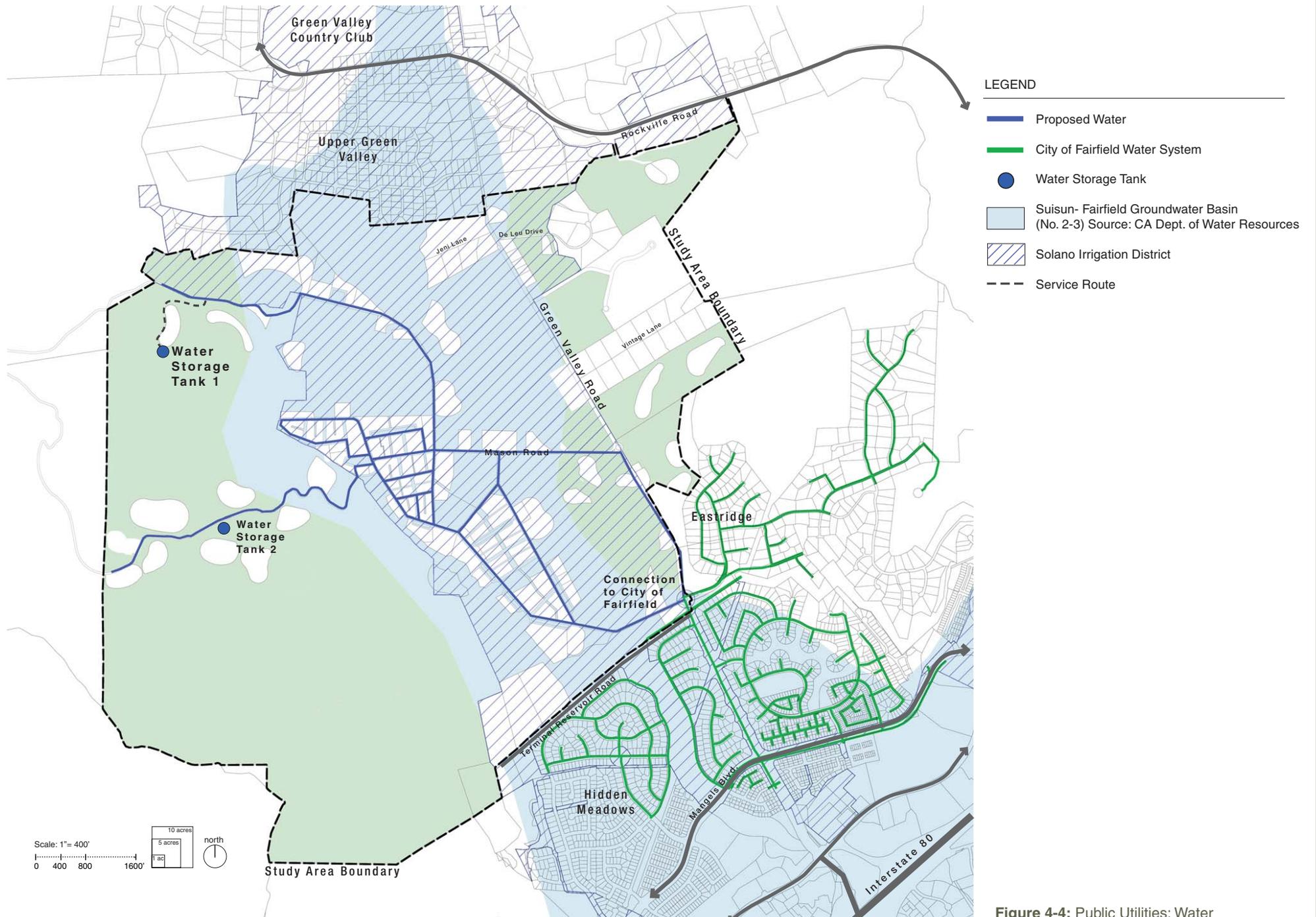


Figure 4-4: Public Utilities: Water

Option B:

Water supply system

Water supply system Option B would utilize local groundwater for domestic supply in the Specific Plan development area. The Specific Plan area lies above the Suisun-Fairfield Valley Groundwater Basin. The Suisun-Fairfield Valley Groundwater Basin is one of the few groundwater basins in California not in overdraft, most likely due to the early development of the Solano Project for regional irrigation demands. A number of landowners within the study area enjoy productive wells of high quality water. Some shallow wells have reported high mineral content. A comprehensive hydrogeology study and test well program would be necessary to verify the potential adequacy of onsite wells for this development. Groundwater use would be solely for domestic purposes. Solano County Irrigation District (SID) reclaimed water would continue to be used for agriculture and domestic irrigation purposes. Water treatment under Option B is predicted to consist of mixed media filtration and disinfection unless measured chemical constituents indicate otherwise. The proposed onsite groundwater system configuration (pending more study) consists of three groundwater wells at a sustained flow of 100 gpm each, approximately 4.5 miles of pipelines, and 500,000 gallons of storage in two tanks at elevation. A County Services Area (CSA) may be required to maintain the system.

Wastewater Treatment System

Under wastewater treatment system Option B, wastewater from the Specific Plan development areas would be collected and treated “onsite” utilizing a local collection system similar to Alternative A, but utilizing an “onsite” Membrane Bioreactor (MBR) package wastewater treatment plant. The MBR tertiary treatment system would include an aeration tank, a membrane operating system and a disinfection unit. All tertiary treated water would be reused onsite for agricultural and domestic irrigation purposes in conjunction with Solano Irrigation District water. The two water systems would not be connected. System sludge yields under Option B, which would be less than from more conventional system designs, would be available for compost and fertilizer use in Solano County and elsewhere. Associated onsite infrastructure would include approximately 5.7 miles of pipeline, two pump stations and the MBR tertiary treatment unit.

MIDDLE GREEN VALLEY UTILITY SUMMARY

WATER

- 135 Acre-ft/year (120k gpd) provided to MGV from Solano County by City of Fairfield.
- 45 Acre-ft/year (40k gpd) provided to MGV from on site water recycling \$10m (approximate) construction cost
- 2 storage tanks for fire hydrant/sprinkler capacity \$500,000 (approximate) revenues from domestic water customers at buildout

WASTEWATER

- 135 Acre-ft/year (100k gpd) produced by 400 homes plus community buildings.
- 54 Acre-ft/year (40k gpd) provided to MGV from on site water recycling
- 81 Acre-ft/year (60k gpd) directed to FSSD and/or Ag Lands depending on seasonal demand.
- 200,000 gal surge tank allows 0.2 cfs to FSSD equivalent to 150 Fairfield Homes \$8m (approximate) construction cost \$250,000 (approximate) revenues from domestic water customers at buildout Connection Fee TBD

ROADS AND DRY UTILITIES

- \$5m (approximate) construction cost
- 6 miles (approximate) of new county roads
- 3 miles (approximate) of new private driveways

Table 4-2: Utility Summary

Solano County General Plan Implementation Program PE.I-15 states: *Investigate the potential for innovative recycled water systems in Solano County, such as the use of graywater for domestic and agricultural purposes, and identify sources of funding for implementation of these systems.*

