

**Middle Green Valley
Specific Plan Amendment (SP-20-01)
Addendum to the Certified Final EIR
Solano County, California**

State Clearinghouse No. 2009062048

Solano County

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Section 1: Introduction

This Addendum, checklist, and attached supporting documents have been prepared to analyze whether the proposed Middle Green Valley Specific Plan Amendment (Amendment) are within the scope of the previously certified Middle Green Valley Specific Plan Final Environmental Impact Report (Final EIR) or whether preparation of a subsequent EIR or a supplement to that previously certified EIR is required under the California Environmental Quality Act (CEQA) (Pub. Resources Code, Section 21000, et seq.).

1.1 Initial Study Checklist

Pursuant to Public Resources Code Section 21166, and CEQA Guidelines Sections 15162 and 15164, subd. (a), the attached initial study/checklist (Appendix A) has been prepared to evaluate the Amendment. The attached initial study/checklist uses the standard environmental checklist categories provided in Appendix G of the CEQA Guidelines but provides answer columns for evaluation consistent with the considerations listed under CEQA Guidelines Section 15162, subd. (a).

1.2 Environmental Analysis and Conclusions

CEQA Guidelines Section 15164, subd. (a) provides that, prior to approving changes to a previously approved project, the lead agency or a responsible agency shall prepare an addendum to a previously certified Environmental Impact Report if some changes or additions to that document are necessary, but none of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR have occurred (CEQA Guidelines, Section 15164, subd. (a)).

An addendum need not be circulated for public review but can be included in or attached to the previously certified Final EIR (CEQA Guidelines Section 15164, subd. (c)). The decision-making body shall consider the addendum with the Final EIR prior to making a decision on the project modification (CEQA Guidelines Section 15164, subd. (d)). An agency must also include a brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 (CEQA Guidelines Section 15164, subd. (e)).

Consequently, once an EIR has been certified for a project, no subsequent EIR is required under CEQA unless, based on substantial evidence:

- 1) Substantial changes are proposed in the project which will require major revisions of the previous EIR . . . due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;¹
- 2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR. . . due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete . . . shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative (CEQA Guidelines, Section 15162, subd. (a); see also Pub. Resources Code, Section 21166).

This addendum, checklist, and attached documents constitute substantial evidence supporting the conclusion that preparation of a supplemental or subsequent EIR is not required prior to approval of the Amendment.

Section 2: Description of the Amendment

Following is a detailed description including a discussion of the proposed Amendment to the Middle Green Valley Specific Plan.

¹ CEQA Guidelines Section 15382 defines “significant effect on the environment” as “. . . a substantial, or potentially substantial adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance . . .” (see also Public Resources Code, Section 21068).

2.1 Background

The Board of Supervisors certified the Final EIR for the Middle Green Valley Specific Plan Project (Final EIR) and adopted the Middle Green Valley Specific Plan, together with a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Plan on October 25, 2016.

The Final EIR, as certified by the Board of Supervisors, consists of the following components:

- i. Draft Environmental Impact Report for the Middle Green Valley Specific Plan, December 2009;
- ii. Final Environmental Impact Report for the Middle Green Valley Specific Plan (Responses to Comments on and Revisions to the Draft EIR), April 2010 and Errata #1;
- iii. Revised Recirculated Draft Environmental Impact Report for the Middle Green Valley Specific Plan, June 2014;
- iv. Responses to Comments on and Revisions to the Revised Recirculated Draft Environmental Impact Report for the Middle Green Valley Specific Plan, November 2014;
- v. Second Revised Recirculated Draft Environmental Impact Report for the Middle Green Valley Specific Plan, June 2016; and
- vi. Responses to Comments on the Second Revised Recirculated Draft Environmental Impact Report for the Middle Green Valley Specific Plan, October 2016

On July 25, 2017, the Board of Supervisors adopted a revised Mitigation Monitoring and Reporting Plan (MMRP), a copy of which is included as Appendix B to this Addendum.

2.2 The Proposed Amendment

Following is a description of the proposed Middle Green Valley Specific Plan Amendment.

2.2.1 Overview

The applicants (seven of the participating landowners within the Plan Area) seek approval of an Amendment to the Specific Plan.

