



# Solano County

675 Texas Street  
Fairfield, California 94533  
www.solanocounty.com

## Agenda Submittal

<b>Agenda #:</b>	1	<b>Status:</b>	PC-Regular
<b>Type:</b>	PC-Document	<b>Department:</b>	Planning Commission
<b>File #:</b>	PC 23-021	<b>Contact:</b>	Eric Wilberg/Kathy Pease
<b>Agenda date:</b>	12/07/2023	<b>Final Action:</b>	

**Title:** Conduct a noticed public hearing to consider Rezoning Petition No. Z-22-04 and Use Permit application U-22-03 by Solano Landing LLC to rezone 7.4 acres from Suisun Valley Agriculture "A-SV-20" to Agricultural Tourist Center "ATC" and rezone 0.25 acre from Neighborhood Commercial "CN" to A-SV-20 and establish and operate a Resort Hotel comprised of a local products store, six tasting rooms, restaurant, multi-purpose/dining hall, and 10-cottage hotel. The Planning Commission will also consider the Mitigated Negative Declaration prepared pursuant to the California Environmental Quality Act (CEQA) and make a recommendation to the Solano County Board of Supervisors regarding the entitlements. The property is located at 2316 Rockville Road at the southeast corner of Rockville Road and Suisun Valley Road, one-quarter mile north of the City of Fairfield; APN: 0027-200-150

**Governing body:** Planning Commission

**District:**

**Attachments:** [A - Draft Resolution](#), [B - Rezone Exhibit](#), [C - Development Plans](#), [D - Aerial Photograph](#), [E - Mitigated Negative Declaration. Link to IS-MND, and MMRP](#), [F - Comments Received on MND](#), [G -Response to comments on Mitigated Negative Declaration](#), [H - Summary Tables](#), [I - Public Notice](#)

Date:	Ver.	Action By:	Action:	Result:
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Published Notice Required? Yes  X  No \_\_\_  
 Public Hearing Required? Yes  X  No \_\_\_

### DEPARTMENTAL RECOMMENDATION:

The Department of Resource Management recommends that the Planning Commission:

1. Conduct a noticed public hearing; and
2. Adopt a resolution (Attachment A) to forward a recommendation of approval to the Board of Supervisors on Rezoning Petition Z-22-04, Use Permit U-22-03, and the accompanying Mitigated Negative Declaration.

### EXECUTIVE SUMMARY:

The Planning Commission is being asked to consider rezoning a 7.4-acre portion of 24.42 acre parcel from Suisun Valley Agriculture "A-SV-20" to Agricultural Tourist Center "ATC" and project approval of a Resort Hotel with 10 cottages, including six tasting rooms, a restaurant, a multi-purpose/dining hall, a local products store - primarily selling food, beverages, textiles and craft that are related to agritourism with an emphasis on

products produced in the Suisun Valley, and limited special events pursuant to the approval of a conditional use permit. A northwest portion of the property is sited within the Rockville Corner Agricultural Tourist Center as designated by the Suisun Valley Strategic Plan and 2.1 acres of the site is currently zoned ATC.

## **DISCUSSION:**

### *Setting*

The subject property is situated within a predominantly agricultural setting identified as the Suisun Valley Agricultural Region by the Solano County General Plan. The broader Suisun Valley is bordered by Napa County to the north, City of Fairfield to the east and south, and by the unincorporated community of Green Valley to the west.

The 24.42-acre parcel is located at 2316 Rockville Road southeast of the intersection of Rockville Road and Suisun Valley Road approximately one-quarter mile north of Solano Community College and the City of Fairfield. The site is relatively flat, exhibiting slopes of less than two percent. 10.5 acres of the property are currently being planted in vineyards. Development on-site consists of the "Ice House" and an adjacent structure identified as the "Fruit Stand" both of which are not a part of the project. Suisun Valley Court runs along the northwestern edge of the property and affords access to the site.

Existing commercial retail and service uses at Rockville Corner are immediately northwest of the project site, open agricultural fields are north and east, rural homesites are west and south, and the unincorporated community of Willotta Oaks is approximately one-quarter mile east of the property. A parcel on Rockville Road surrounded by the project on three sides was recently purchased by the applicant. It is a single-family residence and is not a part of the project.

### *Project Description*

The proposed project's purpose is to expand agritourism, provide additional accommodation for visitors, increase access to locally grown wines and produce and other amenities consistent with the Suisun Valley Strategic Plan goals to support the local economy and agricultural uses in the valley. Approval of the rezoning and use permit would allow for a Resort Hotel to be constructed, comprised of 10-cottages, a hotel concierge building, six tasting rooms, a restaurant that would serve alcoholic beverages, a local products store, a multi-purpose facility which could accommodate special events, and accompanying landscaping and vineyards. With implementation, the project would include 9.1 acres of ATC development (7.4 acres to be rezoned ATC and 2.1 acres of ATC existing) and 14.74 acres as A-SV-20. Approximately, 10.5 acres of the 14.74 A-SV-20 acres would be planted vineyards. A breakdown of the proposed buildings, uses, and sizes is provided in Table 1 of Attachment H.

The following provides a description of each element of the proposed Resort Hotel:

**Local Products Store:** The market would be known as the "Icehouse Market" to help preserve the site's history. However, the market would not be within the existing Icehouse structure, which is not a part of the project. The market would primarily sell food, beverages, textiles and craft that are related to agritourism with an emphasis on products produced in the Suisun Valley. The market would operate Monday through Sunday from 7:00 a.m. to 8:00 p.m. It is anticipated that the market would have a deli with a custom lunch menu including sandwiches, meats, and salads. The market would also have a barista and an assortment of coffee-related items.

**Multi-Purpose/Dining Hall:** The 3,655 square-foot multipurpose dining hall would support the resort hotel and special events, as well as educational seminars related to agriculture, vineyards and safety. The site

would host a maximum of 24 special events per year with a cap of 150 guests in attendance at each event. Hours of operation for the special events would be event-specific; however, no event would run past 10:00 p.m.

**Tasting Rooms/bars:** Six, 1,500-square foot, stand-alone tasting rooms would be constructed. Three of the six tasting rooms would provide wine and beer from local sources. In addition, the market will also provide wine and beer from local sources, to ensure a majority of the offerings support the local economy. The tasting rooms would operate Thursday through Sunday from 10:00 a.m. to 5:00 p.m. Food and wine pairings are proposed.

**Restaurant:** The 7,462-square-foot restaurant would have a beer and wine license and would operate Wednesday through Monday (closed on Tuesday) from 10:00 a.m. to 3:00 p.m. for lunch and 5:30 p.m. to 10:00 p.m. for dinner. It is expected to incorporate local produce, meats and poultry from the region, referred to as a “Farm to Fork” dining experience.

**Resort Hotel Concierge:** The 1,728-square-foot resort hotel concierge building would be used for administering the daily needs of the Boutique Resort Hotel (i.e., front check in desk). The resort hotel concierge would operate 24 hours per day, 7 days per week.

**Guest Accommodations:** The boutique resort hotel would consist of 10 prefabricated, stand-alone, 480-square-foot cottages for a total of 4,800 square feet of hotel development. The hotel would be operated by the current landowners. The hotel would operate 24 hours per day, seven days per week.

**Amphitheater:** The proposed outdoor amphitheater area will be a grass area, made up of soft surfaced, natural contouring that allows for adequate space on three levels of seating. It will be used by guests of the property to sit outdoors for picnicking, or special events. Outdoor music may occur, but it will be required to meet the County’s noise standards of 65 dB (decibels) at the property line.

**Employment:** The property would employ approximately 15 full time employees, 30 part-time employees and 15 seasonal employees.

**Rezoning:** The application proposes a rezone of the 24.24-acre site from ATC (Agriculture Tourist Center), A-SV-20 (Agriculture Suisun Valley 20-acre minimum) and C-N (Neighborhood Commercial) to 9.1 acres of ATC and 14.74 remaining acres as A-SV-20. The project would increase ATC zoning by 7.4 acres. Table 2 in Attachment H provides a breakdown of existing and proposed zoning and acreages. Agricultural production (vineyards) will make up 43 percent of the parcel.

**Landscaping and Vineyards:** Approximately 10.5 acres of the 14.74-acre portion of the property zoned ASV-20 would be planted in vineyards. In the ATC portion of the property, landscaping would be provided throughout the proposed development area. Landscaping would include a lawn area and pedestrian walkways, connecting the proposed buildings at the site frontage (e.g., market and tasting rooms) to an amphitheater in the center of the site. Additional pedestrian walkways with associated landscaping would connect to the proposed restaurant and hotel uses.

#### Access

The project site fronts Suisun Valley Road and Rockville Road. Access to the site would be via the existing Suisun Valley Court intersection along Suisun Valley Road and a new driveway along Rockville Road, approximately 750 feet east of the Suisun Valley Road intersection. Suisun Valley Court would continue to provide access to the existing commercial space in the southeast corner of the Suisun Valley Road/Rockville

Road intersection. Several driveways would provide access to the proposed project. A perimeter road would also be provided for emergency vehicle access to the south side of the project site. A roundabout, internal to the site, would provide access to the restaurant and hotel uses.

The two primary parking areas along the north side of the site would have direct access from the north driveway on Suisun Valley Court and from Rockville Road. Additional parking would be provided to directly serve the proposed market and tasting rooms along Suisun Valley Road. The proposed project would include a total of 192 parking spaces. Ample area on the site is available if additional parking is needed during special events.

#### *Shuttle Service*

A unique feature is proposed by the applicant, that would support the project and other wineries in the area. The applicants will operate a trolley that would provide a shuttle service from the project site to designated locations within Suisun Valley. This would reduce vehicle trips to and from the site and support other local wineries and economic development within the valley. The Applicant will coordinate with other Suisun Valley vineyards regarding shuttle stops and destinations. It is anticipated that there will be five (5) to six (6) stops operating Thursday through Sunday from 11:00 a.m. to 7:00 p.m.

#### *Infrastructure*

The property is currently serviced by City of Vallejo and the Solano Irrigation District for (agricultural) water uses. As shown in Figure 2-5, Existing Water Infrastructure, in the Suisun Valley Strategic Plan, a 24-inch City of Vallejo water main (Gordon Valley Line) runs along Suisun Valley Road and an 8-inch City of Vallejo water main runs along Rockville Road, adjacent to the project site. In its current condition, the Gordon Valley Line cannot provide potable water to any additional users.

Potable water for the proposed project would be provided by two (2) to three (3) new wells to be constructed on the project site. The proposed well casing size is 8-inches as a base size with a minimum of two (2) wells on the property. All piping will be below ground and not visible. Each well will include a public water treatment system to purify the water for domestic use. Prior to any wells being constructed or building permits approved for the project, the Applicant will apply through the State Water Resource Control Board for approval of the wells (Condition of Approval No. 30).

The applicants contacted the City of Vallejo to provide potable water to the site, however, the city indicated that there is not sufficient supply to extend water services to the site at this time. The City of Fairfield also has water lines adjacent to the site but has not indicated a desire at this time to "wheel water" to the site. The Solano Irrigation District (SID) would continue to provide water for irrigation of proposed vineyards and project landscaping.

Sewer service would be provided by the Fairfield Suisun Sewer District (FSSD) via an existing sewer main owned by the City of Fairfield, located adjacent to the project site.

Pacific Gas and Electric services would be utilized for gas and electricity for the property. In addition, the proposed project would include three natural gas, 350 kilowatt (kW) generators with a runtime of four (4) hours per month for testing, plus any emergency events, and three (3) annual events with run times of 72 hours each.

A stormwater detention basin is proposed on the southern end of the property in order to ensure that stormwater runoff maintains pre-and post-development flows.

The current site conditions are agricultural resulting in a mostly pervious site. Grading of the site will include

earthwork for the buildings, wastewater treatment and detention areas, roadways and parking areas.

### **GENERAL PLAN and ZONING CONSISTENCY:**

#### *General Plan Consistency*

The project site is designated as Agricultural and Neighborhood Agricultural/Tourist Center by the 2008 Solano County General Plan which is intended to protect areas developed to the practice of agriculture. Crop production and agricultural tourist uses such as a resort hotel support the land use designation. The proposed Use Permit and rezoning would be consistent with the General Plan.

#### *Suisun Valley Strategic Plan and Zoning*

The Suisun Valley Strategic Plan was adopted by the County in 2011. It is intended to preserve the agricultural legacy of the Suisun Valley with the need to provide economic viability for the area in the future. The A-SV-20 District permits Hotel, Special Event and tasting facilities with a Use Permit. The proposed Resort Hotel is consistent with the standards established in both the A-SV-20 and ATC Districts.

The Strategic Plan allows for the expansion of existing ATC-zoned area and identifies Reserve acreage available for future tourist-oriented projects, contingent on the Board of Supervisors making the following findings:

1. The proposed project site is contiguous with an existing ATC;
2. The proposed project would not cause the total planned acres of ATC within Suisun Valley to exceed 75 acres; and
3. The proposed project would contribute to the Vision of the Suisun Valley as an agricultural tourism destination.

The project is consistent with these findings: it is contiguous with the existing ATC zoning including a portion on the site. The Strategic Plan identifies 18.5 acres of ATC reserve. If approved, approximately 11 acres of ATC Reserve would remain and would not exceed 75 acres allowable total.

Page 2-6 of the Strategic Plan recognizes that the area zoned ATC in the Rockville Corner area would likely be expanded, if a proposed use was found to be consistent with the ATC zoning. The proposed resort hotel, which includes a special events facility, winery tasting facilities, and planted vineyards, is consistent with the vision of the Strategic Plan by supporting tourism and providing economic development opportunities. The tasting rooms will allow visitors to purchase wine which supports agricultural use, economic development, and the local products store will show case local agricultural products. It represents a significant investment in the valley. In addition, the project would bring a public benefit to the valley with the introduction of a trolley/shuttle for guests to easily and safely access other Suisun Valley wineries.

#### *Design Review*

The Project was analyzed utilizing the Suisun Valley Strategic Plan Design Guidelines. The building placement, materials, roof forms and windows of the buildings are complementary with each other and promote an agrarian architectural character. The surrounding vineyard maintains the agricultural character of the site and the Suisun Valley.

#### *Development Review Committee*

The Project was referred to the Development Review Committee (DRC) for Solano County. Comments were

received from the Environmental Health, Public Works, and Building and Safety Divisions. Their requirements have been incorporated as conditions of approval in the attached resolution.

**AGENCY REVIEW:**

As part of the Department of Resource Management development review process, the application materials have been reviewed by various County Departments, as well as Local and Regional Agencies. The following entities may have jurisdiction over the project:

*Local Agencies*

City of Fairfield (approval to connect to sewer main in Suisun Valley Road)  
City of Vallejo (potential water for fire flow needs)  
Solano County (Resource Management staff and Deputy County Counsel)  
Solano Irrigation District (irrigation water for the vineyards)  
Cordelia Fire District  
Fairfield Fire Protection District  
Fairfield-Suisun Sewer District (sewer service)

*Regional and State Agencies*

Bay Area Air Quality Management District  
San Francisco Bay Water Quality Control Board  
State Water Resources Control Board, Division of Drinking Water (water supply permit)  
CalFire  
California Fish and Wildlife Department

**ENVIRONMENTAL ANALYSIS:**

The Department of Resource Management prepared an Initial Study and Mitigated Negative Declaration (IS/MND) which circulated for a 30-day public review period that ended on September 5, 2023 (Attachment E). Comments received during the public comment period are included as Attachment F.

The MND identified certain potential impacts with proposed measures or mitigation to reduce the impacts to a less than significant level.

Comments were received from the following individuals, agencies and interest groups:

1. Orderly Growth
2. Martin Ray
3. California Fish and Wildlife Department
4. State Water Resources Control Board
5. Suisun Valley Coalition for Sustainable Development

Generally, the comments raised included:

- a) Traffic
- b) Comments regarding rezoning to additional ATC
- c) Vegetation and Wildlife
- d) Aesthetics
- e) Impact to the Icehouse
- f) Hazardous materials
- g) Sewer and water service

A response to each comment is found in Attachment F, Response to Comments and Supplemental Revisions to the Solano Landing Mitigated Negative Declaration, dated September 2023. As documented in the MND, there are no significant impacts that would result from the project after implementation of the identified mitigation. None of the comments resulted in a need to recirculate the MND. All impacts can be mitigated to a less than significant level.

### *Public Outreach*

The Department of Resource Management's Planning Division recently adopted a community outreach policy. It was enacted after the proposed entitlements were filed with the department; however, nonetheless, the Applicants have done extensive outreach to the community which included meetings with other vineyards in the Suisun Valley, adjacent landowners, and special interest groups. The following from the Applicant provides of summary of their outreach:

- Chuck Wagner of Caymus on 12/28/2022. This was the second meeting with him to go over the plans and describe the project in detail.
- Ron Lanza of Lanza Vineyards on 1/11/2023
- Esther Pryor who was representing the Rockville Homeowners Association. This meeting took place on 1/19/2023. Explained the project and answered questions and concerns. She requested that we have a meeting with both Rockville Homeowners Association as well as Orderly Growth so that we could give a formal presentation.
- On 2/16/2023 met with the adjacent landowners of the property. Met with the family that owned the house located at 2326 Rockville Rd and the property at 4160 Suisun Valley Road.
- Met with Orderly growth members and Rockville Homeowners Association members on two separate occasions. The first meeting was on 2/23/23 and the second meeting was on 7/14/2023. At both meetings, the applicants presented a PowerPoint presentation to describe and give updates on the project. The presentation detailed all aspects of the project and attempted to alleviate all questions that had arisen.
- In April of 2023, the Applicants posted the website: <https://www.solanolanding.com> as well as various social media accounts. These platforms have allowed them to receive comments and feedback from the community.

### **PUBLIC HEARING NOTICE:**

In compliance with §28.04 of the Solano County Code, a public hearing notice was published in the Daily Republic with a scheduled hearing date of December 7, 2023.

### **RECOMMENDATION:**

Based on the discussion above, staff recommends that the Planning Commission adopt a resolution and recommend the Board of Supervisors approve a Rezoning Petition Z-22-04, Use Permit U-22-03, and the accompanying Mitigated Negative Declaration to establish and operate a Resort Hotel comprised of a local products store, six tasting rooms, restaurant, multi-purpose/dining hall, with associated special events, and 10-cottage hotel.

### **ALTERNATIVES:**

The Planning Commission could also choose to:

1. Continue this item to another hearing date for further consideration. This is at the Planning Commission's discretion and may be necessary if additional specific information is required that

cannot be obtained during this public hearing; or

2. Recommend denial of the request to the Board of Supervisor's for the Rezoning Petition Z-22-04 and Use Permit U-22-03. This action is not recommended because the General Plan land use, and size of the project are consistent with the Suisun Valley Strategic Plan that supports agricultural tourism uses and Zoning Ordinance.

## **SOLANO COUNTY PLANNING COMMISSION RESOLUTION NO. xxxx**

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**WHEREAS**, the Solano County Planning Commission has considered Rezoning Application No. Z-22-01 and Use Permit U-22-02 for the Solano Landing project, which would rezone the site from Agricultural Tourist Center (ATC), Exclusive Agriculture A-SV-20 and Neighborhood Commercial to 9.5-acres ATC and 14.92-acres A-SV-20. The Use Permit would allow a resort comprised of a central boutique market, six small tasting rooms, a restaurant, multi-purpose building and a 10-cottage hotel on 9.5-acres with 14.92-acres remaining in vineyard, located at the intersection of Rockville Road and Suisun Valley Road and because it is a rezoning, recommends that the Solano County Board of Supervisors **APPROVE** both the Rezone and Use Permit for the Project; and

**WHEREAS**, a Mitigated Negative Declaration of Environmental Impact was prepared by the Department of Resources Management for the Project and noticed and made available for agency and public review on August 3, 2023-September 5, 2023, in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15015; and

**WHEREAS**, The Planning Commission has reviewed the report of the Department of resource Management and heard testimony relative to the subject application at the duly noticed public hearing held on December 7, 2023.

1. **The establishment, maintenance, or operation of the proposed use is in conformity with the Solano County General Plan with regard to traffic circulation, population density and distribution and other aspects of the General Plan and Suisun Valley Strategic Plan.**

The use is consistent with the General Plan and the Suisun Valley Strategic Plan. The project is consistent with the Suisun Valley vision as an agricultural tourist destination for those seeking world class wine, by supporting agricultural tourism and economic development. Resort uses including hotel, restaurant and wine tasting are compatible with agricultural tourism. According to the traffic study, the proposed use would not result in a significant impact. Further, the project would institute a shuttle bus that would facilitate travel not only to the site but would support other nearby winery uses.

2. **Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.**

The conditions of approval ensure that adequate roads, utility and drainage facilities will be constructed to meet the demands of the proposed resort complex. Vehicular access to the site is conveniently located from two driveways off of Rockville Road frontage. The building plans will be reviewed and approved by the Solano County Building and Safety Division before a permit is issued. Grading and drainage plans will be reviewed and approved by the Public Works Engineering Division. The Solano Irrigation District supplies irrigation water to the site for agricultural purposes. Potable water shall be provided by a Public Water System permitted by the California State Division of Drinking Water. The Fairfield Suisun Sewer District would supply sewer service.

3. **The subject use will not, under the circumstances of the particular case, constitute a nuisance or be determinantal to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of the proposed project or be detriment or injurious to property and improvement or the general welfare of the County.**

As conditioned, the Solano Landing project will not constitute a nuisance to surrounding properties, or be determinantal to the health, safety or welfare of County residents. Adequate conditions of approval and mitigation measures have been incorporated into the project.

**BE IT, THEREFORE, RESOLVED**, that the Planning Commission of the County of Solano does hereby adopt the Mitigated Negative Declaration prepared for the Project. The Planning Commission certifies that the Mitigated Negative Declaration has been completed, reviewed and considered along with the comments received during the public review process and finds that the Mitigated Negative Declaration reflects the independent judgement of the Planning Commission. The Planning Commission, therefore, approves Use Permit U-22-03 and recommends the Board of Supervisors approve the rezoning, subject to the following conditions of approval:

#### **ADMINISTRATIVE**

1. **Land Use.** The proposed land use shall be established and operated in accord with the application materials and development plans for Use Permit U-22-02 and as approved by the Solano County Planning Commission.

This permit authorizes construction of agriculture and agriculture supporting uses including a Hotel Resort comprised of a central boutique market, six small tasting rooms, a restaurant, multi-purpose building and a 10-cottage hotel including special events with up to no more than 24 events per year and will host a maximum of 300 guests at one time. An event venue or facility offered for use by third-party individuals or nonprofit entities is defined for the conduct of noncommercial events, such as weddings, parties, or other similar private social gatherings, or for charitable or political fundraisers.

Marketing or promotional events conducted by the business operator to promote the goods or services offered by the business, such as wine club events at a winery, are not special events for purposes of this definition but are subject to regulations applicable to the business operation.

Three of the six (6) stand-alone tasting facilities will feature wines from wineries and/or breweries that are locally grown or brewed within Solano County. Grapes will be locally sourced from onsite, Solano County and bordering Counties. The remaining three tasting rooms will feature wines from outside the area. Food and wine pairings are proposed in the tasting rooms.

The Project includes 10.5 acres of vineyards and/or agricultural production that will remain with the operation of the Hotel Resort.

2. **Revisions or Modifications in Land Use.** No additional land uses, activities for new or expanded buildings shall be established beyond those identified on the approved development plan dated September 22, 2023, submitted to Solano County in April 2023,

and detailed within the project description without prior approval of a revision, amendment, or a new use permit and subsequent environmental review.

3. **Indemnification.** By acceptance of this permit, the permittee and its successors in interest agree that the County of Solano, its officers and employees shall not be responsible for injuries to the property or persons arising from the issuance or exercise of this permit. The permittee shall defend, indemnify and hold harmless the County of Solano, its officers and employees from all claims, liabilities, losses or legal actions arising from any such injuries. The permittee shall reimburse the County for all legal costs and attorney's fees related to litigation based on the issuance and/or interpretation of this permit. This agreement is a covenant that runs with the land and shall be binding on all successors in interest of the permittee.
4. The Project shall comply with all applicable Solano County Zoning regulations and Building Code provisions and secure all required local, state, regional and federal permits required to operate.
5. The Project shall be designed to minimize fill of jurisdictional waters. If impacts to any streams, such as potentially, the ephemeral roadside drainage or irrigation ditch, cannot be avoided then prior to ground disturbance the Project applicant shall submit an LSA notification to CDFW and comply with the LSA Agreement, if issued, and shall obtain a permit from the RWQCB pursuant to the Clean Water Act Section 401 water quality certification. Impacts to waters, wetlands, and riparian areas subject to the permitting authority of CDFW and RWQCB shall be mitigated by providing compensatory mitigation at a minimum 3:1 ratio in area for permanent impacts and 1:1 ratio for temporary impacts, unless otherwise approved in writing by CDFW or otherwise required by RWQCB. An LSA Agreement for the Project, if issued, would likely require the above recommended measures, as applicable, and may require additional avoidance and minimization measures for wildlife and habitat.
6. **Failure to Comply.** Failure to comply with any of the conditions of approval or limitations set forth in this permit shall be cause for the revocation of the Use Permit and cessation of the permitted uses at the Permittee's expense.

#### **AGRITOURISM LAND USES**

7. **Access** The Special Events Facility shall be operated in compliance with the general requirements for public assembly uses.
8. **Food Vendors.** The Permittee shall be responsible for ensuring the special event organizer and any food vendors utilized by the organizer secure food permits with the Environmental Health Division.
9. **Kitchen Facilities.** Any facilities used for the preparation, storage, handling, or service of food, beverages, or related equipment at events shall be permitted as a food facility by the Environmental Health Division.
10. **Hours of Operation-Special Events.** All special events shall start no sooner than 10:00 a.m. and end by 10:00 p.m. each day. Facility set-up and clean-up shall be allowed

between the hours of 8:00 a.m. and 11:00 p.m. All guests of an event shall be off the property by 10:30 p.m. unless staying on site as part of the hotel.

11. **Hours of Operation-Tasting Rooms.** The hours of operation of the tasting rooms will be Thursday through Sunday 10:00 a.m. to 5:00 p.m.
12. **Hours of Operation-Restaurant.** The hours of operation of the Restaurant shall be 10:00 a.m. to 3:00 p.m. for lunch and 5:30 to 10:00 pm for dinner.
13. **Sign Permit.** The Permittee shall secure and abide by the conditions of an issued sign permit for all commercial signage onsite.

Action Required	When	Date Completed	Verified by
Submit Sign Permit application to Planning	Prior to sign installation		

14. **Business License.** The Permittee shall secure and abide by the terms and conditions of the Business License issued by Solano County. This approved Use Permit shall constitute as the “Zoning Clearance” necessary to file for the license.

Action Required	When	Date Completed	Verified by
Submit Business License application	Prior to operation		

15. **ABC License.** The Permittee shall secure and abide by the terms and conditions of an ABC License for the scope of the proposed Uses.

**OPERATIONAL CONTROLS**

16. The Permittee shall take such measures as may be necessary or as may be required by the County to prevent offensive noise, lighting, dust or other impacts which constitute a hazard or nuisance to motorist, persons on the property and in the surrounding areas.
17. The Permittee shall utilize best management practices to reduce exposure to pesticides or herbicides in conjunction with the vineyard use. This includes but is not limited to:
  - Treat only the specific areas needing treatment and use pesticides only when necessary.
  - Use technology and equipment that reduces pesticide drift when feasible and do not apply when conditions favor drift (e.g., when wind speeds are greater than or equal to 10 mph).

- Where possible, leave a border of untreated vegetation between treated areas and areas where wildlife may be present.
  - Review the various pesticide labels for hazards to wildlife; users should select a product that is efficacious and follow all precautions specified on labels.
  - Do not spray if heavy rain is expected within 48 hours as the pesticide may wash away from the area of application and into water bodies.
  - Read the label carefully and use the lowest effective rate and lowest number of effective applications.
  - Where feasible, refrain from tank mixing or co-applying pesticides with the same mode of action.
18. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
19. **Fugitive Dust.** Any access from unpaved dirt roads and with unpaved onsite access roads and parking areas shall control fugitive dust with water trucks, sprinkler system or other practices acceptable to the applicable air quality management district in sufficient quantities to prevent airborne dust.
20. **Noise**
- **Outdoor amplified sound** shall not exceed 65 dB when measured at the property lines.
  - During any special event with amplified outdoor music, the sound levels shall be monitored and measured by the Permittee at the nearest property line to the event. Amplification levels shall be adjusted to ensure noise levels at such property line do not exceed 65 dB.
  - The permittee or its representative shall take noise measurements using an approved, calibrated sound meter device and keep a record of the readings, including the time and location on the property such readings were taken. The permittee shall submit such records upon request to the County.

Action Required	When	Date Completed	Verified by
Monitor Noise Readings	Ongoing / As needed		

21. **Light and Glare.** Any outdoor lighting used during events shall be downcast and shield so that neither the lamp nor the reflector interior surface is visible from any offsite location.
22. **Odor.** The facility shall not cause objectional odors on adjacent properties.
23. **Parking.** The Project shall provide 251 parking spaces.

- 24. Parking.** The Special Events Facility shall provide parking on-site to accommodate all guests. No parking shall be allowed within any road right-of-way for 1,000 feet in either direction of any access point or access located on the site. The permittee shall place signs along the interior access ways and at 300-foot intervals on the applicant's property along the road right-of-way indicating this parking restriction. These signs shall be posted no earlier than the day before the event and shall be removed no later than the day following the event.

Parking shall be provided as follows.

- a. Onsite parking shall be located in an open area with a slope of ten percent or less, at a minimum ratio of one space per 2.5 attendees, on a lot free of combustible material.
  - b. For Special Events over 150 guests the permittee shall ensure a traffic coordinator is hired to direct traffic and ensure no parking in the right-of-way and no traffic queues on Rockville Road or Suisun Valley Road.
- 25. Parking for the entire project shall be provided as follows.**
- Boutique Market 5,496 square feet = 28 spaces
  - Wine Tasting Rooms 9,000 sq. ft. = 45
  - Restaurant 7,462 sq. ft. = 38
  - Hotel 10 room = 11
  - Concierge 1,728 sf = 9
  - Special Events = 120
- Total = 251 spaces
- 26. Truck Loading.** Shall provide an adequate truck loading area together with ingress and egress designed to avoid traffic hazard and congestion.
- 27. Sanitation.** The Permittee shall provide sanitation facilities approved by the Environmental Health Division of adequate capacity that are accessible to special event attendees and event staff including restrooms, refuse disposal receptacle, potable water and wastewater facilities.
- 28. Insurance.** The operator of the Special Event Facility shall have commercial property insurance for the use.
- 29. Encroachment Permit Required.** All connections to County roads shall meet the encroachment permit requirements of the Public Works – Engineering Division, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.

## ENVIRONMENTAL HEALTH

- 30. Water – service from Public Water System (PWS) required.** The facility shall obtain potable water service from an active and valid Public Water System that is permitted by the California State Division of Drinking Water. Verification that potable water is being supplied from a Public Water System shall be required prior to the submittal of any Building

or Grading Permits for any structure onsite. The project shall not proceed until such verification is provided. Permitting documentation, including any water quality sampling results, shall be provided to the Department upon request. In compliance with the Solano County Zoning Code, the Applicant shall make reasonable effort to complete the State's required Preliminary Technical Report (PTR) and permit within one year of the approval of the Use Permit. In any case where a use permit has not been exercised within one year after the date of approval thereof, or any other period for exercise as stated in a condition of the permit, the use permit shall expire and thereafter be null and void without further action by Planning Commission; except that, upon written request by the owner, the Zoning Administrator may authorize an extension of time to exercise the permit, not to exceed one year. Only one such extension may be granted.

31. **Existing Water Wells.** The facility shall destroy, under Environmental Health permit, any existing water wells that it does not intend to use and/or that have not been used for a period of one year. Any well not actively being used shall be secured to prevent the potential introduction of pollutants to the aquifer.
32. **Sewage.** Septic permits will be required to destroy any septic tanks on the property that are no longer being used and to construct the new sewer lateral connecting to the Fairfield Suisun Sewer District (FSSD) sewer main. The project shall connect to and utilize the Fairfield Suisun Sewer District for all structures onsite.
33. **Portable Toilets.** Portable toilets shall only be used onsite for temporary events to supplement the site's existing restroom facilities. Only companies with a current Environmental Health portable/chemical toilet permit shall supply portable toilets to the facility.
34. **Hotel Use.** Solano County Environmental Health permits all hotels, motels, and transient lodging facilities. The facility shall obtain permits for the onsite hotels and maintain them as active and valid for the life of the hotels.
35. **Food Service.** The California Retail Food Code requires all food facilities to obtain a permit to operate from Environmental Health. Food Service – Wine. A wine tasting and beer manufacturer, as defined in the Business and Professions Code regardless of if there is a charge for the tasting, are exempt from a food facility permit with less than 25 square feet of pre-packaged non-potentially hazardous foods. Anything not explicitly meeting this exemption requires a permit to operate from the Solano County Division of Environmental Health.

All wine tasting rooms with food pairings, catering areas, restaurants, and any other food facility areas shall obtain permits to operate from Environmental Health.

The facility shall ensure that only mobile food facilities ("food trucks") permitted by Environmental Health shall be allowed to operate onsite.

36. **Food Service – Special Events.** All Community/Special Events which provide food to the public require temporary event permits to be issued to the organizer and each vendor a minimum of two weeks prior to the event. Contact the Consumer Protection program of Environmental Health for the applications and guidelines for any event a minimum of 30

days before the event. Community Events shall not exceed 25 consecutive or non-consecutive days.

- 37. Hazardous Materials.** The facility shall comply with all hazardous materials management, storage, handling, and reporting requirements. All hazardous material in reportable quantities equal to or greater than 55 gallons of liquids, 200 cubic feet of gas, and/or 500 pounds of solid material shall be reported on the facility’s Hazardous Materials Business Plan (HMBP) on the online California Environmental Reporting System (CERS) within 30 days of exceeding the hazardous materials reportable quantities thresholds.
- 38. Agricultural Chemicals.** The facility shall adhere to all requirements relating to the storage, handling, and use of pesticides, fertilizers, and other agricultural chemicals as described by the Solano County Agricultural Department.
- 39. Solid Waste.** The facility shall maintain adequate commercial garbage service onsite to prevent the spread of pathogens, disease vector attraction, odors, and other nuisance factors. The minimum collection frequency shall be at least once every seven days.

Action Needed - Environmental Health Division				
COA #	Required to exercise Y/N	Action	When	Verified
28	Y	Obtain PWS water service	Prior to submittal of Building Permits	
30	N	Obtain septic permit(s)	Per condition	
32	N	Obtain hotel permit(s)	Per condition	
33	N	Obtain food facility permits	Per condition	
35	N	Create HMBP	Per condition	
37	N	Start commercial garbage service	Per condition	

**BUILDING AND SAFETY DIVISION**

Action Required	When	Date Completed	Verified by
File building permit application(s)	Prior to construction		

**PUBLIC WORKS – ENGINEERING**

- 40. Applicant will need to apply for, secure, and abide by the conditions of an encroachment permit for any work within the public right-of-way.
- 41. Driveways for ingress/egress should be established a safe distance from the Rockville Road/Suisun Valley Road intersection to ensure safe turning movements and provide sufficient site distances.
- 42. Driveways must be maintained in such a manner as to prevent soil, rocks, and debris from tracking onto public roads.
- 43. Applicant will need to apply for, secure, and abide by the conditions of a grading permit for the construction of the private access improvements, parking areas and walkways, as well as any onsite grading.
- 44. The applicant will need to furnish a hydraulic and hydrologic report and grading plan signed and sealed by a registered California Civil Engineer.
- 45. The applicant shall furnish a Stormwater Pollution Prevention (SWPPP) signed and sealed by a Qualified SWPPP Developer (QSD) since the site area is over 1 acre.

Action Required	When	Date Completed	Verified by
Obtain grading permit from PW	Prior to construction		

Action Required	When	Date Completed	Verified by
Obtain encroachment permit from PW	Prior to construction		

**CORDELIA FIRE AND/OR FAIRFIELD FIRE DEPARTMENT**

- 46. Submit building plans, fire sprinkler plans and improvement plans to the Cordelia Fire District and/or Fairfield Fire District for review and approval in accordance with the California Fire Code and local requirements.
- 47. The required fire flow is 2,500 gpm at 20 psi residual pressure.
- 48. Fire hydrant locations will be determined prior to the final development plan.
- 49. All buildings are required to be equipped with fire sprinklers and conform to NFPA #13 or #13R.
- 50. The developer shall submit building plans and specifications to the Fire District for review

prior to issuance of a building permit for review and approval. Further comments may be necessary as the project is finalized.

### **FAIRFIELD SUISUN SEWER DISTRICT (FSSD)**

- 51.** All FSSD charges and fees applicable to the proposed project are required to be paid upon issuance of a building permit, including but not limited to capacity fees, plan check fees, encroachment, and inspection. All charges and fees shall be remitted directly to FSSD. An estimate of FSSD fees and charges based on the above area/use information is attached.
- 52.** Onsite and offsite sewer utility plans, and building plans, conforming to FSSD, City of Fairfield and/or County Standards, shall be submitted for review and approval. Building plans shall include square footages and proposed uses.
- 53.** FSSD shall not own, operate, or maintain any sewer mains associated with the proposed development.
- 54.** The sewer main in Suisun Valley Road that the development proposes to connect to is owned and maintained by the City of Fairfield. The City of Fairfield should be contacted to evaluate sewer capacity in its system, procedures to connect, and approval to connect to its system.

### **MITIGATION MEASURES**

#### **Air Quality**

- 55. Mitigation Measure AIR-1** Consistent with the Bay Area Air Quality Management District (BAAQMD) Basic Construction Mitigation Measures, the following controls are required to be included as specifications for the proposed project and implemented at the construction site:
  - All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
  - All haul trucks transporting soil, sand, or other loose material off site shall be covered.
  - All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
  - All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
  - All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.
  - Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- A publicly visible sign shall be posted with the telephone number and person to contact at Solano County regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

**56. Mitigation Measure AIR-2** During construction of the proposed project, the project contractor shall ensure all off-road diesel-powered construction equipment of 50 horsepower or more used for the project construction at a minimum meets the California Air Resources Board Tier 4 emissions standards or equivalent.