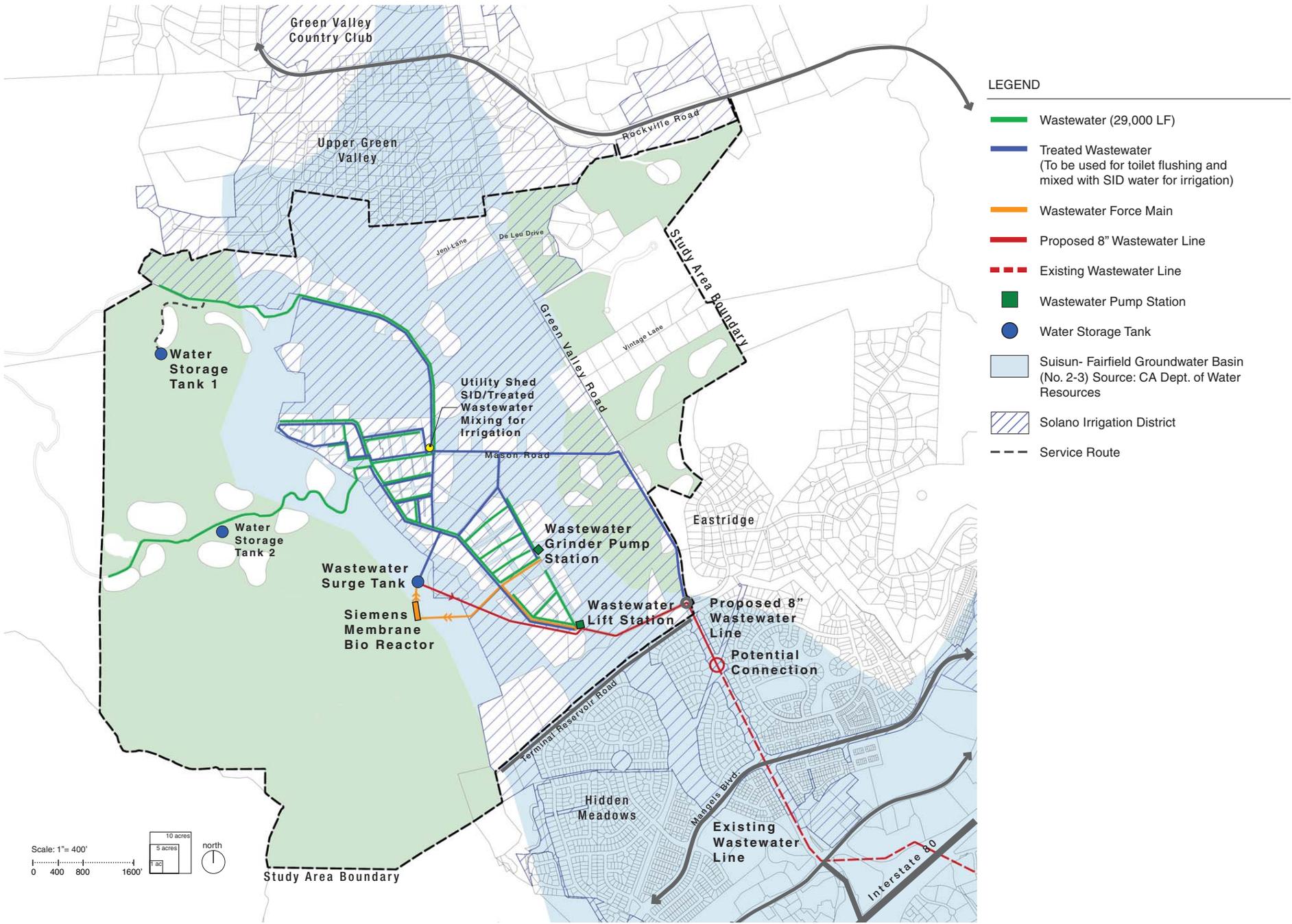


Figure 4-5: Public Utilities: Wastewater

4.3.2 PUBLIC UTILITIES AND SERVICES CONCEPT - THE GREEN VALLEY COUNTY SERVICES AREA

In unincorporated areas of California, basic services like water, sewer, police and fire protection are usually provided by the county. Because counties often consist of large and diverse geographical areas, providing a consistent and adequate service level across all areas can be difficult. Residents of more urban communities may want more services than those residing in rural areas. The County Service Area Law (Government Code §25210 et seq.) was created in the 1950s to provide a means of providing expanded service levels in areas where residents are willing to pay for the extra service. This Specific Plan proposes a County Service Area (CSA and a Mello_Roos Community Facilities district) as the overall organizing implementation structures to bring services to the Plan Area.

Community Service Areas

The County Service Area Law (Government Code sections 25210 et seq.; “CSA Law”), adopted in the 1950s and significantly revised last year, provides a method for counties to finance and provide public facilities and services in unincorporated areas. Specifically, the CSA Law allows for the creation of “county service areas” (“CSAs”) which may provide “any governmental services and facilities within the CSA that the county is authorized to perform and that the county does not perform to the same extent on a countywide basis.” (Gov’t Code § 25213.) Such services and facilities could be in the areas of police and fire protection, parks and recreation, libraries, animal control, wastewater treatment, and garbage collection, to name only a few.

Although they are distinct entities, CSAs are nonetheless governed by their respective county boards of supervisors. In the parlance of the CSA Law, a CSA is a “special district whose affairs and finances are under the supervision and control of the board.” (Gov’t Code § 25214(b).) County boards have been granted broad powers regarding governing CSAs. The formation of a CSA is subject to the county’s LAFCo

To raise funds for the services and facilities utilized, CSAs possess a number of funding tools. These include a share of the property tax revenue (if any), special taxes (more on these below), benefit assessments, user fees, and standby charges. CSAs may also utilize capital financing by issuing general obligation or revenue bonds.

It is worth noting that whenever a county board of supervisors determines that it is in the public interest to provide different services or facilities, or raise additional revenues within, specific areas of a CSA, it may form one or more “zones” to do so.

Community Facilities Districts (Mello-Roos Districts)

The Mello-Roos Community Facilities Act of 1982 (Government Code sections 53311-53368.3; “CFD Law”) provides an alternative method of financing certain public capital facilities and services, especially in developing areas and areas undergoing rehabilitation. Such services include police and fire protection, recreation, and storm protection; such facilities include schools, parks, libraries, and utility infrastructure. These facilities and services are provided within “community facilities districts” (“CFDs”), also called “Mello-Roos districts.”

A CFD isn’t so much a governmental entity as it is a funding mechanism for local agencies. It implements a special tax to fund desired services or facilities within the particular district’s boundaries. The CFD Law expressly states that the tax imposed is “not a special assessment.” (Gov’t Code § 53325.3.) However, it does state that the special tax levied “may be on or based on a benefit received by parcels of real property, the cost of making facilities or authorized services available to each parcel, or some other reasonable basis as determined by the legislative body.” (Id.)

As a special tax, the formation of the CFD is subject to the approval of 2/3 of the district’s residents (or landowners if there are fewer than 12 residents). As with CSAs, a CFD may incur bonded indebtedness.

Determination of the Annual Charge

When a CSA exists, the property owner will pay taxes and fees to the CSA instead of the County for the services provided. These will be billed as line items on the County property tax bill. The taxes may take a variety of forms:

- General property taxes may be levied depending upon Prop. 13 constraints. These taxes, referred to as ad valorem taxes, are based on assessed value.
- Special taxes may be levied for specific purposes. These taxes must be approved by a 2/3rds vote of CSA residents.
- Benefit assessments may be levied for specific purposes and are based on the direct benefit each parcel receives from the improvements or services financed.
- Water or sewer standby charges may be levied to ensure future availability of service, subject to certain limitations.

Additionally, the CSA may charge these fees and taxes according to zones to more accurately bill residents for the particular services provided to their individual property. CSA charges will continue as long as the CSA is providing services to the community.

The CSA will then sponsor a Mello-Roos Community Facilities District (CFD) to fund the infrastructure improvements.

In 1978 Californians enacted Proposition 13, which limited the ability of local public agencies to increase property taxes based on a property's assessed value. In 1982, the Mello-Roos Community Facilities Act of 1982 (Government Code §53311-53368.3) was created to provide an alternate method of financing needed improvements and services. The Act allows any county, city, special district, school district or joint powers authority to establish a Mello-Roos Community Facilities District (CFD) which allows for financing of public improvements and services. The services and improvements that Mello-Roos CFDs can finance include streets, sewer systems and other basic infrastructure, police protection, fire protection,

ambulance services, schools, parks, libraries, museums and other cultural facilities. By law, the CFD is also entitled to recover expenses needed to form the CFD and administer the annual special taxes and bonded debt. A CFD is typically created to finance public improvements and services when no other source of money is available. CFDs are normally formed in undeveloped areas and are used to build roads and install water and sewer systems so that new homes or commercial space can be built. CFDs are also used in older areas to finance new schools or other additions to the community.

A CFD is created by a sponsoring local government agency, in this case, Solano County. The proposed district would include all properties that will benefit from the improvements to be constructed or the services to be provided. A CFD cannot be formed without a two-thirds majority vote of residents living within the proposed boundaries. Or, if there are fewer than 12 residents, the vote is instead conducted of current landowners. In many cases, that may be a single owner or developer. Once approved, a special tax lien is placed against each property in the CFD. Property owners then pay a special tax each year. If the project cost is high, municipal bonds will be sold by the CFD to provide the large amount of money initially needed to build the improvements or fund the services.

By law (Prop. 13), the special tax cannot be directly based on the value of the property. Special taxes instead are based on mathematical formulas that take into account property characteristics such as use of the property, square footage of the structure and lot size. The formula is defined at the time of formation, and will include a maximum special tax amount and a percentage maximum annual increase. If bonds are issued by the CFD, special taxes will be charged annually until the bonds are paid off in full. Often, after bonds are paid off, a CFD will continue to charge a reduced fee to maintain the improvements. This is an area that is about to undergo dramatic change and the mathematical formulas which account for property characteristics such as use of the property, square footage of the structure and lot size needs to reflect the eventual layout in the Middle Green Valley Plan Area. Since the formula is defined at the time of formation, and will include a maximum special tax amount and a percentage maximum annual increase, it will be important for most participants to agree on the Specific Plan.