Upon adoption of the Middle Green Valley Specific Plan (MGVSP) in October 2016, this group of seven MGVP landowners agreed to work together on development plans within the neighborhoods established by the MGVSP. Efforts to establish development plans commenced in 2018 with hiring of civil engineers to conduct various field surveys. In 2019, this development team was expanded to include biologists and geologists with expertise in evaluating and surveying earthquake faults as well as biological resource issues. This team of civil engineers, geologists and biologists spent several months in the field preparing site-specific technical studies and surveys to help inform a Constraints Analysis of the Plan Area (Appendix A1).

When the MGVSP was approved, the document did not have the benefit of site-specific, protocol-level biological surveys, topographic surveys nor geologic surveys that form the detailed Constraints Analysis. The MGVSP does include a "Combined Constraints Analysis Map" showing general locations of known constraints at the time the Plan was approved; however, the MGVSP anticipated the level of detailed engineering, site specific biological evaluation, and planning within the Constraints Analysis would occur at subsequent stages of development. The Constraints

Analysis identified a handful of refinements to the MGVSP that are required to ensure viable development in the Plan Area.

The proposed MGVSP refinements are designed to further the goals of the MGVSP and help to ensure that its land use vision can feasibly be implemented while considering the physical site constraint issues identified during the Constraints Analysis.

The proposed amendment would result in a reduced development footprint; increase the amount of Open Lands designation; and result in an overall decrease of the total number of primary residential units within the Plan Area. The proposed amendment is consistent with the allowable land uses, density, intensity, geographic area and infrastructure planned for in the MGVSP. The proposed amendments are consistent with the Specific Plan Principles (Chapter 1) and the fundamental Neighborhood Planning Principles (Chapter 3) that guide development within the Plan Area.

Following is a discussion of the proposed MGVSP refinements.

2.2.3 Proposed Specific Plan Refinements

Following is a narrative description and reasoning of the proposed refinements organized by neighborhood.

Green Valley Road Corridor

Proposed refinements to the Green Valley Road Corridor neighborhood include the following three items:

- GV-1. The southern access roadway is shifted south to align closer with the existing Terminal Reservoir Road. The shifted alignment will maintain the existing entry driveway and creek crossing location; however, the shifted alignment will also include a substantive landscape setback from the existing homes to the south. Aligning this local roadway with a portion of the existing roadway minimizes physical disturbance, allows for the new roadway to modify an existing creek crossing instead of creating a new creek crossing which therefore reduces the associated habitat impacts, and reduces the total amount of paved roadway within the Plan Area. The shifted roadway will still maintain alignment with the entrance of the East Ridge development and will still include a new round-about at the intersection with Green Valley Road. The existing residential structure will be removed and replaced with a Rural Farm (RF) lot located to the north of the relocated roadway.
- GV-2. The property upon which the existing residence located (north of the southern access roadway) is modified from the Agriculture-Residential (AG-R) to the Rural-Farm (RF) designation.

GV-3. The potential fire station location is identified at the corner of Mason Road and Green Valley Road.

Nightingale Neighborhood

Proposed refinements to the Nightingale neighborhood include the following three items.

NG-1. In order to adequately reflect the identified earthquake fault 'no build' zone, changes are required to the shape of the northwest portion of the neighborhood, including changes to the Community Service (CS), Rural Neighborhood (RN) and Neighborhood Commercial Overlay (NCO) land use designations. The total acreage of these land use designations remains unchanged, but the precise location of each designation in the land use plan is shifted to accommodate the no build zone.

NG-2. The neighborhood access road that extends south of Mason Road is shifted east to align with the existing farm road. This shift will also minimize physical disturbance and, more importantly, allow for a more usable agricultural area south of Mason Road by eliminating a second roadway connection through the fields.

NG-3. The Agriculture-Preserve (AG-P) land use designation within the middle of the neighborhood is shifted slightly north to align with the existing barn and agricultural operations. This internal agricultural operation is an important component of this neighborhood and having it located adjacent to the farming operations would increase the viability for continuing a sustainable agricultural operation.

Elkhorn Neighborhood

Proposed refinements to the Elkhorn neighborhood and foothills include the following 5 items.

EH-1. The land use designation for the area north of the sports field would be changed from RF (Rural Farm) to AG-P (Agriculture Preservation) to allow for increased agricultural use in that area.