### **Biological Resources**

**57. Mitigation Measure BIO-1** Worker Environmental Awareness Program (WEAP). During construction of the project, before any work occurs on the project site, including grading, vegetation removal and equipment staging, all construction personnel shall participate in an environmental awareness training regarding special-status species and sensitive habitats present on the Project site. Any additional construction personnel that are employed following the initial start of construction shall receive mandatory training before starting work. As part of the training, an environmental awareness handout shall be provided to all personnel that describes and illustrates sensitive resources (i.e., special-status species and habitat, nesting birds/raptors) to be avoided during proposed Project construction and lists measures to be followed by personal for the protection of biological resources. Such measures shall include, but are not limited to:

Procedures to follow if a special status species is found within the work area:

- Checking under equipment and staging areas for wildlife species each morning prior to work.
- Staying within designated work areas and maintaining exclusion/silt fencing.
- Reduced Project speed limits.
- No pets or firearms on-site.
- Contain trash/food waste and remove daily to avoid encouraging predators onto the Project site.
- Follow Project Best Management Practices (BMPs)

**58. Mitigation Measure BIO-2** Avoid and Minimize Impacts to Rare Plants. Before the initiation of any vegetation removal or ground-disturbing activities, in areas that provide suitable habitat for special-status plants, the following measures shall be implemented:

- A qualified botanist shall conduct appropriately timed surveys for special-status plant species, in all suitable habitat that would be potentially disturbed by the Project.
    - Surveys shall be conducted following CDFW- or other approved protocol.
    - If no special-status plants are found during focused surveys, the botanist shall document the findings in a letter to the lead agency, and other appropriate agencies as needed, and no further mitigation will be required.
    - If special-status plants are found during focused surveys, the following measures shall be implemented:
      - i. If special-status plants are found during focused surveys, the following measures shall be implemented:
      - ii. Information regarding the special-status plant population shall be reported to the CNDDDB.
      - iii. If the populations can be avoided during Project implementation, they shall be clearly marked in the field by a qualified botanist and avoided during construction activities. Before ground clearing or ground disturbance, all on-site construction personnel shall be instructed as to the species' presence and the importance of avoiding impacts to this species and its habitat.
      - iv. If special-status plant populations cannot be avoided, consultations with CDFW and/or USFWS would be required. If allowed under the appropriate regulations, the plants shall be mapped, photographed, and then transplanted to a suitable location by a qualified botanist. If required by the relevant agency, a plan to compensate for the loss of special-status plant species, detailing appropriate replacement ratios, methods for implementation, success criteria, monitoring and reporting protocols, and contingency measures that would be implemented if the initial mitigation fails; the plan would be developed in consultation with the appropriate agencies prior to the start of local construction activities.
- 59. Mitigation Measure BIO-3 Monarch Butterfly Avoidance.** Preconstruction surveys shall be conducted during the monarch breeding season (March 16 through November 30) to determine if milkweed is present on the site and, if present, is being used for monarch breeding. Surveys shall be conducted by a qualified biologist no more than 14 days prior to ground or vegetation disturbance activities. The biologist shall search for evidence of monarch eggs, caterpillars, chrysalises, and adults. If active monarch breeding is identified, the milkweed stand shall be avoided until the applicant develops and implements a salvage and relocation plan that has been reviewed and approved by the applicable Resource Agencies.
- 60. Mitigation Measure BIO-4** Avoid Project impacts to Western and Crotch's bumble bee. Surveys should be performed by a qualified biologist familiar with the species behavior and life history to determine the presence/absence of special status bumble bees within 6 weeks prior to vegetation removal and/or grading. Surveys should be conducted during the flying season when the species is most likely to be detected above ground, between March 1 to September 1. Survey results, including negative findings, should be submitted to CDFW prior to implementing Project-related ground-disturbing activities. At minimum, a survey report should provide the following:

- A description and map of the survey area, focusing on areas that could provide suitable habitat for special status bumble bees.
- Field survey conditions that should include name(s) of qualified biologist(s) and brief qualifications; date and time of survey; survey duration; general weather conditions; survey goals, and species searched.
- Map(s) showing the location of nests/colonies.
- A description of physical (e.g., soil, moisture, slope) and biological (e.g., plant composition) conditions where each nest/colony is found. A sufficient description of biological conditions, primarily impacted habitat, should include native plant composition (e.g., density, cover, and abundance) within impacted habitat (e.g., species list separated by vegetation class; density, cover, and abundance of each species).
- If adverse impacts to Crotch's bumble bee cannot be avoided either during Project activities or over the life of the Project, the County should consult with CDFW to determine appropriate avoidance and/or minimization measures for the species.

**61. Mitigation Measure BIO-5 Avoid impacts to tricolored blackbird.** If construction activities begin between February 1 and August 31, a preconstruction survey for nesting tricolored blackbirds shall be performed by a qualified biologist to ensure that no individuals of this species are harmed during construction activities. This survey may be conducted concurrently with other bird surveys (e.g., Swainson's hawk, burrowing owl). If an active tricolored blackbird colony is discovered within the project site or within a 100-foot radius, a qualified biologist shall evaluate the potential for construction to disturb nesting activities. CDFW shall be contacted to review the evaluation and determine if the project can proceed without adversely affecting nesting activities. CDFW shall also be consulted to establish protection measures such as buffers. Disturbance of active nests shall be avoided until it is determined by a qualified biologist that nesting is complete, and the young have fledged, or that the nest has failed. If work is allowed to proceed, at a minimum, a qualified biologist shall be on-site during the start of construction activities during the nesting season to monitor nesting activity. The monitor shall have the authority to stop work if it is determined the project is adversely affecting nesting activities.

**62. Mitigation Measure BIO-6 Avoid impacts to burrowing owl.** Preconstruction surveys for western burrowing owl shall be conducted by a qualified biologist in accordance with CDFW's 2012 Staff Report on Burrowing Owl Mitigation and measures outlined in the Solano HCP. If burrowing owls are identified during the preconstruction survey, passive exclusion shall be implemented per CDFW's 2012 Staff Report on Burrowing Owl Mitigation (including avoidance of occupied burrows during the breeding season).

**63. Mitigation Measure BIO-7 Swainson's Hawk Avoidance.** For any construction activities initiated between March 15 and September 1, surveys for nesting Swainson's hawk shall be conducted within 0.5-mile of areas of disturbance for this species as described in the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in the California's Central Valley (Swainson's Hawk Technical Advisory Committee, 2000). The recommended minimum survey protocol is completion of surveys for at least the two survey periods immediately prior to a project's initiation. Survey periods correspond to typical migration, courtship, and nesting behavior and defined as follows:

Survey Period	Survey Dates	Survey Time	Number of Surveys
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1	January 1 to March 20	All day 1
2	March 20 to April 5	Sunrise to 1000 or 1600 to sunset
3	April 5 to April 20	Sunrise to 1200 or 1630 to sunset
4	April 21 to June 10	All day; Monitoring known nests only
5	June 10 to July 30	Sunrise to 1200 or 1630 to sunset

If surveys determine that the species is present and nesting within this area, a buffer zone of 0.5-mile shall be established and coordination with CDFW shall be required prior to any work in this buffer zone during the nesting season. Work within 0.5 mile may be permitted with CDFW approval if a qualified biologist monitors the nest when Project disturbance activities occur within 0.5 mile of the nest. If the monitor determines that construction may result in abandonment of the nest, all construction activities within 0.5 mile shall be halted until the nest is abandoned or all young have fledged. The monitor shall continue monitoring the nest until construction within 0.5 mile of the nest is completed, or until all chicks have completely fledged and are no longer dependent on the nest. The monitor shall have the authority to stop work if it is determined the project is adversely affecting nesting activities.

**64. Mitigation Measure BIO-8 Nesting Birds.** A pre-construction survey by a qualified biologist for nesting birds shall be required if construction activities are scheduled to occur during the breeding season (February 1 to August 31) for raptors and other migratory birds, including special-status bird species. The survey shall be conducted 15 days prior to ground disturbing activities and shall cover a 500-foot radius surrounding the construction zone. If active nests are found, actions typically include, but are not limited to, monitoring by agency-approved biologists, establishment or refinement of species-specific buffers, reduction or elimination of the use of loud equipment, reducing foot traffic and remaining in the vehicles, and the maintenance of visual screens. Migratory birds shall be protected from Project Area staging and operations through the use of a buffer established based on the birds sensitivity and response to the potential activity. Baseline behavior of the bird should be established to inform the buffer size. The qualified biologist may start with a 100-foot nest buffer or a 250-foot nest buffer for raptors but may adjust the buffer size based on the reaction of the bird to the activity. If there is a potential for nest abandonment due to intrusion into the buffer zone, as established by the qualified biologist, then CDFW and the USFWS shall be consulted. The biologist should have the authority to stop work if it is determined that the project is adversely affecting nesting activities. If a lapse in Project-related work of 15 days or longer occurs, another focused survey, and if required, consultation with CDFW and the USFWS shall be performed before Project work can resume. Tree removal activities should be conducted outside the nesting bird season (February 1 – August 31).

**65. Mitigation Measure BIO-9 Avoid and Minimize Impacts to Special-Status Bats.** Potential bat roost trees shall be identified by a qualified bat biologist during a tree habitat assessment conducted several months prior to tree removal. Any potential bat roost trees in the project site shall be removed only between approximately March 1 and April 15, or when evening temperatures are above 45°F and rainfall less than 0.5 inch in 24 hours occurs, prior to parturition of pups. The next acceptable period is after pups become self-

sufficiently volant – September 1 through about October 15, or prior to evening temperatures dropping below 45°F and onset of rainfall greater than 0.5 in in 24 hours. In areas where suitable habitat occurs and there is potential for special-status bat species to be present, specific mitigation measure(s) will be developed in consultation with CDFW.

**66. Mitigation Measure BIO-10 Roost tree removal.** If non-bat roost trees or other vegetation must be removed outside the dates listed above, a 100 ft buffer around each bat roost tree shall be established to reduce potential of disturbance of non-volant young during maternity season, or torpid bats during winter months. Work activities shall be limited to daylight hours to minimize potential effects to foraging bats. Bat roost trees shall be removed only during seasonal periods of bat activity as described above, and only after:

- Negative results from a night emergence survey conducted no more than 1-2 nights prior to tree removal by a qualified bat biologist, using night vision and/or IR-sensitive camera equipment and bioacoustics recording equipment, or;
- All other vegetation other than potential roost trees within the impact area has been removed at least 4 days prior to removal of the bat roost trees.
- Potential bat roost trees shall be removed using a two-step tree process spanning two consecutive days:
  - Day 1. Small branches and small limbs containing no cavity, crevice, or exfoliating bark habitat, as determined by a qualified bat biologist, are removed using chainsaws only. Trees containing suitable potential habitat shall be trimmed with chainsaws on Day 1 under initial field supervision by a qualified bat expert to ensure that the tree cutters fully understand the process and avoid incorrectly cutting potential habitat features or trees. After tree cutters have received sufficient instruction, the qualified bat expert does not need to remain on the site.
  - Day 2. The remainder of the tree is to be removed. The disturbance caused by chainsaw noise and vibration, coupled with the physical alteration of the tree, has the effect of causing colonial bat species to abandon the roost tree after nightly emergence for foraging. Removing the tree the next day prevents re-habituation and re-occupation of the tree.

**67. Mitigation Measure BIO-11 Wetland Mitigation.** The proposed project shall be designed to minimize fill of jurisdictional waters. If direct impacts to the ephemeral roadside drainage cannot be avoided, prior to ground disturbance, the project applicant shall obtain a permit from the Regional Water Quality Control Board (RWQCB, CWA Section 401 water quality certification). Impacts to waters of the State shall be mitigated by providing compensatory mitigation at a minimum 1:1 ratio in area. A Habitat Mitigation and Monitoring Plan shall be prepared and implemented for the proposed mitigation approach. This plan shall be subject to approval by the RWQCB prior to any disturbance of waters of the State.

**68. Mitigation Measure BIO-12 Minimize Impacts to Wildlife Movement.** To minimize the impact of development on wildlife movement, all perimeter fencing shall meet the following standards:

- Fence heights shall be limited to a maximum of 5 feet above ground level (limited height variations based on topographic changes are allowable).
- Welded wire or other mesh fences shall have a minimum 4-inch by 4-inch opening. No-climb horse fencing is prohibited as perimeter fencing.
- Solid perimeter fences are prohibited.
- Wood or metal picket fences shall have a minimum spacing of 4 inches between pickets and shall not have sharp or pointed spikes or decorations along the top.

**69. Mitigation Measure BIO-13 Heritage Tree Mitigation.** All native oak trees meeting the heritage definition of the Solano County General Plan shall be protected from damage to the maximum extent possible. This protection measure includes designating no work zones by exclusion fencing along the canopy dripline. If a heritage tree cannot be protected from damage or removal, the loss of each mature tree shall be mitigated by planting 15 saplings at least 3 years old in areas where mature trees will not interfere with ongoing operations of the vineyard, tasting rooms, hotel and associated parking areas. Trees planted within the parking area for shade may count towards the heritage tree mitigation as long as they consist of native oak species. The following guidelines for oak restoration shall be followed:

- **Mitigation Planting:** To compensate for the loss of mature native oaks, saplings of the same species shall be planted sufficient to replace the tree canopy for each tree removed. Every effort shall be made to incorporate preservation of oak trees as part of the project. Oak saplings shall be sourced from a certified *Phytophthora ramorum*-free nursery. Saplings must be at least 3 years old and shall be spaced at least 15 feet from each other. Each sapling shall be staked with two wooden stakes and caged to a sufficient height. Saplings shall be planted in moist soil, after the first substantial rain. In the following summer, watering may be necessary to enhance survival.
- **Performance and Success Criteria:** Performance criteria for the revegetation area shall be assessed for at least 3 years following the conclusion of grading activities. The oak planting site(s) shall have at least 65 percent cover by native or naturalized plants (primarily grasses), and no more than 20 percent of the area shall be covered by nonnative weeds. The survival of planted oak saplings shall exceed 65% (i.e., 10 living oak saplings per mature tree removed).
- **Verification:** The Solano County Department of Resource Management shall verify that the impacts to native trees are mitigated consistent with the above requirements, including ongoing monitoring to ensure revegetation success

## **Cultural Resources**

**70. Mitigation Measure CUL-1 Archaeological Alert Sheet and Crew Training.** The project applicant, or designee, shall implement an Archaeological Alert Sheet and Crew Training Program to mitigate the impacts to archaeological resources. The Archaeological Alert Sheet and Crew Training should be prepared and performed prior to any ground-disturbing work at all locations within the project site. This Alert Sheet shall be distributed to all project personnel, including construction – crew and their supervisory personnel, the Project Design Team and the future contractor(s). The Alert Sheet shall contain

information regarding potential archaeological resources and the actions to take in the case of inadvertent discovery of cultural resources, including contact protocol and avoidance and minimization measures.

- 71. Mitigation Measure CUL-2 Initial Archaeological Monitoring.** Initial archaeological monitoring shall be completed by a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archaeology. This includes demolition-related excavation such as foundation removal, topsoil removal, mass excavation, utility trenching, and any other observable soil-disturbing impacts. Monitoring may be reduced to "spot checking" at the discretion of the Principal Investigator. Thereafter, mitigation would be limited to accidental discovery measures as outlined by the Alert Sheet and Training. Archaeological monitoring is not recommended for areas of the project site that lie outside of the farmstead footprint.
- 72. Mitigation Measure CUL-3 Archaeological Discovery Protocol.** Should an archaeological deposit be encountered during project subsurface construction activities, all ground-disturbing activities within 50 feet shall be redirected and a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology contacted to assess the situation, determine if the deposit qualifies as a historical resource, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. If the deposit is found to be significant (i.e., eligible for listing in the California Register of Historical Resources), the project applicant shall be responsible for funding and implementing appropriate mitigation measures. Mitigation measures may include recordation of the archaeological deposit, data recovery and analysis, and public outreach regarding the scientific and cultural importance of the discovery. Upon completion of the selected mitigations, a report documenting methods and findings shall be prepared and submitted to the Counties' Community Development Director for review and approval, and the final report shall be submitted to the Northwest Information Center at Sonoma State University. Significant archaeological materials shall be submitted to an appropriate curation facility and used for public interpretive displays, as appropriate and in coordination with a local Native American tribal representative.
- 73. Mitigation Measure CUL-4 Treatment of Native American Human Remains and Cultural Items.** In the event that Native American human remains are found during development of the proposed project and the Yocha Dehe Wintun Nation (Tribe) or a member of the Tribe is determined to be the Most Likely Descendent (MLD), the following provisions shall apply:

  - The Medical Examiner shall immediately be notified, ground disturbing activities in that location shall cease and the Tribe shall be allowed, pursuant to California Public Resources Code (PRC) Section 5097.98(a) to (1) inspect the site of the discovery and make determinations as to how the human remains and grave goods should be treated and disposed of with appropriate dignity.
  - The Tribe shall complete its inspection and make its MLD recommendation within forty-eight (48) hours of getting access to the site. The Tribe shall have the final determination as to the disposition and treatment of human remains and grave goods. Said determination may include avoidance of the human remains, reburial on-site or reburial on tribal or other lands that will not be disturbed in the future.

- The Tribe may wish to rebury said remains and grave goods or ceremonial and cultural items on or near the site of their discovery, in an area which will not be subject to future disturbances over a prolonged period of time. Reburial of human remains shall be accomplished in compliance with California PRC Sections 5097.98(a) and (b). The term “human remains” encompasses more than human bones because the Tribe’s traditions call for the burial of associated cultural items with the deceased (funerary objects), and/or the ceremonial burning of Native American human remains, funerary objects, grave goods, and animals. Ashes, soils, and other remnants of these burning ceremonies, as well as associated funerary objects and unassociated funerary objects buried with or found near the Native American remains are to be treated in the same manner as bones or bone fragments that remain intact.
- Unless otherwise required by law, the site of any reburial of Native American human remains shall not be disclosed and will not be governed by public disclosure requirements of the California Public Records Act (California Government Code Section 6250 et. seq). The Medical Examiner shall withhold public disclosure of information related to such reburial pursuant to the specific exemption set forth in California Government Code Section 6254(r). The Tribe will require that the location for reburial is recorded with the California Historic Resources Inventory System (CHRIS) on a form that is acceptable to the CHRIS center. The Tribe may also suggest that the landowner enter into an agreement regarding the confidentiality of site information that will run with title on the property.
- Treatment of all cultural items, including ceremonial items and archaeological items will reflect the religious beliefs, customs, and practices of the Tribe. All cultural items, including ceremonial items and archaeological items, which may be found at a Project site should be turned over to the Tribe for appropriate treatment, unless otherwise ordered by a court of agency of competent jurisdiction. The project applicant should waive any and all claims to ownership of Tribal ceremonial and cultural items, including archaeological items, which may be found on a project site in favor of the Tribe. If any intermediary (e.g., an archaeological retained by the project applicant) is necessary, said entity or individual shall not possess those items for longer than is reasonably necessary, as determined solely by the Tribe.
- If additional significant sites or sites not identified as significant in the environmental review process, but later determined to be significant are located within a project impact area, such sites will be subjected to further archaeological and cultural significance evaluation by the project applicant, Solano County and the Tribe to determine if additional mitigation measures are necessary to treat sites in a culturally appropriate manner consistent with CEQA requirements for mitigation of impacts to cultural resources. If there are human remains present that have been identified as Native American, all work will cease for a period of up to 30 days in accordance with Federal Law.

**74. Mitigation Measure CUL-5** Treatment Protocol for Native American Resources. The preferred protocol upon the discovery of Native American human remains is to secure the area, cover any exposed human remains or other cultural items and avoid further disturbances in the area. All parties are advised to treat the remains with appropriate

dignity, as provided in PRC Section 5097.98. All parties shall treat tribal representatives and the event itself with appropriate respect.

If, after the Yocha Dehe Tribal representative has been granted access to the site and it is determined that avoidance is not feasible, an examination of the human remains will be conducted to confirm they are human and to determine the position, posture, and orientation of the remains. The following procedures shall be followed:

- All excavation in the vicinity of the human remains will be conducted using fine hand tools and fine brushes to sweep loose dirt free from the exposure.
- In order to determine the nature and extent of the grade and its contents, controlled excavation should extend to a full buffer zone around the perimeter of the remains.
- To initiate the exposure, a perimeter balk (especially, a shallow trench) should be excavated, representing a reasonable buffer a minimum of 10 centimeters around the maximum extent of the known skeletal remains, with attention to counterintuitive discoveries or unanticipated finds relating to this or other remains. The dirt from the perimeter balk should be bucketed, distinctly labeled, and screened for cultural materials.
- Excavation should then proceed inward from the walls of the balk as well as downward from the surface of the exposure. Loose dirt should be scooped out and brushed off into a dustpan or other collective device. Considerable care should be given to ensure that human remains are not further impacted by the process of excavation.
- Buckets, collection bags, notes, and tags should be fully labeled per provenience, and a distinction should be made between samples collected from: (1) Perimeter Balk (described above), (2) Exposure (dirt removed in exposing the exterior/burial plan and associations, and (3) Matrix (dirt from the interstices between bones or associations). Thus, each burial may have three bags, "Burial 1 Perimeter Balk," "Burial 1 Exposure Balk," "Burial 1 Matrix."
- The following records should be compiled in the field: (1) a detailed scale drawing of the burial, including the provenience of and full for all human remains, associated artifacts, and the configuration of all associated phenomena such as burial pits, evidence for pre-interment grave pit burning, soil variability, and intrusive disturbance, (2) complete a formal burial record using the consultants proprietary form or other standard form providing information on site #, unit or other proveniences, level depth, depth and location of the burial from a fixed datum, workers, date(s), artifact list, skeletal inventory, and other pertinent observations, (3) crew chief and worker field notes that may supplement or supersede information contained in the burial recording form, and (4) photographs, including either standard photography or high-quality (400-500 DPI or 10 MP recommended) digital imaging.
- Photographs and images may be used only for showing location or configuration of questionable formation or for the position of the skeleton. They are not to be duplicated for publication unless a written release is obtained from the Tribe.

- Association between the remains and other cultural materials should be determined in the field in consultation with an authorized Tribal representative and may be amended per laboratory findings. Records of provenience and sample labels should be adequate to determine association or degree of likelihood of association of human remains and other cultural materials.
- For each burial, all Perimeter Bulk soil is to be 1/8"-screened. All Exposure soil is to be 1/8"-screened, and a minimum of one 5-gallon bucket of excavated but unscreened Exposure soil is to be collected, placed in a plastic garbage bag in the bucket. All Matrix soil is to be carefully excavated, screened as appropriate, and then collected in plastic bags placed in 5-gallon buckets.
- Human remains are not to be cleaned in the field.
- Prior to any physical action related to human remains, a designated tribal representative will conduct prayers and blessings over the remains. The archaeological consultant will be responsible for ensuring that individuals and tools involved in the action are available for traditional blessings and prayers, as necessary.

No laboratory studies are permitted without consultation with the tribe. Lab methods are determined on a project-specific basis in consultation with Yocha Dehe Wintun Nation representatives. The following procedures shall be implemented:

- The primary archaeological consultant will be responsible for insuring that all lab procedures follow stipulations made by the Tribe.
- Prior to any laboratory activities related to the remains, a designated tribal representative will conduct prayers and blessings over the remains. The archaeological consultant will be responsible for ensuring that individuals and tools involved in the action are available for traditional blessings and prayers, as necessary.
- To the extent possible, all remains, associations, samples, and original records are to be kept together throughout the laboratory process. In particular, Matrix dirt is to be kept in buckets and will accompany the remains to the lab. The primary archaeological consultant will be responsible for copying all field records and images and ensuring that the original notes and records accompany the remains throughout the process.
- Laboratory study should be done making every effort to identify unanticipated finds or materials missed in the field, such as objects encased in dirt or human remains misidentified as faunal remains in the field. In the event of discovery of additional remains, materials, and other associations the tribal representatives are to be contacted immediately.
- No laboratory studies are permitted on human remains and funerary objects. The preferred treatment preference for exhumed Native American human remains is

reburial in an area not subject to further disturbance. Any objects associated with remains will be reinterred with the remains. Laboratory study should be done making every effort to identify unanticipated finds or materials missed in the field, such as objects encased in dirt or human remains misidentified as faunal remains in the field. In the event of discovery of additional remains, materials, and other associations the tribal representatives are to be contacted immediately.

- Should all, or a sample, of any archaeological materials collected during the data recovery activities – with the exception of Human Remains – need to be curated, an inventory and location information of the curation facility shall be given to tribe for our records.

## Noise

**75. Mitigation Measure NOI-1 Construction Vibration Damage.** Due to the close proximity to surrounding structures, the County of Solano (County) Resource Management Director, or designee, shall verify prior to issuance of demolition or grading permits, that the approved plans require that the construction contractor shall implement the following mitigation measures during project construction activities to ensure that damage does not occur at surrounding structures:

- A 15-foot buffer between existing structures and the Project site area shall be clearly delineated with stakes, fencing or other conspicuous boundary markings, to outline the area in which the use of heavy equipment shall be avoided.
- The use of heavy construction shall be avoided within 15 feet of existing surrounding structures.
- However, if the use of heavy equipment is required within 15 feet of surrounding structures, the following measures should be employed:
- Identify structures that are located within 15 feet (ft) of heavy construction activities and that have the potential to be affected by ground-borne vibration. This task shall be conducted by a qualified structural engineer as approved by the County's Director of Community Development, or designee.
- Develop a vibration monitoring and construction contingency plan for approval by the Director of Community Development, or designee, to identify structures where monitoring would be conducted; set up a vibration monitoring schedule; define structure-specific vibration limits; and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. Construction contingencies would be identified for when vibration levels approached the limits.
- At a minimum, monitor vibration during initial demolition activities. Monitoring results may indicate the need for more or less intensive measurements.
- When vibration levels approach limits, suspend construction and implement contingencies as identified in the approved vibration monitoring and construction contingency plan to either lower vibration levels or secure the affected structures.

## Transportation

**76. Mitigation Measure TRA-1 Measures to Reduce VMT.** The project applicant shall implement the following recommended measures from the California Air Pollution Control Officers Association (CAPCOA) *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity*:

- T-5 Implement Commute Trip Reduction Program – Voluntary. This strategy would implement a voluntary Commute Trip Reduction (CTR) program with employers to discourage single-occupancy vehicle trips and encourage alternative modes of transportation such as carpooling, taking transit, walking and biking.
- T-7 Implement Commute Trip Reduction (CTR) Marketing. This measure would implement a marketing strategy to promote the project site employer's CTR program. Information sharing and marketing promote and educate employees about their travel choices to the employment location beyond driving such as carpooling, taking transit, walking and biking, thereby reducing VMT and GHG emissions.
- T-9 Implement Subsidized or Discounted Transit Program. This measure would provide subsidized or discounted, or free transit passes for employees and/or residents. Reducing the out-of-pocket cost for choosing transit improves the competitiveness of transit against driving, increasing the total number of transit trips and decreasing vehicle trips. This decrease in vehicle trips results in reduced VMT and thus a reduction in GHG emissions. The closest route to the project is the City of Fairfield FAST Route #7 which operates between the Fairfield Transportation Center and the Cordelia Library with a stop at Solano Community College. This stop is less than ½ mile from the project site.
- T-10 Provide End of Trip Facilities. This measure will install and maintain end-of-trip facilities for employee use. End-of-trip facilities include bike parking, bike lockers, showers, and personal lockers. The provision and maintenance of secure bike parking and related facilities encourages commuting by bicycle, thereby reducing VMT and GHG emissions.
- T-14 Provide Electric Vehicle Charging Infrastructure. Install onsite electric vehicle chargers in an amount beyond what is required by the 2019 California Green Building Standards (CALGreen) at buildings with designated parking areas (e.g., commercial, educational, retail, multifamily). This will enable drivers of Plug-In Hybrid Electric Vehicles (PHEVs) to drive a larger share of miles in electric mode (eVMT), as opposed to gasoline-powered mode, thereby displacing GHG emissions from gasoline consumption with a lesser amount of indirect emissions from electricity. Most PHEVs owners charge their vehicles at home overnight. When making trips during the day, the vehicle will switch to gasoline mode if/when it reaches its maximum all-electric range.
- T-18 Provide Pedestrian Network Improvement This measure will increase the sidewalk coverage to improve pedestrian access. Providing sidewalks and an enhanced pedestrian network encourages people to walk instead of drive.

- T-22 Implement Pedal Bikeshare Program (Non-Electric and/or Electric) This measure will establish a bikeshare program. Bikeshare programs provide users with on-demand access to bikes for short-term use. This encourages a mode shift from vehicles to bicycles, displacing VMT and thus reducing GHG emissions. This program could be useful for visitors to the site exploring the Solano Wine Region along Suisun Valley Road.
- T-25 Extend Transit Network Coverage or Hours. This measure will expand the local transit network by either adding or modifying existing transit service or extending the operation hours to enhance the service near the project site. Starting services earlier in the morning and/or extending services to late-night hours can accommodate the commuting times of alternative shift workers. This will encourage the use of transit and therefore reduce VMT and associated GHG emissions. This measure could extend Route 7 of the FAST network to the Suisun Valley Road / Rockville Road intersection to further encourage transit ridership.

**PERMIT TERM**

77. The Use Permit shall be in effect for a five (5) year period with the provision that a renewal may be granted if said request is received prior to the expiration date of December 7, 2028 and the uses remain the same and in compliance with the Conditions of Approval.

\*\*\*\*\*

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on December 7, 2023 by the following vote:

AYES: Commissioners \_\_\_\_\_

NOES: Commissioners \_\_\_\_\_

ABSTAIN: Commissioners \_\_\_\_\_

ABSENT: Commissioners \_\_\_\_\_

By: \_\_\_\_\_  
 Kay Fulfs Cayler, Chairperson  
 Solano County Planning Commission

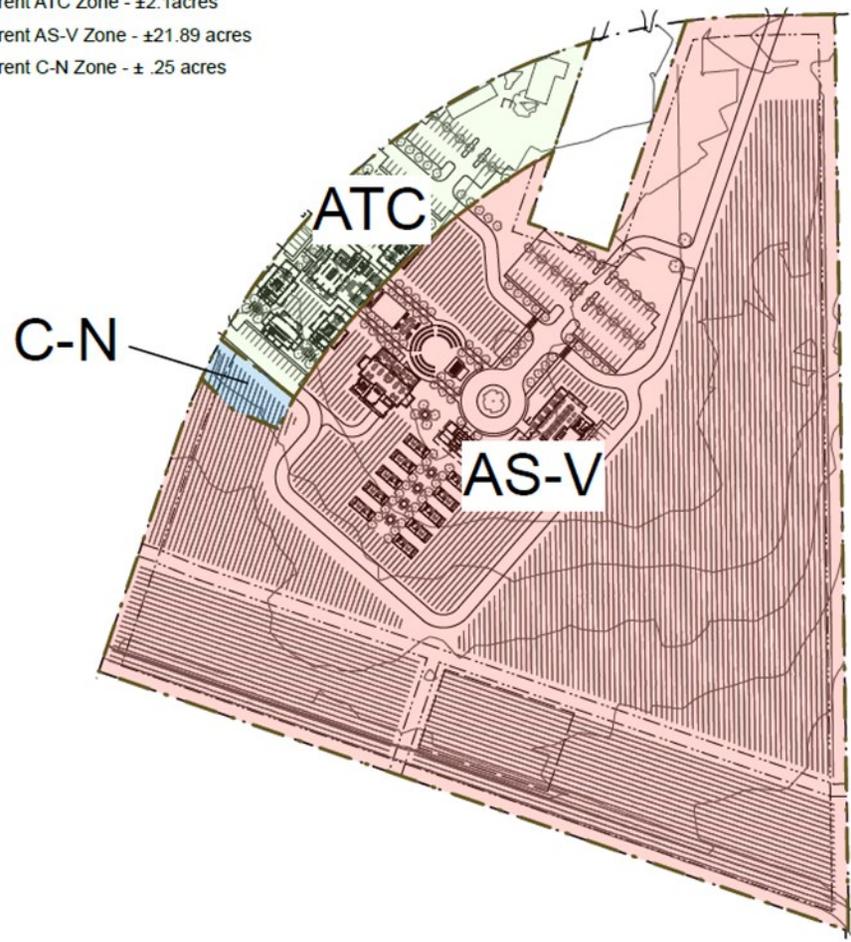
Attest:

By: \_\_\_\_\_  
 Terry Schmidtbauer, Secretary

# Attachment B - Rezone Exhibit

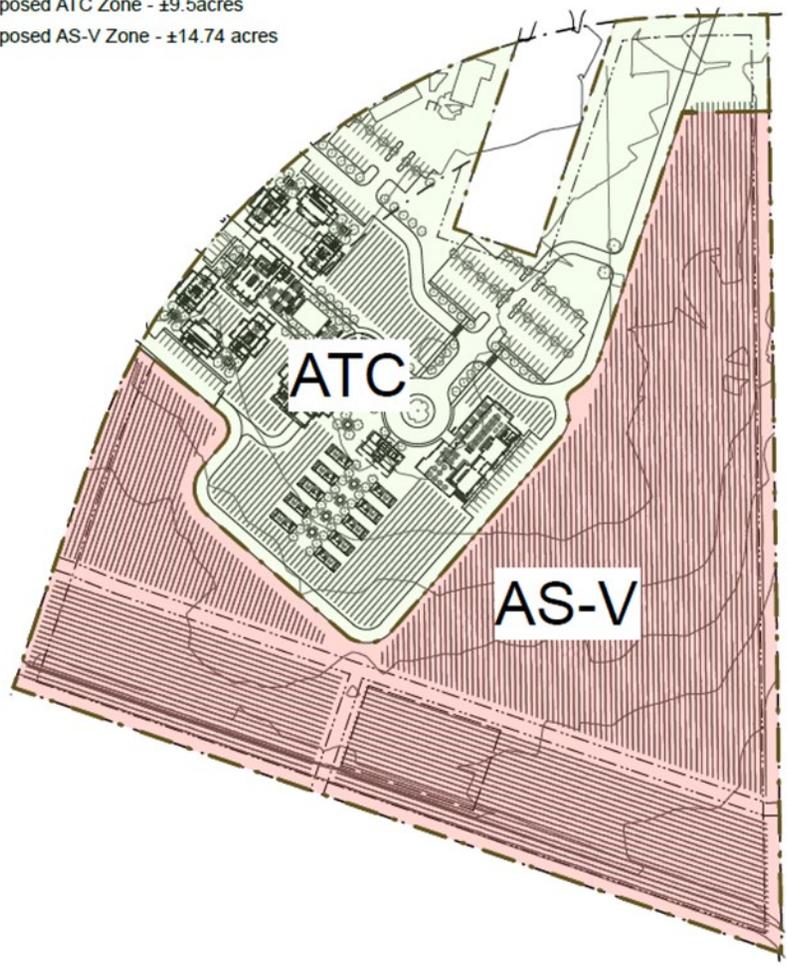
## Existing

- Total Parcel Size - 24.24 acres
- Current ATC Zone - ±2.1 acres
- Current AS-V Zone - ±21.89 acres
- Current C-N Zone - ±.25 acres



## Proposed

- Total Parcel Size - 24.24 acres
- Proposed ATC Zone - ±9.5 acres
- Proposed AS-V Zone - ±14.74 acres







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Solano Landing

2316 Rockville Road  
Fairfield, CA 94534

Issue: \_\_\_\_\_ Date: \_\_\_\_\_  
Issued for Review: \_\_\_\_\_ 22AUG2022

Project ID: solanolanding  
CAD File Name: solano\_landing\_vw  
Plot Date: \_\_\_\_\_  
Drawn By: LD  
Scale: As Noted

Illustrative Site Plan

L1



- Legend
1. Market
  2. Tasting Room
  3. Restaurant
  4. Tasting Room
  5. Tasting Room
  6. Tasting Room
  7. Tasting Room
  8. Multi-Purpose/Dining Hall
  9. Hotel Concourse
  10. Restaurant



Parking Spaces  
192 spaces





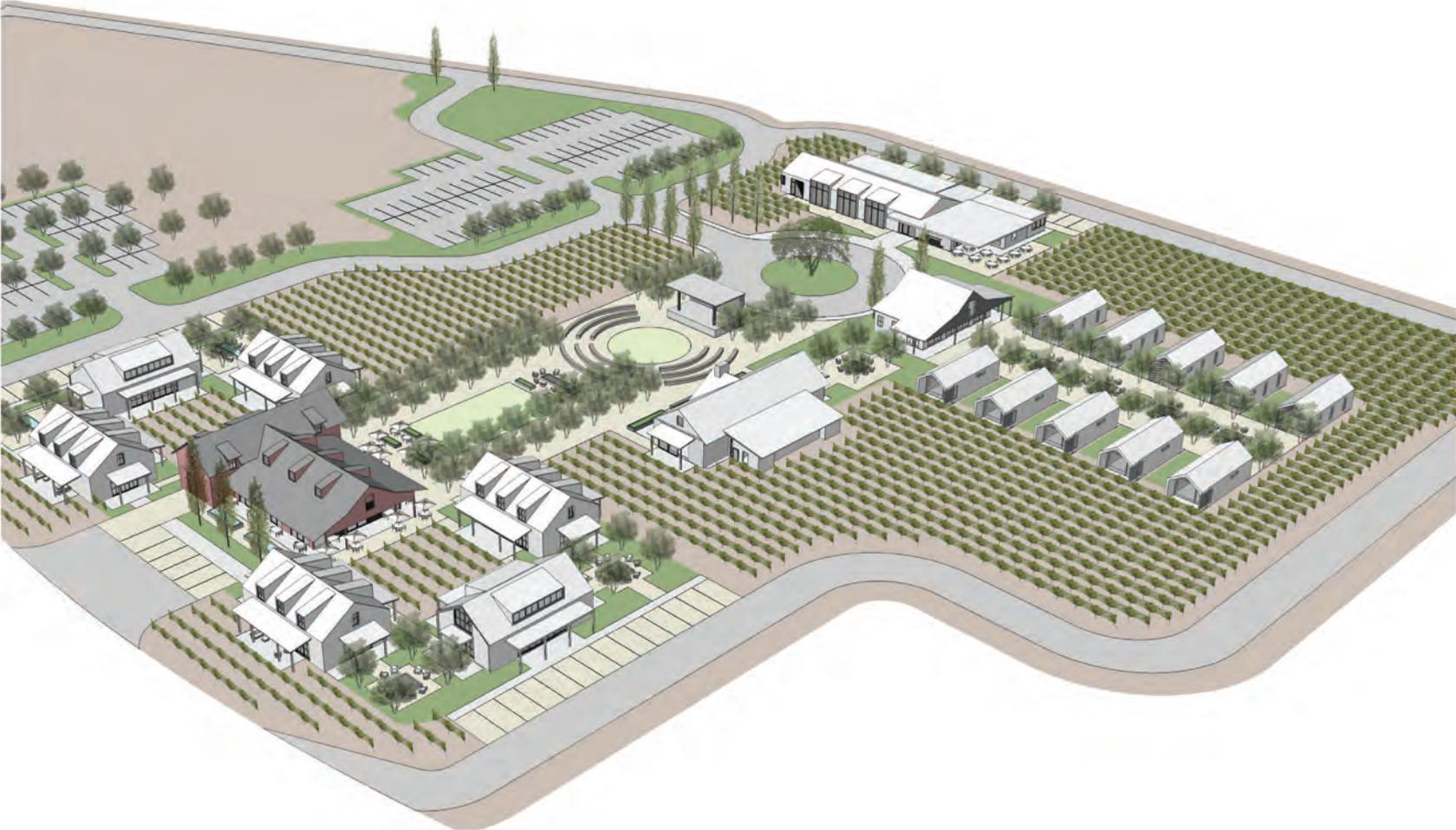
Solano Landing  
2316 Rockville Road  
Fairfield, CA 94534  
Date: 08.22.2022  
3D View - from Northwest