4.3.3 WATER SUPPLY AND DISTRIBUTION FACILITIES

Water Demand

An acre-foot of water is about 326,000 gallons, or enough water to supply two typical homes for a year. That would mean that 400 new homes would require about 200 acre-ft on an annual basis. However, per capita water use varies around the State; for example, Central Valley residents use up to 300 gallons per person per day, while some Central Coast residents use as little as 50 gallons per day. That translates to about 1.5 acre-ft/year for a family of four in Fresno to about .25 acre-ft/year for a similar size household in Cambria. Landscaping, however, accounts for about half the water Californians use at home. Showers account for another 18%, while toilets use about 20%. The General Plan specifically calls for promotion and model practices to improve the efficiency of water use, including the use of water-efficient landscaping, beneficial reuse of treated wastewater, rainwater harvesting, and water-conserving appliances and plumbing fixtures (PF.P-11). Accordingly, this Specific Plan accounts for the fact that Solano Irrigation District (SID), which already serves this part of Solano County, will continue to supply most of the water required for agriculture and landscaping. On-site water recycling will supply water to almost all of the toilets using recycled water, further reducing domestic water demands. As a result of these two provisions that each new home will have to comply with, the 400 new homes in Middle Green Valley are expected to only require a maximum of 136 acre-ft/year about a 40% reduction in overall water requirements compared to a typical house elsewhere in the County. When other uses for water are considered, the total water demand for Middle Green Valley is approximately 186 acre-ft/year based on the following:

	Water			Wastewater	
	Units	Unit Demand (AFY)	Total Demand (AFY)	Unit Demand (AFY)	Total Demand (AFY)
Residential (units)	400	0.34	136.0	0.25	100.00
Secondary Res. (units)	100	0.17	17.0	0.13	13.00
Chapel (seats)	200	0.09	17.2	0.05	1.00
Meeting Hall/Farm Stand (acres)	0.069	1.73	0.12	1.52	0.10
Community Rec Center (acres)	0.184	1.50	0.28	1.32	0.24
Conservancy/Post Office (acres)	0.057	1.50	0.09	1.32	0.08
School (students)	300	0.02	4.95	0.01	4.36
Commodity Processing, Commercial Nurseries (acres)	1.148	1.00	1.15	0.88	1.01
Ag. Tourism Retail (acres)	0.230	1.73	0.40	1.52	0.35
Inn (rooms)	25	0.15	3.75	0.13	3.25
Winery Production (cases of wine)	100,000	0.00004	4.42	0.00002	2.21
Neighborhood Commercial (acres)	0.230	1.73	0.40	0.88	0.20
Total Annual Water Requirements			185.7		134.8

Table 4-3: Total Water Demand Forecast for Middle Green Valley

A replicable model for water use for all of Solano County.

As a result of the efficiency measures described above, the water use in the Plan Area will be approximately .33 acre-ft/year per dwelling unit or 136 acre-feet per year for the residential units, which is on par with the most efficient users in California. In addition, the 186 acre-ft per year total use is already accounted for in allotted amounts for this region under the Solano Water Agency so it does not represent additional water demand compared to other parts of the County not already served by the irrigation district. The amount of water that is being considered for Middle Green Valley is not typical of other existing subdivisions in the area. If this were a typical subdivision elsewhere in the County, 136 acre-ft would only serve about 250 new homes.

Accessing the 186 Acre-ft of annual water requirements.

There are three alternatives for domestic water to be supplied to Middle Green Valley and each depends on a different source of water and each represents challenges and opportunities for this Specific Plan. The recently approved General Plan calls for domestic water for rural development to be provided through the use of on-site individual wells or through public water service (PF.P-15) and the provision and management of public water service through public water agencies (PF.P-16). Refer to Section 4.1A for policy language.

Alternative Water Source 1

- The City of Fairfield receives most of its water from the Solano Project which is a federal project designed to provide water for drinking and agricultural purposes. Putah Creek is the project's source, and it is stored behind the Monticello Dam, forming Lake Berryessa. The end of the Putah Creek Canal is Terminal Reservoir which is part of the Plan Area. The City of Fairfield gets Solano Project via this canal system and treats their water at the North Bay Regional Water Treatment Plant and the Waterman Treatment Plant. This part of Green Valley is not within the Fairfield city limits but it used to be a part of the City of Fairfield sphere of influence.

Accordingly, there were earlier studies and expansion plans produced by the Fairfield Public Works Department showing several thousand homes in this area. Though this area is no longer in the Sphere of Influence, there is a 24' blank flange at the corner of Eastridge Road and Green Valley Road (at the southeast corner of the Study Area) that would be sufficient to supply the 186 acre-ft required under the proposed development. The City of Fairfield has indicated the City would be willing to consider supplying the proposed Green Valley County Services Area (CSA) with access to this water line along with a single meter in order to determine ongoing water use and subsequent fees associated with this use. The City of Fairfield would not necessarily require annexation for this water service to be provided though they have indicated that ownership and maintenance of all water infrastructure would be the responsibility of the CSA and not the City of Fairfield. Access fees, increment participation from increases in property taxes, and other negotiations about how a municipal service provides services to an unincorporated part of the County have yet to be determined. A memorandum detailing how such an arrangement would be implemented between the proposed CSA, the City of Fairfield, and the Solano Local Agency Formation Commission (LAFCo) is to be completed during 2009 and concurrent with review of the Program EIR. Additional information about LAFCo's role in this Specific Plan is described below.

Alternative Water Source 2- Groundwater which would access the Suisun Fairfield Valley Groundwater Basin via deep wells.

- Prior to the development of the Solano Project, groundwater was extensively used in Solano County both for municipal supplies and for agriculture. One of the main reasons for the development of the Solano Project was to rectify groundwater overdraft in some of the agricultural areas. Once the Solano Project started making agricultural water deliveries, groundwater levels rebounded. The Cities of Rio

Vista and Dixon are served exclusively with groundwater from basins underlying the cities. Vacaville gets approximately one third of its municipal water supply from groundwater underlying the city. Most rural residential landowners in this part of unincorporated Solano County who are not served by the City of Vallejo have individual shallow groundwater wells that serve their domestic needs. There are also some small rural residential water systems in Solano County that distribute groundwater to their customers which is essentially what a CSA would provide to Green Valley under this alternative. Public agencies that overlie this groundwater basin have developed groundwater management plans as specified in AB 3030, the state law that authorizes local agencies to prepare voluntary groundwater management plans. The Solano County Water Agency (SCWA) prepares biannual reports on groundwater levels for the groundwater basin. Groundwater level data comes from California Department of Water Resources (DWR) and local public agencies that utilize the groundwater basin. This aquifer (Suisun-Fairfield Valley Groundwater Basin 2-3) is recognized by the Department of Water Resources (Bulletin 118) with typical wells yielding 200 gal/min and some wells producing up to 500 gal/min. This means just one well approximately 750 deep in Green Valley might be able to supply almost 300 acre-ft/year, more than twice the amount of required by the 400 new homes proposed for Middle Green Valley. These State reports show no trend of overdrafting with current levels of groundwater use. Groundwater levels drop in dry years, but rebound in wet years. The CSA would be responsible for minor treatment of the well for potable use but this “off the grid” alternative has many benefits for the individual landowners considering they are not part of an existing municipal water distribution system. According to the Solano Water Agency, there may be a potential to more aggressively utilize the groundwater basin. Areas that have a surface water supply that are underlain by a

groundwater basin are good candidates for conjunctive use projects. A typical conjunctive use project includes the installation of groundwater wells that are used in drier years instead of surface water that can be sold or exchanged. Though there are no hydrologic studies or test wells that have been drilled for the expressed purpose of this project, the Green Valley Country Club has a productive deep water well already in use which is used in conjunction with SID water to manage demand throughout any given year.