EH-2. The PF (Public Facilities) land use designation has been moved out to the corner of Mason Road and Green Valley Road. The Fire District has made it clear that the original location within the Plan Area is not a suitable location for a fire station; and if a fire station is located in the Plan Area, the Fire District is only interested in a station on Green Valley Road. The District has also confirmed that if this station is needed, it should be located at Green Valley Road and Mason Road to provide optimal response times for beyond the Plan Area. Please also see Attachment E for a letter from the Fire District on this item.

EH-3. The foothill access road that provides access from Elkhorn to the Elkhorn foothills is relocated. The relocated roadway provides for more effective access by limiting the length of the overall roadway, reducing the grading required to construct the road, and is a better alignment that limits the overall disturbance area for development of the foothills. The former location of the Elkhorn Foothills access road may be utilized as an emergency

vehicle access route. The landowners of the Elkhorn and Elkhorn Foothills agree on this preferred location.

- EH-4. MGVSP allows for a maximum of 225 units in Elkhorn, including a maximum of 43 in the Elkhorn Foothills. To reduce impacts to the hillsides, the 29 homes anticipated for development in the Three Creeks Foothills is replaced with 2 compound lots, which can be carefully sited to alleviate physical impacts to the hillside. All other land will be deed restricted to not allow any new residential development in Three Creek Foothills. Elkhorn will absorb 18 of the units that were otherwise slated for development in the Three Creeks Foothills, in part through relocation of the fire station, thereby modifying the neighborhood unit maximums to 243 for Elkhorn and 15 for Three Creeks. Relocating units from Three Creeks Foothills to the Elkhorn valley floor takes units from a steep, sensitive hillside area and moves them to an already disturbed portion of the valley, and ultimately reduces the overall total number of units in the Plan Area. The character of Elkhorn remains with a mix of unit types with a rural mixed-use center all organized around the Town Green. This reallocation of units results in an overall decrease of 9 units that will not be relocated or replaced within the Plan Area.

Elkhorn Foothills

- EH-5. The location of RM (Residential Meadow) land use designations in the Elkhorn Foothills are shifted to account for topography, landslides, wetlands, creeks, and trees. The Constraints Analysis helped to fine tune the ideal locations for development in the Elkhorn Foothills so as to minimize impacts to physical features. There are no changes to the number of units (43) in the Elkhorn Foothills.

Three Creeks

- TC-1. MGVSP allows for development of 55 units in Three Creeks, including the Three Creeks Foothills.

As amended, due to site constraints, build out of Three Creeks will be limited to 15 total residential units and ag tourism/commercial development. Both landowners in the lower portion of Three Creeks (Hager and Volkhardt) participated in the TDR Program which reduced their Three Creeks development potential from 20 units to 9 units. Due to site constraints, the Mason/Lindemann's will reserve only 2 compound lots within the Three Creeks foothills; and the non-participating owners that are part of Three Creeks (Del Castillo and De Dominico) are allotted a total of 4 units.

The lower portion of the Three Creeks Neighborhood is an important component of the Plan. Anchored by the existing winery, Three Creeks provides for a Neighborhood Commercial pocket with new Rural Neighborhood (RN) homes surrounding a neighborhood Green. Three Creeks offers a smaller neighborhood charm with a neighborhood commercial component that is unique to this portion of the Plan Area. All

participating landowners are committed to ensuring the economic viability of Three Creeks. Realizing the Three Creeks neighborhood will be smaller, it still needs to be served with public water, sewer and new public road improvements along Mason Road. The costs of these improvements could be shared with the development of the Elkhorn valley neighborhood. This concept of cost sharing is consistent with Section 4.1.2 of the approved Master Development Agreement.

Clarification that GVAC is not a 501(C)(3)

The Green Valley Agricultural Conservancy (Conservancy) was formed in 2011 as an IRS 501(C)(4) non-profit corporation. The Plan anticipated that the Conservancy would be a nonprofit Internal Revenue Code Section 501(C)(3), tax exempt organization. In order to eliminate any confusion, the Plan will be amended to reflect the Conservancy's 501(C)(4) designation. This change does not affect the Conservancy's ability to oversee the management of the Open Lands by the landowners and the Conservation Easement Holder to ensure appropriate stewardship and conservation.