Taylor  
Lombardo  
Architects

LLP

40 Hoteling Place  
San Francisco  
California 94111  
(415) 433-7777 tel  
(415) 433-7717 fax  
taylorlombardo.com



Solano Landing  
2316 Rockville Road  
Fairfield, CA 94534  
Date: 08.22.2022  
3D View - from Southwest



Taylor  
Lombardo  
Architects  
LLP

40 Hoteling Place  
San Francisco  
California 94111  
(415) 433-7777 tel  
(415) 433-7717 fax  
taylorlombardo.com



Solano Landing  
2316 Rockville Road  
Fairfield, CA 94534  
Date: 08.22.2022  
3D View - from Southeast

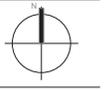


Taylor  
Lombardo  
Architects  
LLP

40 Hotaling Place  
San Francisco  
California 94111  
(415) 433-7777 tel  
(415) 433-7717 fax  
taylorlombardo.com

Taylor  
Lombardo  
Architects  
  
LLP

40 Hoteling Place  
San Francisco  
California 94111  
(415) 433-7777 tel  
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Solano Landing  
2316 Rockville Road  
Fairfield, CA, 94534  
APN 0027-420-150

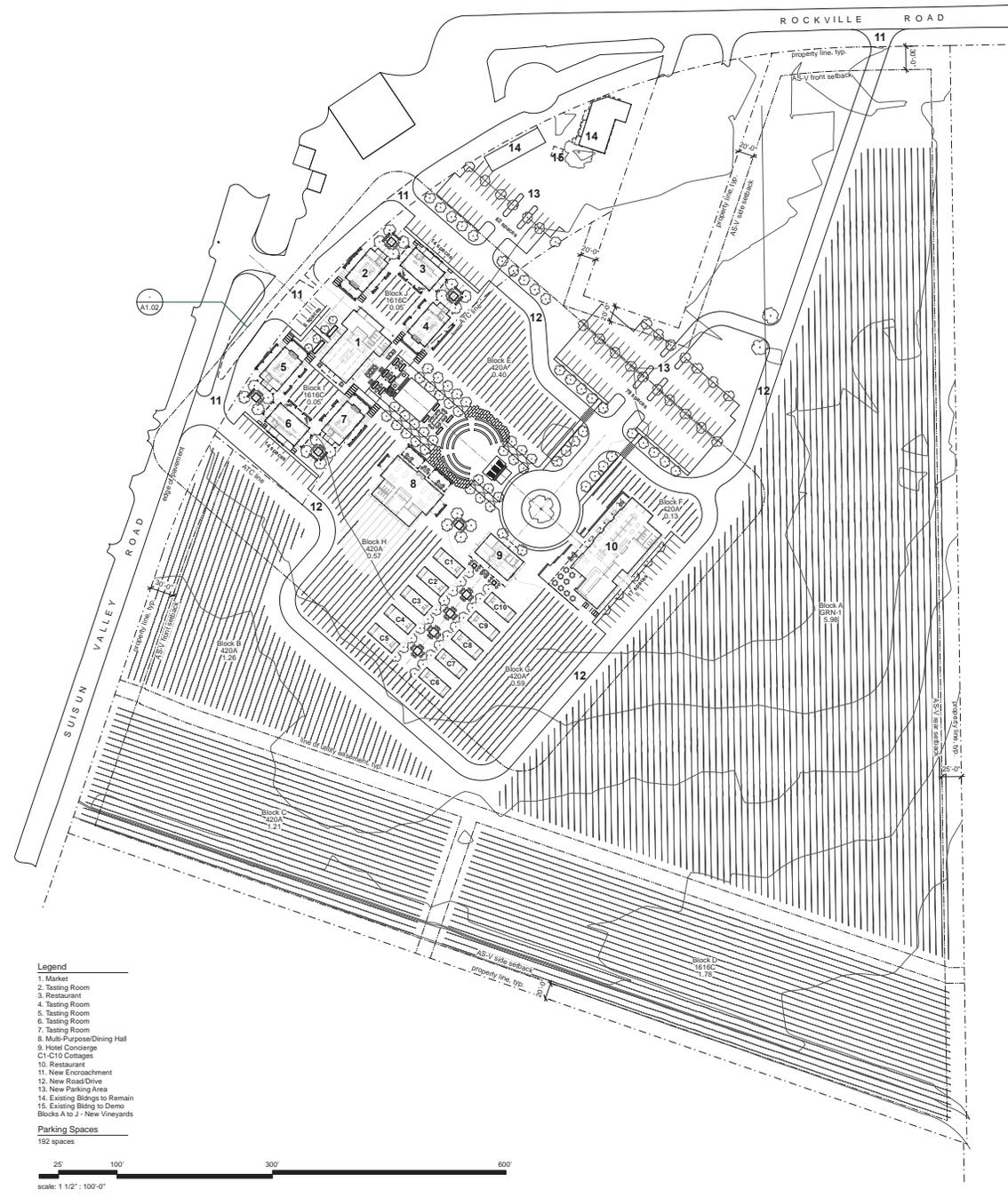
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Overall Site Plan

scale: 1/12" = 100'-0"  
revision:                      date:  
Planning Submittal    08.22.22

job no: 2105  
drawn: NN  
checked: TT  
date: 08.22.22

sheet no:  
**A1.01**



- Legend**
- 1. Market
  - 2. Tasting Room
  - 3. Restaurant
  - 4. Tasting Room
  - 5. Tasting Room
  - 6. Tasting Room
  - 7. Tasting Room
  - 8. Multi-Purpose/Dining Hall
  - 9. Hotel Condo
  - C1-C10 Cottages
  - 10. Restaurant
  - 11. New Encroachment
  - 12. New Road/Drive
  - 13. New Parking Area
  - 14. Existing Bldg to Remain
  - 15. Existing Bldg to Demo
  - Blocks A to J - New Vineyards
- Parking Spaces**  
192 spaces



Taylor  
Lombardo  
Architects  
  
LLP

40 Hoteling Place  
San Francisco  
California 94111  
(415) 433-7777 tel  
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Solano Landing  
2316 Rockville Road  
Fairfield, CA, 94534  
APN 0027-420-150

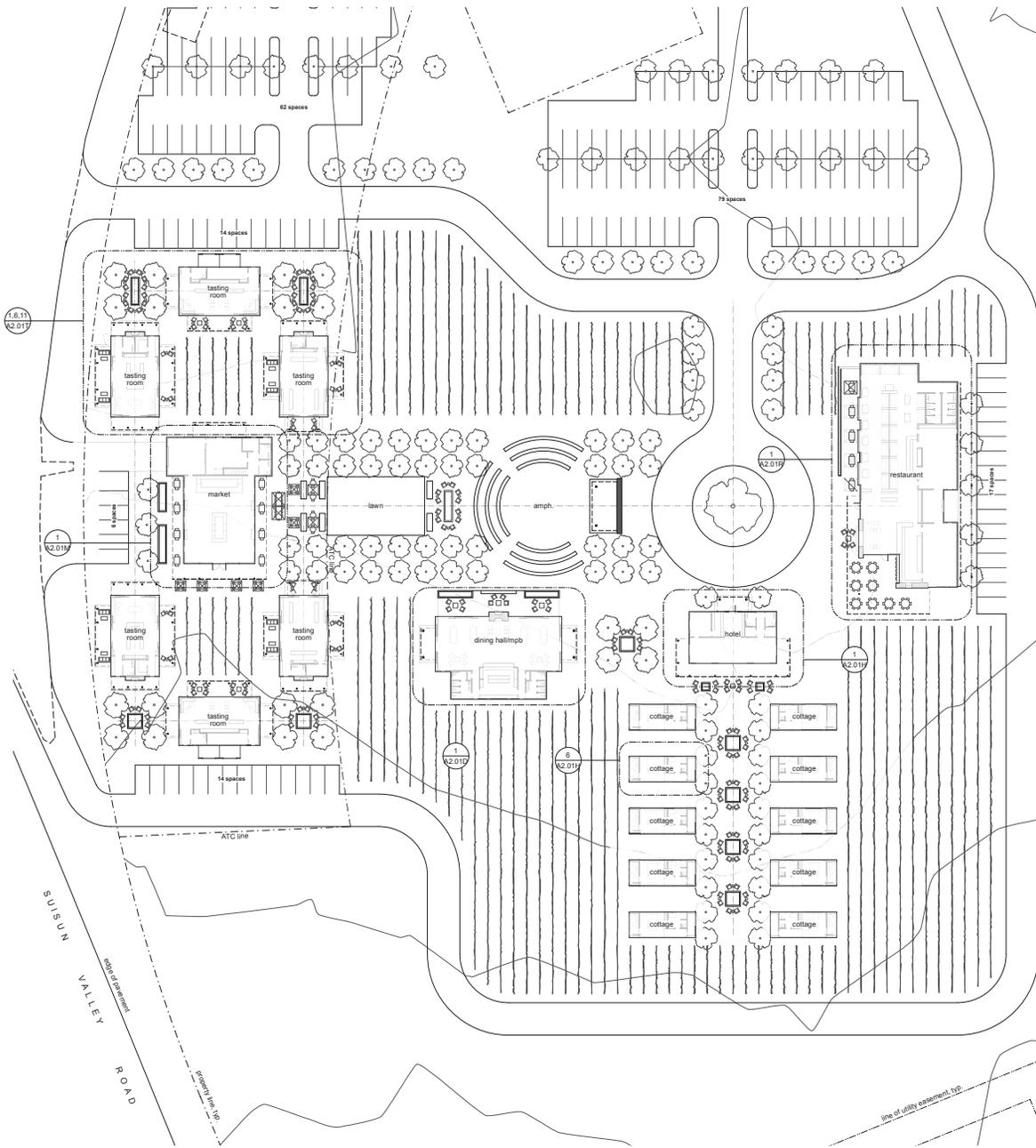
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Enlarged Site Plan

scale: 1/32" = 1'-0"  
revision: date:  
Planning Submittal 08.22.22

job no: 1718  
drawn: NN  
checked: TT  
date: 08.08.22  
sheet no:

A1.02



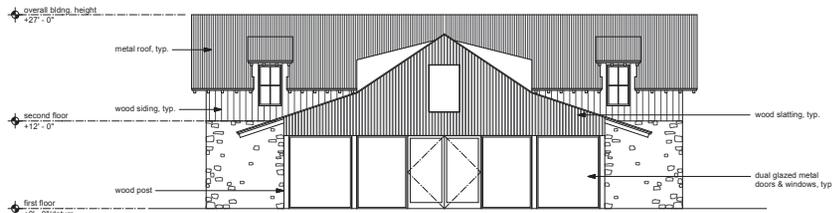
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Lombardo  
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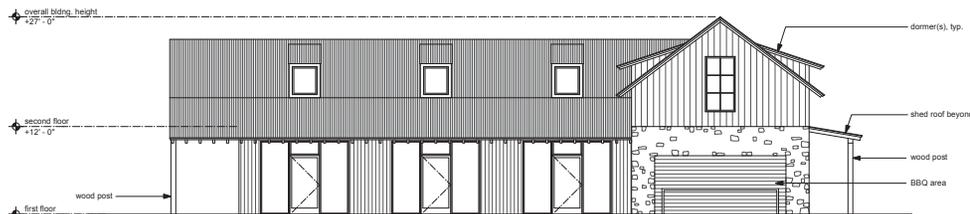
40 Hoteling Place  
San Francisco  
California 94111  
(415) 433-7777 tel  
(415) 433-7717 fax  
taylorlombardo.com



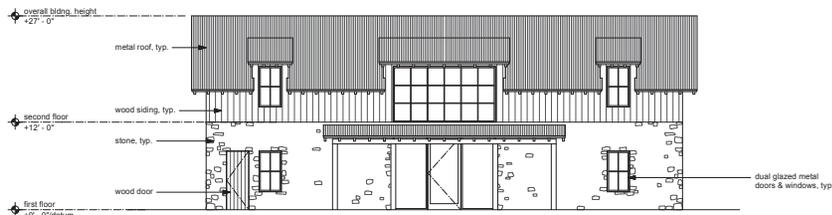
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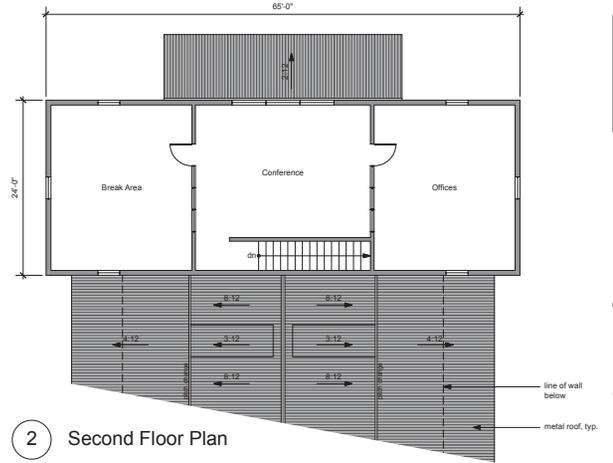
5 South Elevation



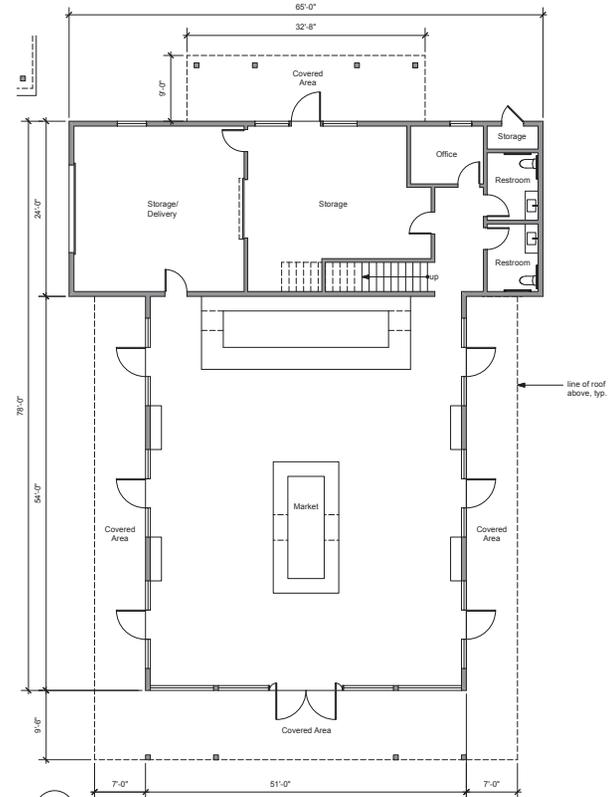
4 East Elevation



3 North Elevation



2 Second Floor Plan



1 First Floor Plan  
Square Footage (first and second floor): 5,496

Solano Landing  
2316 Rockville Road  
Fairfield, CA, 94534  
APN 0027-420-150

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Market Plans

scale: 1/8" = 1'-0"

revision: date:

Planning Submittal 08.22.22

job no: 1718

drawn: NN

checked: TT

date: 08.22.22

sheet no:

A2.01M







Taylor  
Lombardo  
Architects

LLP

40 Hoteling Place  
San Francisco  
California 94111  
(415) 433-7777 tel  
(415) 433-7717 fax

taylorlombardo.com



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2316 Rockville Road  
Fairfield, CA, 94534  
APN 0027-420-150

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Tasting Room 1 Plans

scale: 1/8" = 1'-0"

revision: \_\_\_\_\_ date: \_\_\_\_\_

Planning Submittal 08.22.22

job no: 1718

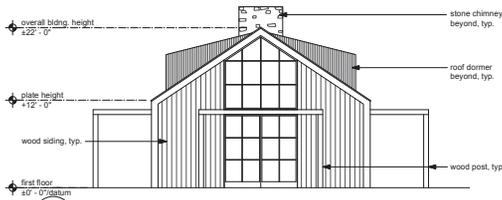
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checked: TT

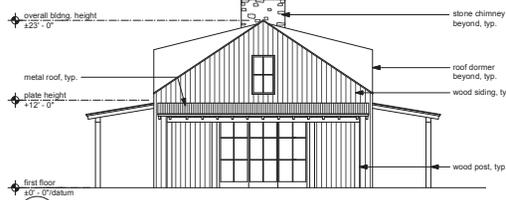
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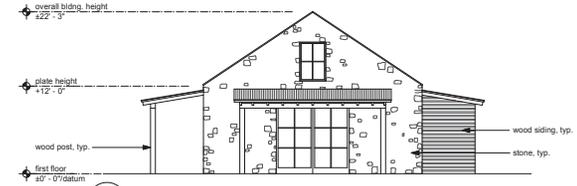
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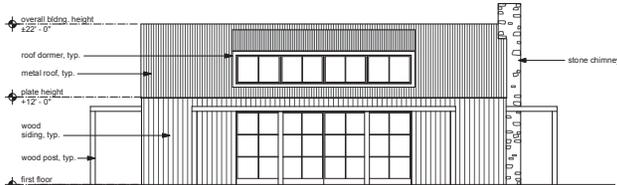
11 North Elevation



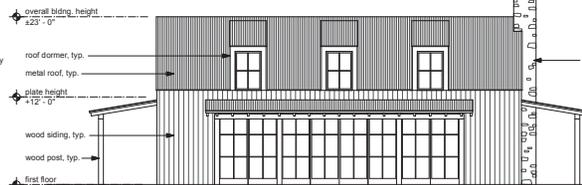
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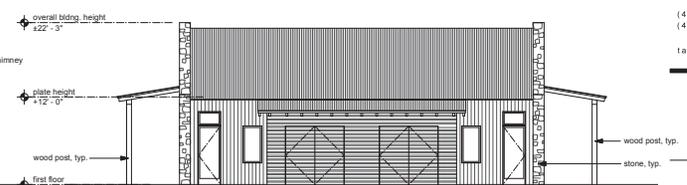
5 East Elevation



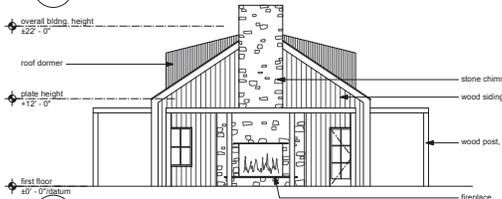
9 East Elevation



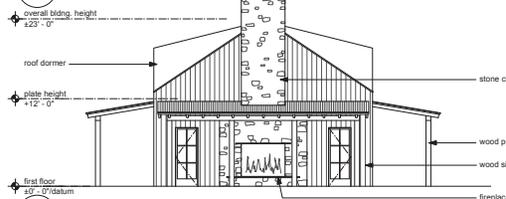
9 East Elevation



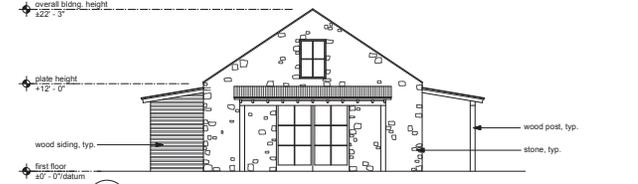
4 North Elevation



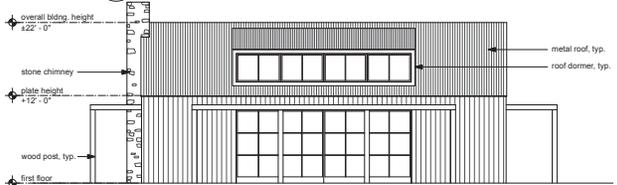
8 South Elevation



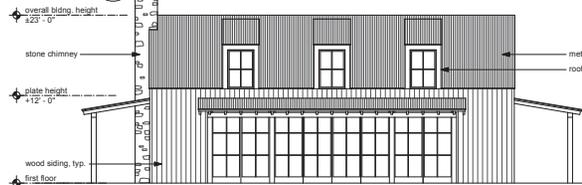
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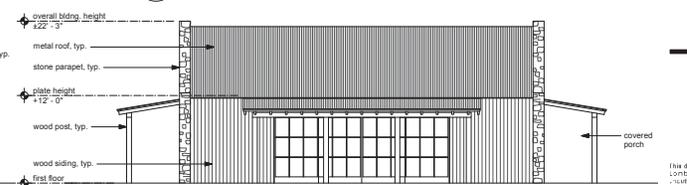
3 West Elevation



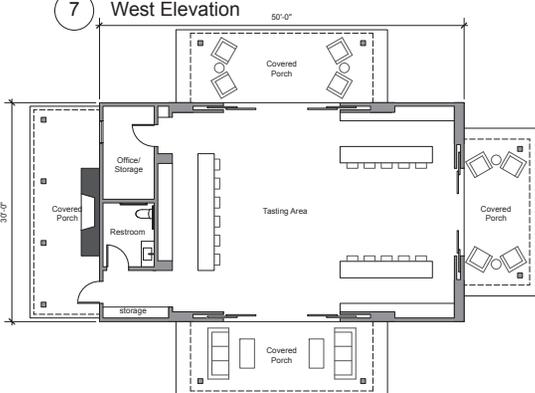
7 West Elevation



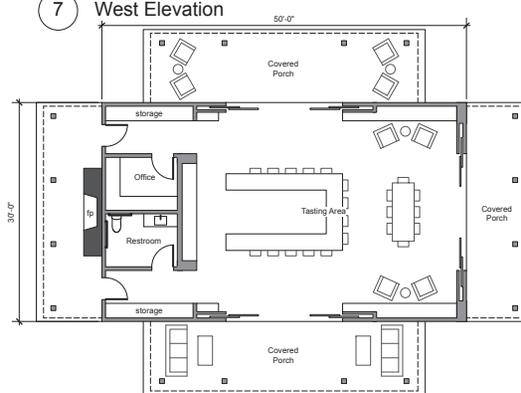
7 West Elevation



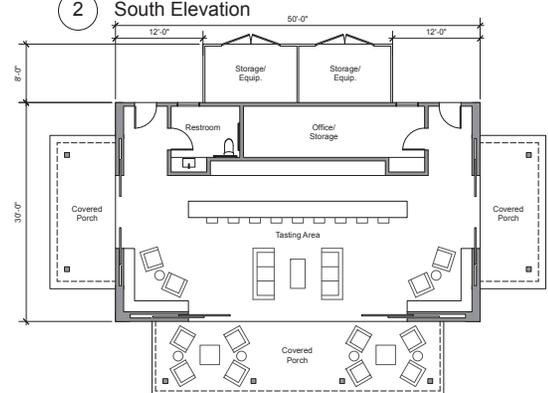
2 South Elevation



11 Tasting Room C Floor Plan (two this type)  
Square Footage: 1,500

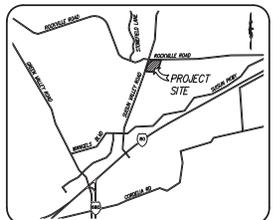


6 Tasting Room B Floor Plan (two this type)  
Square Footage: 1,500



1 Tasting Room A Floor Plan (two this type)  
Square Footage: 1,500

# SOLANO LANDING PRELIMINARY SITE PLAN 2316 ROCKVILLE ROAD SOLANO COUNTY, CALIFORNIA



**VICINITY MAP**  
NOT TO SCALE

**SHEET INDEX**

- C1 PRELIMINARY OVERALL SITE PLAN
- C2 PRELIMINARY ENLARGED SITE PLAN
- C3 PRELIMINARY ENLARGED SITE PLAN
- C4 IMPERVIOUS AREAS EXHIBIT

**OWNER**

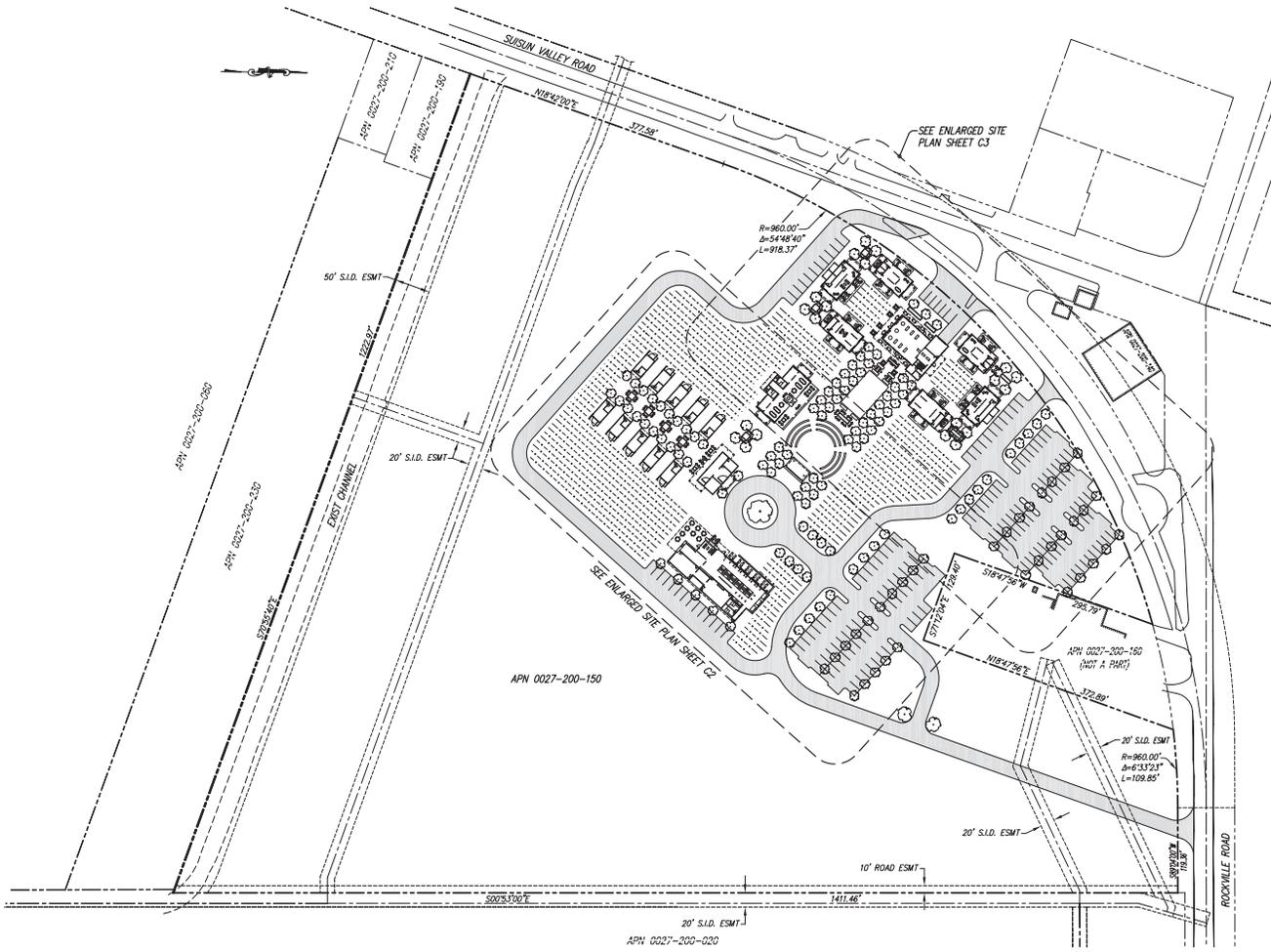
SOLANO LANDING, LLC  
508 COUCH STREET  
VALLEJO, CA 94590

**ARCHITECT**

TAYLOR LOMBARDO ARCHITECTS  
40 HOTALING PLACE  
SAN FRANCISCO, CA 94111  
PHONE: (415) 433-7777

**CIVIL ENGINEER**

FOLK CIVIL ENGINEERING, INC.  
4777 MANGELS BOULEVARD  
FAIRFIELD, CA 94534  
PHONE: (707) 864-0784



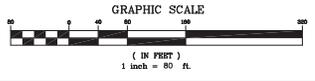
**LEGEND**

PROPOSED	EXISTING	
		CONTOURS
		PROPERTY LINE
		ADJACENT PROPERTY LINE
		CENTERLINE
		GRADEBREAK/RIDGE
		FLOWLINE
		CURB & GUTTER
		DRAINAGE INLET (DI)
		FIRE DEPARTMENT CONNECTION
		FIRE HYD. AND VALVE ASSEM.
		SANITARY SEWER MANHOLE
		STORM DRAIN MANHOLE
		WATER LINE SIZE AND VALVE
		SPOT ELEVATION
		SIGN
		DOWNWARD SLOPE DIRECTION
		RRAP ENERGY DISSIPATOR

**ABBREVIATIONS**

AB	AGGREGATE BASE	FH	FIRE HYDRANT	R	RECYCLED WATER
AC	ASPHALT CONCRETE	FL	FLOWLINE	R&R	REMOVE AND REPLACE
APPROX	APPROXIMATE	GB	GRADE BREAK	RCPP	REINFORCED CONCRETE PIPE
B.L.D.C.	BUILDING	HP	HIGH POINT	REQD	REQUIRED
CONC.	CONCRETE	INV	INVERT	RET	RETAINING
DI	DRAINAGE INLET	LP	LOW POINT	S	SLOPE
DS	DOWNSPOUT	LS	LANDSCAPE	SCP	STORMWATER CONTROL PLAN
ED	EDGE OF CONCRETE	MAX	MAXIMUM	SD	STORM DRAIN
ELEV	ELEVATION	MH	MANHOLE	SS	SANITARY SEWER
EP	EDGE OF PAVEMENT	MIN	MINIMUM	STD	STANDARD
ESCP	EROSION & SEDIMENT CONTROL PLAN	NOC	NOSE DOWN CURB	SVC	SERVICE
ESMT	EASMENT	O.C.	ON CENTER	SWL	SWALE
EXLEAST	EXISTING	ONE	OVERHEAD ELECTRIC	TC	TOP OF CURB
F	FIRE	OP	OPENING	TL	TRAFFIC INDEX
FDC	FIRE DEPARTMENT CONNECTION	PP	PROTECT-IN-PLACE	TYP	TYPICAL
FG	FINISH GRADE	PL	PROSPECTIVITY LINE	W	WATER
		PP	POWER POLE		
		PROP	PROPOSED		
		PUE	PUBLIC UTILITY EASEMENT		

DESIGNED BY: A.J.H.  
 DRAFTED BY: A.J.H.  
 CHECKED BY: B.D.F.  
 ISSUE DATE: 08/15/22



**FCE** FOLK CIVIL ENGINEERING, INC.  
 Civil Engineering Land Surveying Planning  
 4777 Mangels Boulevard, Fairfield, CA 94534  
 (707)864-0784 fax (707)864-0783 e-mail: folkce@gmail.com



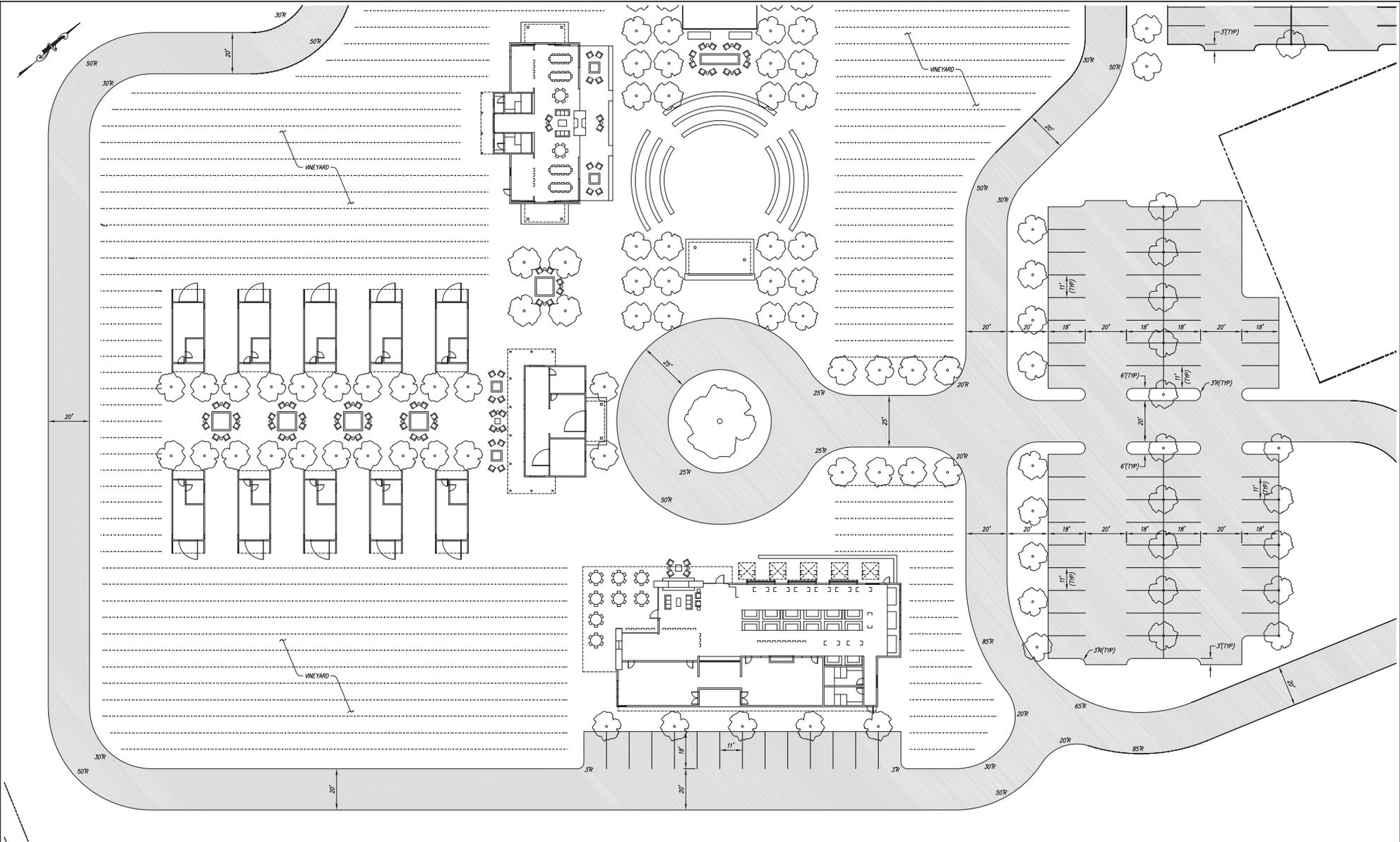
REV.	DATE	DESCRIPTION	BY	APPROVED

PROJECT: **SOLANO LANDING  
2316 ROCKVILLE ROAD  
SOLANO COUNTY, CA**

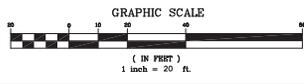
SHEET TITLE: **PRELIMINARY OVERALL SITE PLAN**

SCALE: 1"=80'      DWG: 21-044      JOB NO: 21-044      XREF: 21-044-Topo

SHEET **C1**  
OF 4



DESIGNED BY: AJH  
 DRAFTED BY: AJH  
 CHECKED BY: BDF  
 ISSUE DATE: 08/15/22



**FCE** FOULK CIVIL ENGINEERING, INC.  
 Civil Engineering Land Surveying Planning  
 4777 Mangle Boulevard, Fairfield, CA 94534  
 (707)864-0784 fax (707)864-0793 e-mail: foulkce@gmail.com



REV.	DATE	DESCRIPTION	BY	APPROVED

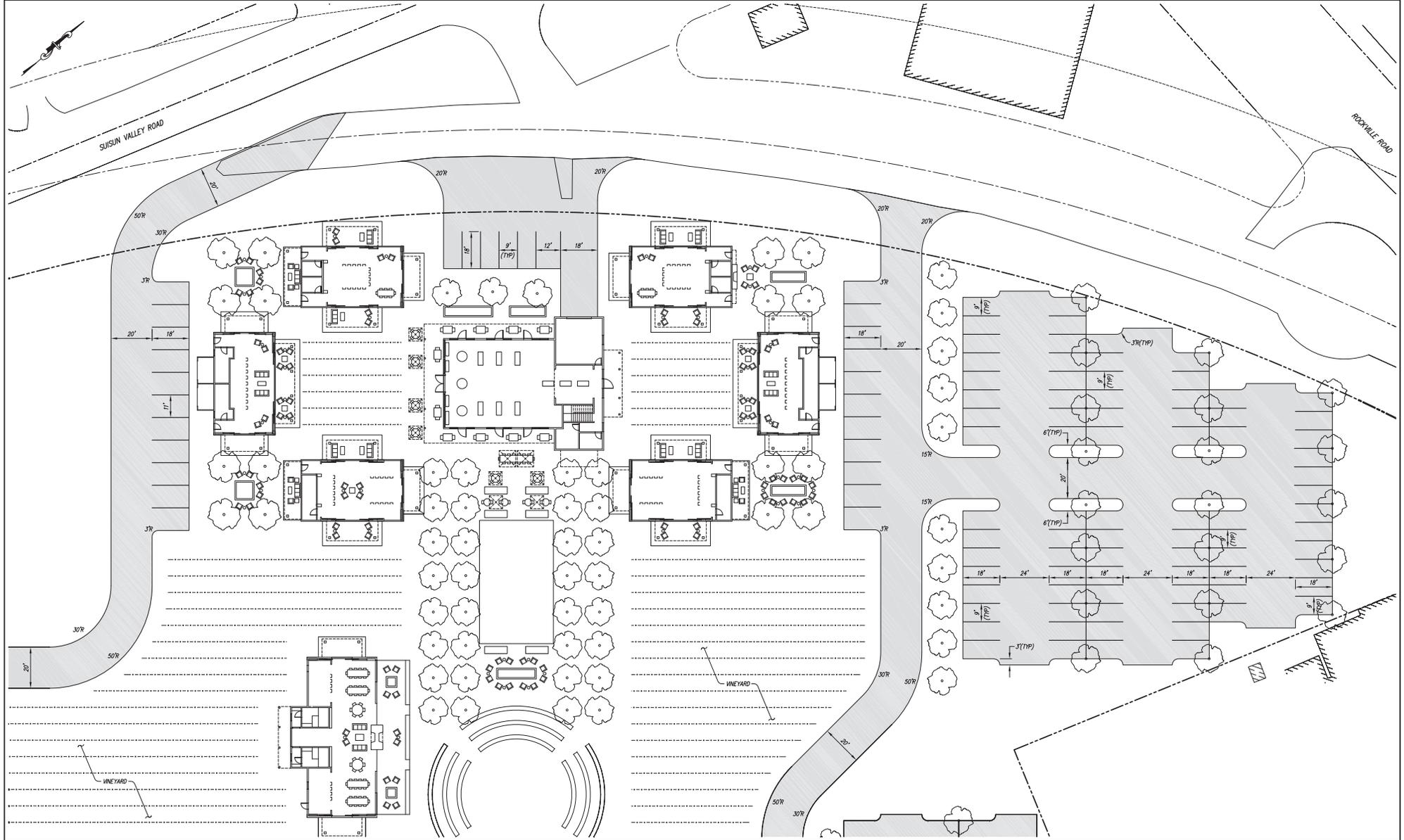
PROJECT: **SOLANO LANDING**  
 2316 ROCKVILLE ROAD  
 SOLANO COUNTY, CA

SHEET TITLE: **PRELIMINARY ENLARGED SITE PLAN**

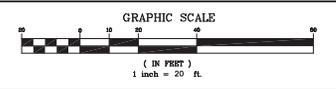
SCALE: 1"=20'      DWG: 21-044      JOB NO: 21-044      XREF: 21-044-Topo