Alternative Water Source 3

- The City of Vallejo owns and operates a public water system referred to as the Vallejo Lakes System. The plant located in Green Valley just to the north of the Study Area, serves approximately 2,800 people in the communities of Gordon Valley, Old Cordelia, Green Valley, and parts of Jameson Canyon, located in Solano County. The City also obtains surface water for its system from Lake Berryessa via the Putah South Canal similar to the City of Fairfield. The City also obtains surface water from Lake Frey and Lake Madigan which are the headwaters of Green Valley Creek which flows through the middle of the Study Area. Though many parcels in this part of Solano County are served by the City of Vallejo, there are capacity limitations at the plant that have forced the City of Vallejo to issue a moratorium on any new services outside its city limits. The City also uses chlorine at its Green Valley Water Treatment Plant to disinfect the surface water it receives from Lakes Berryessa, Frey and Madigan and there may be more effective ways in the future to treat this supply therefore increasing capacity at this plant. There is a 24” line going from the Green Valley Treatment Plant to the City of Vallejo that goes right through the middle of the Study Area. Due to the financial situation in Vallejo, the extraordinary rate increases to existing Green Valley customers, and the current moratorium about accessing water from this treatment facility, it represents only a small possibility for domestic water supply to this Study Area. There is a possibility in the future, however, that the

Green Valley diversion dams are dismantled, the Vallejo Lakes watershed is opened up for public recreational use, and the existing facility in Green Valley is treating only Solano Project Water from Lake Berryessa with more reliable financing. Though it is a distant third possibility, it is possible that the Green Valley watershed may be able to sustain these proposed new homes and restore the watershed to a locally sustainable model dependent only on resources within the watershed itself.

4.3.4 WASTEWATER COLLECTION AND FACILITIES

There are two components to the wastewater (or sewer) requirements for the 400 new homes in Middle Green Valley. The total requirement for wastewater capacity at full build out will be about 135 Acre-ft/year. That number is split between a wastewater recycling effort which will take (and resupply) about 54 acre-ft/year and an onsite wastewater disposal system that will treat about 81 acre-ft/year to Title 22 standards. This amount needs to be irrigated on the surrounding agricultural lands or returned to a municipal sewer system such as the Fairfield Suisun Sewer District (depending on the time of year).

The safety issues of recycled water

Recycled water must meet stringent regulatory requirements monitored by the State Department of Health Services and be treated to the State of California Title 22 standards for tertiary (advanced) treatment of water. It must also meet regional and local standards. Wastewater is treated to these rigid standards to ensure that public health and environmental quality are protected. Recycled water systems have been operating in California and throughout the nation since the early 1960's. Today nearby towns such as Petaluma and Calistoga provide recycled water for irrigation of over 500 acres of agricultural land, a vineyard, and two golf courses. As California water supplies are stretched, using recycled water for irrigation preserves drinking water supplies for people and fresh water for creeks, rivers and wetlands.

STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2009-0011

The Strategic Plan Update 2008-2012 for the Water Boards includes a priority to increase sustainable local water supplies available for meeting existing and future beneficial uses by 1,725,000 acre-feet per year, in excess of 2002 levels, by 2015, and ensure adequate water flows for fish and wildlife habitat. This Recycled Water Policy (Policy) is intended to support the Strategic Plan priority to Promote Sustainable Local Water Supplies. Increasing the acceptance and promoting the use of recycled water is a means towards achieving sustainable local water supplies and can result in reduction in greenhouse gases, a significant driver of climate change. The Policy is also intended to encourage beneficial use of, rather than solely disposal of, recycled water.

The definition of “reclaimed” or “recycled” water

Reclaimed water, also referred to as *recycled water*, is municipal wastewater that has been cleaned and treated in order to remove pollutants and contaminants so that the water can be safely reused for a variety of uses. The California Department of Health Services has established the treatment standards and regulations regarding any reuse. Middle Green Valley will be treating its wastewater to tertiary recycled water standards (also referred to as advanced water treatment) which is the highest level of treatment defined by the State and allows for unrestricted reuse in virtually all reclaimed water applications (Title 22). Examples of common recycled water reuse applications include: Any agricultural irrigation (food crops, vineyards, sod farms, Christmas tree farms, etc), ornamental plants, parks and playing fields, golf courses, cemeteries and recreational waterways for boating and swimming, cooling tower water, groundwater recharge and toilet flushing. Recycled water is an excellent substitute for potable water in many applications especially in areas experiencing potable water shortages due to droughts or limitations on supply.

Precedents for water reuse in Middle Green Valley

Recycled water is an important water source for over 160 cities in California, including Monterey, Irvine, Rohnert Park, Los Angeles, Windsor, Newport Beach, San Jose, and Sonoma. These cities use recycled water for irrigation of parks, athletic fields, school playfields, edible food crops, flushing of toilets in office buildings, agricultural irrigation, landscape irrigation, irrigation of highway median strips, and to prevent saltwater intrusion in coastal communities.

The wet weather flows required by Fairfield-Suisun Sewer District (FSSD) require an extraordinarily high capacity even considering the saturation of the local soils in the wet weather system. But the County does not prefer stand alone waste treatment facilities because of the lack of redundancy and the difficulty of getting these “off the grid” facilities approved by the Regional Water Quality Control Board. So instead of building an unnecessarily large sewer connection for wet weather flows and the County still requiring this area to be connected to some kind of municipal system as a back-up, this Specific Plan suggests an on-site water recycling system that is connected to the FSSD. This approximate 75 acre-ft/year amount would be controlled via a 250,000 gal surge tank which allows for a steady 0.2 cfs to FSSD. This is important so that the FSSD could accurately predict wet weather flows from this region without the project being required to build a large system designed around only wet weather flows. This amount which would only go to FSSD when the agricultural fields did not require it - is the equivalent to only 150 new homes within the city limits of Fairfield. Again, this Specific Plan is allowing up to 400 new homes, the impact on local water and sewer facilities is much less and provides a replicable model for Solano in the other parts of the County.

Precedents for unincorporated areas of Solano County to be served by a municipal sewer system.

For large, rural counties such as Solano County, sewer and wastewater services in the unincorporated areas serving rural development are expensive to provide. Each of the cities in Solano County - Benicia, Dixon, Fairfield, Rio Vista, Suisun, Vacaville, and Vallejo - is currently served by municipal sewer and wastewater systems. Some parcels in the unincorporated County near cities are served by sewer and wastewater services from adjacent cities and sewer districts so there is considerable precedent for municipal services serving unincorporated parts of the County. The City of Vacaville serves the unincorporated community of Elmira, which is adjacent to the service area for the Vacaville sewer system. The Suisun-Fairfield Sewer District provides sewer service to the unincorporated community of Cordelia and parts of Suisun Valley from Rockville Road south to the Fairfield city limits. The Vallejo Sanitation and Flood Control District provides sewer service to the Vallejo unincorporated islands. The City of Dixon provides service to a few parcels directly outside of Dixon. The General Plan specifically calls for on-site sewage disposal systems for a public agency such as a CSA to manage a centralized community sewage disposal system. If lands proposed to be served by a community sewage disposal system are not within the boundaries or service area of an existing public sewage treatment agency, the Board shall, as a condition of development, designate a public agency to provide and manage the public sewer service. Sewer treatment facilities shall be designed to provide sewer service to existing developed areas, areas designated for commercial or industrial uses, or areas designated for rural residential development when part of a specific plan such as Middle Green Valley. An analysis of the financial viability of constructing, operating, and maintaining a proposed community sewage disposal system shall be required (PFI-24).

Precedent for on-site wastewater treatment in Solano County

A few of the larger developments in unincorporated Solano County have small treatment systems. The Twin Creeks Condominium Project in Green Valley and the recreational vehicle parks within the County have small treatment systems that serve multiple ownerships and users. The majority of developments in the unincorporated County, those not served by municipal sewer or small-scale treatment systems, operate stand-alone septic tanks. There are no plans for any additional septic tanks for Middle Green Valley under this Specific Plan - in fact it will be prohibited for all new home sites on the valley floor.

Other benefits to having on-site wastewater treatment facilities in Middle Green Valley as part of the CSA

One of the benefits of having the ability to provide on-site wastewater treatment in Green Valley is the possible future inclusion of parcels outside the Study Area to be served by the CSA in order that borderline leech fields be incorporated to eliminate chances of further contamination of the Green Valley Creek Watershed.

3 alternatives for wastewater treatments in Middle Green Valley

Alternative Wastewater Treatment 1

- Fairfield-Suisun Sewer District agrees to serve the requirements of the proposed Green Valley CSA with a modified calculation of wet weather flows (ie a 20% increase for wet weather flow rates is typical for municipal systems in the Bay Area). This alternative would require no on-site water recycling and the water saving methods would probably be derived from routing stormwater to cisterns and then to toilets - all currently allowed under state law.

Alternative Wastewater Treatment 2

- An on-site wastewater treatment plant in combination with the Fairfield-Suisun Sewer District would allow the best of each kind of facility. This alternative also allows the first approximately 150 homes to be built connected to only FSSD and then the on-site treatment would only be required for additional homes.