Emergency Vehicle Access Links

Standards and regulations related to wildfire prevention have increased significantly since the Plan was adopted. A significant portion of the Plan Area is located in the State Responsibility Area and future development will be subject to compliance with applicable SRA requirements. Compliance with all SRA requirements will be reviewed in detail with future applications for subdivision maps; however, as part of this amendment application, the design team reviewed the SRA requirements and recommends adding emergency access links within the Plan Area in response to the heightened regulations in the SRA. The two emergency access links provide for use of existing farm roads within the Elkhorn foothills and Three Creeks foothill neighborhoods.

Clarification of Maximum Units by Neighborhood

In addition to the above noted neighborhood specific plan refinements, an adjustment is needed to rectify inconsistencies between the Sales Participation Agreement (Exhibit G of the Master Development Agreement) and the MGVSP maximum units permitted in each neighborhood. Currently, the MGVSP and the Sales Participation Agreement do not include the same number of maximum units by neighborhood. Table 1 shows the total number of units by Participating Landowner, including adjustments for TDRs. In some cases, the TDR program took units from one neighborhood and moved them to another; however, the maximum unit count by neighborhood in the MGVSP was not updated to reflect these moves.

Table 2 shows the relationship of maximum units by landowner within each neighborhood. This application includes an amendment to the maximum number of units by neighborhood to address inconsistencies within the MGVSP and the SPA, as well as the request to reapportion units from Three Creeks to Elkhorn. As a result, the overall total number of new homes is reduced from 400 to 390.

Table 1: Max Units by Landowner			
Landowner	Allowed Unit Count MGVSP Table 4-1	Adjustments for TDRs	Final Unit Count
<i>Participating Owners</i>			
B+L Properties	63	+9	72
Engell	13	-9	4
Hager	10	-5	5
Mason/Lindemann	75	+136	211
Mason/Lawton Trust	121	-121	0
Maher	37	+6	43
Ragsdale	43	N/A	43
Siebe James (Frei)	5	-5	0
Siebe (Jean)	6	-5	1
Volkhardt	10	-6	4
Wiley	4	N/A	4
Biggs	6	N/A	6
DeDomenico	1	N/A	1
Del Castillo	3	N/A	3
Wirth	1	N/A	1
Parenti	0	N/A	0
Sweeney	1	N/A	1
Total	399		399

Note that Sweeney is not a landowner listed in the MGVSP Table 4-1 but was added as a non-participating owner during review and approval of the Plan.

Table 2: Amended Max New Units by Neighborhood	
Neighborhoods & All Landowners (Participating & Non-Participating)	Final Unit Count (including TDRs)
Green Valley Corridor	
Engell	4
Siebe James (Frei)	0
Siebe Jean	1
Wiley	4
B+L Properties (homes already approved)	2
Maher (home already approved)	1
Biggs	6
Wirth	1
Sweeney	1
Total Green Valley Corridor	20 New Units
Elkhorn	
Mason/Lindemann (includes all Mason/Lawton)	200
Ragsdale	43
Total Elkhorn	243 New Units
Nightingale	
B&L Properties (Russo)	70
Maher	42
Total Nightingale Neighborhood	112 New Units
Three Creeks	
Hager	5
Volkhardt	4
Mason/Lindemann	2
Del Castillo	3
De Dominico	1
Total Three Creeks Neighborhood	15 New Units
TOTAL NEW UNITS allowed in Amended Specific Plan	390 New Units

¹ Mason family has elected to reduce total units from 211 to 202

Section 3: Findings & Conclusion

1. There are no substantial changes proposed by the Amendment that require major revisions of the previously certified Final EIR due to the involvement of new significant environmental effects of a substantial increase in the severity of previously identified significant effects;
2. There are no substantial changes that have occurred with respect to the circumstances under which the Middle Green Valley Specific Plan project, as approved in 2016 or as modified by this Amendment, will be undertaken that require major revisions of the previously certified Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
3. There is no new information of substantial importance, which was not known when the Final EIR was certified in 2016, showing any of the following:
 - a. The project will have one or more significant effects not discussed in the previously certified EIR;
 - b. Significant effects previously examined will be substantially more severe than shown in the previously certified EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previously certified EIR would substantially reduce one or more significant effects on the environment.