SHEET  
**C2**  
OF 4

COORDINATION SET  
NOT FOR CONSTRUCTION



DESIGNED BY: A.J.H.  
 DRAFTED BY: A.J.H.  
 CHECKED BY: B.D.F.  
 ISSUE DATE: 08/15/22



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 Civil Engineering Land Surveying Planning  
 4777 Mangrove Boulevard, Fairfield, CA 94534  
 (707)864-0784 fax (707)864-0793 e-mail: fce@fce@gmail.com



REV.	DATE	DESCRIPTION	BY	APPROVED

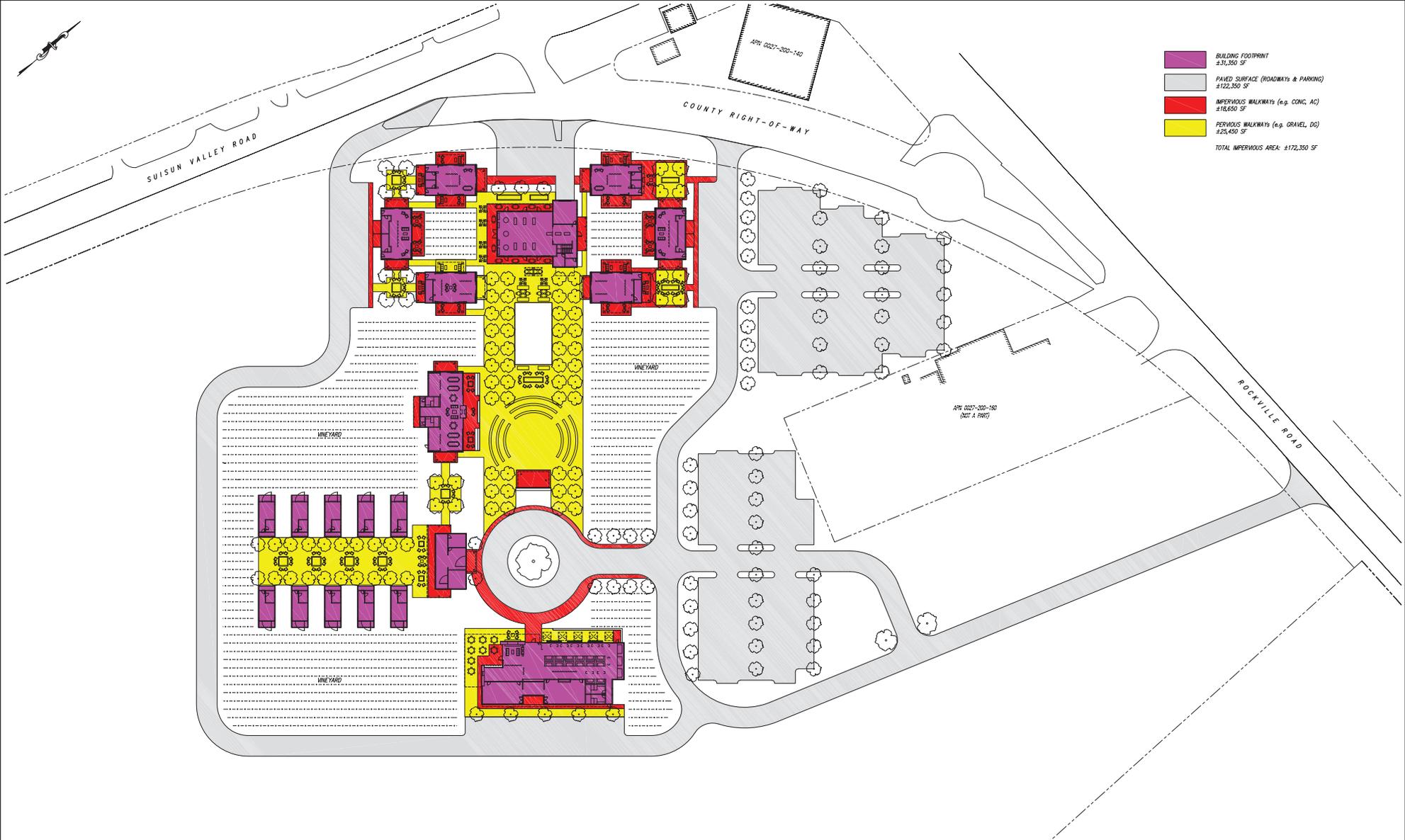
PROJECT: **SOLANO LANDING**  
 2316 ROCKVILLE ROAD  
 SOLANO COUNTY, CA

SHEET TITLE: **PRELIMINARY ENLARGED SITE PLAN**

SCALE: 1"=20'      DWG: 21-044      JOB NO: 21-044      XREF: 21-044-Topo

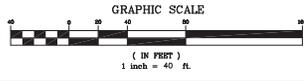
SHEET **C3**  
 OF 4

COORDINATION SET  
 NOT FOR CONSTRUCTION



- BUILDING FOOTPRINT  
±31,350 SF
  - PAVED SURFACE (ROADWAYS & PARKING)  
±122,350 SF
  - IMPERVIOUS WALKWAYS (e.g. CONC. AC)  
±18,650 SF
  - PERVIOUS WALKWAYS (e.g. GRAVEL, DO)  
±25,450 SF
- TOTAL IMPERVIOUS AREA: ±172,350 SF

DESIGNED BY: AJH  
 DRAFTED BY: AJH  
 CHECKED BY: BDF  
 ISSUE DATE: 08/15/22



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 Civil Engineering Land Surveying Planning  
 4777 Mangrove Boulevard, Fairfield, CA 94534  
 (707)864-0784 fax (707)864-0793 e-mail: foulkece@gmail.com



REV.	DATE	DESCRIPTION	BY	APPROVED

PROJECT: **SOLANO LANDING**  
 2316 ROCKVILLE ROAD  
 SOLANO COUNTY, CA

SHEET TITLE: **IMPERVIOUS AREAS EXHIBIT**

SCALE: 1"=40' | DWG: 21-044 | JOB NO: 21-044 | XREF: 21-044-Topo

SHEET **C4**  
 OF **4**

COORDINATION SET  
 NOT FOR CONSTRUCTION

**Attachment D - Aerial Photograph**





# SOLANO COUNTY

DEPARTMENT OF  
RESOURCE MANAGEMENT  
Planning Services Division

(707) 784-6765 Office  
(707) 784-4805 Fax

[www.solanocounty.com](http://www.solanocounty.com)  
[planning@solanocounty.com](mailto:planning@solanocounty.com)

## MITIGATED NEGATIVE DECLARATION

<b>PROJECT PROPONENT/APPLICANT:</b>	Solano Landing LLC
<b>APPLICATION NO:</b>	Z-22-04 & U-22-03
<b>APN:</b>	0027-200-150
<b>PROJECT PLANNER:</b>	Eric Wilberg, Senior Planner

### PROJECT DESCRIPTION AND LOCATION:

The Solano Landing LLC project consists of Rezoning Petition Z-22-04 to rezone 7.4 acres of the project site from Agriculture Suisun Valley "A-SV-20" to Agricultural Tourist Center "ATC" and Use Permit application U-22-03 to establish and operate a Resort Hotel comprised of a ten-room hotel, 7,462 square foot restaurant, six 1,500 sq. ft. wine tasting rooms, 5,496 sq. ft. market, 3,655 sq. ft. multi-purpose/dining hall, associated parking and infrastructure, and 10.50 acres planted in vineyards located at 2316 Rockville Road, one-quarter mile north of the City of Fairfield within the A-SV-20 and ATC zoning districts; APN 0027-200-150.

### FINDINGS:

The Solano County Department of Resource Management has evaluated the Initial Study which was prepared with regards to the project. The County found no potentially significant adverse environmental impacts likely to occur. The County determined that the project qualifies for a Mitigated Negative Declaration. The Initial Study of Environmental Impact, including the project description, findings and disposition, are attached.

### MITIGATION MEASURES INCORPORATED INTO PROJECT DESCRIPTION:

#### **Mitigation Measure AIR-1**

Consistent with the Bay Area Air Quality Management District (BAAQMD) Basic Construction Mitigation Measures, the following controls are required to be included as specifications for the proposed project and implemented at the construction site:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off site shall be covered.
- All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.
- Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

- All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- A publicly visible sign shall be posted with the telephone number and person to contact at Solano County regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

### **Mitigation Measure AIR-2**

During construction of the proposed project, the project contractor shall ensure all off-road diesel-powered construction equipment of 50 horsepower or more used for the project construction at a minimum meets the California Air Resources Board Tier 4 emissions standards or equivalent.

### **Mitigation Measure BIO-1**

**Worker Environmental Awareness Program (WEAP).** During construction of the project, before any work occurs on the project site, including grading, vegetation removal and equipment staging, all construction personnel shall participate in an environmental awareness training regarding special-status species and sensitive habitats present on the Project site. Any additional construction personnel that are employed following the initial start of construction shall receive mandatory training before starting work. As part of the training, an environmental awareness handout shall be provided to all personnel that describes and illustrates sensitive resources (i.e., special-status species and habitat, nesting birds/raptors) to be avoided during proposed Project construction and lists measures to be followed by personal for the protection of biological resources. Such measures shall include, but are not limited to:

- Procedures to follow if a special-status species is found within the work area.
- Checking under equipment and staging areas for wildlife species each morning prior to work.
- Staying within designated work areas and maintaining exclusion/silt fencing.
- Reduced Project speed limits.
- No pets or firearms on-site.
- Contain trash/food waste and remove daily to avoid encouraging predators onto the Project site.
- Following Project Best Management Practices (BMPs).

### **Mitigation Measure BIO-2**

**Avoid and Minimize Impacts to Rare Plants.** Before the initiation of any vegetation removal or ground-disturbing activities, in areas that provide suitable habitat for special-status plants, the following measures shall be implemented:

- A qualified botanist shall conduct appropriately timed surveys for special-status plant species, in all suitable habitat that would be potentially disturbed by the Project.
- Surveys shall be conducted following CDFW- or other approved protocol.
- If no special-status plants are found during focused surveys, the botanist shall document the findings in a letter to the lead agency, and other appropriate agencies as needed, and no further mitigation will be required.
- If special-status plants are found during focused surveys, the following measures shall be implemented:
- Information regarding the special-status plant population shall be reported to the CNDDDB.
- If the populations can be avoided during Project implementation, they shall be clearly marked in the field by a qualified botanist and avoided during construction activities. Before ground clearing or ground disturbance, all on-site construction personnel shall be instructed as to the species' presence and the importance of avoiding impacts to this species and its habitat.

- If special-status plant populations cannot be avoided, consultations with CDFW and/or USFWS would be required. If allowed under the appropriate regulations, the plants shall be mapped, photographed, and then transplanted to a suitable location by a qualified botanist. If required by the relevant agency, a plan to compensate for the loss of special-status plant species, detailing appropriate replacement ratios, methods for implementation, success criteria, monitoring and reporting protocols, and contingency measures that would be implemented if the initial mitigation fails; the plan would be developed in consultation with the appropriate agencies prior to the start of local construction activities.

### **Mitigation Measure BIO-3**

**Monarch Butterfly Avoidance.** Preconstruction surveys shall be conducted during the monarch breeding season (March 16 through November 30) to determine if milkweed is present on the site and, if present, is being used for monarch breeding. Surveys shall be conducted by a qualified biologist no more than 14 days prior to ground or vegetation disturbance activities. The biologist shall search for evidence of monarch eggs, caterpillars, chrysalises, and adults. If active monarch breeding is identified, the milkweed stand shall be avoided until the applicant develops and implements a salvage and relocation plan that has been reviewed and approved by the applicable Resource Agencies.

### **Mitigation Measure BIO-4**

**Avoid Project impacts to Western and Crotch's bumble bee.** Surveys should be performed by a qualified biologist familiar with the species behavior and life history to determine the presence/absence of special status bumble bees within 6 weeks prior to vegetation removal and/or grading. Surveys should be conducted during the flying season when the species is most likely to be detected above ground, between March 1 to September 1. Survey results, including negative findings, should be submitted to CDFW prior to implementing Project-related ground-disturbing activities. At minimum, a survey report should provide the following:

- A description and map of the survey area, focusing on areas that could provide suitable habitat for special status bumble bees.
- Field survey conditions that should include name(s) of qualified biologist(s) and brief qualifications; date and time of survey; survey duration; general weather conditions; survey goals, and species searched.
- Map(s) showing the location of nests/colonies.
- A description of physical (e.g., soil, moisture, slope) and biological (e.g., plant composition) conditions where each nest/colony is found. A sufficient description of biological conditions, primarily impacted habitat, should include native plant composition (e.g., density, cover, and abundance) within impacted habitat (e.g., species list separated by vegetation class; density, cover, and abundance of each species).
- If adverse impacts to Crotch's bumble bee cannot be avoided either during Project activities or over the life of the Project, the County should consult with CDFW to determine appropriate avoidance and/or minimization measures for the species.

### **Mitigation Measure BIO-5**

**Avoid impacts to tricolored blackbird.** If construction activities begin between February 1 and August 31, a preconstruction survey for nesting tricolored blackbirds shall be performed by a qualified biologist to ensure that no individuals of this species are harmed during construction activities. This survey may be conducted concurrently with other bird surveys (e.g., Swainson's hawk, burrowing owl). If an active tricolored blackbird colony is discovered within the project site or within a 100-foot radius, a qualified biologist shall evaluate the potential for construction to disturb nesting activities. CDFW shall be contacted to review the evaluation and determine if the project can proceed without adversely affecting nesting activities. CDFW shall also be consulted to establish protection measures such as buffers. Disturbance of active nests shall be avoided until it is determined by a qualified biologist that nesting is complete and the young have fledged, or that the nest has failed. If work is allowed to proceed, at a minimum, a qualified biologist shall be on-site during the start of construction activities during the nesting season to monitor nesting activity. The monitor shall have the authority to stop work if it is determined the project is adversely affecting nesting activities.

## Mitigation Measure BIO-6

**Avoid impacts to burrowing owl.** Preconstruction surveys for western burrowing owl shall be conducted by a qualified biologist in accordance with CDFW's 2012 Staff Report on Burrowing Owl Mitigation and measures outlined in the Solano HCP. If burrowing owls are identified during the preconstruction survey, passive exclusion shall be implemented per CDFW's 2012 Staff Report on Burrowing Owl Mitigation (including avoidance of occupied burrows during the breeding season).

## Mitigation Measure BIO-7

**Swainson's Hawk Avoidance.** For any construction activities initiated between March 15 and September 1, surveys for nesting Swainson's hawk shall be conducted within 0.5-mile of areas of disturbance for this species as described in the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in the California's Central Valley (Swainson's Hawk Technical Advisory Committee, 2000). The recommended minimum survey protocol is completion of surveys for at least the two survey periods immediately prior to a project's initiation. Survey periods correspond to typical migration, courtship, and nesting behavior and defined as follows:

Survey Period	Survey Dates	Survey Time	Number of Surveys
1	January 1 to March 20	All day	1
2	March 20 to April 5	Sunrise to 1000 or 1600 to sunset	3
3	April 5 to April 20	Sunrise to 1200 or 1630 to sunset	3
4	April 21 to June 10	All day; Monitoring known nests only	Ongoing
5	June 10 to July 30	Sunrise to 1200 or 1630 to sunset	3

If surveys determine that the species is present and nesting within this area, a buffer zone of 0.5-mile shall be established and coordination with CDFW shall be required prior to any work in this buffer zone during the nesting season. Work within 0.5 mile may be permitted with CDFW approval if a qualified biologist monitors the nest when Project disturbance activities occur within 0.5 mile of the nest. If the monitor determines that construction may result in abandonment of the nest, all construction activities within 0.5 mile shall be halted until the nest is abandoned or all young have fledged. The monitor shall continue monitoring the nest until construction within 0.5 mile of the nest is completed, or until all chicks have completely fledged and are no longer dependent on the nest. The monitor shall have the authority to stop work if it is determined the project is adversely affecting nesting activities.

## Mitigation Measure BIO-8

**Nesting Birds.** A pre-construction survey by a qualified biologist for nesting birds shall be required if construction activities are scheduled to occur during the breeding season (February 1 to August 31) for raptors and other migratory birds, including special-status bird species. The survey shall be conducted 15 days prior to ground disturbing activities and shall cover a 500-foot radius surrounding the construction zone. If active nests are found, actions typically include, but are not limited to, monitoring by agency-approved biologists, establishment or refinement of species-specific buffers, reduction or elimination of the use of loud equipment, reducing foot traffic and remaining in the vehicles, and the maintenance of visual screens. Migratory birds shall be protected from Project Area staging and operations through the use of a buffer established based on the bird's sensitivity and response to the potential activity. Baseline behavior of the bird should be established to inform the buffer size. The qualified biologist may start with a 100-foot nest buffer or a 250-foot nest buffer for raptors but may adjust the buffer size based on the reaction of the bird to the activity. If there is a potential for nest abandonment due to intrusion into the buffer zone, as established by the qualified biologist, then CDFW and the USFWS shall be consulted. The biologist should have the authority to stop work if it is determined that the project is adversely affecting nesting activities. If a lapse in Project-related work of 15 days or longer occurs, another focused survey,

and if required, consultation with CDFW and the USFWS shall be performed before Project work can resume. Tree removal activities should be conducted outside the nesting bird season (February 1 – August 31).

### **Mitigation Measure BIO-9**

**Avoid and Minimize Impacts to Special-Status Bats.** Potential bat roost trees shall be identified by a qualified bat biologist during a tree habitat assessment conducted several months prior to tree removal. Any potential bat roost trees in the project site shall be removed only between approximately March 1 and April 15, or when evening temperatures are above 45°F and rainfall less than 0.5 inch in 24 hours occurs, prior to parturition of pups. The next acceptable period is after pups become self-sufficiently volant – September 1 through about October 15, or prior to evening temperatures dropping below 45°F and onset of rainfall greater than 0.5 in in 24 hours. In areas where suitable habitat occurs and there is potential for special-status bat species to be present, specific mitigation measure(s) will be developed in consultation with CDFW.

### **Mitigation Measure BIO-10**

**Roost tree removal.** If non-bat roost trees or other vegetation must be removed outside the dates listed above, a 100 ft buffer around each bat roost tree shall be established to reduce potential of disturbance of non-volant young during maternity season, or torpid bats during winter months. Work activities shall be limited to daylight hours to minimize potential effects to foraging bats. Bat roost trees shall be removed only during seasonal periods of bat activity as described above, and only after:

- Negative results from a night emergence survey conducted no more than 1-2 nights prior to tree removal by a qualified bat biologist, using night vision and/or IR-sensitive camera equipment and bioacoustics recording equipment, or;
- All other vegetation other than potential roost trees within the impact area has been removed at least 4 days prior to removal of the bat roost trees.
- Potential bat roost trees shall be removed using a two-step tree process spanning two consecutive days:
- Day 1. Small branches and small limbs containing no cavity, crevice, or exfoliating bark habitat, as determined by a qualified bat biologist, are removed using chainsaws only. Trees containing suitable potential habitat shall be trimmed with chainsaws on Day 1 under initial field supervision by a qualified bat expert to ensure that the tree cutters fully understand the process and avoid incorrectly cutting potential habitat features or trees. After tree cutters have received sufficient instruction, the qualified bat expert does not need to remain on the site.
- Day 2. The remainder of the tree is to be removed. The disturbance caused by chainsaw noise and vibration, coupled with the physical alteration of the tree, has the effect of causing colonial bat species to abandon the roost tree after nightly emergence for foraging. Removing the tree, the next day prevents re-habituation and re-occupation of the tree.

### **Mitigation Measure BIO-11**

**Wetland Mitigation.** The proposed project shall be designed to minimize fill of jurisdictional waters. If direct impacts to the ephemeral roadside drainage cannot be avoided, prior to ground disturbance, the project applicant shall obtain a permit from the Regional Water Quality Control Board (RWQCB, CWA Section 401 water quality certification). Impacts to waters of the State shall be mitigated by providing compensatory mitigation at a minimum 1:1 ratio in area. A Habitat Mitigation and Monitoring Plan shall be prepared and implemented for the proposed mitigation approach. This plan shall be subject to approval by the RWQCB prior to any disturbance of waters of the State.

### **Mitigation Measure BIO-12**

**Minimize Impacts to Wildlife Movement.** To minimize the impact of development on wildlife movement, all perimeter fencing shall meet the following standards:

- Fence heights shall be limited to a maximum of 5 feet above ground level (limited height variations based on topographic changes are allowable).
- Welded wire or other mesh fences shall have a minimum 4-inch by 4-inch opening. No-climb horse fencing is prohibited as perimeter fencing.
- Solid perimeter fences are prohibited.
- Wood or metal picket fences shall have a minimum spacing of 4 inches between pickets and shall not have sharp or pointed spikes or decorations along the top.

### **Mitigation Measure BIO-13**

**Heritage Tree Mitigation.** All native oak trees meeting the heritage definition of the Solano County General Plan shall be protected from damage to the maximum extent possible. This protection measure includes designating no work zones by exclusion fencing along the canopy dripline. If a heritage tree cannot be protected from damage or removal, the loss of each mature tree shall be mitigated by planting 15 saplings at least 3 years old in areas where mature trees will not interfere with ongoing operations of the vineyard, tasting rooms, hotel and associated parking areas. Trees planted within the parking area for shade may count towards the heritage tree mitigation as long as they consist of native oak species. The following guidelines for oak restoration shall be followed:

- **Mitigation Planting:** To compensate for the loss of mature native oaks, saplings of the same species shall be planted sufficient to replace the tree canopy for each tree removed. Every effort shall be made to incorporate preservation of oak trees as part of the project. Oak saplings shall be sourced from a certified Phytophthora ramorum-free nursery. Saplings must be at least 3 years old and shall be spaced at least 15 feet from each other. Each sapling shall be staked with two wooden stakes and caged to a sufficient height. Saplings shall be planted in moist soil, after the first substantial rain. In the following summer, watering may be necessary to enhance survival.
- **Performance and Success Criteria:** Performance criteria for the revegetation area shall be assessed for at least 3 years following the conclusion of grading activities. The oak planting site(s) shall have at least 65 percent cover by native or naturalized plants (primarily grasses), and no more than 20 percent of the area shall be covered by nonnative weeds. The survival of planted oak saplings shall exceed 65% (i.e., 10 living oak saplings per mature tree removed).
- **Verification:** The Solano County Department of Resource Management shall verify that the impacts to native trees are mitigated consistent with the above requirements, including ongoing monitoring to ensure revegetation success

### **Mitigation Measure CUL-1**

**Archaeological Alert Sheet and Crew Training.** The project applicant, or designee, shall implement an Archaeological Alert Sheet and Crew Training Program to mitigate the impacts to archaeological resources. The Archaeological Alert Sheet and Crew Training should be prepared and performed prior to any ground- disturbing work at all locations within the project site. This Alert Sheet shall be distributed to all project personnel, including construction – crew and their supervisory personnel, the Project Design Team and the future contractor(s). The Alert Sheet shall contain information regarding potential archaeological resources and the actions to take in the case of inadvertent discovery of cultural resources, including contact protocol and avoidance and minimization measures.

### **Mitigation Measure CUL-2**

**Initial Archaeological Monitoring.** Initial archaeological monitoring shall be completed by a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archaeology. This includes demolition-related excavation such as foundation removal, topsoil removal, mass excavation, utility trenching, and any other observable soil-disturbing impacts. Monitoring may be reduced to "spot checking" at the discretion of the Principal Investigator. Thereafter, mitigation would be limited to accidental discovery

measures as outlined by the Alert Sheet and Training. Archaeological monitoring is not recommended for areas of the project site that lie outside of the farmstead footprint.

### **Mitigation Measure CUL-3**

**Archaeological Discovery Protocol.** Should an archaeological deposit be encountered during project subsurface construction activities, all ground-disturbing activities within 50 feet shall be redirected and a qualified archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology contacted to assess the situation, determine if the deposit qualifies as a historical resource, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. If the deposit is found to be significant (i.e., eligible for listing in the California Register of Historical Resources), the project applicant shall be responsible for funding and implementing appropriate mitigation measures. Mitigation measures may include recordation of the archaeological deposit, data recovery and analysis, and public outreach regarding the scientific and cultural importance of the discovery. Upon completion of the selected mitigations, a report documenting methods and findings shall be prepared and submitted to the Counties' Community Development Director for review and approval, and the final report shall be submitted to the Northwest Information Center at Sonoma State University. Significant archaeological materials shall be submitted to an appropriate curation facility and used for public interpretive displays, as appropriate and in coordination with a local Native American tribal representative.

### **Mitigation Measure CUL-4**

**Treatment of Native American Human Remains and Cultural Items.** In the event that Native American human remains are found during development of the proposed project and the Yocha Dehe Wintun Nation (Tribe) or a member of the Tribe is determined to be the Most Likely Descendent (MLD), the following provisions shall apply:

- The Medical Examiner shall immediately be notified, ground disturbing activities in that location shall cease and the Tribe shall be allowed, pursuant to California Public Resources Code (PRC) Section 5097.98(a) to (1) inspect the site of the discovery and make determinations as to how the human remains and grave goods should be treated and disposed of with appropriate dignity.
- The Tribe shall complete its inspection and make its MLD recommendation within forty-eight (48) hours of getting access to the site. The Tribe shall have the final determination as to the disposition and treatment of human remains and grave goods. Said determination may include avoidance of the human remains, reburial on-site or reburial on tribal or other lands that will not be disturbed in the future.
- The Tribe may wish to rebury said remains and grave goods or ceremonial and cultural items on or near the site of their discovery, in an area which will not be subject to future disturbances over a prolonged period of time. Reburial of human remains shall be accomplished in compliance with California PRC Sections 5097.98(a) and (b). The term "human remains" encompasses more than human bones because the Tribe's traditions call for the burial of associated cultural items with the deceased (funerary objects), and/or the ceremonial burning of Native American human remains, funerary objects, grave goods, and animals. Ashes, soils, and other remnants of these burning ceremonies, as well as associated funerary objects and unassociated funerary objects buried with or found near the Native American remains are to be treated in the same manner as bones or bone fragments that remain intact.
- Unless otherwise required by law, the site of any reburial of Native American human remains shall not be disclosed and will not be governed by public disclosure requirements of the California Public Records Act (California Government Code Section 6250 et. seq). The Medical Examiner shall withhold public disclosure of information related to such reburial pursuant to the specific exemption set forth in California Government Code Section 6254(r). The Tribe will require that the location for reburial is recorded with the California Historic Resources Inventory System (CHRIS) on a form that is acceptable to the CHRIS center. The Tribe may also suggest that the landowner enter into an agreement regarding the confidentiality of site information that will run with title on the property.
- Treatment of all cultural items, including ceremonial items and archaeological items will reflect the religious beliefs, customs, and practices of the Tribe. All cultural items, including ceremonial items and

archaeological items, which may be found at a Project site should be turned over to the Tribe for appropriate treatment, unless otherwise ordered by a court of agency of competent jurisdiction. The project applicant should waive any and all claims to ownership of Tribal ceremonial and cultural items, including archaeological items, which may be found on a project site in favor of the Tribe. If any intermediary (e.g., an archaeological retained by the project applicant) is necessary, said entity or individual shall not possess those items for longer than is reasonably necessary, as determined solely by the Tribe.

- If additional significant sites or sites not identified as significant in the environmental review process, but later determined to be significant are located within a project impact area, such sites will be subjected to further archaeological and cultural significance evaluation by the project applicant, Solano County and the Tribe to determine if additional mitigation measures are necessary to treat sites in a culturally appropriate manner consistent with CEQA requirements for mitigation of impacts to cultural resources. If there are human remains present that have been identified as Native American, all work will cease for a period of up to 30 days in accordance with Federal Law.

### **Mitigation Measure CUL-5**

**Treatment Protocol for Native American Resources.** The preferred protocol upon the discovery of Native American human remains is to secure the area, cover any exposed human remains or other cultural items and avoid further disturbances in the area. All parties are advised to treat the remains with appropriate dignity, as provided in PRC Section 5097.98. All parties shall treat tribal representatives and the event itself with appropriate respect.

If, after the Yocha Dehe Tribal representative has been granted access to the site and it is determined that avoidance is not feasible, an examination of the human remains will be conducted to confirm they are human and to determine the position, posture, and orientation of the remains. The following procedures shall be followed:

- All excavation in the vicinity of the human remains will be conducted using fine hand tools and fine brushes to sweep loose dirt free from the exposure.
- In order to determine the nature and extent of the grade and its contents, controlled excavation should extend to a full buffer zone around the perimeter of the remains.
- To initiate the exposure, a perimeter balk (especially, a shallow trench) should be excavated, representing a reasonable buffer a minimum of 10 centimeters around the maximum extent of the known skeletal remains, with attention to counterintuitive discoveries or unanticipated finds relating to this or other remains. The dirt from the perimeter balk should be bucketed, distinctly labeled, and screened for cultural materials.
- Excavation should then proceed inward from the walls of the balk as well as downward from the surface of the exposure. Loose dirt should be scooped out and brushed off into a dustpan or other collective device. Considerable care should be given to ensure that human remains are not further impacted by the process of excavation.
- Buckets, collection bags, notes, and tags should be fully labeled per provenience, and a distinction should be made between samples collected from: (1) Perimeter Balk (described above), (2) Exposure (dirt removed in exposing the exterior/burial plan and associations, and (3) Matrix (dirt from the interstices between bones or associations). Thus, each burial may have three bags, "Burial 1 Perimeter Balk," "Burial 1 Exposure Balk," "Burial 1 Matrix."
- The following records should be compiled in the field: (1) a detailed scale drawing of the burial, including the provenience of and full for all human remains, associated artifacts, and the configuration of all associated phenomena such as burial pits, evidence for pre-interment grave pit burning, soil variability, and intrusive disturbance, (2) complete a formal burial record using the consultants proprietary form or other standard form providing information on site #, unit or other proveniences, level depth, depth and location of the burial from a fixed datum, workers, date(s), artifact list, skeletal inventory, and other pertinent observations, (3) crew chief and worker field notes that may supplement

or supersede information contained in the burial recording form, and (4) photographs, including either standard photography or high-quality (400-500 DPI or 10 MP recommended) digital imaging.

- Photographs and images may be used only for showing location or configuration of questionable formation or for the position of the skeleton. They are not to be duplicated for publication unless a written release is obtained from the Tribe.
- Association between the remains and other cultural materials should be determined in the field in consultation with an authorized Tribal representative and may be amended per laboratory findings. Records of provenience and sample labels should be adequate to determine association or degree of likelihood of association of human remains and other cultural materials.
- For each burial, all Perimeter Bulk soil is to be 1/8"-screened. All Exposure soil is to be 1/8"-screened, and a minimum of one 5-gallon bucket of excavated but unscreened Exposure soil is to be collected, placed in a plastic garbage bag in the bucket. All Matrix soil is to be carefully excavated, screened as appropriate, and then collected in plastic bags placed in 5-gallon buckets.
- Human remains are not to be cleaned in the field.
- Prior to any physical action related to human remains, a designated tribal representative will conduct prayers and blessings over the remains. The archaeological consultant will be responsible for ensuring that individuals and tools involved in the action are available for traditional blessings and prayers, as necessary.

No laboratory studies are permitted without consultation with the tribe. Lab methods are determined on a project-specific basis in consultation with Yocha Dehe Wintun Nation representatives. The following procedures shall be implemented:

- The primary archaeological consultant will be responsible for insuring that all lab procedures follow stipulations made by the Tribe.
- Prior to any laboratory activities related to the remains, a designated tribal representative will conduct prayers and blessings over the remains. The archaeological consultant will be responsible for ensuring that individuals and tools involved in the action are available for traditional blessings and prayers, as necessary.
- To the extent possible, all remains, associations, samples, and original records are to be kept together throughout the laboratory process. In particular, Matrix dirt is to be kept in buckets and will accompany the remains to the lab. The primary archaeological consultant will be responsible for copying all field records and images and ensuring that the original notes and records accompany the remains throughout the process.
- Laboratory study should be done making every effort to identify unanticipated finds or materials missed in the field, such as objects encased in dirt or human remains misidentified as faunal remains in the field. In the event of discovery of additional remains, materials, and other associations the tribal representatives are to be contacted immediately.
- No laboratory studies are permitted on human remains and funerary objects. The preferred treatment preference for exhumed Native American human remains is reburial in an area not subject to further disturbance. Any objects associated with remains will be reinterred with the remains. Laboratory study should be done making every effort to identify unanticipated finds or materials missed in the field, such as objects encased in dirt or human remains misidentified as faunal remains in the field. In the event of discovery of additional remains, materials, and other associations the tribal representatives are to be contacted immediately.

Should all, or a sample, of any archaeological materials collected during the data recovery activities – with the exception of Human Remains – need to be curated, an inventory and location information of the curation facility shall be given to tribe for our records.

### **Mitigation Measure NOI-1**

**Construction Vibration Damage.** Due to the close proximity to surrounding structures, the County of Solano (County) Director of Community Development, or designee, shall verify prior to issuance of demolition or grading

permits, that the approved plans require that the construction contractor shall implement the following mitigation measures during project construction activities to ensure that damage does not occur at surrounding structures:

- A 15-foot buffer between existing structures and the Project site area shall be clearly delineated with stakes, fencing or other conspicuous boundary markings, to outline the area in which the use of heavy equipment shall be avoided.
- The use of heavy construction shall be avoided within 15 feet of existing surrounding structures.
- However, if the use of heavy equipment is required within 15 feet of surrounding structures, the following measures should be employed:
- Identify structures that are located within 15 feet (ft) of heavy construction activities and that have the potential to be affected by ground-borne vibration. This task shall be conducted by a qualified structural engineer as approved by the County's Director of Community Development, or designee.
- Develop a vibration monitoring and construction contingency plan for approval by the Director of Community Development, or designee, to identify structures where monitoring would be conducted; set up a vibration monitoring schedule; define structure-specific vibration limits; and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. Construction contingencies would be identified for when vibration levels approached the limits.
- At a minimum, monitor vibration during initial demolition activities. Monitoring results may indicate the need for more or less intensive measurements.
- When vibration levels approach limits, suspend construction and implement contingencies as identified in the approved vibration monitoring and construction contingency plan to either lower vibration levels or secure the affected structures.

### **Mitigation Measure TRA-1**

**Measures to Reduce VMT.** The project applicant shall implement the following recommended measures from the California Air Pollution Control Officers Association (CAPCOA) *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity*:

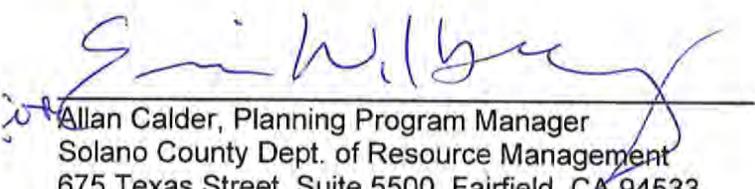
- T-5 Implement Commute Trip Reduction Program – Voluntary. This strategy would implement a voluntary Commute Trip Reduction (CTR) program with employers to discourage single-occupancy vehicle trips and encourage alternative modes of transportation such as carpooling, taking transit, walking and biking.
- T-7 Implement Commute Trip Reduction (CTR) Marketing. This measure would implement a marketing strategy to promote the project site employer's CTR program. Information sharing and marketing promote and educate employees about their travel choices to the employment location beyond driving such as carpooling, taking transit, walking and biking, thereby reducing VMT and GHG emissions.
- T-9 Implement Subsidized or Discounted Transit Program. This measure would provide subsidized or discounted, or free transit passes for employees and/or residents. Reducing the out-of-pocket cost for choosing transit improves the competitiveness of transit against driving, increasing the total number of transit trips and decreasing vehicle trips. This decrease in vehicle trips results in reduced VMT and thus a reduction in GHG emissions. The closest route to the project is the City of Fairfield FAST Route #7 which operates between the Fairfield Transportation Center and the Cordelia Library with a stop at Solano Community College. This stop is less than ½ mile from the project site.
- T-10 Provide End of Trip Facilities. This measure will install and maintain end-of-trip facilities for employee use. End-of-trip facilities include bike parking, bike lockers, showers, and personal lockers. The provision and maintenance of secure bike parking and related facilities encourages commuting by bicycle, thereby reducing VMT and GHG emissions.
- T-14 Provide Electric Vehicle Charging Infrastructure. Install onsite electric vehicle chargers in an amount beyond what is required by the 2019 California Green Building Standards (CALGreen) at buildings with designated parking areas (e.g., commercial, educational, retail, multifamily). This will enable drivers of Plug-In Hybrid Electric Vehicles (PHEVs) to drive a larger share of miles in electric mode (eVMT), as opposed to gasoline-powered mode, thereby displacing GHG emissions from

gasoline consumption with a lesser amount of indirect emissions from electricity. Most PHEVs owners charge their vehicles at home overnight. When making trips during the day, the vehicle will switch to gasoline mode if/when it reaches its maximum all-electric range.

- T-18 Provide Pedestrian Network Improvement This measure will increase the sidewalk coverage to improve pedestrian access. Providing sidewalks and an enhanced pedestrian network encourages people to walk instead of drive.
- T-22 Implement Pedal Bikeshare Program (Non-Electric and/or Electric) This measure will establish a bikeshare program. Bikeshare programs provide users with on-demand access to bikes for short-term use. This encourages a mode shift from vehicles to bicycles, displacing VMT and thus reducing GHG emissions. This program could be useful for visitors to the site exploring the Solano Wine Region along Suisun Valley Road.
- T-25 Extend Transit Network Coverage or Hours. This measure will expand the local transit network by either adding or modifying existing transit service or extending the operation hours to enhance the service near the project site. Starting services earlier in the morning and/or extending services to late-night hours can accommodate the commuting times of alternative shift workers. This will encourage the use of transit and therefore reduce VMT and associated GHG emissions. This measure could extend Route 7 of the FAST network to the Suisun Valley Road / Rockville Road intersection to further encourage transit ridership.

**PREPARATION:**

This Mitigated Negative Declaration was prepared by the Solano County Department of Resource Management. Copies may be obtained at the address listed below or at [www.solanocounty.com](http://www.solanocounty.com) under Departments, Resource Management, Documents, Environmental Impact Reports and Negative Declarations.