Alternative Wastewater Treatment 3

- An on-site wastewater treatment facility could handle all the sewer flow from this region but it would require a significant amount of time and money to explain how the risks would be accommodated in order for the County and the SF Bay Regional Water Quality Control Board to approve the discharge permit without being connected to FSSD.

Alternative 1 and 2 are equally functional to the design team and would cost approximately the same to the CSA.

Cost differences between wastewater alternatives

The total cost of the waste water/sewer infrastructure for Middle Green Valley - including design - is estimated to cost \$8 Million and there are no significant cost differences between the first 2 alternatives in treating the required 128 acre-ft for Middle Green Valley at this point. Because of the unknown infrastructure entitlement issues related to Alternative 3 (off the grid), there are no identified costs for Alternative 3. There is a known 12" waste line at Mangels Boulevard and Green Valley Road that would be accessed for use by this project if there was an agreement with FSSD. There are significant potential benefits in having both treated wastewater and a reasonable connection option with FSSD since this is a more scalable option for several existing landowners. Refer to Section 4.6 for financing details.

PUBLIC FACILITIES: DEVELOPMENT REVIEW – IMPLEMENTATION PROGRAMS

PF.1-24: On-site sewage disposal systems for individual lots and subdivisions may be operated by private property owners. A public agency shall manage a centralized community sewage disposal system. If lands proposed to be served by a community sewage disposal system are not within the boundaries or service area of an existing public sewage treatment agency, the Board of Supervisors shall, as a condition of development, designate a public agency to provide and manage the public sewer service. Sewer treatment facilities shall be designed to provide sewer service to existing developed areas, areas designated for commercial or industrial uses, or areas designated for rural residential development when part of a specific plan or policy plan overlay. An analysis of the financial viability of constructing, operating, and maintaining a proposed community sewage disposal system shall be required.

- Solano General Plan, Page PF-19.



4.3.5 DISPOSAL OF SOLID WASTE

This Specific Plan recognizes the need to minimize solid waste production and incorporates Policies and Standards to reduce, recycle and reuse solid waste to the extent feasible in conjunction with working with local providers to implement robust recycling and composting programs.

Solid waste in the Plan Area is currently collected by the Solano Garbage Company, a franchised hauler under contract with the County to provide waste collection, recycling, transportation, disposal and related services. After collection, solid waste is hauled to the Portero Hills Landfill located at 3675 Potrero Hills Lane in Suisun City, approximately 10 miles southeast of the Plan Area. This facility accepts solid waste, industrial waste, construction waste, ash, tires and sludge. It also provides a materials processing center where resource recovery activities are conducted and materials are diverted from the landfill through composting, wood recycling, concrete and asphalt rubble crushing and screening, metal salvage recovery, and other recycling services. This landfill recently purchased adjacent land to provide for future operations and buffer area. With this expansion the site is anticipated to be able serve the needs of the Plan Area through the year 2046.

As provided in Section 5.5.11, Utilities and Services and Section 5.4.2(K) Climate Change Initiatives, this Specific Plan addresses waste minimization efforts by the inclusion of appropriate facilities to promote recycling and composting and the recycling of construction waste. In addition, Section 5.4.2(J) encourages building material choices that would help limit long-term generation of solid waste by incorporation of recycled and salvaged materials.

4.3.6 ELECTRICITY AND NATURAL GAS

The Plan Area is located within the Pacific Gas and Electric Company (PG&E) service area for electricity and natural gas. The Specific Plan provides a compact development pattern coupled with energy efficient Guidelines and Standards to reduce energy demand consistent with the Plan's stewardship ethic as well as with relevant County policies and implementation programs.

These Guidelines and Standards are outlined throughout Section 5.4.2 – Building Character, Massing, Proportions and Materials, Section 5.5-Landscape Standards and comprehensively indexed in Appendix B – Sustainable Design Index.



4.3.7 FIRE PROTECTION

This Specific Plan recognizes the potential for increased fire hazards as a result of the Plan Area's setting. Therefore the Specific Plan seeks to protect against the potential for wildfires originating as structure fires.

Currently the Cordelia Fire Protection District (CFPD) provides fire and emergency medical services in the plan area and vicinity. The CFPD maintains two stations (engine companies) that cover a 56 square-mile service area in southern Solano County. The CFPD has an automatic mutual-aid agreement with the California Department of Forestry and Fire Protection (CDF) Lake Sonoma-Napa Unit and the cities of Benicia, Vallejo, and Fairfield, the Suisun Fire Protection District, and the American Canyon Fire Department to provide back-up assistance during an emergency. In particular, the CDF, which is called upon by the CFPD to assist with nearly all wildfires, operations five back-up fire stations in the surrounding counties that serve the Plan Area.

In order to address the wildfire risk the Plan incorporates the following measures:

- **Circulation Pattern** - The Plan includes a modified grid system of streets that provides many alternatives to moving throughout the neighborhoods. A new local road at the southerly boundary will be provided so that there are two main ingress/egress points to the neighborhoods west of Green Valley Creek.
- **Additional Emergency Access** –The Plan proposes to upgrade existing ranch roads to emergency access road standards to link the Elkhorn and Three Creeks Foothill neighborhoods to provide additional accessways to the foothill neighborhoods in the Plan Area.
- **Fire Sprinklers** – As provided in Section 5.4.2(L), all buildings designed for human occupancy larger than 500 square feet, including garages, are to be equipped with interior residential fire sprinkler systems.



4.4 ADMINISTRATIVE PROCEDURES

This section outlines the administration and enforcement components of this Specific Plan including its policies and regulations within the Plan Area.

4.4.1 SPECIFIC PLAN APPROVALS

Actions anticipated to occur concurrently with the approval by ordinance of this Specific Plan document include:

- Certification by the Board of Supervisors (Board) of the Final Environmental Impact Report (FEIR) addressing this Specific Plan and any concurrently approved implementing projects.
- Approval of land use designations and rezoning of the entire Plan Area to be consistent with this Specific Plan.
- Approval of a Master Development Agreement.

As a condition of approval for any subdivision within the Specific Plan Area, the following actions shall be required prior to recordation of the first final map.

4.4.2 SUBSEQUENT ENTITLEMENT PROCESS

Development within the Plan Area is subject to approval of subsequent discretionary entitlements by the County and the Conservancy Design Review Committee (CRC). Examples of such entitlements include subdivision maps, Conditional Use Permits, Minor Use Permits, and Design/Site Review applications and ministerial permits such as grading and building permits. Individual project applications will be reviewed to determine consistency with this Specific Plan and other regulatory documents. Application and processing requirements shall be in accordance with this Specific Plan and the Solano County Zoning Ordinance and other regulations, as modified by this Specific Plan. All subsequent development projects, public improvements, and other applicable activities shall be consistent with this Specific Plan and its Appendices, the Development Agreement, and applicable County policies, requirements, and standards. In acting to approve a subsequent project or permit, the County may impose reasonable and necessary conditions to ensure that the project is in compliance with this Specific Plan and all applicable plans, ordinances, and regulations.



Application Requirements - Once the Specific Plan is approved, individual applications for subsequent phased tentative maps and/or other entitlements as necessary may be submitted. Large lot and small lot tentative maps may also be processed concurrently, but will be approved sequentially. Applications shall be made in writing on forms provided by the County Planning Department and shall be accompanied by required application fees and such data and information as may be prescribed for that purpose.

Application Processing - Applications will be analyzed by the County for consistency with this Specific Plan. Specific Plan consistency must be demonstrated in several ways:

- *Consistency with Specific Plan Principles, Policies and program language.*
- *Consistency with land use designations, development density and intensity, circulation, and trails.*
- *Consistency with Neighborhood Design Code.*
- *Consistency with adopted mitigation measures relevant to the requested entitlement.*
- *Consistency with figures and tables.*

- *Consistency with the Development Agreement and other relevant implementation documents.*
- *Consistency with the Specific Plan Mitigation Monitoring and Reporting Program, infrastructure plans, and other implementing documents of this Specific Plan.*

Subsequent Environmental Review - All applications for a development entitlement that are submitted after approval of this Specific Plan shall be reviewed for conformity with the Specific Plan and for compliance with CEQA, Public Resources Code Section 21000 et seq. The FEIR will be certified concurrent with the approval of this Specific Plan and shall serve as the program-level environmental document for subsequent entitlement approvals within the Plan Area. The determination of whether the requested subsequent development entitlement is consistent with this Specific Plan and whether the Specific Plan EIR considered the project-specific effects will be made through the Subsequent Conformity Review process as described in the next section.