The Solano County Board of Supervisors may approve the Specific Plan Amendment based on the previously certified Final EIR together with the changes to that document listed in Section 4 of this Addendum. The impacts of the Specific Plan project, as modified by this Amendment, remain within the impacts previously analyzed in the Final EIR (CEQA Guidelines Section 15061, subd. (b)(3)).

The proposed Amendment does not require preparation of a subsequent EIR or supplement to the Final EIR. No new significant information or changes in circumstances surrounding the project have occurred since the certification of the Final EIR in 2016. The previous analysis completed for the Middle Green Valley Specific Plan project under CEQA and included in the Final EIR therefore remains adequate under CEQA. Additionally, prior environmental review documents resulted in a set of mitigation measures to be implemented by the Middle Green Valley Specific Plan. These mitigation measures remain applicable to the project and the previously adopted Mitigation Monitoring and Reporting Program (MMRP) is incorporated within Appendix B.

Section 4: Changes to the Certified Final EIR

Chapter 2, Page 2-14

Figure 2.5 Proposed Specific Plan Land Use is revised as shown in the attached.

Chapter 2, Page 2-21

Table 2.3

SPECIFIC PLAN DEVELOPMENT AREA RESIDENTIAL CHARACTERISTICS

<u>Specific Plan Subarea/ Residential Designation</u>	<u>Acres</u>	<u>Maximum Number of New Primary Housing Units</u>
<i>Green Valley Road Corridor</i>		
Agriculture-Residential (5-acre minimum residential lots)	26	NS
Rural Farm (2-5 acres per unit)	121	NS
<i>Subtotal</i>	147	23 <u>20</u> ("cap")
<i>Elkhorn Neighborhood</i>		
Agriculture-Residential (5-acre minimum residential lots)	8	NS
Rural Farm (2-5 acres per unit)	6	NS
Rural Neighborhood (1-4 units per acre)	55	NS
Rural Mixed-Use Center (4-8 units per acre)	15	NS
<i>Subtotal</i>	84	225 <u>243</u> ("cap")
<i>Nightingale Neighborhood</i>		
Agriculture-Residential (5-acre minimum residential lots)	36	NS
Rural Neighborhood (1-4 units per acre)	33	NS
<i>Subtotal</i>	69	97 <u>112</u> ("cap")
<i>Three Creeks Neighborhood</i>		
Agriculture-Residential (5-acre minimum residential lots)	15	NS
Rural Farm (2-5 acres per unit)	1	NS
Rural Neighborhood (1-4 units per acre)	20	NS
<i>Subtotal</i>	36	55 <u>15</u> ("cap")
TOTAL	336	400 <u>390</u>

NS = not specified

Chapter 2, Page 2-23

As shown in Table 2.3, the Specific Plan designates a maximum of ~~23~~ 20 new primary housing units in this subarea. Existing residential lots off Green Valley Road, Jeni Lane, Vintage Lane, and De Leu Drive, including the already-approved six-lot Biggs subdivision on the east side of Green Valley Road in the northeastern part of the subarea, would be designated *Rural Farm*. The Specific Plan would designate existing and new *Agriculture-Residential* uses in areas that are intended to be screened or obscured from view from Green Valley Road.

The neighborhood would contain a mix of residential designations. As shown in Table 2.3, the Specific Plan designates a maximum of ~~225~~ 243 new primary housing units in this subarea. The core of the neighborhood would be *Rural Mixed-Use Center*, surrounded by a mix of detached housing in *Rural Neighborhood* and *Rural Farm* designations. The western, foothill part of the neighborhood would contain several *Rural Neighborhood* areas (see Figure 2.5).

Chapter 2, Page 2-25

As shown in Table 2.3, the Specific Plan designates a maximum of ~~97~~ 112 new primary housing units in this subarea. Most of these units would be single-family detached houses in the *Rural Neighborhood* designation. One proposed and two existing *Agriculture-Residential* uses would be designated in this subarea (see Figure 2.5).

Chapter 2, Page 2-28

Figure 2.11 Proposed Specific Plan Circulation System is revised as shown in the attached.

Chapter 2, Page 2-9

As shown in Table 2.3, the Specific Plan designates a maximum of ~~55~~ 15 new primary housing units in this subarea. Most of these units would be single-family detached houses in the *Rural Neighborhood* designation. The subarea would also contain pockets of lower-density *Rural Farm* and *Rural Meadow* housing and two existing *Agriculture-Residential* uses.