  
Allan Calder, Planning Program Manager  
Solano County Dept. of Resource Management  
675 Texas Street, Suite 5500, Fairfield, CA 94533  
(707) 784-6765

The **Initial Study and Mitigated Negative Declaration** can be accessed via the link/web page listed below:

[https://www.solanocounty.com/depts/rm/documents/eir/u\\_22\\_03\\_\(solano\\_landing\)/default.asp](https://www.solanocounty.com/depts/rm/documents/eir/u_22_03_(solano_landing)/default.asp)

**Rezoning Z- 22-01 and U-22-01 Solano Landing Mitigation Monitoring Program**

**Mitigated Negative Declaration**

**December 2023**

<b>Mitigation Measure</b>	<b>Method of Verification</b>	<b>Timing of Verification</b>	<b>Responsible for Verification</b>	<b>Date of Completion</b>	<b>Verification Initial</b>
<p><b>AIR-1: Implementation of Measures to Reduce Construction-Related Exhaust Emissions.</b> Consistent with the Bay Area Air Quality Management District (BAAQMD) Basic Construction Mitigation Measures, the following controls are required to be included as specifications for the proposed project and implemented at the construction site:</p> <ul style="list-style-type: none"> <li>• All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.</li> <li>• All haul trucks transporting soil, sand, or other loose material off site shall be covered.</li> <li>• All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</li> </ul>	<p>Building Plans including Title 24 reports shall be submitted by the Project Engineer to the Solano County Building Official.</p>	<p>Prior to construction activities</p>	<p>County of Solano Resource Management Building Official</p>		

<ul style="list-style-type: none"><li>• All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.</li><li>• All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.</li><li>• Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.</li><li>• Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.</li><li>• All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</li><li>• A publicly visible sign shall be posted with the telephone number and person to contact at Solano County regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure</li></ul>					
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compliance with applicable regulations.					
<b>Mitigation Measure</b>	<b>Method of Verification</b>	<b>Timing of Verification</b>	<b>Responsible for Verification</b>	<b>Date of Completion</b>	<b>Verification Initial</b>
<b>AIR-2-</b> During construction of the proposed project, the project contractor shall ensure all off-road diesel-powered construction equipment of 50 horsepower or more used for the project construction at a minimum meets the California Air Resources Board Tier 4 emissions standards or equivalent.	Specifications shall be submitted by the Project Engineer to the Solano County Public Works Division.	Prior to construction	Solano County Project Engineer		
<b>Mitigation Measure</b>	<b>Method of Verification</b>	<b>Timing of Verification</b>	<b>Responsible for Verification</b>	<b>Date of Completion</b>	<b>Verification Initial</b>
<b>BIO-1 Worker Environmental Awareness Program (WEAP).</b> During construction of the project, before any work occurs on the project site, including grading, vegetation removal and equipment staging, all construction personnel shall participate in an environmental awareness training regarding special-status species and sensitive habitats present on the Project site. Any additional construction personnel that are employed following the initial start of construction shall receive mandatory training before starting work. As part of the training, an environmental awareness handout shall be provided to all personnel that describes and illustrates sensitive resources (i.e., special-status species and habitat, nesting birds/raptors) to be avoided	Submittal of the environmental awareness handout and documentation of training shall be submitted to the Resource Management Department	Prior to construction	Solano County Planning Division		

<p>during proposed Project construction and lists measures to be followed by personal for the protection of biological resources. Such measures shall include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Procedures to follow if a special-status species is found within the work area.</li> <li>• Checking under equipment and staging areas for wildlife species each morning prior to work.</li> <li>• Staying within designated work areas and maintaining exclusion/silt fencing.</li> <li>• Reduced Project speed limits.</li> <li>• No pets or firearms on-site.</li> <li>• Contain trash/food waste and remove daily to avoid encouraging predators onto the Project site.</li> <li>• Following Project Best Management Practices (BMPs).</li> </ul>					
<b>Mitigation Measure</b>	<b>Method of Verification</b>	<b>Timing of Verification</b>	<b>Responsible for Verification</b>	<b>Date of Completion</b>	<b>Verification Initial</b>
<p><b>BIO-2 Avoid and Minimize Impacts to Rare Plants.</b> Before the initiation of any vegetation removal or ground-disturbing activities, in areas that provide suitable habitat for special-status plants, the following measures shall be implemented:</p> <ul style="list-style-type: none"> <li>• A qualified botanist shall conduct appropriately timed surveys for special-status plant species, in all suitable habitat that would be potentially disturbed by the Project. Surveys shall be conducted following CDFW- or other approved protocol.</li> </ul>	<p>The survey shall be submitted to the Department of Fish and Game for review if special plant species are identified. A copy of the report shall be provided to the Solano County Resource Management Department.</p>	<p>Prior to construction.</p>	<p>Solano County Resource Management Division</p>		

<ul style="list-style-type: none"><li>• If no special-status plants are found during focused surveys, the botanist shall document the findings in a letter to the lead agency, and other appropriate agencies as needed, and no further mitigation will be required.</li><li>• If special-status plants are found during focused surveys, the following measures shall be implemented:</li><li>• Information regarding the special-status plant population shall be reported to the CNDDDB.</li><li>• If the populations can be avoided during Project implementation, they shall be clearly marked in the field by a qualified botanist and avoided during construction activities. Before ground clearing or ground disturbance, all on-site construction personnel shall be instructed as to the species' presence and the importance of avoiding impacts to this species and its habitat.</li><li>• If special-status plant populations cannot be avoided, consultations with CDFW and/or USFWS would be required. If allowed under the appropriate regulations, the plants shall be mapped, photographed, and then transplanted to a suitable location by a qualified botanist. If required by the relevant agency, a plan to compensate for the loss of special-status plant species, detailing appropriate replacement ratios, methods for implementation, success criteria, monitoring and reporting protocols, and</li></ul>					
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<p>contingency measures that would be implemented if the initial mitigation fails; the plan would be developed in consultation with the appropriate agencies prior to the start of local construction activities.</p>					
<b>Mitigation Measure</b>	<b>Method of Verification</b>	<b>Timing of Verification</b>	<b>Responsible for Verification</b>	<b>Date of Completion</b>	<b>Verification Initial</b>
<p><b>BIO-3. Monarch Butterfly Avoidance.</b> Preconstruction surveys shall be conducted during the monarch breeding season (March 16 through November 30) to determine if milkweed is present on the site and, if present, is being used for monarch breeding. Surveys shall be conducted by a qualified biologist no more than 14 days prior to ground or vegetation disturbance activities. The biologist shall search for evidence of monarch eggs, caterpillars, chrysalises, and adults. If active monarch breeding is identified, the milkweed stand shall be avoided until the applicant develops and implements a salvage and relocation plan that has been reviewed and approved by the applicable Resource Agencies.</p>	<p>The survey shall be submitted to and the Construction specifications including avoidance and minimization measures shall be provided to Solano County Resource Management Department.</p>	<p>Prior to project construction</p>	<p>Solano County Resource Management Department</p>		

Mitigation Measure	Method of Verification	Timing of Verification	Responsible for Verification	Date of Completion	Verification Initial
<p><b>BIO-4 Avoid Project impacts to Western and Crotch’s bumble bee.</b> Surveys should be performed by a qualified biologist familiar with the species behavior and life history to determine the presence/absence of special status bumble bees within 6 weeks prior to vegetation removal and/or grading. Surveys should be conducted during the flying season when the species is most likely to be detected above ground, between March 1 to September 1. activities. At minimum, a survey report should provide the following:</p> <ul style="list-style-type: none"> <li>• A description and map of the survey area, focusing on areas that could provide suitable habitat for special status bumble bees.</li> <li>• Field survey conditions that should include name(s) of qualified biologist(s) and brief qualifications; date and time of survey; survey duration; general weather conditions; survey goals, and species searched.</li> <li>• Map(s) showing the location of nests/colonies.</li> <li>• A description of physical (e.g., soil, moisture, slope) and biological (e.g., plant composition) conditions where each nest/colony is found. A sufficient description of biological conditions, primarily impacted habitat, should include native plant composition (e.g.,</li> </ul>	<p>The survey results shall be submitted to the Resource Management Department. Consultation with CDFW shall be required if Crotch’s bumble bee are present.</p>	<p>Prior to construction</p>	<p>Solano County Resource Management Department</p>		

<p>density, cover, and abundance) within impacted habitat (e.g., species list separated by vegetation class; density, cover, and abundance of each species).</p> <ul style="list-style-type: none"> <li>• If adverse impacts to Crotch's bumble bee cannot be avoided either during Project activities or over the life of the Project, the County should consult with CDFW to determine appropriate avoidance and/or minimization measures for the species.</li> </ul>					
<b>Mitigation Measure</b>	<b>Method of Verification</b>	<b>Timing of Verification</b>	<b>Responsible for Verification</b>	<b>Date of Completion</b>	<b>Verification Initial</b>
<p><b>BIO-5 Avoid impacts to tricolored blackbird.</b> If construction activities begin between February 1 and August 31, a preconstruction survey for nesting tricolored blackbirds shall be performed by a qualified biologist to ensure that no individuals of this species are harmed during construction activities. This survey may be conducted concurrently with other bird surveys (e.g., Swainson's hawk, burrowing owl). If an active tricolored blackbird colony is discovered within the project site or within a 100-foot radius, a qualified biologist shall evaluate the potential for construction to disturb nesting activities. CDFW shall be contacted to review the evaluation and determine if the project can proceed without adversely affecting nesting activities. CDFW shall</p>	<p>Qualified biologist survey report Survey results, including negative findings, should be submitted to CDFW prior to implementing Project-related ground-disturbing</p>	<p>Prior to construction</p>	<p>Solano County Resource Management Department</p>		

<p>also be consulted to establish protection measures such as buffers. Disturbance of active nests shall be avoided until it is determined by a qualified biologist that nesting is complete, and the young have fledged, or that the nest has failed. If work is allowed to proceed, at a minimum, a qualified biologist shall be on-site during the start of construction activities during the nesting season to monitor nesting activity. The monitor shall have the authority to stop work if it is determined the project is adversely affecting nesting activities.</p>					
<b>Mitigation Measure</b>	<b>Method of Verification</b>	<b>Timing of Verification</b>	<b>Responsible for Verification</b>	<b>Date of Completion</b>	<b>Verification Initial</b>
<p><b>BIO-6 Avoid impacts to burrowing owl.</b> Preconstruction surveys for western burrowing owl shall be conducted by a qualified biologist in accordance with CDFW's 2012 Staff Report on Burrowing Owl Mitigation and measures outlined in the Solano HCP. If burrowing owls are identified during the preconstruction survey, passive exclusion shall <b>be</b> implemented per CDFW's 2012 Staff Report on Burrowing Owl Mitigation (including avoidance of occupied burrows during the breeding season).</p>	<p>Qualified biologist survey report shall be submitted to the Solano County. Construction specifications, including demolition, passive eviction and other minimization measures shall be provided to the Resource Management Department.</p>	<p>Prior to grading</p>	<p>Solano County Resource Management Department</p>		

Mitigation Measure	Method of Verification	Timing of Verification	Responsible for Verification	Date of Completion	Verification Initial																																																												
<p><b>BIO-7 Swainson’s Hawk Avoidance.</b> For any construction activities initiated between March 15 and September 1, surveys for nesting Swainson’s hawk shall be conducted within 0.5-mile of areas of disturbance for this species as described in the Recommended Timing and Methodology for Swainson’s Hawk Nesting Surveys in the California’s Central Valley (Swainson’s Hawk Technical Advisory Committee, 2000). The recommended minimum survey protocol is completion of surveys for at least the two survey periods immediately prior to a project’s initiation. Survey periods correspond to typical migration, courtship, and nesting behavior and defined as follows:            Survey Period :</p> <table border="0"> <tr> <td>1</td> <td>January 1 to March 20</td> <td>All day</td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td>1 survey</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>2</td> <td>March 20 to April 5</td> <td>Sunrise to 1000 or 1600 to sunset</td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td>3 surveys</td> <td></td> <td></td> <td></td> </tr> <tr> <td>3</td> <td>April 5 to April 20</td> <td>Sunrise to 1200 or 1630 to sunset</td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td>3 surveys</td> <td></td> <td></td> <td></td> </tr> <tr> <td>4</td> <td>April 21 to June 10</td> <td>All day;</td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td>Monitoring known nests only</td> <td>Ongoing</td> <td></td> <td></td> <td></td> </tr> <tr> <td>5</td> <td>June 10 to July 30</td> <td>Sunrise to 1200 or 1630 to sunset</td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td>3 surveys</td> <td></td> <td></td> <td></td> </tr> </table> <p>If surveys determine that the species is present and nesting within this area, a buffer zone of 0.5-mile shall be established and coordination with CDFW shall be</p>	1	January 1 to March 20	All day					1 survey					2	March 20 to April 5	Sunrise to 1000 or 1600 to sunset						3 surveys				3	April 5 to April 20	Sunrise to 1200 or 1630 to sunset						3 surveys				4	April 21 to June 10	All day;					Monitoring known nests only	Ongoing				5	June 10 to July 30	Sunrise to 1200 or 1630 to sunset						3 surveys				<p>A qualified biologist survey report shall be submitted to the Resource Management Department.</p>	<p>Prior to construction.</p>	<p>Solano County Resource Management Department</p>		
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<p>required prior to any work in this buffer zone during the nesting season. Work within 0.5 mile may be permitted with CDFW approval if a qualified biologist monitors the nest when Project disturbance activities occur within 0.5 mile of the nest. If the monitor determines that construction may result in abandonment of the nest, all construction activities within 0.5 mile shall be halted until the nest is abandoned or all young have fledged. The monitor shall continue monitoring the nest until construction within 0.5 mile of the nest is completed, or until all chicks have completely fledged and are no longer dependent on the nest. The monitor shall have the authority to stop work if it is determined the project is adversely affecting nesting activities.</p>					
<b>Mitigation Measure</b>	<b>Method of Verification</b>	<b>Timing of Verification</b>	<b>Responsible for Verification</b>	<b>Date of Completion</b>	<b>Verification Initial</b>
<p><b>BIO-8 Nesting Birds.</b> A pre-construction survey by a qualified biologist for nesting birds shall be required if construction activities are scheduled to occur during the breeding season (February 1 to August 31) for raptors and other migratory birds, including special-status bird species. The survey shall be conducted 15 days prior to ground disturbing activities and shall cover a 500-foot radius surrounding the construction zone. If active nests are found, actions typically include, but are not limited to, monitoring by agency-approved biologists, establishment or refinement of</p>	<p>Qualified biologist survey report shall be submitted to the Resource Management Department. Construction specifications including demolition, passive eviction and other minimization measures shall be provided. If nesting birds are discovered</p>	<p>Prior to removal of trees or buildings</p>	<p>Solano County Resource Management Department</p>		

<p>species-specific buffers, reduction or elimination of the use of loud equipment, reducing foot traffic and remaining in the vehicles, and the maintenance of visual screens. Migratory birds shall be protected from Project Area staging and operations through the use of a buffer established based on the birds sensitivity and response to the potential activity. Baseline behavior of the bird should be established to inform the buffer size. The qualified biologist may start with a 100-foot nest buffer or a 250-foot nest buffer for raptors but may adjust the buffer size based on the reaction of the bird to the activity. If there is a potential for nest abandonment due to intrusion into the buffer zone, as established by the qualified biologist, then CDFW and the USFWS shall be consulted. The biologist should have the authority to stop work if it is determined that the project is adversely affecting nesting activities. If a lapse in Project-related work of 15 days or longer occurs, another focused survey, and if required, consultation with CDFW and the USFWS shall be performed before Project work can resume. Tree removal activities should be conducted outside the nesting bird season (February 1 – August 31).</p>	<p>CDFW and the USFWS shall be consulted.</p>				
<p><b>Mitigation Measure</b></p>	<p><b>Method of Verification</b></p>	<p><b>Timing of Verification</b></p>	<p><b>Responsible for Verification</b></p>	<p><b>Date of Completion</b></p>	<p><b>Verification Initial</b></p>
<p><b>BIO-9 Avoid and Minimize Impacts to Special-Status Bats.</b> Potential bat roost trees shall be identified by a qualified bat biologist during a tree habitat assessment</p>	<p>Qualified biologist survey report shall be submitted to the Solano County with</p>	<p>Prior to the removal of structures, or trees.</p>	<p>Solano County Resource Management</p>		

<p>conducted several months prior to tree removal. Any potential bat roost trees in the project site shall be removed only between approximately March 1 and April 15, or when evening temperatures are above 45°F and rainfall less than 0.5 inch in 24 hours occurs, prior to parturition of pups. The next acceptable period is after pups become self-sufficiently volant – September 1 through about October 15, or prior to evening temperatures dropping below 45°F and onset of rainfall greater than 0.5 in in 24 hours. In areas where suitable habitat occurs and there is potential for special-status bat species to be present, specific mitigation measure(s) will be developed in consultation with CDFW.</p>	<p>construction specifications including passive eviction and other minimization measures.</p>				
<p><b>Mitigation Measure</b></p>	<p><b>Method of Verification</b></p>	<p><b>Timing of Verification</b></p>	<p><b>Responsible for Verification</b></p>	<p><b>Date of Completion</b></p>	<p><b>Verification Initial</b></p>
<p><b>BIO-10 Roost tree removal.</b> If non-bat roost trees or other vegetation must be removed outside the dates listed above, a 100 ft buffer around each bat roost tree shall be established to reduce potential of disturbance of non-volant young during maternity season, or torpid bats during winter months. Work activities shall be limited to daylight hours to minimize potential effects to foraging bats. Bat roost trees shall be removed only during seasonal periods of bat activity as described above, and only after:</p> <ul style="list-style-type: none"> <li>Negative results from a night emergence survey conducted no more than 1-2 nights prior to tree removal by a</li> </ul>	<p>Qualified biologist survey report shall be submitted to the Solano County with construction specifications including passive eviction and other minimization measures.</p>	<p>Prior to the removal of structures, or trees.</p>	<p>Solano County Resource Management</p>		

<p>qualified bat biologist, using night vision and/or IR-sensitive camera equipment and bioacoustics recording equipment, or;</p> <ul style="list-style-type: none"><li>• All other vegetation other than potential roost trees within the impact area has been removed at least 4 days prior to removal of the bat roost trees.</li><li>• Potential bat roost trees shall be removed using a two-step tree process spanning two consecutive days:<ul style="list-style-type: none"><li>• Day 1. Small branches and small limbs containing no cavity, crevice, or exfoliating bark habitat, as determined by a qualified bat biologist, are removed using chainsaws only. Trees containing suitable potential habitat shall be trimmed with chainsaws on Day 1 under initial field supervision by a qualified bat expert to ensure that the tree cutters fully understand the process and avoid incorrectly cutting potential habitat features or trees. After tree cutters have received sufficient instruction, the qualified bat expert does not need to remain on the site.</li><li>• Day 2. The remainder of the tree is to be removed. The disturbance caused by chainsaw noise and vibration, coupled with the physical alteration of the tree, has the effect of causing colonial bat species to abandon the roost tree after nightly emergence for foraging. Removing the tree the next day prevents re-habituation and re-occupation of the tree.</li></ul></li></ul>					
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Mitigation Measure	Method of Verification	Timing of Verification	Responsible for Verification	Date of Completion	Verification Initial
<p><b>BIO-11 Wetland Mitigation.</b> The proposed project shall be designed to minimize fill of jurisdictional waters. If direct impacts to the ephemeral roadside drainage cannot be avoided, prior to ground disturbance, the project applicant shall obtain a permit from the Regional Water Quality Control Board (RWQCB, CWA Section 401 water quality certification). Impacts to waters of the State shall be mitigated by providing compensatory mitigation at a minimum 1:1 ratio in area. A Habitat Mitigation and Monitoring Plan shall be prepared and implemented for the proposed mitigation approach. This plan shall be subject to approval by the RWQCB prior to any disturbance of waters of the State.</p>	<p>A copy of any required wetland permits shall be submitted to Solano County</p>	<p>Prior to disturbance of any wetlands</p>	<p>Solano County Resource Management</p>		
<p><b>BIO-12 Minimize Impacts to Wildlife Movement.</b> To minimize the impact of development on wildlife movement, all perimeter fencing shall meet the following standards:</p> <ul style="list-style-type: none"> <li>• Fence heights shall be limited to a maximum of 5 feet above ground level (limited height variations based on topographic changes are allowable).</li> <li>• Welded wire or other mesh fences shall have a minimum 4-inch by 4-inch opening. No-climb horse fencing is prohibited as perimeter fencing.</li> <li>• Solid perimeter fences are prohibited.</li> </ul>	<p>Review of construction plans</p>	<p>At time of building permits</p>	<p>Solano County Building Official</p>		

<ul style="list-style-type: none"> <li>Wood or metal picket fences shall have a minimum spacing of 4 inches between pickets and shall not have sharp or pointed spikes or decorations along the top.</li> </ul>					
<b>Mitigation Measure</b>	<b>Method of Verification</b>	<b>Timing of Verification</b>	<b>Responsible for Verification</b>	<b>Date of Completion</b>	<b>Verification Initial</b>
<p><b>BIO-13Heritage Tree Mitigation.</b> All native oak trees meeting the heritage definition of the Solano County General Plan shall be protected from damage to the maximum extent possible. This protection measure includes designating no work zones by exclusion fencing along the canopy dripline. If a heritage tree cannot be protected from damage or removal, the loss of each mature tree shall be mitigated by planting 15 saplings at least 3 years old in areas where mature trees will not interfere with ongoing operations of the vineyard, tasting rooms, hotel and associated parking areas. Trees planted within the parking area for shade may count towards the heritage tree mitigation as long as they consist of native oak species. The following guidelines for oak restoration shall be followed:</p> <ul style="list-style-type: none"> <li>Mitigation Planting: To compensate for the loss of mature native oaks, saplings of the same species shall be planted sufficient to replace the tree canopy for each tree removed. Every effort shall be made to incorporate preservation of oak trees as part of the project. Oak saplings shall be sourced from a certified <i>Phytophthora ramorum</i>-free nursery.</li> </ul>	<p>The applicant shall submit a tree planting plan.</p>	<p>At the time of construction/t ree removal</p>	<p>Solano County Resource Management</p>		

<p>Saplings must be at least 3 years old and shall be spaced at least 15 feet from each other. Each sapling shall be staked with two wooden stakes and caged to a sufficient height. Saplings shall be planted in moist soil, after the first substantial rain. In the following summer, watering may be necessary to enhance survival.</p> <ul style="list-style-type: none"> <li>• Performance and Success Criteria: Performance criteria for the revegetation area shall be assessed for at least 3 years following the conclusion of grading activities. The oak planting site(s) shall have at least 65 percent cover by native or naturalized plants (primarily grasses), and no more than 20 percent of the area shall be covered by nonnative weeds. The survival of planted oak saplings shall exceed 65% (i.e., 10 living oak saplings per mature tree removed).</li> <li>• Verification: The Solano County Department of Resource Management shall verify that the impacts to native trees are mitigated consistent with the above requirements, including ongoing monitoring to ensure revegetation success</li> </ul>					
<b>Mitigation Measure</b>	<b>Method of Verification</b>	<b>Timing of Verification</b>	<b>Responsible for Verification</b>	<b>Date of Completion</b>	<b>Verification Initial</b>
<p><b>CUL-1 Archaeological Alert Sheet and Crew Training.</b> The project applicant, or designee, shall implement an Archaeological Alert Sheet and Crew Training Program to mitigate the impacts to archaeological resources. The Archaeological Alert Sheet and Crew</p>	<p>The applicant shall submit a copy of the Archaeological Alert Sheet</p>	<p>Prior to ground disturbing/grading</p>	<p>Solano County Resource Management</p>		

<p>Training should be prepared and performed prior to any ground- disturbing work at all locations within the project site. This Alert Sheet shall be distributed to all project personnel, including construction – crew and their supervisory personnel, the Project Design Team and the future contractor(s). The Alert Sheet shall contain information regarding potential archaeological resources and the actions to take in the case of inadvertent discovery of cultural resources, including contact protocol and avoidance and minimization measures.</p>					
<b>Mitigation Measure</b>	<b>Method of Verification</b>	<b>Timing of Verification</b>	<b>Responsible for Verification</b>	<b>Date of Completion</b>	<b>Verification Initial</b>
<p><b>CUL-2 Initial Archaeological Monitoring.</b> Initial archaeological monitoring shall be completed by a qualified archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards for Archaeology. This includes demolition-related excavation such as foundation removal, topsoil removal, mass excavation, utility trenching, and any other observable soil-disturbing impacts. Monitoring may be reduced to “spot checking” at the discretion of the Principal Investigator. Thereafter, mitigation would be limited to accidental discovery measures as outlined by the Alert Sheet and Training. Archaeological monitoring is not recommended for areas of the project site that lie outside of the farmstead footprint.</p>	<p>Inspection of log sheets to verify cultural resources monitoring is being properly conducted, if required.</p>	<p>During subsurface earthwork and construction activities</p>	<p>Solano County Resource Management</p>		

<p><b>CUL-3 Archaeological Discovery Protocol.</b> Should an archaeological deposit be encountered during project subsurface construction activities, all ground-disturbing activities within 50 feet shall be redirected and a qualified archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards for Archeology contacted to assess the situation, determine if the deposit qualifies as a historical resource, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. If the deposit is found to be significant (i.e., eligible for listing in the California Register of Historical Resources), the project applicant shall be responsible for funding and implementing appropriate mitigation measures. Mitigation measures may include recordation of the archaeological deposit, data recovery and analysis, and public outreach regarding the scientific and cultural importance of the discovery. Upon completion of the selected mitigations, a report documenting methods and findings shall be prepared and submitted to the Counties’ Community Development Director for review and approval, and the final report shall be submitted to the Northwest Information Center at Sonoma State University. Significant archaeological materials shall be submitted to an appropriate curation facility and used for public interpretive displays, as appropriate and in coordination with a local Native American tribal representative</p>	<p>If artifacts are discovered the applicant shall notify the Resource Management Department and in coordination with a local Native American tribal representative provide a copy of any findings.</p>	<p>During subsurface earthwork and construction activities</p>	<p>Solano County Resource Management</p>		
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Mitigation Measure	Method of Verification	Timing of Verification	Responsible for Verification	Date of Completion	Verification Initial
<p><b>CUL-4 Treatment of Native American Human Remains and Cultural Items.</b> In the event that Native American human remains are found during development of the proposed project and the Yocha Dehe Wintun Nation (Tribe) or a member of the Tribe is determined to be the Most Likely Descendent (MLD), the following provisions shall apply:</p> <ul style="list-style-type: none"> <li>• The Medical Examiner shall immediately be notified, ground disturbing activities in that location shall cease and the Tribe shall be allowed, pursuant to California Public Resources Code (PRC) Section 5097.98(a) to (1) inspect the site of the discovery and make determinations as to how the human remains and grave goods should be treated and disposed of with appropriate dignity.</li> <li>• The Tribe shall complete its inspection and make its MLD recommendation within forty-eight (48) hours of getting access to the site. The Tribe shall have the final determination as to the disposition and treatment of human remains and grave goods. Said determination may include avoidance of the human remains, reburial on-site or reburial on tribal or other lands that will not be disturbed in the future.</li> <li>• The Tribe may wish to rebury said remains and grave goods or ceremonial and cultural items on or near the site of</li> </ul>	<p>If cultural resources are discovered the applicant shall contact the Yocha Dehe Tribe and in consultation develop a plan for appropriate handling of materials. A summary report shall be provided to Solano County.</p>	<p>During subsurface earthwork and construction activities</p>	<p>Solano County Resource Management</p>		

<p>their discovery, in an area which will not be subject to future disturbances over a prolonged period of time. Reburial of human remains shall be accomplished in compliance with California PRC Sections 5097.98(a) and (b). The term "human remains" encompasses more than human bones because the Tribe's traditions call for the burial of associated cultural items with the deceased (funerary objects), and/or the ceremonial burning of Native American human remains, funerary objects, grave goods, and animals. Ashes, soils, and other remnants of these burning ceremonies, as well as associated funerary objects and unassociated funerary objects buried with or found near the Native American remains are to be treated in the same manner as bones or bone fragments that remain intact.</p> <ul style="list-style-type: none"><li>• Unless otherwise required by law, the site of any reburial of Native American human remains shall not be disclosed and will not be governed by public disclosure requirements of the California Public Records Act (California Government Code Section 6250 et. seq). The Medical Examiner shall withhold public disclosure of information related to such reburial pursuant to the specific exemption set forth in California Government Code Section 6254(r). The Tribe will require that the location for reburial is recorded with the California Historic Resources Inventory System (CHRIS) on a form that is acceptable to the CHRIS center. The Tribe may also suggest that the landowner enter</li></ul>					
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<p>into an agreement regarding the confidentiality of site information that will run with title on the property.</p> <ul style="list-style-type: none"><li>• Treatment of all cultural items, including ceremonial items and archaeological items will reflect the religious beliefs, customs, and practices of the Tribe. All cultural items, including ceremonial items and archaeological items, which may be found at a Project site should be turned over to the Tribe for appropriate treatment, unless otherwise ordered by a court of agency of competent jurisdiction. The project applicant should waive any and all claims to ownership of Tribal ceremonial and cultural items, including archaeological items, which may be found on a project site in favor of the Tribe. If any intermediary (e.g., an archaeological retained by the project applicant) is necessary, said entity or individual shall not possess those items for longer than is reasonably necessary, as determined solely by the Tribe.</li><li>• If additional significant sites or sites not identified as significant in the environmental review process, but later determined to be significant are located within a project impact area, such sites will be subjected to further archaeological and cultural significance evaluation by the project applicant, Solano County and the Tribe to determine if additional mitigation measures are necessary to treat sites in a culturally appropriate manner consistent with CEQA requirements for mitigation of impacts to cultural resources. If there are</li></ul>					
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human remains present that have been identified as Native American, all work will cease for a period of up to 30 days in accordance with Federal Law.					
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Mitigation Measure	Method of Verification	Timing of Verification	Responsible for Verification	Date of Completion	Verification Initial
<p><b>CUL-5 Treatment Protocol for Native American Resources.</b> The preferred protocol upon the discovery of Native American human remains is to secure the area, cover any exposed human remains or other cultural items and avoid further disturbances in the area. All parties are advised to treat the remains with appropriate dignity, as provided in PRC Section 5097.98. All parties shall treat tribal representatives and the event itself with appropriate respect. If, after the Yocha Dehe Tribal representative has been granted access to the site and it is determined that avoidance is not feasible, an examination of the human remains will be conducted to confirm they are human and to determine the position, posture, and orientation of the remains. The following procedures shall be followed:</p> <ul style="list-style-type: none"> <li>All excavation in the vicinity of the human remains will be conducted using fine hand tools and fine brushes to sweep loose dirt free from the exposure.</li> <li>In order to determine the nature and extent of the grade and its contents, controlled excavation should extend to a full</li> </ul>	<p>If cultural resources are discovered the applicant shall contact the Yocha Dehe Tribe and in consultation develop a plan for appropriate handling of materials. A summary report shall be provided to Solano County.</p>	<p>During subsurface earthwork and construction activities</p>	<p>Solano County Resource Management</p>		

<p>buffer zone around the perimeter of the remains.</p> <ul style="list-style-type: none"><li>• To initiate the exposure, a perimeter balk (especially, a shallow trench) should be excavated, representing a reasonable buffer a minimum of 10 centimeters around the maximum extent of the known skeletal remains, with attention to counterintuitive discoveries or unanticipated finds relating to this or other remains. The dirt from the perimeter balk should be bucketed, distinctly labeled, and screened for cultural materials.</li><li>• Excavation should then proceed inward from the walls of the balk as well as downward from the surface of the exposure. Loose dirt should be scooped out and brushed off into a dustpan or other collective device. Considerable care should be given to ensure that human remains are not further impacted by the process of excavation.</li><li>• Buckets, collection bags, notes, and tags should be fully labeled per provenience, and a distinction should be made between samples collected from: (1) Perimeter Balk (described above), (2) Exposure (dirt removed in exposing the exterior/burial plan and associations, and (3) Matrix (dirt from the interstices between bones or associations). Thus, each burial may have three bags, "Burial 1 Perimeter Balk," "Burial 1 Exposure Balk," "Burial 1 Matrix."</li><li>• The following records should be compiled in the field: (1) a detailed scale</li></ul>					
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<p>drawing of the burial, including the provenience of and full for all human remains, associated artifacts, and the configuration of all associated phenomena such as burial pits, evidence for pre-interment grave pit burning, soil variability, and intrusive disturbance, (2) complete a formal burial record using the consultants proprietary form or other standard form providing information on site #, unit or other proveniences, level depth, depth and location of the burial from a fixed datum, workers, date(s), artifact list, skeletal inventory, and other pertinent observations, (3) crew chief and worker field notes that may supplement or supercede information contained in the burial recording form, and (4) photographs, including either standard photography or high-quality (400-500 DPI or 10 MP recommended) digital imaging.</p> <ul style="list-style-type: none"><li>• Photographs and images may be used only for showing location or configuration of questionable formation or for the position of the skeleton. They are not to be duplicated for publication unless a written release is obtained from the Tribe.</li><li>• Association between the remains and other cultural materials should be determined in the field in consultation with an authorized Tribal representative and may be amended per laboratory findings. Records of provenience and sample labels should be adequate to determine association or degree of likelihood of association of human remains and other cultural materials.</li></ul>					
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<ul style="list-style-type: none"><li>• For each burial, all Perimeter Bulk soil is to be 1/8"-screened. All Exposure soil is to be 1/8"-screened, and a minimum of one 5-gallon bucket of excavated but unscreened Exposure soil is to be collected, placed in a plastic garbage bag in the bucket. All Matrix soil is to be carefully excavated, screened as appropriate, and then collected in plastic bags placed in 5-gallon buckets.</li><li>• Human remains are not to be cleaned in the field.</li><li>• Prior to any physical action related to human remains, a designated tribal representative will conduct prayers and blessings over the remains. The archaeological consultant will be responsible for ensuring that individuals and tools involved in the action are available for traditional blessings and prayers, as necessary.</li><li>• No laboratory studies are permitted without consultation with the tribe. Lab methods are determined on a project-specific basis in consultation with Yocha Dehe Wintun Nation representatives. The following procedures shall be implemented:</li><li>• The primary archaeological consultant will be responsible for ensuring that all lab procedures follow stipulations made by the Tribe.</li></ul>					
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<ul style="list-style-type: none"><li>• Prior to any laboratory activities related to the remains, a designated tribal representative will conduct prayers and blessings over the remains. The archaeological consultant will be responsible for insuring that individuals and tools involved in the action are available for traditional blessings and prayers, as necessary.</li><li>• To the extent possible, all remains, associations, samples, and original records are to be kept together throughout the laboratory process. In particular, Matrix dirt is to be kept in buckets and will accompany the remains to the lab. The primary archaeological consultant will be responsible for copying all field records and images and insuring that the original notes and records accompany the remains throughout the process.</li><li>• Laboratory study should be done making every effort to identify unanticipated finds or materials missed in the field, such as objects encased in dirt or human remains misidentified as faunal remains in the field. In the event of discovery of additional remains, materials, and other associations the tribal representatives are to be contacted immediately.</li><li>• No laboratory studies are permitted on human remains and funerary objects. The preferred treatment preference for exhumed Native American human remains is reburial in an area not subject to further disturbance. Any objects associated with remains will be reinterred with the remains.</li></ul>					
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<p>Laboratory study should be done making every effort to identify unanticipated finds or materials missed in the field, such as objects encased in dirt or human remains misidentified as faunal remains in the field. In the event of discovery of additional remains, materials, and other associations the tribal representatives are to be contacted immediately.</p> <ul style="list-style-type: none"> <li>• Should all, or a sample, of any archaeological materials collected during the data recovery activities – with the exception of Human Remains – need to be curated, an inventory and location information of the curation facility shall be given to tribe for our records.</li> </ul>					
<b>Mitigation Measure</b>	<b>Method of Verification</b>	<b>Timing of Verification</b>	<b>Responsible for Verification</b>	<b>Date of Completion</b>	<b>Verification Initial</b>
<p><b>NOI-1 Construction Vibration Damage.</b> Due to the close proximity to surrounding structures, the County of Solano (County) Resource Management Director, or designee, shall verify prior to issuance of demolition or grading permits, that the approved plans require that the construction contractor shall implement the following mitigation measures during project construction activities to ensure that damage does not occur at surrounding structures:</p> <ul style="list-style-type: none"> <li>• A 15-foot buffer between existing structures and the Project site area shall be clearly delineated with stakes, fencing or other conspicuous boundary markings, to</li> </ul>	<p>Construction specifications, including equipment staging and use shall be provided to the County.</p>	<p>Prior to issuance of construction activity.</p>	<p>Prior to issuance of Building Permits</p>	<p>Solano County Resource Management</p>	

<p>outline the area in which the use of heavy equipment shall be avoided.</p> <ul style="list-style-type: none"><li>• The use of heavy construction shall be avoided within 15 feet of existing surrounding structures.</li><li>• However, if the use of heavy equipment is required within 15 feet of surrounding structures, the following measures should be employed:<ul style="list-style-type: none"><li>• Identify structures that are located within 15 feet (ft) of heavy construction activities and that have the potential to be affected by ground-borne vibration. This task shall be conducted by a qualified structural engineer as approved by the County's Director of Community Development, or designee.</li><li>o Develop a vibration monitoring and construction contingency plan for approval by the Director of Resource Management, or designee, to identify structures where monitoring would be conducted; set up a vibration monitoring schedule; define structure-specific vibration limits; and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. Construction contingencies would be identified for when vibration levels approached the limits.</li><li>o At a minimum, monitor vibration during initial demolition activities. Monitoring results may indicate the need for more or less intensive measurements.</li><li>o When vibration levels approach limits, suspend construction and implement</li></ul></li></ul>					
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contingencies as identified in the approved vibration monitoring and construction contingency plan to either lower vibration levels or secure the affected structures.					
<b>Mitigation Measure</b>	<b>Method of Verification</b>	<b>Timing of Verification</b>	<b>Responsible for Verification</b>	<b>Date of Completion</b>	<b>Verification Initial</b>
<p><b>TRA-1 Measures to Reduce VMT.</b> The project applicant shall implement the following recommended measures from the California Air Pollution Control Officers Association (CAPCOA) Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity:</p> <ul style="list-style-type: none"> <li>• T-5 Implement Commute Trip Reduction Program – Voluntary. This strategy would implement a voluntary Commute Trip Reduction (CTR) program with employers to discourage single-occupancy vehicle trips and encourage alternative modes of transportation such as carpooling, taking transit, walking and biking.</li> <li>• T-7 Implement Commute Trip Reduction (CTR) Marketing. This measure would implement a marketing strategy to promote the project site employer’s CTR program. Information sharing and marketing promote and educate employees about their travel choices to the employment location beyond driving such as carpooling, taking transit, walking and biking, thereby reducing VMT and GHG emissions.</li> </ul>	A summary report for verification of the implementation of Mitigation Measure TRA-1 shall be submitted to the Resource Management Department	Prior to Occupancy	Solano County Public Works		

<ul style="list-style-type: none"> <li>• T-9 Implement Subsidized or Discounted Transit Program. This measure would provide subsidized or discounted, or free transit passes for employees and/or residents. Reducing the out-of-pocket cost for choosing transit improves the competitiveness of transit against driving, increasing the total number of transit trips and decreasing vehicle trips. This decrease in vehicle trips results in reduced VMT and thus a reduction in GHG emissions. The closest route to the project is the City of Fairfield FAST Route #7 which operates between the Fairfield Transportation Center and the Cordelia Library with a stop at Solano Community College. This stop is less than ½ mile from the project site.</li> <li>• T-10 Provide End of Trip Facilities. This measure will install and maintain end-of-trip facilities for employee use. End-of-trip facilities include bike parking, bike lockers, showers, and personal lockers. The provision and maintenance of secure bike parking and related facilities encourages commuting by bicycle, thereby reducing VMT and GHG emissions.</li> <li>• T-14 Provide Electric Vehicle Charging Infrastructure. Install onsite electric vehicle chargers in an amount beyond what is required by the 2019 California Green Building Standards (CALGreen) at buildings with designated parking areas (e.g., commercial, educational, retail, multifamily). This will enable drivers of Plug-In Hybrid Electric Vehicles (PHEVs) to drive a larger share of</li> </ul>					
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<p>miles in electric mode (eVMT), as opposed to gasoline-powered mode, thereby displacing GHG emissions from gasoline consumption with a lesser amount of indirect emissions from electricity. Most PHEVs owners charge their vehicles at home overnight. When making trips during the day, the vehicle will switch to gasoline mode if/when it reaches its maximum all-electric range.</p> <ul style="list-style-type: none"><li>• T-18 Provide Pedestrian Network Improvement This measure will increase the sidewalk coverage to improve pedestrian access. Providing sidewalks and an enhanced pedestrian network encourages people to walk instead of drive.</li><li>• T-22 Implement Pedal Bikeshare Program (Non-Electric and/or Electric) This measure will establish a bikeshare program. Bikeshare programs provide users with on-demand access to bikes for short-term use. This encourages a mode shift from vehicles to bicycles, displacing VMT and thus reducing GHG emissions. This program could be useful for visitors to the site exploring the Solano Wine Region along Suisun Valley Road.</li><li>• T-25 Extend Transit Network Coverage or Hours. This measure will expand the local transit network by either adding or modifying existing transit service or extending the operation hours to enhance the service near the project site. Starting services earlier in the morning and/or extending services to late-night hours can accommodate the commuting</li></ul>					
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<p>times of alternative shift workers. This will encourage the use of transit and therefore reduce VMT and associated GHG emissions. This measure could extend Route 7 of the FAST network to the Suisun Valley Road / Rockville Road intersection to further encourage transit ridership.</p>					
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Preserving Open Space and Agriculture  
<https://solanoorderlygrowth.org>

4 September 2023

Eric Wilberg [via email: [EJWilberg@solanocounty.com](mailto:EJWilberg@solanocounty.com)]  
Solano County Department of Resource Management  
675 Texas Street, Suite 5500, Fairfield CA 94533

**SUBJECT: *Solano Landing Draft Initial Study and Mitigated Negative Declaration***  
(Application No. Z-22-01, U-22-02)

**REFERENCE: Letter from Orderly Growth to Resource Management 7/19/2023**

Dear Mr. Wilberg:

We have reviewed the draft Initial Study and Mitigated Negative Declaration for the proposed Solano Landing project (“draft MND”). We consider that it is deficient due to its lack of certain quantitative analyses and lack of visual renderings of individual project components. In particular, we consider that it fails to adequately analyze or plan for the cumulative impact of Solano Landing together with other similar projects within Suisun Valley.