Subsequent Conformity Review Process - In conjunction with submitting any required County application for approval of a subsequent development entitlement within the Plan Area, the applicant for each proposed project shall complete a Subsequent Conformity Review questionnaire. The purpose of the questionnaire will be to enable the County to determine whether the proposed project is consistent with the Specific Plan, to examine whether there are project-specific effects that are peculiar to the project or its site that were not considered in the Specific Plan EIR, to determine whether the EIR adequately addresses the proposed project, and to determine whether an event as described in Section 15162 of the State CEQA Guidelines has occurred. The County may require additional information to make such a determination, including, but not limited to, the following:

- *Preliminary Grading Plan (including off-site improvements)*
- *Preliminary Geotechnical Report*
- *Preliminary Drainage Report*
- *Preliminary Water Quality Best Management Practices (BMP) Plan*
- *Traffic Circulation Plan*
- *Traffic Study*
- *Tentative Map*
- *Water Quality Related Studies/Details (BMPs, Preliminary Grading Plan, Preliminary Drainage Plan)*
- *Senate Bill (SB) 221 Water Supply Assessment Information*
- *Biological and Cultural Resources Study*
- *Public Safety Assessment*

Based on the information provided, the County will determine whether the proposed development entitlement is consistent with this Specific Plan and related documents, whether additional environmental review is required, and if so, the scope of such additional review. Based on the content of future submittals and the process described above, and subject to the terms of the Development Agreement, the County will determine whether performance standards are still achievable given the nature of the submittal, current conditions, and/or changed circumstances. The County shall require that adequate water supply is verified as a condition of any subdivision map. In the event that mitigation measures are no longer considered feasible, or the performance standards do not appear to be achievable, the County may perform subsequent environmental review pursuant to Sections 15162, 15163, or 15164 of the State CEQA Guidelines to identify additional or alternative mitigation measures.

4.4.3 DEVELOPMENT AGREEMENT

The landowners and the County will execute a Development Agreement approved by the Board of Supervisors in accordance with Government Code Section 65864 et seq. Once adopted and executed, the Development Agreement will vest (or guarantee) the landowners with the right to develop consistent with density, intensity and locations within the Specific Plan for the term of the Development Agreement subject to the terms, conditions and requirements mutually agreed to by the landowners and Solano County.

4.4.4 ADMINISTRATION

Administration of this Specific Plan includes subsequent application review, amendments, and minor revisions and CEQA review.

Solano County is the public agency responsible for the administration, implementation and the enforcement of this Specific Plan. The Conservancy Design Review Committee (CRC) will be established for internal review of all development proposals within the Plan Area. The CRC review process is in addition to all County, local, state and federal approvals and/or permitting that must take place, as applicable, for any improvement in the Plan Area (Refer to Section 5.9.2 - Conservancy Design Review Committee Organization).

The specific provisions of the Development Agreement will govern enforcement of the Development Agreement as a contract between the County and the landowners.

4.4.5 SPECIFIC PLAN AMENDMENTS

A Specific Plan amendment shall be required when any of the following occurs:

- A new type of land use not specifically discussed in this Specific Plan or identified in the land use concept is introduced.
- A change to this Specific Plan, which could create new or significantly increased previously identified environmental impacts as determined strictly pursuant to the provisions of Public Resources Code Section 21166.
- A change that would result in an increase in the total maximum number of new units proposed in the Specific Plan and/or the total maximum number of new units assigned to any or all neighborhood areas.
- Changes in lot design and/or parcel size which result in a significant change in the character of the area, including significant changes in density, building forms and architectural character.
- Significant changes to the Plan Area's circulation pattern that would result in a substantial alteration of any land uses or circulation concepts set forth in this Specific Plan.
- Significant changes to the distribution of land uses or elimination of a major land use of the Specific Plan, which would substantially alter the overall mix of land uses set forth in Section 3.5 of this Specific Plan.
- Changes to or deletion of any Specific Plan policy that results in a substantial change to the overall character or intent of the Specific Plan.
- The County may also initiate modifications to the Neighborhood Code in the form of a Specific Plan amendment, in addition to the Conservancy Design Review Committee (CRC).

A Specific Plan amendment shall not be required for the following Administrative Modifications:

- Changes in the development sequencing of the Plan Area which does not change the overall balance of providing sufficient infrastructure and Open Lands for the community.
- Deviations in water or sewer line alignments that do not substantially alter the location of the pipe line(s) and that do not alter the level of service required for the overall development of the Plan Area.
- Minor changes to the alignment of streets where the general land use pattern is maintained.
- Minor adjustments to the Neighborhood Design Code and the Standards and Guidelines herein that are consistent with the policies and intent of this Specific Plan.
- Minor deviations in the location of any of the trails within any of the designated Open Lands areas in the Plan Area provided the general land use pattern and overall trail system links are maintained.
- Changes in the location of any of the agri-tourism, civic or community facilities located in the Plan Area provided the overall mix of facilities within the general land use pattern is maintained.

Concurrent Development Agreement Amendment - A Specific Plan amendment will require an amendment to the Development Agreement so long as the Specific Plan is in place.

Specific Plan Amendment Determination - The Director of Resource Management is authorized to determine whether a Specific Plan amendment or an Administrative Modification is required pursuant to this Section 4.4.5. Specific Plan Amendments require Board approval, with a prior recommendation forwarded by the Planning Commission.

4.4.6 INTERPRETATION, APPLICATION OR IMPLEMENTATION

The interpretation, application or implementation of this Specific Plan shall be governed by the provisions of California planning and Land Use Law (Title 7 Chapter 3, Article 8) of the California Government Code, except, if a conflict occurs between these documents and the Zoning Ordinance, the documents herein cited shall apply. However, where a topic is not addressed in this Specific Plan, the Zoning Ordinance shall prevail.

Administrative Modification and Amendment Requests - All requests to amend this Specific Plan shall be made using the appropriate application forms, required documentation, and applicable fees as established by the Resource Management Department. Any or all of the following information may be required:

- A detailed justification statement that explains in detail why an amendment to the Specific Plan is warranted, and any exhibits deemed necessary by the Director of Resource Management.
- A statement of consistency with General Plan policies and Specific Plan land use designations.
- A statement of consistency with this Specific Plan.
- Analysis as required by CEQA and Section 4.4.2.
- Identification of any required modifications of the public infrastructure improvements that are not currently mandated by this Specific Plan (description, location, timing, funding source, method, etc).

Approval of Specific Plan Amendments - Specific Plan amendments shall be processed in the same manner as the original adoption of this Specific Plan. This Specific Plan may be amended as many times as necessary, but shall require findings and conclusions in the affirmative on the following:

- The amendment is consistent with the General Plan.
- The amendment will not have a significant effect on the environment.
- All other plans of the County that are applicable to the same areas or matters affected have been reviewed and amended as necessary to be consistent with the proposed Specific Plan amendment.

Approval of Administrative Modifications - Administrative modifications are those changes that would not have a significant impact on the character of the Plan Area. Administrative modifications are consistent with the spirit and intent of the vision, goals, and Policies of the Specific Plan. Administrative modifications shall conform to the following criteria:

- The Resource Management Director determines that the proposed adjustments to this Specific Plan are offset by the merits of the proposed design and do not significantly change the anticipated physical characteristics, Goals, and intent of this Specific Plan.
- Proposed changes to the alignment of throughways, if adopted, would not substantially alter the land use or circulation concepts set forth in this Specific Plan.

- Proposed changes to land use diagram shapes or to the alignment of throughways maintain the general land use pattern and/or provide an improved circulation system consistent with the intent and direction of the vision, goals, and policies of this Specific Plan as well as the maximum number designated for each neighborhood area, (Green Valley Corridor, Elkhorn, Nightingale and Three Creeks).

An administrative modification may be reviewed and acted upon by the Resource Management Director. Planning Commission or Board review is not required, unless the Administrative Modification is appealed.

4.4.7 MITIGATION MONITORING

A mitigation monitoring and reporting program consistent with Public Resources Code Section 21081.6 will be adopted with the Final EIR for the Specific Plan.

4.5 DEVELOPMENT SEQUENCING

Projected completion of the Plan Area could occur between 8 to 12 years after the approval of the first phase final map subject to market conditions. Development of the Plan Area will generally consist of four phases. The preliminary phasing is presented in Figure 4-6: Phasing Plan.

Within each phase, agricultural, recreation and community facilities, public infrastructure and neighborhood commercial services are planned so that they are available to serve the residential development within each phase. Public infrastructure is phased so that it is in place prior to construction of residential, commercial and recreation facilities.

Precise residential development and phasing is subject to actual market conditions. Within individual neighborhoods, phasing of residential construction and corresponding public facilities may vary slightly to respond to the market's demand for specific Building Types and locations.