In our referenced letter, we proactively alerted your Department of the need for such analysis and planning. We will focus this letter on elements that we highlighted in our referenced letter, but which nonetheless are inadequately addressed in the draft MND. Those elements are listed here in the order presented in the draft MND (page numbers are those within the draft MND). Regrettably, that means that cumulative impacts are presented last; but cumulative impacts remain first and foremost in our concerns.

**Project Description (pp. 9-13)**

- **Project Description fails to provide any visual renderings of individual project components.** Further, Figure 3 (p. 10) does not include the project border along Rockville Road. Both deficiencies make it impossible for the public, or Commissioners, to assess aesthetic impacts. Instead, staff merely tell readers that a future Design Review process will prevent all problems (p. 19).
- **Figure 3 (p. 10) shows an Amphitheatre, but this structure is not described.**

- **How many acres of planted vineyard?** Pages 9 and 11 both say 10.5 acres but page 22 says “approximately 14.92 acres”. Would be helpful to identify vineyard areas in the legend of Figure 3 (p. 10). In the current version of Figure 3, difficult to distinguish from parking.
- **How many square feet of impermeable parking and driveways?** Much later in the draft MND, the Hydrology section presents the total area of new impervious surface: 3.95 acres (p. 69). We consider that in this *and future* planning documents, it would be appropriate to include parking and driveway areas “up front”, within the Project Description. Otherwise, summaries of square footages for buildings alone, such as Table A (p. 9), risk giving readers a false impression of a smaller project footprint.
- **Land use to the north should be corrected to “production agriculture”.** Instead, the draft MND incorrectly summarizes land use to the north of the project site as, “Existing single-family residences and commercial uses” (p. 12).

### **Aesthetics (pp. 16-19)**

**Draft MND fails to provide any visual renderings of individual project components.** As previously discussed, this makes it impossible for the public, or Commissioners, to assess aesthetic impacts. Furthermore, the project description states that the boutique hotel would consist of 10 prefabricated, stand-alone, 480-square-foot cottages for a total of 4,800 square feet of hotel development. The Draft MND needs to provide specific examples of the prefabricated cottages and how these will meet the County’s design guidelines.

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- **Description of environmental setting (p. 16) downplays the view to the north.** The description states, “views to the north, east, and south are relatively flat agricultural landscapes.” In reality, the view northwards includes oak-covered ridgelines (photo below). Potential obstruction of this view needs to be assessed. This includes extending Figure 3 (p. 10) northward to the project border along Rockville Road.

- **Draft MND lacks any analysis of cumulative aesthetic impact.** Instead, it falsely assumes that if new buildings match existing buildings, all is well:

“Since the proposed project would be consistent with existing development in the project vicinity ... the proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings” (p.18)

This narrow vision of planning is a recipe for step-by-step degradation of the scenic winescape experience, one project at a time. True planning should preserve the overall winescape experience as the economic engine for Suisun Valley.

### **Agriculture resources (pp. 20-22)**

- **Planting vineyards should be codified as a Mitigation Measure.** We commend the project applicants for their stated intention to plant vineyards. As previously discussed, the area and location of vineyards need to be quantified (pp. 9, 11, 22, and Figure 3). We agree with the draft MND that inclusion of vineyards is essential to, “support agricultural use and ensure that ... the project site would remain in agricultural production” (p. 22). Given their essential role, we request that planting and maintaining vineyards be added as a Mitigation Measure.
- **Figure 4 “Important Farmland Map” is missing from online version.** At least in the online version<sup>i</sup>, page 21 is blank. Nonetheless, we agree with the draft MND that, as of 2018, the California Department of Conservation (CDOC) mapped most of the project site



within its category “Other Land” (p. 20). CDOC might have classified the eastern portion of the project site as “Grazing Land”, one of its categories of agricultural land. Difficult to tell, because even the high-resolution version<sup>ii</sup> of CDOC’s map lacks parcel boundaries.

### **Cultural Resources (pp. 42-49)**

This section acknowledges that there are 2 historic structures, the Ice House and the Fruit Stand. The project description says:

*The existing Ice House and Fruit Stand buildings within the northernmost point of the project site immediately south of Rockville Road would be retained.*

Apparently, the Boutique Market will be housed in the Ice house There is, however, no description as to how these two structures will be preserved, to what standards they will be preserved, etc.

The impact analysis simply says: *both these buildings would be retained and would not be directly affected by the proposed project.*

The Draft MND needs to provide a discussion as to how these structures will be rehabilitated and provide evidence that these two structures will meet federal standards for the protection of historic structures.

At a minimum there needs to be a Mitigation Measure that states that both the Ice House and the Fruit Stand will be preserved and protected to the National Park Service's Secretary of the Interior's Standards for the Treatment of Historic Properties.

#### **Hazards and hazardous materials (pp. 63-66)**

- **Draft MND lacks quantitative analysis of exposure to agricultural hazards.** We support agriculture and the right to farm. Nonetheless, we recognize that routine practices in production agriculture can generate noise, odor, dust, and drift of pesticides. The draft MND fails to present any quantitative analysis of exposure of Solano Landing customers from existing production fields north of the project site, or from proposed plantings of vineyards within the project site (pp. 9, 11, 22). Without such analyses, it is impossible for the public or Commissioners to determine if routine setbacks (p. 18) would be sufficient, or whether additional Mitigation Measures are needed.

#### **Hydrology and water quality (pp. 67-71)**

- **Draft MND lacks quantitative analysis of impact of proposed wells for potable water.**

Our referenced letter noted:

“The CEQA analysis should carefully study the flow rate and quality of water from wells on the project site. The analysis should also determine whether future use of ground water by Solano Landing would reduce water availability for nearby properties that currently obtain potable water from wells.”

The project description explains that:

“Potable water for the proposed project would be provided by 2 to 3 new wells to be constructed on the project site. In addition, the project applicant is working with the City of Vallejo to provide water for the fire suppression system. SID would continue to provide water for irrigation of proposed vineyards and project landscaping.” (p. 12, and echoed on pp. 100-101)

However, no data are presented on flow rate of test wells on the project site, or total water-supply capacity of the underlying aquifer. Instead, the draft MND merely states:

“The proposed project would be served by 2 to 3 on-site wells for domestic drinking water; however, it is not expected to require a substantial increase in ground-water utilization. The project applicant would be required to obtain a permit for construction of these wells from the Solano County Department of Environmental Management, Environmental Health Division. **Compliance with this regulatory permitting process would ensure that impacts associated with the extraction of groundwater for potable water supply would be less than significant.**”  
[bold font added for emphasis] (p. 70)

Our understanding is that the well-construction permitting process does not assess impact on surrounding properties. Therefore, we consider the preceding quote to be nothing more than wishful thinking. **We request that a quantitative analysis of impacts from proposed new wells be completed before approval of this project.** In addition, Solano County should require applicants to have a finalized agreement with City of Vallejo regarding water supply for the fire suppression system, not merely to be “working with the City of Vallejo” (p. 12).

- **For runoff and drainage, “Small MS4 Permit” requirements may need to be adjusted for cumulative impacts.** The environmental analysis for Solano Landing should begin to establish Suisun Valley-wide measures to prevent significant cumulative impacts to runoff and flooding. Those measures should be applied not only to Solano Landing, but to all future projects. We call on planners to use this opportunity to evaluate whether the single project focus of the Small MS4 Permit (p. 69) adequately addresses the potentially synergistic impacts of multiple, similar projects.

#### **Land use and planning (pp. 72-74)**

- **Draft MND should explicitly state the impact of rezoning on overall land-use planning for Suisun Valley.** We do not oppose the proposal to rezone 7.4 acres of the project site from ASV-20 to Agricultural Tourist Center (ATC) (pp. 14, 22, 73-74). We simply want to clarify the impact of that rezoning on plans for the larger Suisun Valley Agricultural Area.

The draft MND explains:

“The Suisun Valley Strategic Plan designates 10.5 acres within the Rockville Corner area for ATC, of which 2.5 acres has been designated on the project site. As part of project approvals, the project applicant is requesting a rezone of 7.4 acres of the project site [from ASV-20] to ATC, to accommodate the proposed development of 9.1 acres.” (quote from p. 14; current ASV-20 zoning on p. 22)

The total ATC area within the Suisun Valley Strategic Plan is 75 acres. Those 75 acres comprises 10.5 acres within the Rockville Corner area, 46.0 acres within other named ATC areas, and 18.5 acres designated as “Future Reserve”<sup>iii</sup>. Therefore, it is our understanding that rezoning 7.4 acres of the project site would have two results:

- 1) Increase the total size of Rockville Corner ATC to 17.9 acres  
(10.5 acres now + 7.4 new acres = 17.9 acres in Rockville Corners ATC); and

- 2) Reduce the size of the “Future Reserve” ATC acreage to 11.1 acres (18.5 acres now - 7.4 new acres in Rockville Corners = 11.1 acres remaining in Future Reserve ATC).

We request that this be explicitly confirmed within the final environmental analysis. In addition, we recommend adding two figures, similar to Figure 3 (p. 10), to illustrate the borders of current and proposed new zoning.

- **A threshold for “local” produce should be added as a Mitigation Measure.** The draft MND states, “The underlying goals of the Solano County General Plan, Land Use Element, are to provide residents and visitors with a destination for local wine production and local produce” (p. 73). We agree. Therefore, we commend the project applicants for their stated intention that the market “would sell locally grown products, wine, and beer produced in the Suisun Valley” (p.11); and that the six tasting rooms would “showcase local wines and brews” (p. 22). Because local agricultural commodities are essential for conformity with the Land Use Element, we request that the following two conditions be added as Mitigation Measures:
  - (1) At least 25% of wines offered in Solano Landing tasting rooms, market, and restaurant will be produced within the Suisun Valley.
  - (2) Solano Landing may not convert any of the six tasting rooms into retail sales of non-agricultural goods in the future.
- **The draft MND should abbreviate “Agricultural Tourist Center - Neighborhood Commercial” zoning as “ATC-NC” rather than as “CN”.** Though this is not a substantive issue, we found the use of the abbreviation “CN” to be unnecessarily confusing (pp. 6, 12, 14, 74) especially given that the draft MND switches to the abbreviation “ATC-NC” elsewhere (pp. 13, 22, 72). It would be clearer for this *and future* planning documents to follow the Solano County Code and consistently use the abbreviation “ATC-NC” throughout.

### **Public Services (86-87)**

The fire protection section states that the project site is served by the Cordelia Fire District. This section appears to be out of date and needs to be updated. It is our understanding that the City of Fairfield is now providing all fire, medical, and incident response services within the Cordelia district.

The impact section simply states that because the project would comply with applicable Cordelia Fire District rules and regulations the impact would be less than significant. This is inadequate. There is no evidence that anybody from either the Cordelia Fire District or the City of Fairfield was contacted as to potential impact. It seems that when a vacant parcel is developed with a hotel, wine tasting rooms, etc. there are going to be some impact on the existing fire department. Please expand the impact section and provide necessary mitigation measures.

### **Transportation (pp. 89-95)**

- **The draft MND fails to implement the recommendation that Solano Landing pay its share of traffic impact fees.** Appendix F, the traffic impact analysis, recommends that, “The

project should pay their share of traffic impact fees in Solano County” (p. F34). However, the draft MND does not include any comment or requirement of what such payments will be. There is also no discussion of whether such fees are to be based solely on the cost analysis included in the Suisun Valley Strategic Plan (which only included local circulation), or whether fees should also help cover the County portion of upgrading access to Interstate 80, including those Fairfield roadways used to access the Interstate.

- **Mitigation Measure TRA-1 (pp. 94-95) is not wholly consistent with the corresponding mitigation measure recommended in Appendix F (pp. F33-F34).** Specifically, T-18 “Provide Pedestrian Network Improvement” (p. F34) includes the statement, “The installation of sidewalk along the Suisun Valley Road frontage will provide for a future connection to Solano Community College”. However, the draft MND itself fails to include this specific commitment to extend the sidewalk (T-18 on p. 95 of the draft MND). Extension of this sidewalk, which currently stops at Solano College, is essential in order for the other elements of TRA-1 to effectively encourage use of mass transit.

### **Utilities and Service Systems (pp. 98-101)**

The draft MND states on page 101:

*Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments? (No Impact)*

We disagree with this determination that sewer service would be provided by the Fairfield Suisun Sewer District. Your determination is clearly at odds with the Suisun Valley Strategic Plan which says:

*The County recommends that businesses and residents handle wastewater treatment locally through septic or packaged wastewater treatment systems. (Suisun Valley Strategic Plan page 2.37)*

Applicant, Suisun Valley wineries, tasting rooms and restaurants, and County residents have every reason to expect consistent application of the Strategic Plan. Please explain your rationale for imposing a different requirement for sewer treatment on this applicant. This change requires CEQA analysis since it is inconsistent with the approved Strategic Plan.

Further, assuming a septic system is found to be allowable, there must be an analysis of the capability of the site to accommodate a septic system and leach fields.

Every winery, tasting room and restaurant in Suisun Valley currently uses a septic system. To the best of our knowledge there has never been a problem with any of those septic systems. Well designed and managed septic systems are better for the environment and they recharge the water table with safe water that can later be used on-site.

### **Cumulatively considerable impacts (pp. 104-105 )**

Solano County Orderly Growth Committee has long advocated for long-range Suisun Valley-wide planning. The environmental analysis for Solano Landing provides an opportunity to begin. Solano County Planning needs to seize the opportunity!

This letter has already discussed opportunities to analyze and address cumulative impacts to aesthetics, agriculture resources, and hydrology. Therefore, we will limit our comments here to the cumulative impacts of multiple similar projects on traffic. It will always be inappropriate to analyze traffic from a single resort or event center. When multiple events are held simultaneously at multiple facilities, traffic inevitably is cumulative. Thus, traffic requires cumulative planning and management.

- **The good news: the draft MND includes two promising initiatives to address cumulative traffic impacts.** Both appear on page 11:
  - 1) A limit on the number of events per year (24), and the number of participants per event (150); and
  - 2) Establishment of a shuttle service that the project applicant would be providing from the project site to designated spots within Suisun Valley.

We commend the project applicants for stepping up and making these commitments. **To document these two commitments for future parties, we recommend codifying them as formal Mitigation Measures. And we recommend doing so not only for Solano Landing, but for all future Suisun Valley projects.**

- **The bad news: the Transportation section (pp. 89-95) fails to include any discussion of Cumulative Impacts, essentially ignoring its own Transportation Appendix F.** In Appendix F, the transportation modeling considered buildout under year 2040 cumulative conditions of the County General Plan (pp. F22-F23). However, it is not clear if the modeling considered the relevant portions of Fairfield near Suisun Valley Road and Business Center Drive, where high-density housing is being built on land previously zoned commercial/industrial. Fairfield's recently-approved Housing Element identifies three sites for high-density apartments to be built along Suisun Valley Road within the next 8 years. These will be within 1/2 mile from Solano Landing and will utilize the same roadway network as Solano Landing customers and staff.

In addition, Appendix F reports:

“It is also acknowledged that the I-80/I-680/SR12 interchange is currently being constructed with Caltrans the lead agency.....The project also includes improving access to and from local roadways in Fairfield. Funding for the entire project is not confirmed. The STA model does not appear to include the proposed improvements.” (p. F22)

What is the County's likely cost share for those interchange improvements, and what development fees should be allocated to Suisun Valley projects such as Solano Landing?

**In summary, Solano County Planning needs to revise the cumulative condition analysis for Solano Landing (pp. 104-105).** A conclusion of “less than significant” is reasonable only if the County and City of Fairfield commit to collaborative planning of transportation improvements, and begin charging a corresponding development fee for projects contributing to transportation

impacts along Suisun Valley Road. We urge exactly that combination of planning and development fees, both for Solano Landing and for all future Suisun Valley projects.

If you would like to discuss any of the points covered in this letter, please contact me.

Yours sincerely,

Bob Berman, Chair  
Solano County Orderly Growth Committee  
[bob@nicholsberman.com](mailto:bob@nicholsberman.com)  
707-208-1991

Cc: Alan Calder

#### Notes and references:

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- <sup>i</sup> *Solano Landing Application No.: Z-22-01, U-22-02 Draft Initial Study and Mitigated Negative Declaration.* Solano County Department of Resource Management, July 2023. Available at: <https://www.solano-county.com/civicax/filebank/blobdload.aspx?BlobID=41367> (accessed 8/8/2023).
- <sup>ii</sup> A high-resolution version of the map “Solano County Important Farmland 2018” is available via request to: <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Solano.aspx>
- <sup>iii</sup> Table 2-2 Distribution of ATC Acreage. *Suisun Valley Strategic Plan.* Solano County Department of Resource Management, February 2011. Available at: <https://www.solanocounty.com/civicax/filebank/blobdload.aspx?blobid=7274> (accessed 8/8/2023).

August 31/23

Solano County  
Department of Resource Management

Eric Wilberg

Regarding the letter received on adopting a mitigated negative declaration for the property at 2316 Rockville Road Fairfield CA. As I understand, by adopting, this can cause negative environmental issues.

First of all I have to say that the area does not need this project at all. We need more agg land than we need restaurants, hotels and tasting rooms. Not to mention all the other obvious negative issues it will bring to the area.

That being said, within two to three weeks after receiving your notice, I see a lot of activity on the property. So it appears the project is already approved and anyone's opinion really won't matter anyway.

But if it is going ahead, I would hope they change the plan and keep the historic Ice House building intact. If nothing else, move it to another location on the property and use it for a maintenance garage or turn it into a gift shop or something. I would hope that the design of the new buildings would take on a thirties to forties retro look. Something that flows with the areas natural surroundings, something that is pleasing to the eye. Unlike the recently completed NOVA apartments.

Thank you for your time,

Martin Ray  
600 Goldenrod CT  
Fairfield CA 94534  
Cell# 707-333-6739



Bay Delta Region

2825 Cordelia Road, Suite 100

Fairfield, CA 94534

(707) 428-2002

[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

August 31, 2023

Eric Wilberg, Senior Planner  
City of Fairfield  
675 Texas Street, Suite 5500  
Fairfield, CA 94533  
[EJWilberg@fairfield.ca.gov](mailto:EJWilberg@fairfield.ca.gov)

Subject: Solano Landing, Mitigated Negative Declaration, SCH No. 2023080100,  
Solano County

Dear Mr. Wilberg:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt a Mitigated Negative Declaration (MND) from the City of Fairfield (City) for Solano Landing (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

CDFW is submitting comments on the MND to inform the City, as the Lead Agency, of potentially significant impacts to biological resources associated with the Project.

## CDFW ROLE

CDFW is a **Trustee Agency** with responsibility under CEQA pursuant to CEQA Guidelines section 15386 for commenting on projects that could impact fish, plant, and wildlife resources. CDFW is also considered a **Responsible Agency** if a project would require discretionary approval, such as permits issued under the California Endangered Species Act (CESA) or Native Plant Protection Act, the Lake and Streambed Alteration (LSA) Program, or other provisions of the Fish and Game Code that afford protection to the state's fish and wildlife trust resources.

## PROJECT DESCRIPTION SUMMARY

**Proponent:** Solano Landing

**Objective:** Construct a resort including market, six tasting rooms, a dining hall, a restaurant, a concierge building, cottages, and vineyards on a 24.42-acre site. New buildings will have a combined size of 32,141 square feet (approximately 0.7 acres) and the vineyards will be 10.5 acres in size. Approximately 7.4 acres of the Project site will

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<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Eric Wilberg  
County of Solano  
August 31, 2023  
Page 2

require Solano County (County) approval of a Zone Change from Agriculture (ASV-20) to Agriculture Tourist Center (ATC).

**Location:** Unincorporated Solano County, at the intersection of Suisun Valley Road and Rockville Road, approximate centroid of 38.242322°, -122.120734° (NAD 83), Assessor's Parcel Number 0027-200-150.

## REGULATORY REQUIREMENTS

### California Endangered Species Act

Please be advised that a CESA Incidental Take Permit (ITP) must be obtained if the Project has the potential to result in "take" of plants or animals listed under CESA either during construction or over the life of the Project. **The Project has the potential to impact Swainson's hawk (*Buteo swainsoni*), CESA listed as threatened species. Thank you for including a mitigation measure to avoid impacts to nesting Swainson's hawks, and please see the below comment regarding loss of foraging habitat for this species.** Issuance of an ITP is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain an ITP.

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially restrict the range or reduce the population of a threatened or endangered species. (Pub. Resources Code, §§ 21001, subd. (c) & 21083; CEQA Guidelines, §§ 15380, 15064, & 15065). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency's FOC does not eliminate the Project proponent's obligation to comply with CESA.

### Lake and Streambed Alteration

CDFW requires an LSA Notification, pursuant to Fish and Game Code section 1600 et seq., for Project activities affecting lakes or streams and associated riparian habitat. Notification is required for any activity that may substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake, or stream. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to LSA Notification requirements. **As described in the MND, the Project may impact two features that are considered ephemeral streams. If any streams are impacted, an LSA Notification pursuant to Fish and Game Code section 1602 would be required, as further described below.** CDFW would consider the CEQA document for the Project and may issue an LSA

Eric Wilberg  
County of Solano  
August 31, 2023  
Page 3

Agreement. CDFW may not execute the final LSA Agreement until it has complied with CEQA as a Responsible Agency.

### **Raptors and Other Nesting Birds**

CDFW has jurisdiction over actions that may result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections protecting birds, their eggs, and nests include sections 3503 (regarding unlawful take, possession or needless destruction of the nests or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird). Migratory birds are also protected under the federal Migratory Bird Treaty Act.

### **COMMENTS AND RECOMMENDATIONS**

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Based on the Project's avoidance of significant impacts on biological resources with implementation of mitigation measures, including those CDFW recommends, CDFW concludes that an MND is appropriate for the Project.

#### **I. Environmental Setting Related Impact Shortcoming**

**MANDATORY FINDING OF SIGNIFICANCE. Does the Project have potential to substantially reduce the number or restrict the range of an endangered, rare or threatened species?**

**COMMENT 1:** Swainson's Hawk, Pages 33 and 34

**Issue:** The Project would impact potential Swainson's hawk foraging habitat.

**Specific impacts, why they may occur and be potentially significant:** The Project would result in the removal of potential foraging habitat for Swainson's hawk, CESA listed as threatened species; however, no compensatory habitat mitigation is proposed in the MND. The breeding population of Swainson's hawks in California has declined by an estimated 91 percent since 1900 and the species continues to be threatened by ongoing and cumulative loss of foraging habitat (CDFW 2016). The California Natural Diversity Database (CNDDDB) includes six occurrences of Swainson's hawk within five miles of the Project, with the nearest occurrence approximately 0.5 miles north-northeast of the Project (CNDDDB 2023). Therefore, reduction of Swainson's hawk foraging habitat would be a potentially significant impact.

Eric Wilberg  
County of Solano  
August 31, 2023  
Page 4

The Project site is within the draft Solano Multispecies Habitat Conservation Plan (HCP) Irrigated Agriculture Conservation Area, and according to the draft Solano HCP Mitigation Measure SH 1 for Swainson's hawk, Irrigated Agriculture Foraging habitat should be mitigated at a ratio of 1:1 (see Section 6.4.8 and Figure 4-21 of the draft Solano HCP at: <https://www.scwa2.com/solano-multispecies-habitat-conservation-plan/>).

**Recommended Mitigation Measure:** To reduce potential impacts to Swainson's hawk to less-than-significant, CDFW recommends including the below mitigation measure.

Mitigation Measure Bio-14 (Swainson's Hawk Foraging Habitat Mitigation): Impacts to Swainson's hawk foraging habitat shall be quantified by a qualified biologist based on the final Project design plans, and the Project shall obtain written acceptance of the acreage of habitat impacts from CDFW. Consistent with the draft Solano HCP, prior to Project construction, the Project shall provide Swainson's hawk foraging habitat mitigation at a 1:1 ratio, which shall include: 1) permanent preservation of the species' foraging habitat through a conservation easement and implementing and funding a long-term management plan in perpetuity, or 2) purchase of Swainson's hawk foraging habitat credits at a CDFW-approved mitigation bank in the County.

## II. Environmental Setting and Mitigation Measure Related Impact Shortcomings

**Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or U.S. Fish and Wildlife Service (USFWS)?**

**COMMENT 2:** Burrowing owl (*Athene cunicularia*), Pages 33 and 38

**Issue:** The Project would impact potential burrowing owl foraging habitat and may impact burrowing owls utilizing burrows on or within 500 meters (1,640 feet) of the Project site. CNDDDB includes two occurrences of burrowing owl within 5 miles of the Project, with the nearest occurrence approximately 3.2 miles south-southeast of the Project (CNDDDB 2023). According to the draft Solano HCP Mitigation Measure BO 1 for burrowing owl, burrowing owl habitat should be mitigated at a ratio of 1:1 (see Section 6.4.9 and Figure 4-21 of the draft HCP).

In addition, the MND includes Mitigation Measure BIO-6 to avoid impacts to burrowing owl. Mitigation Measure BIO-6 specifies that surveys will be conducted in accordance with the Department of Fish and Game Staff Report on Burrowing Owl Mitigation (2012) methodology and measures outlined in the draft Solano HCP. CDFW appreciates that the Project will conduct burrowing owl surveys using the above methodology. However, it is unclear if breeding or wintering burrowing owl surveys would be conducted depending on the Project construction start date. The Project is within the year-round

Eric Wilberg  
County of Solano  
August 31, 2023  
Page 5

range of burrowing owl, hence surveys for breeding or wintering burrowing owl should be conducted based on the Project construction start date.

**Specific impacts, why they may occur and be potentially significant:** The Project would result in a permanent reduction of potential burrowing owl foraging habitat in the County. The Project could also result in burrowing owl nest abandonment, loss of young, reduced health and vigor of owlets, injury or mortality of adults, and permanent wintering (i.e., non-nesting) or nesting habitat loss. Burrowing owl is a special-status species because the species' population viability and survival are adversely affected by risk factors such as precipitous declines from habitat loss, fragmentation, and degradation; evictions from nesting sites without habitat mitigation; wind turbine mortality; human disturbance; and eradication of California ground squirrels (*Spermophilus beecheyi*) resulting in a loss of suitable burrows required by burrowing owls for nesting, protection from predators, and shelter (Shuford and Gardali 2008; Department of Fish and Game Staff Report on Burrowing Owl Mitigation (2012); personal communication, CDFW Statewide Burrowing Owl Coordinator Esther Burkett, May 13, 2022). Preliminary analyses of regional patterns for breeding populations of burrowing owls have detected declines both locally in their central and southern coastal breeding areas, and statewide where the species has experienced breeding range retraction (Department of Fish and Game Staff Report on Burrowing Owl Mitigation (2012); personal communication, Esther Burkett, May 13, 2022). Based on the foregoing, if burrowing owls are wintering or nesting on or within 500 meters of the Project site, or if burrowing owl foraging habitat is removed, Project impacts to burrowing owl would be potentially significant.

**Recommended Mitigation Measures:** To reduce potential impacts to burrowing owl to less-than-significant, CDFW recommends including the below mitigation measures.

Mitigation Measure BIO-6 (Burrowing Owl Surveys): A qualified biologist shall conduct a habitat assessment and surveys, if warranted based on the habitat assessment, following the Department of Fish and Game Staff Report on Burrowing Owl Mitigation (2012) methodology. Surveys for nesting burrowing owls shall be conducted if Project construction starts during nesting season (February 1 to August 31), and surveys for wintering burrows owls shall be conducted if the construction starts during the wintering season (September 1 to January 31). The habitat assessment and surveys shall encompass the Project area and a sufficient buffer zone to detect owls nearby that may be impacted. Habitat assessments and surveys shall occur each year of Project construction, as conditions may change annually and suitable refugia for burrowing owl, such as small mammal burrows, can be created within a few hours or days, unless otherwise approved in writing by CDFW. Time lapses between surveys or Project activities shall trigger subsequent surveys including, but not limited to, a final survey within 24 hours prior to ground disturbance. The qualified biologist shall have a minimum of two years of experience implementing the above methodology resulting in

Eric Wilberg  
County of Solano  
August 31, 2023  
Page 6

burrowing owl detections. Any detected burrowing owls shall be avoided pursuant to the buffer distances outlined in the Department of Fish and Game Staff Report on Burrowing Owl Mitigation (2012), which may be up to 500 meters (1,640 feet), and any detected owl shall be monitored by the qualified biologist to ensure it is not disturbed during construction activities, unless otherwise approved in writing by CDFW. Impacts to nesting burrowing owls shall be fully avoided.

Mitigation Measure Bio-15 (Burrowing Owl Foraging Habitat Mitigation): Impacts to burrowing owl foraging habitat shall be mitigated as described in Mitigation Measure Bio-14 above.

Mitigation Measure Bio-16 (Burrowing Owl Burrow Mitigation): If the Project would impact an unoccupied nesting burrowing owl burrow or burrow surrogate (i.e., a burrow known to have been used in the past three years for nesting), or an occupied burrow (where a non-nesting owl would be evicted as described below), the following habitat mitigation shall be implemented prior to Project construction.

Impacts to each burrowing owl nesting site shall be mitigated by permanent preservation of two burrowing owl occupied nesting sites with appropriate foraging habitat within the County, unless otherwise approved by CDFW, through a conservation easement and implementing and funding a long-term management plan in perpetuity. The same requirements shall apply for impacts to non-nesting evicted owl sites except two burrowing owl occupied non-nesting (i.e., wintering) sites shall be preserved.

The Project may implement alternative methods for preserving habitat with written acceptance from CDFW.

Please be advised that CDFW does not consider exclusion of burrowing owls (i.e., passive removal of an owl from its burrow or other shelter) as a “take” avoidance, minimization, or mitigation measure for the reasons outlined below. Therefore, to mitigate the impacts of potentially evicting burrowing owls to less-than-significant, Mitigation Measure Bio-6 outlined above should require habitat compensation with the acreage amount identified in any eviction plan. The long-term demographic consequences of exclusion techniques have not been thoroughly evaluated, and the survival rate of excluded owls is unknown. Burrowing owls are dependent on burrows at all times of the year for survival or reproduction, therefore eviction from nesting, roosting, overwintering, and satellite burrows or other sheltering features may lead to indirect impacts or “take” which is prohibited under Fish and Game Code section 3503.5. All possible avoidance and minimization measures should be considered before temporary or permanent exclusion and closure of burrows is implemented to avoid “take.”

### **III. Stream Alteration**

**COMMENT 3:** LSA Notification, Pages 34 and 35

Eric Wilberg  
County of Solano  
August 31, 2023  
Page 7

**Issue, specific impacts:** The MND identifies that the Project may impact an ephemeral drainage and an irrigation ditch. These features may be considered streams under Fish and Game Code section 1600 et seq.

The MND does not provide certainty that impacts to these features would comply with Fish and Game Code section 1600 et seq. Mitigation Measure BIO-11 requires that the Project applicant obtain a permit from the Regional Water Quality Control Board (RWQCB) if streams would be impacted. However, the MND does not include a mitigation measure requiring LSA Notification and compliance with the LSA Agreement, if issued.

**Recommended Mitigation Measure:** If impacts to streams or riparian habitat may occur, to comply with Fish and Game Code section 1600 et seq., CDFW recommends replacing mitigation measure BIO-11 with the below measure.

Mitigation Measure BIO-11 (Wetland Mitigation and Resource Agency Permits): The Project shall be designed to minimize fill of jurisdictional waters. If impacts to any streams, such as potentially, the ephemeral roadside drainage or irrigation ditch, cannot be avoided then prior to ground disturbance the Project applicant shall submit an LSA notification to CDFW and comply with the LSA Agreement, if issued, and shall obtain a permit from the RWQCB pursuant to the Clean Water Act Section 401 water quality certification. Impacts to waters, wetlands, and riparian areas subject to the permitting authority of CDFW and RWQCB shall be mitigated by providing compensatory mitigation at a minimum 3:1 ratio in area for permanent impacts and 1:1 ratio for temporary impacts, unless otherwise approved in writing by CDFW or otherwise required by RWQCB. A Habitat Mitigation and Monitoring Plan shall be prepared and implemented for the proposed mitigation approach. This plan shall be subject to approval by CDFW and the RWQCB prior to any disturbance of waters of the State, stream, or riparian habitat.

**An LSA Agreement for the Project, if issued, would likely require the above recommended mitigation measures, as applicable, and may require additional avoidance and minimization measures for wildlife and habitat.**

## ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the CNDDDB. The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported

Eric Wilberg  
County of Solano  
August 31, 2023  
Page 8

to CNDDDB can be found at the following link:  
<https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

## ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying Project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

## CONCLUSION

CDFW appreciates the opportunity to comment on the MND to assist the City in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Alex Single, Environmental Scientist, at (707) 799-4210 or [Alex.Single@wildlife.ca.gov](mailto:Alex.Single@wildlife.ca.gov); or Melanie Day, Senior Environmental Scientist (Supervisory), at [Melanie.Day@wildlife.ca.gov](mailto:Melanie.Day@wildlife.ca.gov) or (707) 210-4415.