The following sequencing requirements are to be implemented during build-out of the Plan Area.

- The Green Valley Farm Stand shall be established prior to the issuance of the 25th building permit in Phase 3A.
- The wastewater treatment plant shall be established prior to the 150th building permit in Phase 3A.
- The Green, Chapel and Conservancy Office shall be established prior to the 25th building permit in Phase 2A.
- The Elkhorn Foothills (Phase 2B) shall be developed concurrently and/or after the development of the balance of the Elkhorn neighborhood (Phase 2A).
- The sports fields (Phase 3A) shall be established prior to the issuance of the 25th building permit within Phase 3A.

4.5.1 LIST OF PERMITS, AGENCIES AND INFORMATION REQUIREMENTS

The following section outlines the state and federal permits that are anticipated to be needed for the project and the general information requirements for each. Refer to the FEIR for more specific details and requirements.

FEDERAL

1. Clean Water Act Section 404 - Fill of Federal Jurisdictional Wetlands/Waters

Agency: U.S. Army Corps of Engineers, San Francisco District

Permit: Either Individual Permit (> 1/2 acre, >300 lf streambed) or Nationwide Permit No. 29 (Residential) (<1/2 acre, <300 lf streambed)

Information Requirements (Wetlands Biologist):

- Verified wetland delineation
- Direct and Indirect Impact Analysis with Maximum Avoidance and Minimization based on conceptual grading plan
- Compensatory Mitigation Plan for "No Net Loss" or approximately 3:1 mitigation to impact ratio of creation/enhancement
- Complete application, including 404(b)(1) Alternatives Analysis for Individual Permit

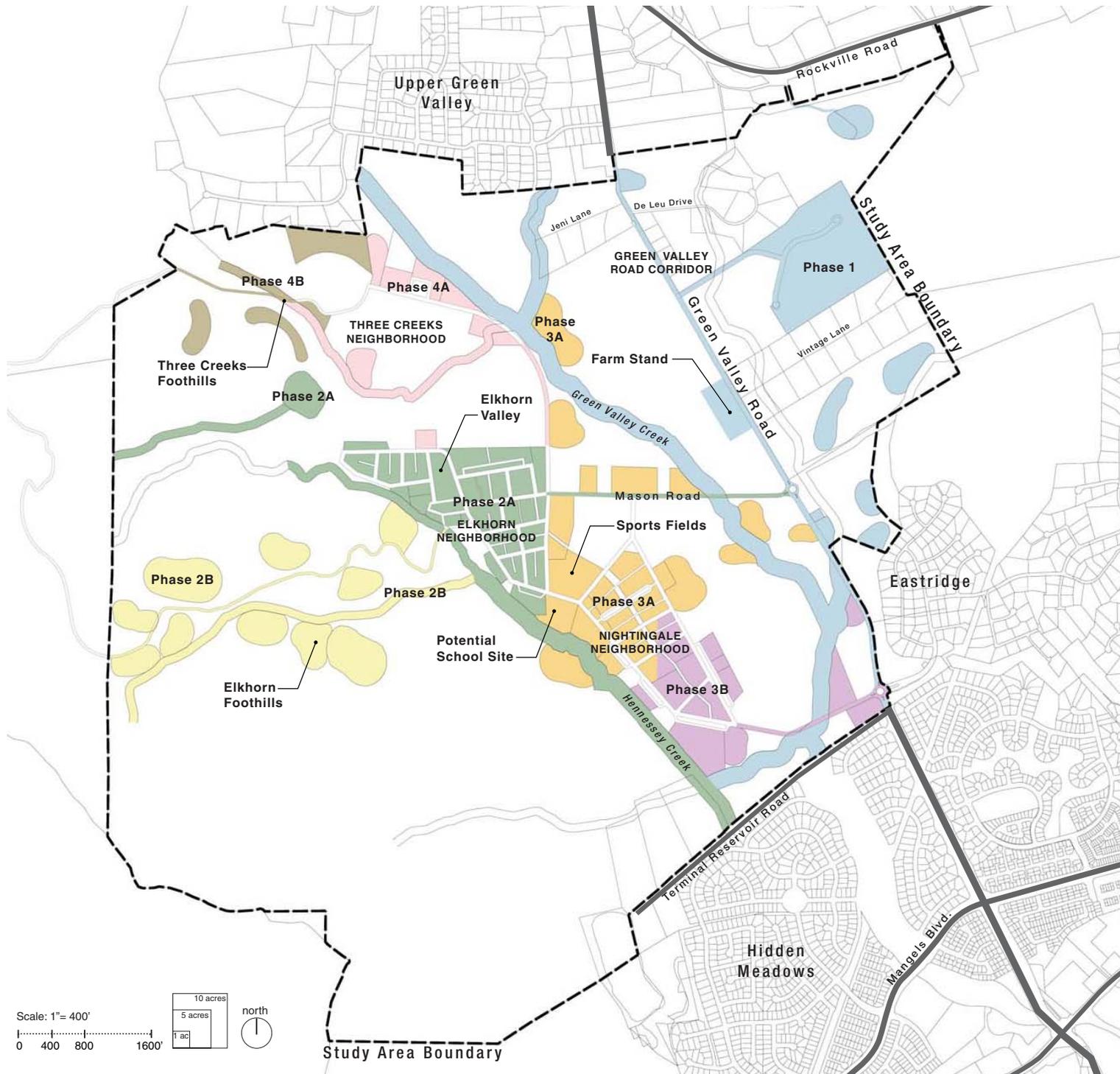
2. Endangered Species Act - Take of Federal Endangered Species/Habitat Modification

Agency: U.S. Fish & Wildlife Service, Sacramento Office

Permit: Section 7 Consultation (Biological Opinion) or Section 10 Permit (Habitat Conservation Plan (HCP) if approved by Solano County)

Information Requirements (Species Biologist):

- Biological Assessment of Property to identify species and habitat
- Direct and Indirect Impact Analysis with Maximum Avoidance and Minimization based on conceptual grading plan
- Compensatory Mitigation Plan approximately 3:1 mitigation to impact ratio of creation/enhancement/preservation with long term management plan
- Complete Biological Assessment for submission with the 404 Permit Application to allow initiation of consultation.



LEGEND

- Phase 1
- Phase 2A
- Phase 2B
- Phase 3A
- Phase 3B
- Phase 4A
- Phase 4B

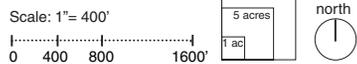


Figure 4-6: Phasing Plan

STATE

3. Water Code/Clean Water Act Section 401 - Water Quality Certification for 404 Permit/Stormwater

Agency: San Francisco Bay Regional Water Quality Control Board

Permit: 401 Certification (Administrative) or Waste Discharge Requirements (WDR) (Board)

Information Needs (Wetlands Biologist/Stormwater):

- Verified Wetland Delineation (with all non-federal waters identified)
- Direct and Indirect Impact Analysis with Maximum Avoidance and Minimization based on conceptual grading plan
- Compensatory Mitigation Plan for “No Net Loss” or approximately 3:1 mitigation to impact ratio of creation/enhancement.
- Stormwater Management Plan
- Stormwater Pollution Prevention Plan (SWPPP)
- Complete Application and Fees

4. Fish & Game Code Section 2080 - Take of State Endangered Species/Habitat Modification

Agency: California Department of Fish & Game

Permit: Section 2081 Permit or Section 2080.1 Consistency Determination (concurrent with Section 7)

Information Requirements (Species Biologist):

- Biological Assessment of Property to identify species and habitat
- Direct and Indirect Impact Analysis with Maximum Avoidance and Minimization based on conceptual grading plan
- Compensatory Mitigation Plan approximately 3:1 mitigation to impact ratio of creation/enhancement/preservation with long term management plan
- Complete Application and Fees

5. Fish & Game Code Section 1600 - Alteration of Lake or Streambed/Impact to Adjacent Riparian Habitat

Agency: California Department of Fish & Game

Permit: Section 1602 Streambed Alteration Agreement

Information Requirements (Wetlands Biologist/Stormwater):

- Verified Wetland Delineation with federal and state waters, including the dripline of riparian habitat
- Direct and Indirect Impact Analysis with Maximum Avoidance and Minimization based on conceptual grading plan
- Compensatory Mitigation Plan for “No Net Loss” or approximately 3:1 mitigation to impact ratio of creation/enhancement.
- Complete Application and Fees

6. Subdivision Map Act/County Subdivision Ordinance

Agency: Solano County

Permit: Tentative Map(s)/Vesting Tentative Map(s)

Information Needs (Civil Engineer)

See Section 26-62 and 26- 63 of the County Subdivision Code.