Sincerely,

DocuSigned by:  
  
B77E9A6211EF486...  
Erin Chappell  
Regional Manager  
Bay Delta Region

Attachment 1. Draft Mitigation and Monitoring Reporting Plan

ec: Office of Planning and Research, State Clearinghouse (SCH No. 2023080100)

Eric Wilberg  
County of Solano  
August 31, 2023  
Page 9

## REFERENCES

- CDFW. 2023. California Natural Diversity Database (CNDDDB) Management Framework. California Department of Fish and Wildlife. Sacramento, CA. Website <https://wildlife.ca.gov/Data/BIOS> [accessed 28 August 2023].
- CDFW. 2016. Status Review: Swainson's Hawk (*Buteo swainsoni*) in California, reported to the California Fish and Game Commission, five-year status report. State of California Natural Resources Agency, Sacramento, CA. <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=133622&inline>
- CDFW. 2012. Department of Fish and Game Staff Report on Burrowing Owl Mitigation. State of California Natural Resources Agency, Sacramento, CA.
- Shuford, W. D., and Gardali, T., editors. 2008. California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California. Studies of Western Birds 1. Western Field Ornithologists, Camarillo, California, and California Department of Fish and Game, Sacramento.
- Solano County Water Agency. 2014. Draft Solano Multispecies Habitat Conservation Plan. <https://www.scwa2.com/solano-multispecies-habitat-conservation-plan/>

Eric Wilberg  
 County of Solano  
 August 31, 2023  
 Page 10

## ATTACHMENT 1

### Additions to Draft Mitigation and Monitoring Reporting Plan

Biological Resources (BIO)			
Mitigation Measure (MM)	Description	Timing	Responsible Party
<b>MM-BIO-6</b>	<p>Burrowing Owl Surveys: A qualified biologist shall conduct a habitat assessment and surveys, if warranted based on the habitat assessment, following the Department of Fish and Game Staff Report on Burrowing Owl Mitigation (2012) methodology. Surveys for nesting burrowing owls shall be conducted if Project construction starts during nesting season (February 1 to August 31), and surveys for wintering burrows owls shall be conducted if the construction starts during the wintering season (September 1 to January 31). The habitat assessment and surveys shall encompass the Project area and a sufficient buffer zone to detect owls nearby that may be impacted. Habitat assessments and surveys shall occur each year of Project construction, as conditions may change annually and suitable refugia for burrowing owl, such as small mammal burrows, can be created within a few hours or days, unless otherwise approved in writing by CDFW. Time lapses between surveys or Project activities shall trigger subsequent surveys including, but not limited to, a final survey within 24 hours prior to ground disturbance. The qualified biologist shall have a minimum of two years of experience implementing the above methodology resulting in burrowing owl detections. Any detected burrowing owls shall be avoided pursuant to the buffer distances outlined in the Department of Fish and Game Staff Report on Burrowing Owl Mitigation (2012), which may be up to 500 meters (1,640 feet), and any detected owl shall be monitored by the qualified biologist to ensure it is not disturbed during construction activities, unless otherwise approved in writing by CDFW. Impacts to nesting burrowing owls shall be fully avoided.</p>	Prior to Ground Disturbance	Project Applicant

Eric Wilberg  
County of Solano  
August 31, 2023  
Page 11

<b>MM-BIO-11</b>	Wetland Mitigation and Resource Agency Permits: The Project shall be designed to minimize fill of jurisdictional waters. If impacts to any streams, such as potentially the ephemeral roadside drainage or irrigation ditch, cannot be avoided then prior to ground disturbance the Project applicant shall submit an LSA notification to CDFW and comply with the LSA Agreement, if issued, and shall obtain a permit from the RWQCB pursuant to the Clean Water Act Section 401 water quality certification. Impacts to waters, wetlands, and riparian areas subject to the permitting authority of CDFW and RWQCB shall be mitigated by providing compensatory mitigation at a minimum 3:1 ratio in area for permanent impacts and 1:1 ratio for temporary impacts, unless otherwise approved in writing by CDFW or otherwise required by RWQCB. A Habitat Mitigation and Monitoring Plan shall be prepared and implemented for the proposed mitigation approach. This plan shall be subject to approval by CDFW and the RWQCB prior to any disturbance of waters of the State, stream, or riparian habitat.	Prior to Ground Disturbance	Project Applicant
<b>MM-BIO-14</b>	Swainson's Hawk Foraging Habitat Mitigation: Impacts to Swainson's hawk foraging habitat shall be quantified by a qualified biologist based on the final Project design plans, and the Project shall obtain written acceptance of the acreage of habitat impacts from CDFW. Consistent with the draft Solano HCP, prior to Project construction, the Project shall provide Swainson's hawk foraging habitat mitigation at a 1:1 ratio which shall include: 1) permanent preservation of the species' foraging habitat through a conservation easement and implementing and funding a long-term management plan in perpetuity, or 2) purchase of Swainson's hawk foraging habitat credits at a CDFW-approved mitigation bank in the County.	Prior to Ground Disturbance	Project Applicant
<b>MM-BIO-15</b>	Burrowing Owl Foraging Habitat Mitigation: Impacts to burrowing owl foraging habitat shall be mitigated as described in Mitigation Measure Bio-14 above.	Prior to Ground Disturbance	Project Applicant
<b>MM-BIO-16</b>	Burrowing Owl Burrow Mitigation: If the Project would impact an unoccupied nesting burrowing owl burrow or burrow surrogate (i.e., a burrow known to	Prior to Ground Disturbance	Project Applicant

Eric Wilberg  
County of Solano  
August 31, 2023  
Page 12

	<p>have been used in the past three years for nesting), or an occupied burrow (where a non-nesting owl would be evicted as described below), the following habitat mitigation shall be implemented prior to Project construction.</p> <p>Impacts to each burrowing owl nesting site shall be mitigated by permanent preservation of two burrowing owl occupied nesting sites with appropriate foraging habitat within the County, unless otherwise approved by CDFW, through a conservation easement and implementing and funding a long-term management plan in perpetuity. The same requirements shall apply for impacts to non-nesting evicted owl sites except two burrowing owl occupied non-nesting (i.e., wintering) sites shall be preserved.</p> <p>The Project may implement alternative methods for preserving habitat with written acceptance from CDFW.</p> <p>Please be advised that CDFW does not consider exclusion of burrowing owls (i.e., passive removal of an owl from its burrow or other shelter) as a “take” avoidance, minimization, or mitigation measure for the reasons outlined below. Therefore, to mitigate the impacts of potentially evicting burrowing owls to less than significant, Mitigation Measure Bio-6 outlined above should require habitat compensation with the acreage amount identified in any eviction plan. The long-term demographic consequences of exclusion techniques have not been thoroughly evaluated, and the survival rate of excluded owls is unknown. Burrowing owls are dependent on burrows at all times of the year for survival or reproduction, therefore eviction from nesting, roosting, overwintering, and satellite burrows or other sheltering features may lead to indirect impacts or “take” which is prohibited under Fish and Game Code section 3503.5. All possible avoidance and minimization measures should be considered before temporary or permanent exclusion and closure of burrows is implemented to avoid “take.”</p>		
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## State Water Resources Control Board

September 5, 2023

County of Solano  
Attn: Eric Wilberg  
675 Texas Street, Suite 5500  
Fairfield, CA 94533

COUNTY OF SOLANO (COUNTY), MITIGATED NEGATIVE DECLARATION (MND)  
FOR THE SOLANO LANDING PROJECT (PROJECT); STATE CLEARINGHOUSE  
#2023080100

Dear Mr. Eric Wilberg:

Thank you for the opportunity to review the MND for the proposed Project. The State Water Resources Control Board, Division of Drinking Water (State Water Board, DDW) is responsible for issuing water supply permits pursuant to the Safe Drinking Water Act. The Project is within the jurisdiction of the State Water Board, DDW's San Francisco District. DDW San Francisco District issues a domestic water supply permit to the public water systems serviced with a new or modified source of domestic water supply or new domestic water system components pursuant to Waterworks Standards (Title 22 California Code of Regulations (CCR) chapter 16 et. seq.). A public water system requires a new water supply permit if it includes the creation of a new public water system for changes to a water supply source, storage, or treatment and for the operation of new water system components- as specified in the Waterworks Standards.

It is the statutory responsibility of the Division of Drinking Water (DDW) to regulate public water systems, as defined below. If the above-noted project results in the formation of a public water system, an application must be submitted, and a permit must be obtained from DDW before water can be provided for human consumption. "Human consumption" means the use of water for drinking, bathing or showering, hand washing, oral hygiene, or cooking, including, but not limited to, preparing food and washing dishes." (California Health and Safety Code [HSC], section 116275(e).)

A public water system, as defined in HSC section 116527(h), is "a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year." A public water system requires a new water supply permit if it includes the creation of a new public water system. The Project's new water system may need to apply for a water supply permit from the San Francisco District.

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

Note, HSC section 116527(b), effective January 1, 2017, requires that any person submitting a permit application for a proposed new public water system must first submit a technical report at least six months before initiating construction of any drinking water-related improvements. The technical report must include an examination of the possibility of consolidation with an existing public water system or consolidation of multiple proposed public water systems.

The State Water Board, DDW, as a responsible agency under California Environmental Quality Act (CEQA), has the following comments on the County's Initial Study (IS)/MND:

- If this Project may regularly serve 25 or more people daily at least 60 days out of the year and relies on groundwater wells instead of connecting to the City's domestic water system, a new public water system would be created. Considering all uses (employees, customers, market, tasting rooms, dining hall, restaurant, hotel, etc.) please discuss the estimated number of people and number of days per year they would be served and the amount of water needed.
- The IS/MND (PDF page 12) states there are two City water mains that run adjacent to the Project site, but one of them cannot provide water to any additional users. The IS/MND also indicates the applicant is working with the City of Vallejo to provide water for fire suppression via an existing water line that is adjacent to the Project site." (PDF page 100). Consider the feasibility and environmental impacts of connecting to one of the adjacent City water lines rather than constructing new groundwater wells.
- Under HSC section 116527(b) DDW reviews the technical report for new public water systems to determine if a new public water system permit may be approved. After the applicant coordinates with DDW on this process, if it is determined that a new public water system will be created by the proposed Project:
  - Under Section 1.4 "Permits and Approvals Required from Other Agencies (Responsible, Trustee, and Agencies with Jurisdiction)", "Agencies that May Have Jurisdiction over the Project", please add "State Water Resources Control Board, Division of Drinking Water" for approval of a water supply permit.
  - Please discuss all major water system components (e.g., wells, treatment, pump station, piping, etc.) being proposed.
    - Please also consider the infrastructure impacts and operations in appropriate sections of the IS/MND.
    - In Section 2.10 Hydrology and Water Quality (a). please discuss well drilling discharge, well waste operational discharge, and any additional infrastructure discharges for the operation of the system (e.g., tanks, treatment, etc.) as required for the system preparation and operation.
    - Please also discuss how close the wells will be drilled to neighboring wells and if the proposed wells will have any impact on surrounding neighbor wells.

Once the MND is adopted, please forward the following items in support of the new water system's permit application to the State Water Board, DDW San Francisco District Office at [DWPDIST04@waterboards.ca.gov](mailto:DWPDIST04@waterboards.ca.gov):

- Copy of the draft and final MND with and Mitigation Monitoring and Reporting Plan (MMRP);
- Copy of any comment letters received and the lead agency responses as appropriate;
- Copy of the Resolution or Board Minutes adopting the MND and MMRP; and
- Copy of the date stamped Notice of Determination filed at the Solano County Clerk's Office and the Governor's Office of Planning and Research, State Clearinghouse.

Please contact Lori Schmitz of the State Water Board at (916) 449-5285 or [Lori.Schmitz@waterboards.ca.gov](mailto:Lori.Schmitz@waterboards.ca.gov), if you have any questions regarding this comment letter.

Sincerely,

Lori Schmitz  
 Digitally signed by Lori Schmitz  
Date: 2023.09.05 17:03:41 -07'00'

Lori Schmitz  
Environmental Scientist  
Division of Financial Assistance  
Special Project Review Unit  
1001 I Street, 16<sup>th</sup> floor  
Sacramento, CA 95814

Cc:

Office of Planning and Research, State Clearinghouse

Marco Pacheco  
District Engineer  
San Francisco District

Alla Lilichenko  
Water Resource Control Engineer  
San Francisco District

Yvonne Heaney  
Water Resource Control Engineer  
San Francisco District

RE: Solano Landing IS/MND - Suisun Valley Coalition for Sustainable Development (SVCS D) Comments - Application #: Z-22\_04 and U-22-03

Willberg, Eric J. <EJWilberg@SolanoCounty.com>

Tue 9/5/2023 4:33 PM

To: Ethan Hartsell <ehartsell@jmacivil.com>

Cc: Janet Roberts <jrmichelle@aol.com>; mpvangilst@gmail.com <mpvangilst@gmail.com>; Kathy Pease <kpease@masfirm.com>

Ethan,

Thank you for submitting comments on the CEQA document for the Solano Landing project.

Regards,

**Eric Wilberg**

Senior Planner

Solano County

Department of Resource Management

(707) 784-3167

[ejwilberg@solanocounty.com](mailto:ejwilberg@solanocounty.com)

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**From:** Ethan Hartsell <ehartsell@jmacivil.com>

**Sent:** Tuesday, September 5, 2023 3:44 PM

**To:** Willberg, Eric J. <ejwilberg@solanocounty.com>

**Cc:** Janet Roberts <jrmichelle@aol.com>; mpvangilst@gmail.com

**Subject:** Solano Landing IS/MND - Suisun Valley Coalition for Sustainable Development (SVCS D) Comments - Application #: Z-22\_04 and U-22-03

Hi Eric,

Please find the Suisun Valley Coalition for Sustainable Development's comments to the IS/MND drafted by the County for the Solano Landing project (Z-22-04, U-22-03).

In general, we are excited for the proposed development and are eager to see the establishment of the new restaurant and market facilities, especially since these will be open on Mondays (as described in the project documents), an underserved day for dining and hospitality in the Suisun Valley community.

Alas, we do have some questions that we feel have not been well addressed by the County's IS/MND and related studies, and we do feel that the County has undershot the mark specifically with regard to the traffic flows that will be impacted by the proposed development. We are hopeful that the County and Applicant will take our feedback in the genuine spirit of encouragement for the project's ultimate success, and perform additional analysis and, as appropriate, implement additional mitigations to address these issues.

Our comments are as follows:

1. **Amphitheater:** The site map and project description include mention of an amphitheater in the center of the development area. It is described that the amphitheater would only be used during daylight hours. The use of amplified sound is not specifically mentioned in this area. The project description should provide greater definition of the intended uses of this site feature and if amplified sound will be used in this area during the daylight hours when it will be active.
  2. **Site Maps:** The IS/MND includes an overall parcel map and site map of the development area. An overall parcel map showing the development area and vineyard and full landscaping plan should be provided for clarity. We have provided a humble example of such a map in the attached exhibit, showing key site features and locations that tie back to our comments. Please consider this exhibit part of our comment response to the County.
  3. **Landscaping Hedge:** We appreciate the Applicant's inclusion of 10.5 acres of planted vineyards. The project description mentions that a portion of the site will be retained as agricultural land. The full site map that we are requesting at Comment 2 should reflect the location of the ATC development, vineyard and general agricultural areas. For purposes of reducing glare and overall area-wide illumination from the extensive site lighting that is described, the County should evaluate and include perimeter tree landscaping, especially long the eastern edge of the parcel and around the adjacent homes along Rockville and to the south of Solano Landing parcel. An eastern planted tall hedge or tree strip along the eastern edge would preserve the night-darkness and overall rural feel of the area, especially for the Willotta residents across the barren field to the east of the project.
  4. **Queuing Lengths:** The Traffic Impact Analysis does not include an adequate queuing analysis and queuing is not addressed in Project Access write-up. A Simulation model is strongly recommended. Consultant has already prepared the intersection analysis using the Synchro software. The queuing tables in the appendix do not address or include the proposed project access off Suisun Valley Road and Rockville Road. Queuing at project driveways access must be considered. The County's preliminary finding of no significant impacts is not accurate given this study has not been completed.
- 4.1. Existing Condition:** Queue lengths are inadequate at Suisun Valley and Rockville Road for the following directions (**Traffic Impact Analysis, p. 262**):
- i. NBT queue length blocking Suisun Valley Ct and Power Mart driveway.
  - ii. NBR queue capacity inadequate.
  - iii. WBT queue length for right turn on Suisun Valley Road at capacity.
  - iv. EBT queue length blocking Rockville Bike and Power Mart driveways.

Queues  
1: Suisun Valley Rd & Rockville Rd

Existing PM  
07/11/2022

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBT	NBR	SBT
Lane Group Flow (vph)	21	138	37	153	182	44	293	300	297
v/c Ratio	0.19	0.56	0.13	0.56	0.33	0.09	0.70	0.39	0.56
Control Delay	53.2	51.2	0.9	48.4	31.4	4.7	45.5	9.7	36.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	53.2	51.2	0.9	48.4	31.4	4.7	45.5	9.7	36.8
Queue Length 50th (ft)	12	79	0	87	80	0	164	49	150
Queue Length 95th (ft)	42	159	0	172	175	16	286	113	296
Internal Link Dist (ft)		1454			543		254		1444
Turn Bay Length (ft)	110		110	240		150		75	
Base Capacity (vph)	283	895	807	850	1491	1279	885	1238	582
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.07	0.15	0.05	0.18	0.12	0.03	0.33	0.24	0.51

Intersection Summary

- EXISTING QUEUE LENGTH TO SUISUN VALLEY CT = 340 FT, CURRENTLY BLOCKING INTERSECTION  
EXISTING QUEUE LENGTH TO POWER MART = 110 FT, CURRENTLY BLOCKING DRIVEWAY
- EXISTING RIGHT TURN LANE QUEUE CAPACITY = 110 FT, CURRENTLY AT CAPACITY
- EXISTING QUEUE LENGTH CAPACITY = 170', CURRENTLY AT CAPACITY FOR BLOCKING RIGHT TURN ONTO SUISUN VALLEY ROAD NB
- EXISTING QUEUE LENGTH TO ROCKVILLE B&E DRIVEWAY = 140', CURRENTLY BLOCKING DRIVEWAY  
EXISTING QUEUE LENGTH TO POWER MART = 57', CURRENTLY BLOCKING DRIVEWAY

- 4.2. **Proposed Conditions:** Queue lengths are inadequate at Suisun Valley and Rockville Road for the following directions (p. 311):
- i. All existing conditions noted above are worsened by the proposed project. This is not acceptable and should be mitigated.
  - ii. SBT exceeds 95th percentile queue capacity blocking driveway access to Rancho Fino, Rockville Kitchen and the Church driveway, which is not acceptable.

Queues  
1: Suisun Valley Rd & Rockville Rd  
Cumulative plus Project PM  
07/11/2022

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBT	NBR	SBT
Lane Group Flow (vph)	23	163	41	155	185	47	335	325	370
v/c Ratio	0.22	0.62	0.14	0.59	0.36	0.10	0.75	0.42	0.70
Control Delay	58.5	56.0	1.0	53.8	35.6	5.7	49.5	11.5	44.6
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	58.5	56.0	1.0	53.8	35.6	5.7	49.5	11.5	44.6
Queue Length 50th (ft)	15	103	0	97	104	0	207	69	217
Queue Length 95th (ft)	47	197	0	187	189	19	339	139	458
Internal Link Dist (ft)		1454			543		254		1444
Turn Bay Length (ft)	110		110	240		150		75	
Base Capacity (vph)	257	814	741	773	1363	1175	804	1188	531
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.09	0.20	0.06	0.20	0.14	0.04	0.42	0.27	0.70

Intersection Summary  
# 95th percentile volume exceeds capacity, queue may be longer.  
Queue shown is maximum after two cycles.

- INADEQUATE: QUEUE LENGTH TO SUISUN VALLEY CT = 240 FT; BLOCKING INTERSECTION  
QUEUE LENGTH TO POWER MART = 110 FT; BLOCKING DRIVEWAY
- INADEQUATE: LEFT TURN LANE QUEUE CAPACITY = 110 FT; EXCEED QUEUE CAPACITY
- INADEQUATE: EXCEEDS 95TH QUEUE CAPACITY; BLOCKS ACCESS TO  
- RANCHO FINO  
- ROCKVILLE KITCHEN AND PARKING  
- CHURCH PARKING.
- INADEQUATE: QUEUE CAPACITY = 170; BLOCKING RIGHT TURN ONTO SUISUN VALLEY ROAD NB
- INADEQUATE: QUEUE LENGTH TO ROCKVILLE BIKE DRIVEWAY = 140; BLOCKING DRIVEWAY  
QUEUE LENGTH TO POWER MART DRIVEWAY = 50; BLOCKING DRIVEWAY

4.3. Left Turn Lanes:

a. According to AASHTO 2018, a left turn lane into the project is very clearly justified for both SB Suisun Valley Road and WB Rockville Road. The analysis from p.35 shows the justification, but this conclusion is not made by the Traffic Impact Analysis. The County and Applicant appear to be significantly undershooting the mark, especially given that this project proposes to take all available ATC zoning allowed for the Rockville Corner with this one project. If ATC development is to be solely entitled to Solano Landing, the County must seek appropriate, standards-based improvements to maintain or improve, not worsen, existing conditions. There is significant potential for left turning vehicles into the project area, without a turn lane, to back up into Suisun Valley Road and Rockville Road, and encourage aggressive behavior which may increase unsafe incidents. A left turn lane would also provide additional real estate for a driver to use in the event of an unexpected vehicular movement, limiting the potential for the bicycle lanes to be encroached by vehicles, potentially risking pedestrians.

4.4. Existing Unsafe Conditions: Unsafe and erratic vehicular movements and near-misses have been repeatedly observed at following locations, which will only be exacerbated by the project.

- a. 4154 Suisun Valley Road - Green Valley Florist/La Barista: Ill-defined driveway entrance and exit makes this corner very dangerous.
- b. 4155 Suisun Valley Road – Power Mart: High traffic volumes and impatient patrons using driveways off both Suisun Valley Road and Rockville make access to this business unsafe. Wait times to enter/exit this business are already untenable at peak hours.
- c. 2291 Rockville Road – Rancho Fino: Parking along both Rockville Road and Suisun Valley is very treacherous when pulling out. Parking situation is very unsafe in the existing condition.

The project mentions that a low number of accidents have been reported at the Suisun Valley Road-Rockville Road intersection, but mentions at least four (4) causes of recent accidents. This doesn't sound like a small number of accidents, and indeed, our anecdotal sense is that there have been a significant number of accidents at this intersection and along these roads in general, including multiple fatal accidents. Greater details of the accident history adjacent to the project should be provided in the IS/MND and potentially mitigated, is appropriate from a more thorough analysis.

5. Suisun Valley Court: Suisun Valley Court which runs between the existing Lindner Building and the proposed project site is described in the project documents as if it is a typical, functioning County road. As can be seen from Google Earth and the site photos taken yesterday (below) show, the road has essentially been used as site circulation and a parking area for the Lindner Building tenants for many years. It is not in good condition. Is it even noted on the County's roadway maintenance schedule – physically, it doesn't look to be. The IS/MND should refer to the mitigation measures that the County and or Applicant should be responsible for properly reestablishing this road. If reestablished, the right hand turn in from NBT on Suisun Valley Road could be properly established, channelizing the vehicles into the project and reducing queuing on Suisun Valley Road leading up to the Rockville intersection. Similarly, the disposition of this unimproved road along Rockville Road should be shown for how it will or won't be reestablished for use by the project. There is significant risk of confusing and uncontrolled driver movements between the intersection, project driveways, the Court and the Lindner Building parking areas that could pose safety and traffic risks without greater evaluation, area mapping and likely improvements.



6. **Signage:** The location, size and styling (including illumination) of proposed development signage is not described or shown in the IS/MND. These details should be evaluated and provided.

7. **Roundabout Alternative/ Parcel Acquisition:** The SVCS D would like to offer an alternative for analysis by the County. The adjacent Lindner Building parcel appears to be listed for sale. Given the severe, dangerous existing conditions and that the proposed Solano Landing development would max out the available ATC opportunity at the Rockville Corner, we propose that the County evaluate acquiring this property (4154 Suisun Valley Road) and evaluate a roundabout. This parcel would provide the necessary property to accommodate a roundabout, or to provide the necessary additional left and right turn lanes to provide appropriate access to the Solano Landing development. This would also eliminate the very erratic and unsafe parking and circulation conditions at this existing property.

We look forward to the County and Applicant carefully considering our comments and performing additional study of the noted concerns, especially the queuing impacts that are wholly inadequately described in the IS/MND and Traffic Impact Analysis. We are disappointed that the County appears to be looking to grant a significant and valuable entitlement (of all remaining available ATC zoning at Rockville Corners) to the Applicant without requiring the project to follow the best practices for left hand turn lanes and other queuing mitigating measures, and improvement to Suisun Valley Court to a proper state of maintenance, signage and repair. We are pleased to meet with the County and Applicant and be a resource for the additional evaluations needed and identification of appropriate mitigation measures to address our concerns.

Specifically, given the potential for significant development in the valley in the coming years, attracting many new visitors to the community, the County should seriously consider a Suisun Valley Road – Rockville Road roundabout, which would improve already overcapacity and dangerous conditions at this intersection, match Abernathy Road and Rockville Road to the east, and could provide an attractive place setting amenity/welcoming entry to the Suisun Valley experience.

Please contact us at any time with questions or to collaborate on these issues. We truly believe Solano Landing will be a wonderful member of our community, with these critical issues addressed more thoroughly and responsibly by the County and Applicant.

Thank you, and best regards,

Ethan Hartsell  
County Response Coordinator  
Suisun Valley Coalition for Sustainable Development

21 Willotta Drive  
Fairfield, CA 94534  
510.499.9238  
[ethan@ethanhartsell.com](mailto:ethan@ethanhartsell.com)

## ATTACHMENT G – Response to comments MND

### Solano Landing Project

#### U-22-02 and Z-22-01

#### RESPONSE TO COMMENTS ON THE MITIGATED NEGATIVE DECLARATION

This section includes the comments received during circulation of the Draft Mitigated Negative Declaration (MND) for the Solano Landing Project and responses to those comments. Corrections or additional text discussed in the responses to comments are also shown in the text of the Final MND in strikethrough (for deleted text) and underline (for added text) format. Additional minor clarifications and corrections to typographical errors not based on responses to comments may also be shown in strikeout/underline format in the Final MND.

None of these changes introduce significant new information or affect the conclusions of the MND. The MND was circulated for a 30-day public review period from August 4, 2023, through September 5, 2023. Comments were received from the following individuals, agencies and interest groups and as Attachment A to the response to comments:

1. Orderly Growth
2. Martin Ray
3. California Fish and Wildlife Department
4. State Water Resources Control Board
5. Suisun Valley Coalition for Sustainable Development

A copy of the letters are attached and following are responses to the comments.

#### 1. Response to Comments from Orderly Growth

**Comment OG1:** We have reviewed the draft Initial Study and Mitigated Negative Declaration for the proposed Solano Landing project (“draft MND”). We consider that it is deficient due to its lack of certain quantitative analyses and lack of visual renderings of individual project components. In particular, we consider that it fails to adequately analyze or plan for the cumulative impact of Solano Landing together with other similar projects within Suisun Valley.

In our referenced letter, we proactively alerted your Department of the need for such analysis and planning. We will focus this letter on elements that we highlighted in our referenced letter, but which nonetheless are inadequately addressed in the draft MND. Those elements are listed here in the order presented in the draft MND (page numbers are those within the draft MND). Regrettably, that means that cumulative impacts are presented last; but cumulative impacts remain first and foremost in our concerns.

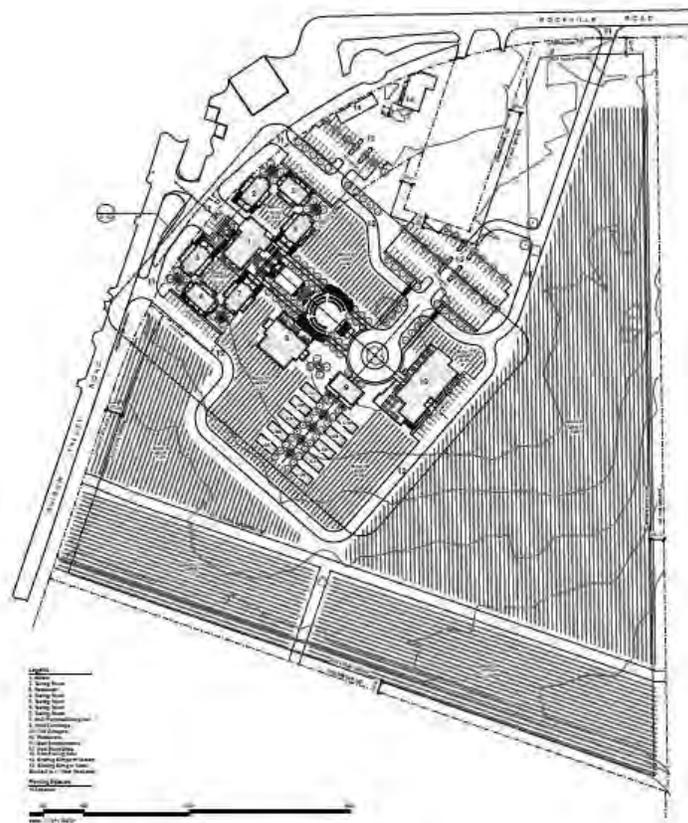
**Response to Comment OG1:** The Mitigated Negative Declaration did take cumulative conditions into consideration and included the project plus approved and reasonably foreseeable future projects in the analysis. The Project is consistent with the General

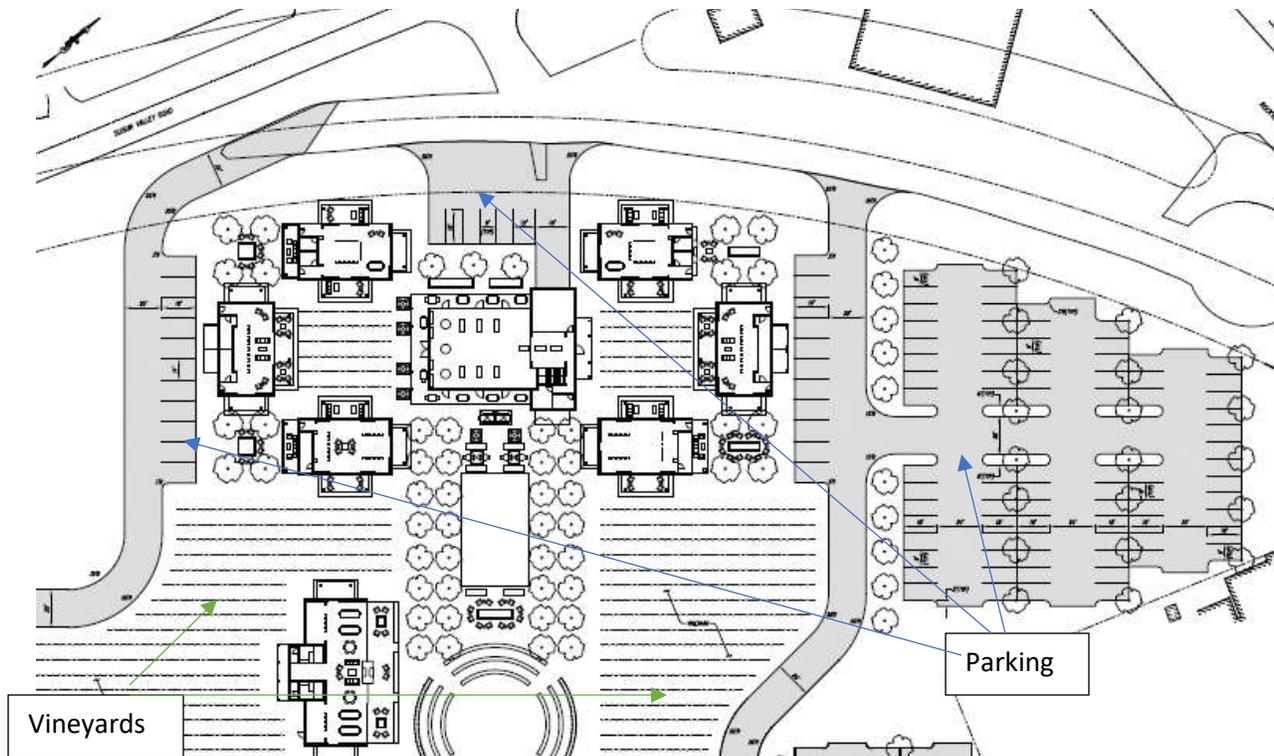
Plan and the Suisun Valley Strategic Plan which identifies agricultural supporting uses and economic development as priorities.

**Comment OG2:** Project Description (pp. 9-13)

• Project Description fails to provide any visual renderings of individual project components. Further, Figure 3 (p. 10) does not include the project border along Rockville Road. Both deficiencies make it impossible for the public, or Commissioners, to assess aesthetic impacts. Instead, staff merely tell readers that a future Design Review process will prevent all problems (p. 19).

**Response OG2:** Figure 3 in the MND shows the site improvements. Figure 2 included in the MND shows the site relative to Rockville Road. Enough information is included in the MND to analyze impacts. For information, the following two figures show the site layout relative to Rockville Road. This information does not change the environmental analysis.





**Comment OG3:** Figure 3 (p. 10) shows an Amphitheatre, but this structure is not described.

**Response to Comment OG3:** Page 11 of the Project description has been revised to include a description of the amphitheater. The Project will be required to maintain 65 dB at the property line and Conditions of Approval require that noise be monitored. Therefore, there will be no significant impacts from the amphitheater use.

**Comment OG4:** How many acres of planted vineyard? Pages 9 and 11 both say 10.5 acres but page 22 says “approximately 14.92 acres”. Would be helpful to identify vineyard areas in the legend of Figure 3 (p. 10). In the current version of Figure 3, difficult to distinguish from parking.

**Response OG4:** Approximately 10.5 acres of the site will be planted with vineyards, while 14.92 acres will be zoned agricultural with the project. As shown in the following table, agricultural uses will make up 43 percent of the parcel.

Proposed Land Use	Acres	Approximate Percentage of total uses
Hotel / Resort	9.1 acres	42%
Agricultural Production (Vineyards)	10.5 acres	43%
Landscaping parking* and open areas, and existing Ice House & Fruit Stand	4.82 acres	15%
<b>Total</b>	<b>24.42 acres</b>	<b>100%</b>

\*Parking areas are shown in the shaded areas in the graphic above.

**Comment OG 5:** How many square feet of impermeable parking and driveways? Much later in the draft MND, the Hydrology section presents the total area of new impervious surface: 3.95 acres (p. 69). We consider that in this *and future* planning documents, it would be appropriate to include parking and driveway areas “up front”, within the Project Description. Otherwise, summaries of square footages for buildings alone, such as Table A (p. 9), risk giving readers a false impression of a smaller project footprint.

**Response to Comment OG5:** Page 9 of the MND in the project description has been amended to also include the impervious services total. However, this information was included in the MND and therefore, the MND is adequate.

**Comment OG6:** Land use to the north should be corrected to “production agriculture”. Instead, the draft MND incorrectly summarizes land use to the north of the project site as, “Existing single-family residences and commercial uses” (p. 12).

**Response to Comment OG6:** The MND does not incorrectly summarize the land uses. Immediately north of the site includes commercial uses on a separate parcel (not a part of the Project). A single-family residence is also immediately north of the Project site as well. Page 12 of the MND has been amended to indicate that across the street, north of Rockville Road, includes agricultural uses.

**Comment OG7:** Aesthetics (pp. 16-19) Draft MND fails to provide any visual renderings of individual project components. As previously discussed, this makes it impossible for the public, or Commissioners, to assess aesthetic impacts. Furthermore, the project description states that the boutique hotel would consist of 10 prefabricated, stand-alone, 480-square-foot cottages for a total of 4,800 square feet of hotel development. The Draft MND needs to provide specific examples of the prefabricated cottages and how these will meet the County’s design guidelines.

**Response to Comment OG7:** Copies of the proposed architectural renderings can be obtained from the Resource Management Department during normal business hours. Architecture is not an identified environmental impact in the CEQA Guidelines. The project will be required to be consistent with the Suisun Valley Strategic Plan Design Guidelines. Aesthetic impacts are identified through the CEQA Guidelines and Public Resources Code Section 21099 which identifies impacts to designated scenic vistas (the project site is not located in a designated scenic vista area), would not impact a state scenic highway, and would not substantially change the visual character of the area. The Hotel / Resort use is supportive of agriculture and a portion of the site will remain in agriculture with the project. As noted, approximately 42 percent of the site will support the Hotel / Resort use and 43 percent of the site will be in agricultural production (vineyards) for a total of 85 percent of the site in agriculture or agriculture supporting uses.

**Comment OG8:** Description of environmental setting (p. 16) downplays the view to the north. The de-scription states, “views to the north, east, and south are relatively flat

agricultural landscapes.” In reality, the view northwards include oak-covered ridgelines (photo below). Potential obstruction of this view needs to be assessed. This includes extending Figure 3 (p. 10) northward to the project border along Rockville Road.

**Response to Comment OG 8:** The proposed buildings on the site meet the height requirements for the AS-V 20 zoning district, less than 35-feet in height and will be one-story. Therefore, they will not block views to the surrounding area or hills.

**Comment OG9:** Draft MND lacks any analysis of cumulative aesthetic impact. Instead, it falsely assumes that if new buildings match existing buildings, all is well:

“Since the proposed project would be consistent with existing development in the project vicinity ... the proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings” (p.18)

This narrow vision of planning is a recipe for step-by-step degradation of the scenic winescape experience, one project at a time. True planning should preserve the overall winescape experience as the economic engine for Suisun Valley.

**Response to Comment OG9:** The project is consistent with the Suisun Valley Strategic Plan and therefore, the project would not contribute to a significant cumulative aesthetic impact. Most of the site will include vineyards which is consistent with the agricultural character of the area. As noted, approximately 42 percent of the site will support the Hotel / Resort use and 43 percent of the site will be in agricultural production (vineyards) for a total of 85 percent of the site in agriculture or agriculture supporting uses.

**Comment OG10:** Planting vineyards should be codified as a Mitigation Measure. We commend the project applicants for their stated intention to plant vineyards. As previously discussed, the area and location of vineyards need to be quantified (pp. 9, 11, 22, and Figure 3). We agree with the draft MND that inclusion of vineyards is essential to, “support agricultural use and ensure that ... the project site would remain in agricultural production” (p. 22). Given their essential role, we request that planting and maintaining vineyards be added as a Mitigation Measure.

**Response to Comment OG10:** Comment noted. At the time the Mitigated Negative Declaration circulated for public comment, the applicants were preparing the site to plant the vineyards. The Conditions of Approval (No. 1 ) requires that vineyards/agricultural use be maintained as part of the project.

**Comment OG11:** Figure 4 “Important Farmland Map” is missing from online version. At least in the online version, page 21 is blank. Nonetheless, we agree with the draft MND that, as of 2018, the California Department of Conservation (CDOC) mapped most of the project site within its category “Other Land” (p. 20). CDOC might have classified the eastern portion of the project site as “Grazing Land”, one of its categories of agricultural land. Difficult to tell, because even the high-resolution version of CDOC’s map lacks parcel boundaries.

**Response to Comment OG11:** Staff checked the online version on the Solano County website: [Microsoft Word - SolanoLanding\\_PublicReviewDraftIS.docx \(solanocounty.com\)](#) of the Mitigated Negative Declaration on September 13, 2023 and Figure 4, Important Farmland Map was included and readable on Page 15 of the MND. However, there is a typo in the MND and it was also listed on page 21 and that page is blank. The MND will be amended to delete the blank page. In addition, the County's maps show the entire site as "Other Land". The Project does not convert Prime Farmland, is not under Williamson Act and the MND finds no impact to agricultural resources.

**Comment OG12:** Cultural Resources (pp. 42-49)

This section acknowledges that there are 2 historic structures, the Ice House and the Fruit Stand. The project description says:

*The existing Ice House and Fruit Stand buildings within the northernmost point of the project site immediately south of Rockville Road would be retained.*

Apparently, the Boutique Market will be housed in the Ice House. There is, however, no description as to how these two structures will be preserved, to what standards they will be preserved, etc.

The impact analysis simply says: *both these buildings would be retained and would not be directly affected by the proposed project.*

The Draft MND needs to provide a discussion as to how these structures will be rehabilitated and provide evidence that these two structures will meet federal standards for the protection of historic structures.

At a minimum there needs to be a Mitigation Measure that states that both the Ice House and the Fruit Stand will be preserved and protected to the National Park Service's Secretary of the Interior's Standards for the Treatment of Historic Properties

**Response to Comment OG12:** The Mitigated Negative Declaration has been amended on page 43 to correct that the property containing the Ice House and Fruit Stand building are not a part of the project and will not be impacted by the project, and therefore, no mitigation is required. The Boutique Market will not be housed in the Ice House. The Ice House and fruit stand although owned by the project applicant, is not a part of the project and will remain with the Project.

**Comment OG 13;** Hazards and hazardous materials (pp. 63-66)

- Draft MND lacks quantitative analysis of exposure to agricultural hazards. We support agriculture and the right to farm. Nonetheless, we recognize that routine practices in production agriculture can generate noise, odor, dust, and drift of pesticides. The draft MND fails to present any quantitative analysis of exposure of Solano Landing customers from existing production fields north of the project site, or from proposed plantings of vineyards within the project site (pp. 9, 11, 22). Without such analyses, it is impossible

for the public or Commissioners to determine if routine setbacks (p. 18) would be sufficient, or whether additional Mitigation Measures are needed.

**Response to Comment OG13:** The Project is zoned for agricultural use and there is nothing unusual in the proposal relating to vineyards on the site. The site is zoned agricultural and the Project is consistent with the County's Right to Farm Ordinance (Chapter 2.2 Agricultural Lands and Operations of County Code), which is mainly intended to provide notice to residential uses. The proposed Hotel / Resort would not expose visitors to long term agricultural nuisances. For all applications, the Applicant will only use a vineyard sprayer who is licensed through the California Department of Pesticide Regulation as well as registered with the County of Solano's Agricultural Commissioner. All spraying will utilize best management practices to ensure the safety of all guests and residences in the surrounding areas. Environmental variables such as wind, time of day and season will be taken into consideration before any such spraying applications take place. The Project will use best management practices and the following will be included in the conditions of approval (No. 16):

- Treat only the specific areas needing treatment and use pesticides only when necessary.
- Use technology and equipment that reduces pesticide drift when feasible and do not apply when conditions favor drift (e.g., when wind speeds are greater than or equal to 10 mph).
- Where possible, leave a border of untreated vegetation between treated areas and areas where wildlife may be present.
- Review the various pesticide labels for hazards to wildlife; users should select a product that is efficacious and follow all precautions specified on labels.
- Do not spray if heavy rain is expected within 48 hours as the pesticide may wash away from the area of application and into water bodies.
- Read the label carefully and use the lowest effective rate and lowest number of effective applications.
- Where feasible, refrain from tank mixing or co-applying pesticides with the same mode of action.