4.5.2 PROPOSED PROCESS FOR FEDERAL AND STATE PERMITS

The following outlines the anticipated general steps to achieve the federal, state and county permitting for the Specific Plan Area and their timing with regard to tentative and final map recordation. These permit requirements could change, refer to the FEIR for specific permit and mitigation requirements.

Step One: Retain wetlands and species biologists, attorney and civil engineer per Information Needs described above; determine if they can be retained subject to attorney work product.

Step Two: all can be prepared concurrently:

- Wetlands biologist prepares preliminary wetlands/waters jurisdictional delineation, and also identified state waters and riparian habitat.
- Species biologist prepares preliminary biological assessment of property identifying potential species habitat and quality.
- Civil engineer prepares conservative conceptual grading plan and large lot tentative map for impacts analysis.
- County initiates Resolution of Application by Board of Supervisors for formation of Green Valley CSA and publishes Notice of Hearing and mails notice to LAFCO (Gov. Code §§ 25211.1, 25211.3)

Step Three: Coordinate with Civil Engineer and Biologists to overlay impacts to preliminary delineation and habitat mapping to prepare direct and indirect impact analysis with numeric calculations and clear map.

Step Four: Based on first round impact analysis, consider adjustments to grading plan/large lot tentative map to avoid and minimize impacts to resources.

Step Five: Once the development team has settled on a plan and resulting impacts, then prepare a calculation of required compensatory mitigation and have biologists prepare a preliminary mitigation plan to accomplish mitigation on-site if feasible.

Step Six: Review impacts and mitigation plan, make any final adjustments to tentative map as necessary.

Incorporate any necessary LAFCo issues and utility right of ways into tentative map. If LAFCo disapproves of CSA Formation, Fairfield municipal services will not be available to the project and Alternative 2 (groundwater and on-site treatment and disposal of wastewater) will be initiated.

Step Seven: Coordinate one (or more if necessary) informal informational meeting(s) with all agency staff to review impact analysis and mitigation plans. Prepare powerpoint presentation summarizing mitigation plan.

Step Eight: Adjust plans as necessary to respond to comments, and determine if a follow up meeting(s) or site visit(s) are necessary.

Step Nine: Prepare one supporting project description and information package to support applications for all necessary permits. Fill out all applications concurrently and calculate fees. Submit application forms and supporting documentation to all agencies concurrently under one cover letter.

Step Ten: Coordinate with all agencies to ensure receipt of application package and completeness review.

Step Eleven: Coordinate with U.S. Army Corps of Engineers to ensure timely publication of Public Notice (if Individual Permit, should be published within 15 days of receipt of complete application) and Consultation Request Letter to the U.S. Fish & Wildlife Service (triggers 120 day process).

Step Twelve: Meet and negotiate as necessary with regulatory staff to review, supplement and correct project information as necessary. This process can take months or more than a year to complete, depending on staff levels and accuracy/completeness of the project information. Hold joint or separate meetings and/or site visits as necessary.

Step Thirteen: Negotiate specific wording and maps of permits, conservation easements, long-term management plans and endowment Property Assessment Record (PARs) prior to issuance. (WDRs require a public hearing before the Regional Board, all other permits are issued administratively.)

Step Fourteen: Once the basic land plan and mitigation plans have been negotiated, begin processing County approvals for a phased tentative map and conditions of approval which will allow for recordation of separate final maps by individual land owners.

Step Fifteen: The CSA authorizes formation of the CFD which in turn may issue a Bond to assist the developer in financing the public infrastructure.

4.6 FINANCING PLAN

Financing Measures

The Middle Green Valley Specific Plan Preliminary Financial Model prepared for the Plan Area by Economic Planning Systems (EPS) provides cost estimates of public infrastructure and facilities required to serve the Plan Area. This cost information identifies backbone infrastructure improvements, public facilities, and administrative costs needed to serve Plan Area, including information for roadways, sewer, water, drainage, recycled water, micro-detention, open space, and erosion as well as fire, sheriff, and transit. This Financing Plan describes the financing mechanisms that will be used to create these improvements in a timely manner including the possible issuance of Community Facility District bonds with special taxes charged to the approximately 400 new homes located in the Study Area.

Major infrastructure and facilities required for development to proceed in the Plan Area will be funded through a combination of public and private financing. The majority of funding will come from developer equity, developer debt, and land secured public financing. Some additional funding may be available through County and specific District development impact fees. The Financial Model indicated that such an approach to project financing is viable once the market recovers.

A County Services Area (CSA) will be formed to help focus the provision of services and facilitate the establishment of a Community Facilities District for the purposes of issuing infrastructure bonds services by special taxes on the new homeowners. Debt financing will be limited to prudent levels and shall be consistent with State and County guidelines and underwriting standards. Facilities will be constructed as they are needed to serve new development. Development projects will be conditioned during the subdivision process to construct facilities needed to serve the development.

Developers who oversize infrastructure that ultimately serves other developers will be eligible for reimbursements under the County Service Area's reimbursement policies. It is expected that costs will change over time; therefore, each funding mechanism should be as flexible as possible in adjusting the amount of funding to reflect current costs at the time of construction. At any stage, smaller sub-areas may develop, depending on the financing capacity of the area, development plans, and market conditions.

Financing Public Improvements

The construction of backbone and other public improvements designed to serve the Plan Area will be funded by a variety of mechanisms detailed in the Financing Plan: county-wide impact fees, school district impact fees, establishment of special districts and assessments (i.e., County Service Area), developer financing, and other potential methods.

School District Impact Fees

The school district has established fees, in accordance with state regulations, to be used for school facilities. School impact fees are collected by the County before the issuance of a building permit and are forwarded to the applicable school districts.

Community Services Area

A County Services Area (CSA) may be established to help fund the construction and/or acquisition of backbone infrastructure and facilities in the Plan Area. The County Service Area Law (Government Code §25210 et seq.) was created in the 1950s to provide a means of providing expanded service levels in areas where residents are willing to pay for the extra service. This Specific Plan proposes a County Service Area (or CSA) as the overall organizing implementation structure to bring services to the Plan Area. A CSA is initiated by a petition of registered voters or by adoption of a resolution at the county level. Once proposed, the formation of the CSA will be subject to public notice and a public hearing. If more than

50% of registered voters or landowners protest, the CSA may need to be subject to voter approval at a special election. Once approved, the CSA is normally granted limited powers and the Board of Supervisors may act as the CSA board.

Determination of the Annual Charge

When a CSA exists, the property owner will pay taxes and fees to the CSA or a designated Community Facilities District instead of the County for the services provided. These will be billed as line items on the County property tax bill. The taxes may take a variety of forms:

- General property taxes may be levied depending upon Prop. 13 constraints. These taxes, referred to as ad valorem taxes, are based on assessed value.
- Special taxes may be levied for specific purposes. These taxes must be approved by a two thirds vote of CSA residents.
- Benefit assessments may be levied for specific purposes and are based on the direct benefit each parcel receives from the improvements or services financed.
- Water or sewer standby charges may be levied to ensure future availability of service, subject to certain limitations.

Additionally, the CSA may charge these fees and taxes according to zones to more accurately bill residents for the particular services provided to their individual property. CSA charges will continue as long as the CSA is providing services to the community.

Potential Expansion of the Green Valley CSA Though the City of Fairfield abuts the proposed CSA to the south, there is a neighborhood of approximately 700 homes to the north (Upper Green Valley) that may benefit at some future date from public infrastructure improvements such as water and sewer. Whether it is initiated by a petition of registered voters or by adoption of a resolution at the County level, this area has the potential to be included in the Green Valley CSA. Critical issues of local water rates

and sewer infrastructure - especially those services related to the Falls School site and other parcels near Green Valley Creek - could be addressed through this public vehicle.

Other Financing Mechanisms

As described in the Financing Plan, other financing mechanisms, such as creation of private districts or associations, may be used to fund maintenance of certain facilities in the in the Plan Area. Specific financing requirements, improvement obligations, fees, reimbursements, land and easement dedications, conveyances, maintenance, and other financing and improvement-related obligations would be detailed within the documents that form the CSA.

Developer Funding

Developer funding will be used for improvements not included in existing fee programs or the CSA and CFD. Improvements funded through developer funding/private capital, will be subject to, where appropriate, reimbursement agreements with the County. The specific provision of these methods as applied to the Plan Area may be included in the Development Agreement.

It is expected that costs will change over time and, therefore, each funding mechanism will include a method for adjusting the amount of funding to reflect current costs at the time of construction.