**Comment OG14:** Hydrology and water quality (pp. 67-71)

• Draft MND lacks quantitative analysis of impact of proposed wells for potable water. Our referenced letter noted:

"The CEQA analysis should carefully study the flow rate and quality of water from wells on the project site. The analysis should also determine whether future use of ground water by Solano Landing would reduce water availability for nearby properties that currently obtain potable water from wells."

**Response to Comment OG14:** The project will be required to secure a permit from the state to operate a public water system (Condition of Approval No.30). The permit

process will ensure that there are no impacts to groundwater or sustainability of the groundwater system as part of the project.

**Comment OG15:** The project description explains that:

“Potable water for the proposed project would be provided by 2 to 3 new wells to be constructed on the project site. In addition, the project applicant is working with the City of Vallejo to provide water for the fire suppression system. SID would continue to provide water for irrigation of proposed vineyards and project landscaping.” (p. 12, and echoed on pp. 100-101)

However, no data are presented on flow rate of test wells on the project site, or total water-supply capacity of the underlying aquifer. Instead, the draft MND merely states: “The proposed project would be served by 2 to 3 on-site wells for domestic drinking water; however, it is not expected to require a substantial increase in ground-water utilization. The project applicant would be required to obtain a permit for construction of these wells from the Solano County Department of Environmental Management, Environmental Health Division. Compliance with this regulatory permitting process would ensure that impacts associated with the extraction of groundwater for potable water supply would be less than significant.” [bold font added for emphasis] (p. 70)

Our understanding is that the well-construction permitting process does not assess impact on surrounding properties. Therefore, we consider the preceding quote to be nothing more than wishful thinking. We request that a quantitative analysis of impacts from proposed new wells be completed before approval of this project. In addition, Solano County should re-quire applicants to have a finalized agreement with City of Vallejo regarding water supply for the fire suppression system, not merely to be “working with the City of Vallejo” (p. 12).

**Response to Comment OG15:** As part of the public water system process, analysis will be required. Fire flow water will also be supplied as part of that system. Condition No. 30 requires a public water system permit from the state or connection to municipal water sources be secured prior to issuance of a building permit or any construction taking place onsite.

**Comment OG 16:** For runoff and drainage, “Small MS4 Permit” requirements may need to be adjusted for cumulative impacts. The environmental analysis for Solano Landing should begin to establish Suisun Valley-wide measures to prevent significant cumulative impacts to runoff and flooding. Those measures should be applied not only to Solano Landing, but to all future projects. We call on planners to use this opportunity to evaluate whether the single project focus of the Small MS4 Permit (p. 69) adequately addresses the potentially synergistic impacts of multiple, similar projects.

**Response to Comment OG16:** As part of the project an onsite stormwater detention basin will be constructed to ensure that the site does not increase stormwater flows as a result of the development. Consistent with Solano County policy, the project will be required to maintain pre- and post-runoff volumes (i.e., no net increase in flows offsite)

therefore, there would be no impacts as a result of the project or add to the cumulative condition. The MND has been amended on page

**Comment OG17:** Land use and planning (pp. 72-74)

• Draft MND should explicitly state the impact of rezoning on overall land-use planning for Suisun Valley. We do not oppose the proposal to rezone 7.4 acres of the project site from ASV-20 to Agricultural Tourist Center (ATC) (pp. 14, 22, 73-74). We simply want to clarify the impact of that rezoning on plans for the larger Suisun Valley Agricultural Area.

The draft MND explains:

“The Suisun Valley Strategic Plan designates 10.5 acres within the Rockville Corner area for ATC, of which 2.5 acres has been designated on the project site. As part of project approvals, the project applicant is requesting a rezone of 7.4 acres of the project site [from ASV-20] to ATC, to accommodate the proposed development of 9.1 acres.” (quote from p. 14; current ASV-20 zoning on p. 22)

The total ATC area within the Suisun Valley Strategic Plan is 75 acres. Those 75 acres comprises 10.5 acres within the Rockville Corner area, 46.0 acres within other named ATC areas, and 18.5 acres designated as “Future Reserve”<sup>iii</sup>. Therefore, it is our understanding that re-zoning 7.4 acres of the project site would have two results:

1) Increase the total size of Rockville Corner ATC to 17.9 acres

(10.5 acres now + 7.4 new acres = 17.9 acres in Rockville Corners ATC); and

2) Reduce the size of the “Future Reserve” ATC acreage to 11.1 acres

(18.5 acres now - 7.4 new acres in Rockville Corners = 11.1 acres remaining in Future Reserve ATC).

We request that this be explicitly confirmed within the final environmental analysis. In addition, we recommend adding two figures, similar to Figure 3 (p. 10), to illustrate the borders of current and proposed new zoning.

**Response to Comment OG17:** The proposed 24.24-acre rezoning would result in 9.5 acres ATC and 14.74 acres of AS-V agricultural zoning, a requested increase of seven acres of ATC. If approved by the Board of Supervisors, the remaining ATC reserve in the Suisun Valley Strategic Plan ATC zoning would be 11.5 acres.

**Comment OG18:** A threshold for “local” produce should be added as a Mitigation Measure. The draft MND states, “The underlying goals of the Solano County General Plan, Land Use Element, are to provide residents and visitors with a destination for local wine production and local produce” (p. 73). We agree. Therefore, we commend the project applicants for their stated intention that the market “would sell locally grown products, wine, and beer produced in the Suisun Valley” (p.11); and that the six tasting rooms would “showcase local wines and brews” (p. 22). Because local agricultural commodities are essential for conformity with the Land Use Element, we request that the following two conditions be added as Mitigation Measures:

(1) At least 25% of wines offered in Solano Landing tasting rooms, market, and restaurant will be produced within the Suisun Valley.

(2) Solano Landing may not convert any of the six tasting rooms into retail sales of non-agricultural goods in the future.

**Response to Comment OG18:** Comment noted. This is a comment on the project and not on the environmental analysis. No significant land use impact has been identified that would require mitigation.

**Comment OG19:** The draft MND should abbreviate “Agricultural Tourist Center - Neighborhood Commercial” zoning as “ATC-NC” rather than as “CN”. Though this is not a substantive issue, we found the use of the abbreviation “CN” to be unnecessarily confusing (pp. 6, 12, 14, 74) especially given that the draft MND switches to the abbreviation “ATC-NC” elsewhere (pp. 13, 22, 72). It would be clearer for this *and future* planning documents to follow the Solano County Code and consistently use the abbreviation “ATC-NC” throughout.

**Response to Comment OG19:** There is quarter acre portion of existing Neighborhood Commercial CN on the site that would be rezoned as part of the project:



**Comment OG20:** Public Services (86-87)

The fire protection section states that the project site is served by the Cordelia Fire District. This section appears to be out of date and needs to be updated. It is our understanding that the City of Fairfield is now providing all fire, medical, and incident response services within the Cordelia district.

The impact section simply states that because the project would comply with applicable Cordelia Fire District rules and regulations the impact would be less than significant. This is inadequate. There is no evidence that anybody from either the Cordelia Fire

District or the City of Fairfield was contacted as to potential impact. It seems that when a vacant parcel is developed with a hotel, wine tasting rooms, etc. there are going to be some impact on the existing fire department. Please expand the impact section and provide necessary mitigation measures.

**Response to Comment OG20:** Thank you for bringing this to our attention. Page 14 of the MND has been amended to identify that Fairfield Fire District may provide services to the area. This is according to Cordelia Fire District's website: "Due to staffing and funding issues, Cordelia Fire Protection District (CFPD) has entered into an interim contract with the Fairfield Fire Department to provide fire and EMT service in our area and respond to Cordelia District emergency calls. The District is working on negotiating a long-term contract with Fairfield Fire to continue providing this service"

At the time the application was submitted, Solano County provided project notification to Cordelia Fire regarding the project. Solano County staff routed the original application materials to Cordelia Fire September 21, 2022. Cordelia Fire provided comments on October 5, 2022. These comments are included as Conditions of Approval (Nos: 46 through 50) As a result of this comment Solano County also reached out to the Fairfield Fire District and provided a copy of the proposed project plans on September 13, 2023.

**Comment OG21:** Solano County Orderly Growth Committee has long advocated for long-range Suisun Valley-wide planning. The environmental analysis for Solano Landing provides an opportunity to begin. Solano County Planning needs to seize the opportunity!

This letter has already discussed opportunities to analyze and address cumulative impacts to aesthetics, agriculture resources, and hydrology. Therefore, we will limit our comments here to the cumulative impacts of multiple similar projects on traffic. It will always be inappropriate to analyze traffic from a single resort or event center. When multiple events are held simultaneously at multiple facilities, traffic inevitably is cumulative. Thus, traffic requires cumulative planning and management.

- The good news: the draft MND includes two promising initiatives to address cumulative traffic impacts. Both appear on page 11:
  - 1) A limit on the number of events per year (24), and the number of participants per event (150); and
  - 2) Establishment of a shuttle service that the project applicant would be providing from the project site to designated spots within Suisun Valley.

We commend the project applicants for stepping up and making these commitments. To document these two commitments for future parties, we recommend codifying them as formal Mitigation Measures. *And we recommend doing so not only for Solano Landing, but for all future Suisun Valley projects.*

- The bad news: the Transportation section (pp. 89-95) fails to include any discussion of Cumulative Impacts, essentially ignoring its own Transportation Appendix F. In Appendix F, the transportation modeling considered buildout under year 2040

cumulative conditions of the County General Plan (pp. F22-F23). However, it is not clear if the modeling considered the relevant portions of Fairfield near Suisun Valley Road and Business Center Drive, where high-density housing is being built on land previously zoned commercial/industrial. Fairfield's recently-approved Housing Element identifies three sites for high-density apartments to be built along Suisun Valley Road within the next 8 years. These will be within 1/2 mile from Solano Landing and will utilize the same roadway network as Solano Landing customers and staff.

In addition, Appendix F reports:

"It is also acknowledged that the I-80/I-680/SR12 interchange is currently being constructed with Caltrans the lead agency.....The project also includes improving access to and from local roadways in Fairfield. Funding for the entire project is not confirmed. The STA model does not appear to include the proposed improvements." (p. F22)

What is the County's likely cost share for those interchange improvements, and what development fees should be allocated to Suisun Valley projects such as Solano Landing?

In summary, Solano County Planning needs to revise the cumulative condition analysis for Solano Landing (pp. 104-105). A conclusion of "less than significant" is reasonable only if the County and City of Fairfield commit to collaborative planning of transportation improvements and begin charging a corresponding development fee for projects contributing to transportation impacts along Suisun Valley Road. We urge exactly that combination of planning and development fees, both for Solano Landing and for all future Suisun Valley projects.

**Response to Comment OG 21:** The traffic analysis adequately considered reasonably foreseeable and pending projects in the cumulative analysis. The Traffic study took into account the future development of Suisun Valley Rd as well as Business Center Drive. The traffic analysis included a cumulative traffic analysis which adequately addressed cumulative traffic impacts of the surrounding areas. In this analysis a vehicle mile traveled (VMT) traffic analysis was also prepared. The Applicant will be directing all outgoing traffic down Rockville Rd to the Abernathy on ramp for visitors to enter on HWY 80 at that on ramp. Both the Abernathy on ramp as well as Suisun Valley Parkway are underutilized on ramps and roads and can accommodate the traffic associated with this project.

According to the Public Works division the comment relating to interchange improvements and funding is no longer valid as the interchange project has been fully funded, and phase 1 and 2 of the project have been already completed. Phase 3 will start later this year.

In addition, the Project will install electric car chargers and bike parking to help in reducing both traffic and emissions from visitors.

## 2. RESPONSE TO COMMENTS FROM MARTIN RAY

**Comment MR1:** Regarding the letter received on adopting a mitigated negative declaration for the property at 2316 Rockville Road Fairfield CA. As I understand, by adopting, this can cause negative environmental issues.

First of all I have to say that the area does not need this project at all. We need more ag land than we need restaurants, hotels and tasting rooms. Not to mention all the other obvious negative issues it will bring to the area.

**Response to Comment MR1:** Comment noted. This is a comment on the project and not on the adequacy of the MND.

**Comment MR2:** That being said, within two to three weeks after receiving your notice, I see a lot of activity on the property. So it appears the project is already approved and anyone's opinion really won't matter anyway.

**Response to Comment MR2:** The activity on the site is the planting of vineyards. Agricultural use on the site is allowed by right and therefore, not the subject of the current entitlement request (Use permit and rezoning petition) to allow the Hotel / Resort.

**Comment MR3:** But if it is going ahead, I would hope they change the plan and keep the historic Ice House building intact. If nothing else, move it to another location on the property and use it for maintenance garage or turn it into a gift shop or something.

**Response to Comment MR4:** Page 9 of the MND has been amended to clarify that the Ice House and Fruit and are not a part of this project. They will not be impacted by this project and will remain.

**Comment MR4:** I would hope that the design of new buildings would take on a thirties to forties retro look. Something that flows with the areas natural surroundings, something that is pleasing to the eye. Unlike the recently completed NOVA apartments.

**Response to Comment MR4:** The Project is within the Suisun Valley Strategic Plan and subject to the associated Design Guidelines.

### 3. Response to Comments from the California Fish and Wildlife Department

**Comment CDFW1:** CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Based on the Project's avoidance of significant impacts on biological resources with implementation of mitigation measures, including those CDFW recommends, CDFW concludes that an MND is appropriate for the Project.

**Response to Comment CDFW1:** Comment noted.

**Comment CDFW2:** Environmental Setting Related Impact Shortcoming

MANDATORY FINDING OF SIGNIFICANCE. Does the Project have potential to substantially reduce the number or restrict the range of an endangered, rare or threatened species?

Swainson's Hawk, Pages 33 and 34

Issue: The Project would impact potential Swainson's hawk foraging habitat. Specific impacts, why they may occur and be potentially significant: The Project would result in the removal of potential foraging habitat for Swainson's hawk, CESA listed as threatened species; however, no compensatory habitat mitigation is proposed in the MND. The breeding population of Swainson's hawks in California has declined by an estimated 91 percent since 1900 and the species continues to be threatened by ongoing and cumulative loss of foraging habitat (CDFW 2016). The California Natural Diversity Database (CNDDDB) includes six occurrences of Swainson's hawk within five miles of the Project, with the nearest occurrence approximately 0.5 miles north northeast of the Project (CNDDDB 2023). Therefore, reduction of Swainson's hawk foraging habitat would be a potentially significant impact.

The Project site is within the draft Solano Multispecies Habitat Conservation Plan (HCP) Irrigated Agriculture Conservation Area, and according to the draft Solano HCP Mitigation Measure SH 1 for Swainson's hawk, Irrigated Agriculture Foraging habitat should be mitigated at a ratio of 1:1 (see Section 6.4.8 and Figure 4-21 of the draft Solano HCP at: <https://www.scwa.com/solano-multispecies-habitat-conservation-plan>).

Recommended Mitigation Measure: To reduce potential impacts to Swainson's hawk to less-than-significant, CDFW recommends including the below mitigation measure. Mitigation Measure Bio-14 (Swainson's Hawk Foraging Habitat Mitigation): Impacts to Swainson's hawk foraging habitat shall be quantified by a qualified biologist based on the final Project design plans, and the Project shall obtain written acceptance of the acreage of habitat impacts from CDFW. Consistent with the draft Solano HCP, prior to Project construction, the Project shall provide Swainson's hawk foraging habitat mitigation at a 1:1 ratio, which shall include: 1) permanent preservation of the species' foraging habitat through a conservation easement and implementing and funding a long-term management plan in perpetuity, or 2) purchase of Swainson's hawk foraging

habitat credits at a CDFW-approved mitigation bank in the County.

**Response to Comment CDFW1:** The Project is consistent with the Solano County General Plan and Suisun Valley Strategic Plan which supports agriculture related activities. The Solano County Habitat Conservation Plan (HCP) has not been adopted. The proposed pre-construction surveys are specifically recognized in CDFW's 1994 Staff Report regarding Mitigation for Impacts as being adequate because birds that choose to nest in urbanized settings are relatively tolerant and acclimated to noise and activities associated with human activities near their nests. A majority of the site will remain in active agriculture and therefore, impacts to Swainson's Hawk foraging habitat have been determined to be less than significant. Although not required, the Applicant has secured mitigation credits for Swainson's Hawk habitat through the Muzzy Ranch Mitigation Bank.

**Comment CDFW2:** II. Environmental Setting and Mitigation Measure Related Impact Shortcomings

Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or U.S. Fish and Wildlife Service (USFWS)?

Burrowing owl (*Athene cunicularia*), Pages 33 and 38

Issue: The Project would impact potential burrowing owl foraging habitat and may impact burrowing owls utilizing burrows on or within 500 meters (1,640 feet) of the Project site. CNDDDB includes two occurrences of burrowing owl within 5 miles of the Project, with the nearest occurrence approximately 3.2 miles south-southeast of the Project (CNDDDB 2023). According to the draft Solano HCP Mitigation Measure BO 1 for burrowing owl, burrowing owl habitat should be mitigated at a ratio of 1:1 (see Section 6.4.9 and Figure 4-21 of the draft HCP). In addition, the MND includes Mitigation Measure BIO-6 to avoid impacts to burrowing owl. Mitigation Measure BIO-6 specifies that surveys will be conducted in accordance with the Department of Fish and Game Staff Report on Burrowing Owl Mitigation (2012) methodology and measures outlined in the draft Solano HCP. CDFW appreciates that the Project will conduct burrowing owl surveys using the above methodology. However, it is unclear if breeding or wintering burrowing owl surveys would be conducted depending on the Project construction start date. The Project is within the year-round burrowing owl detections. Any detected burrowing owls shall be avoided pursuant to the buffer distances outlined in the Department of Fish and Game Staff Report on Burrowing Owl Mitigation (2012), which may be up to 500 meters (1,640 feet), and any detected owl shall be monitored by the qualified biologist to ensure it is not disturbed during construction activities, unless otherwise approved in writing by CDFW. Impacts to nesting burrowing owls shall be fully avoided.

Mitigation Measure Bio-15 (Burrowing Owl Foraging Habitat Mitigation): Impacts to burrowing owl foraging habitat shall be mitigated as described in Mitigation Measure

Bio-14 above.

Mitigation Measure Bio-16 (Burrowing Owl Burrow Mitigation): If the Project would impact an unoccupied nesting burrowing owl burrow or burrow surrogate (i.e., a burrow known to have been used in the past three years for nesting), or an occupied burrow (where a non-nesting owl would be evicted as described below), the following habitat mitigation shall be implemented prior to Project construction.

Impacts to each burrowing owl nesting site shall be mitigated by permanent preservation of two burrowing owl occupied nesting sites with appropriate foraging habitat within the County, unless otherwise approved by CDFW, through a conservation easement and implementing and funding a long-term management plan in perpetuity. The same requirements shall apply for impacts to non-nesting evicted owl sites except two burrowing owl occupied non-nesting (i.e., wintering) sites shall be preserved. The Project may implement alternative methods for preserving habitat with written acceptance from CDFW.

Please be advised that CDFW does not consider exclusion of burrowing owls (i.e., passive removal of an owl from its burrow or other shelter) as a “take” avoidance, minimization, or mitigation measure for the reasons outlined below. Therefore, to mitigate the impacts of potentially evicting burrowing owls to less-than-significant, Mitigation Measure Bio-6 outlined above should require habitat compensation with the acreage amount identified in any eviction plan. The long-term demographic consequences of exclusion techniques have not been thoroughly evaluated, and the survival rate of excluded owls is unknown. Burrowing owls are dependent on burrows at all times of the year for survival or reproduction, therefore eviction from nesting, roosting, overwintering, and satellite burrows or other sheltering features may lead to indirect impacts or “take” which is prohibited under Fish and Game Code section 3503.5. All possible avoidance and minimization measures should be considered before temporary or permanent exclusion and closure of burrows is implemented to avoid “take.”

**Response to comment CDFW 2:** The burrowing owl has not been identified on the Project site. Further, burrowing owls have not been listed under the federal or California Endangered Species Act (ESA). There is no recovery plan or habitat conservation plan that exists for burrowing owls in Solano County. The MND mitigation measures will achieve the goal of reducing potential burrowing owl impacts to less-than-significant by identifying, managing, as well as through passive relocation of owls onsite (the approach recommended in the 2012 CDFW staff report and adopted in many development projects in the years since). In addition, the site is consistent with the Suisun Valley Strategic Plan and a majority of the site will remain in agriculture. Therefore, impacts to Burrowing Owls would be less than significant.

**Comment CDFW 3:** Issue, specific impacts: The MND identifies that the Project may impact an ephemeral drainage and an irrigation ditch. These features may be

considered streams under Fish and Game Code section 1600 et seq. The MND does not provide certainty that impacts to these features would comply with Fish and Game Code section 1600 et seq. Mitigation Measure BIO-11 requires that the Project applicant obtain a permit from the Regional Water Quality Control Board (RWQCB) if streams would be impacted. However, the MND does not include a mitigation measure requiring LSA Notification and compliance with the LSA Agreement, if issued.

**Recommended Mitigation Measure:** If impacts to streams or riparian habitat may occur, to comply with Fish and Game Code section 1600 et seq., CDFW recommends replacing mitigation measure BIO-11 with the below measure.

**Mitigation Measure BIO-11 (Wetland Mitigation and Resource Agency Permits):** The Project shall be designed to minimize fill of jurisdictional waters. If impacts to any streams, such as potentially, the ephemeral roadside drainage or irrigation ditch, cannot be avoided then prior to ground disturbance the Project applicant shall submit an LSA notification to CDFW and comply with the LSA Agreement, if issued, and shall obtain a permit from the RWQCB pursuant to the Clean Water Act Section 401 water quality certification. Impacts to waters, wetlands, and riparian areas subject to the permitting authority of CDFW and RWQCB shall be mitigated by providing compensatory mitigation at a minimum 3:1 ratio in area for permanent impacts and 1:1 ratio for temporary impacts, unless otherwise approved in writing by CDFW or otherwise required by RWQCB. A Habitat Mitigation and Monitoring Plan shall be prepared and implemented for the proposed mitigation approach. This plan shall be subject to approval by CDFW and the RWQCB prior to any disturbance of waters of the State, stream, or riparian habitat.

An LSA Agreement for the Project, if issued, would likely require the above recommended mitigation measures, as applicable, and may require additional avoidance and minimization measures for wildlife and habitat.

**Response to Comment CDFW 3:** This measure has been included in the project as Conditions of Approval (No. 5).

**Comment CDFW 4: ENVIRONMENTAL DATA**

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the CNDDDB. The CNDDDB field survey form can be filled out and submitted online at the following link:

<https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link:  
<https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

**Response to Comment CDFWS 4:** Comment noted. Information regarding site surveys would be included as requested above.

**Comment CDFW 5: ENVIRONMENTAL DOCUMENT FILING FEES**

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying Project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

**CONCLUSION**

CDFW appreciates the opportunity to comment on the MND to assist the City in identifying and mitigating Project impacts on biological resources.

**Response to Comment CDFW 5:** Comment noted. The applicant will be required to pay relevant fees associated with the Notice of Determination.

#### 4. Response to Comments from the State Water Resources Control Board

**Comment SWRCB1:** Thank you for the opportunity to review the MND for the proposed Project. The State Water Resources Control Board, Division of Drinking Water (State Water Board, DDW) is responsible for issuing water supply permits pursuant to the Safe Drinking Water Act.

The Project is within the jurisdiction of the State Water Board, DDW's San Francisco District. DDW San Francisco District issues a domestic water supply permit to the public water systems serviced with a new or modified source of domestic water supply or new domestic water system components pursuant to Waterworks Standards (Title 22 California Code of Regulations (CCR) chapter 16 et. seq.). A public water system requires a new water supply permit if it includes the creation of a new public water system for changes to a water supply source, storage, or treatment and for the operation of new water system components- as specified in the Waterworks Standards.

It is the statutory responsibility of the Division of Drinking Water (DDW) to regulate public water systems, as defined below. If the above-noted project results in the formation of a public water system, an application must be submitted, and a permit must be obtained from DDW before water can be provided for human consumption. "Human consumption" means the use of water for drinking, bathing or showering, hand washing, oral hygiene, or cooking, including, but not limited to, preparing food and washing dishes." (California Health and Safety Code [HSC], section 116275(e).)

A public water system, as defined in HSC section 116527(h), is "a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year." A public water system requires a new water supply permit if it includes the creation of a new public water system. The Project's new water system may need to apply for a water supply permit from the San Francisco District.

Note, HSC section 116527(b), effective January 1, 2017, requires that any person submitting a permit application for a proposed new public water system must first submit a technical report at least six months before initiating construction of any drinking water related improvements. The technical report must include an examination of the possibility of consolidation with an existing public water system or consolidation of multiple proposed public water systems.

**Response to Comment SWRCB1:** The proposed project will be conditioned to prepare the required technical report and to secure a public water system permit from the state prior to applying for a building or grading permit (Condition No. 30)

**Comment SWRCB2:** The State Water Board, DDW, as a responsible agency under California Environmental Quality Act (CEQA), has the following comments on the County's Initial Study (IS)/MND:

If this Project may regularly serve 25 or more people daily at least 60 days out of the year and relies on groundwater wells instead of connecting to the City's domestic water system, a new public water system would be created. Considering all uses (employees, customers, market, tasting rooms, dining hall, restaurant, hotel, etc.) please discuss the estimated number of people and number of days per year they would be served and the amount of water needed.

**Response to Comment SWRCB2:** The estimated maximum number of people that would be on site at any one given time would be 350 people. This would only happen up to 24 times per year when an event is held at the event center (150-person event center capacity). More commonly there will be around 250 - 300 visitors per day. It is estimated that that the wells will produce 250 gpm for domestic use.

**Comment SWRCB3:** Under HSC section 116527(b) DDW reviews the technical report for new public water systems to determine if a new public water system permit may be approved. After the applicant coordinates with DDW on this process, if it is determined that a new public water system will be created by the proposed Project:

- Under Section 1.4 "Permits and Approvals Required from Other Agencies (Responsible, Trustee, and Agencies with Jurisdiction)", "Agencies that May Have Jurisdiction over the Project", please add "State Water Resources Control Board, Division of Drinking Water" for approval of a water supply permit.

**Response to Comment SWRCB3:** Page 14 of the MND has been revised to add the State Water Resources Control Board Division of Drinking Water for approval of a water supply permit.

**Comment SWRCB4:** Please discuss all major water system components (e.g., wells, treatment, pump station, piping, etc.) being proposed.

- Please also consider the infrastructure impacts and operations in appropriate sections of the IS/MND

**Response to Comment SWRCB4:** The proposed well casing size is 8" as a base size with a minimum of two wells on the property. All piping will be below ground and not visible. There will be a water treatment system put in place for each of the wells to purify the water for domestic use. Prior to any wells being constructed on the property the Applicant will apply through the State Water Resource Control Board for approval of the wells (Condition of Approval No. 30).

**Comment SWRCB5:** In Section 2.10 Hydrology and Water Quality (a). please discuss well drilling discharge, well waste operational discharge, and any additional infrastructure discharges for the operation of the system (e.g., tanks, treatment, etc.) as required for the system preparation and operation.

**Response to Comment SWRCB5:** The project will require a grading permit and well permit from the County which will ensure that there will be no impacts from tanks, treatment or water quality issues.

**Comment SWRCB6:** Please also discuss how close the wells will be drilled to neighboring wells and if the proposed wells will have any impact on surrounding neighbor wells.

**Response to Comment SWRCB6:** The County will work with the applicant to ensure that any proposed wells are constructed over 1,000 feet from any existing surrounding wells.

**Comment SWRCB7:** Once the MND is adopted, please forward the following items in support of the new water system's permit application to the State Water Board, DDW San Francisco District Office at [DWPDIST04@waterboards.ca.gov](mailto:DWPDIST04@waterboards.ca.gov):

- Copy of the draft and final MND with and Mitigation Monitoring and Reporting Plan (MMRP);
- Copy of any comment letters received and the lead agency responses as appropriate;
- Copy of the Resolution or Board Minutes adopting the MND and MMRP; and
- Copy of the date stamped Notice of Determination filed at the Solano County Clerk's Office and the Governor's Office of Planning and Research, State Clearinghouse

**Response to Comment SWRCB7:** This comment is noted. Solano County will provide the information requested.

## **5. Response to Comments from the Suisun Valley Coalition for Sustainable Development (SVCS D) Comments via Email from Ehan Hartsell dated September 5, 2023.**

**Comment SVCS D1:** Please find the Suisun Valley Coalition for Sustainable Development's comments to the IS/MND drafted by the County for the Solano Landing project (Z-22-04, U-22-03).

In general, we are excited for the proposed development and are eager to see the establishment of the new restaurant and market facilities, especially since these will be open on Mondays (as described in the project documents), an underserved day for dining and hospitality in the Suisun Valley community.

Alas, we do have some questions that we feel have not been well addressed by the County's IS/MND and related studies, and we do feel that the County has undershot the mark specifically with regard to the traffic flows that will be impacted by the proposed development. We are hopeful that the County and Applicant will take our feedback in the genuine spirit of encouragement for the project's ultimate success, and perform additional analysis and, as appropriate, implement additional mitigations to address these issues.

**Response to Comment SVCS D1:** Comment Noted. This comment provides an overview of the following comments and does not change the conclusion of the MND.

**Comment SVCS D2:** Amphitheater: The site map and project description include mention of an amphitheater in the center of the development area. It is described that the amphitheater would only be used during daylight hours. The use of amplified sound is not specifically mentioned in this area. The project description should provide greater definition of the intended uses of this site feature and if amplified sound will be used in this area during the daylight hours when it will be active.

**Response to Comment SVCS D2:** The MND has been amended to include a description of the amphitheater. The Project will be required to meet the County's code requirement of 65 db at the property line and includes ongoing monitoring (Condition of Approval No. 20).

**Comment SVCS D3: Site Maps:** The IS/MND includes an overall parcel map and site map of the development area. An overall parcel map showing the development area and vineyard and full landscaping plan should be provided for clarity. We have provided a humble example of such a map in the attached exhibit, showing key site features and locations that tie back to our comments. Please consider this exhibit part of our comment response to the County.

**Response to Comment SVCS D3:** The MND project description has been amended to include the site maps.

**Comment SVCSD4:** Landscaping Hedge: We appreciate the Applicant's inclusion of 10.5 acres of planted vineyards. The project description mentions that a portion of the site will be retained as agricultural land. The full site map that we are requesting at Comment 2 should reflect the location of the ATC development, vineyard and general agricultural areas. For purposes of reducing glare and overall area-wide illumination from the extensive site lighting that is described, the County should evaluate and include perimeter tree landscaping, especially long the eastern edge of the parcel and around the adjacent homes along Rockville and to the south of Solano Landing parcel. An eastern planted tall hedge or tree strip along the eastern edge would preserve the night-darkness and overall rural feel of the area, especially for the Willotta residents across the barren field to the east of the project.

**Response to Comment SVCSD4:** Landscaping is proposed, and the proposed project will be screened by vineyards. According to the applicant: Such plan has taken into consideration things such as ensuring that the rural feel of the county will be maintained. All lighting for the project will consider brightness and illumination levels so that it is not disruptive to the neighboring properties. We plan in keeping as many of the majestic mature Oak Trees on the property as possible. This will also help in maintaining the rural feel of the valley.

**Comment SVCSD5:** Queuing Lengths: The Traffic Impact Analysis does not include an adequate queuing analysis and queuing is not addressed in Project Access write-up. A Simulation model is strongly recommended. Consultant has already prepared the intersection analysis using the Synchro software. The queuing tables in the appendix do not address or include the proposed project access off Suisun Valley Road and Rockville Road. Queuing at project driveways access must be considered. The County's preliminary finding of no significant impacts is not accurate given this study has not been completed.

Existing Condition: Queue lengths are inadequate at Suisun Valley and Rockville Road for the following directions (Traffic Impact Analysis, p. 262):

- i. NBT queue length blocking Suisun Valley Ct and Power Mart driveway.
- ii. NBR queue capacity inadequate.
- iii. WBT queue length for right turn on Suisun Valley Road at capacity.
- iv. EBT queue length blocking Rockville Bike and Power Mart driveways.

**Response to Comment SVCSD5:** The Solano County Public Works division has reviewed the traffic study and determined that the queuing and site distances of the project are adequate. This issue of traffic patterns and specifically traffic queuing analysis have been analyzed and is thoroughly covered in the traffic study that was prepared. The traffic study contains in-depth analysis of traffic patterns not only at the

project site itself but extending to the various Highway 80 on and off ramps. The questioned traffic queuing information was analyzed and is detailed starting on Page 259 of the traffic report.

**Comment SVCSD7:** Proposed Conditions: Queue lengths are inadequate at Suisun Valley and Rockville Road for the following directions (p. 311):

All existing conditions noted above are worsened by the proposed project. This is not acceptable and should be mitigated.

SBT exceeds 95th percentile queue capacity blocking driveway access to Rancho Fino, Rockville Kitchen and the Church driveway, which is not acceptable.

**Response to Comment SVCSD7:** The Solano County Public Works division has reviewed the traffic study and determined that the queuing and site distances of the project are adequate. This issue of traffic patterns and specifically traffic queuing analysis have been analyzed and is thoroughly covered in the traffic study that was prepared by the applicants. The traffic study contains in-depth analysis of traffic patterns not only at the project site itself but extending to the various Highway 80 on and off ramps. The questioned traffic queuing information was analyzed and is detailed starting on Page 259 of the traffic report. The report does in fact contain analysis of the overall traffic as well as queuing for access off of both Suisun Valley Rd as well as Rockville Rd. The analysis in the study shows that the queuing is more than adequate for the traffic that is projected and there will be less than a significant impact on either Suisun Valley Road or Rockville Road as a result of the project. The traffic study did in fact utilize the AASHTO parameters and metrics in the analysis.

**Comment SVCSD8: 4.3. Left Turn Lanes:**

According to AASHTO 2018, a left turn lane into the project is very clearly justified for both SB Suisun Valley Road and WB Rockville Road. The analysis from p.35 shows the justification, but this conclusion is not made by the Traffic Impact Analysis. The County and Applicant appear to be significantly undershooting the mark, especially given that this project proposes to take all available ATC zoning allowed for the Rockville Corner with this one project. If ATC development is to be solely entitled to Solano Landing, the County must seek appropriate, standards-based improvements to maintain or improve, not worsen, existing conditions. There is significant potential for left turning vehicles into the project area, without a turn lane, to back up into Suisun Valley Road and Rockville Road, and encourage aggressive behavior which may increase unsafe incidents. A left turn lane would also provide additional real estate for a driver to use in the event of an unexpected vehicular movement, limiting the potential for the bicycle lanes to be encroached by vehicles, potentially risking pedestrians.

**Response to Comment SVCSD7:** the MND adequately analyzed traffic impacts. The traffic study did in fact utilize the AASHTO parameters and metrics in the analysis.

**Comment SVCSD8:** Existing Unsafe Conditions: Unsafe and erratic vehicular movements and near-misses have been repeatedly observed at following locations, which will only be exacerbated by the project.

4154 Suisun Valley Road - Green Valley Florist/La Barista: Ill-defined driveway entrance and exit makes this corner very dangerous.

4155 Suisun Valley Road – Power Mart: High traffic volumes and impatient patrons using driveways off both Suisun Valley Road and Rockville make access to this business unsafe. Wait times to enter/exit this business are already untenable at peak hours.

2291 Rockville Road – Rancho Fino: Parking along both Rockville Road and Suisun Valley is very treacherous when pulling out. Parking situation is very unsafe in the existing condition.

**Response to Comment SVCSD8:** The proposed project adequately took into consideration existing conditions in the analysis in the MND. The California Environmental Quality Act (CEQA) does not require that the project make improvements to other existing or approved projects that are offsite and not relevant or have a nexus to the project. The proposed project will not have a significant traffic impact, therefore, mitigation is not required, and the MND is adequate.

**Comment SVCSD9:** The project mentions that a low number of accidents have been reported at the Suisun Valley Road-Rockville Road intersection but mentions at least four (4) causes of recent accidents. This doesn't sound like a small number of accidents, and indeed, our anecdotal sense is that there have been a significant number of accidents at this intersection and along these roads in general, including multiple fatal accidents. Greater details of the accident history adjacent to the project should be provided in the IS/MND and potentially mitigated, is appropriate from a more thorough analysis.

**Response to Comment SVCSD9:** The traffic analysis adequately analyzed safety and traffic impacts. The Solano County Public Works Division has reviewed the project plans and determined that the design is consistent with County policies.

**Comment SVCSD10:** Suisun Valley Court: Suisun Valley Court which runs between the existing Lindner Building and the proposed project site is described in the project documents as if it is a typical, functioning County Road. As can be seen from Google Earth and the site photos taken yesterday (below) show, the road has essentially been used as site circulation and a parking area for the Lindner Building tenants for many years. It is not in good condition. Is it even noted on the County's roadway maintenance schedule – physically, it doesn't look to be. The IS/MND should refer to the mitigation measures that the County and or Applicant should be responsible for properly reestablishing this road. If reestablished, the right hand turn in from NBT on Suisun Valley Road could be properly established, channelizing the vehicles into the

project and reducing queuing on Suisun Valley Road leading up to the Rockville intersection. Similarly, the disposition of this unimproved road along Rockville Road should be shown for how it will or won't be reestablished for use by the project. There is significant risk of confusing and uncontrolled driver movements between the intersection, project driveways, the Court and the Lindner Building parking areas that could pose safety and traffic risks without greater evaluation, area mapping and likely improvements.

**Response to Comment SVCSD10:** This is existing right-of-way. Solano County has reviewed the project plans and determined it meets County standards. There will be no significant traffic impacts as a result of the project.

**Comment SVCSD11:** Signage: The location, size and styling (including illumination) of proposed development signage is not described or shown in the IS/MND. These details should be evaluated and provided.

**Response to SVCSD11: Sign Permit.** The County will require that the Applicant secure and abide by the conditions of an issued sign permit for all commercial signage onsite (Conditions of Approval No.13). Signage will not change the conclusions of the MND.

**Comment SVCSD12:** Roundabout Alternative/ Parcel Acquisition: The SVCSD would like to offer an alternative for analysis by the County. The adjacent Lindner Building parcel appears to be listed for sale. Given the severe, dangerous existing conditions and that the proposed Solano Landing development would max out the available ATC opportunity at the Rockville Corner, we propose that the County evaluate acquiring this property (4154 Suisun Valley Road) and evaluate a roundabout. This parcel would provide the necessary property to accommodate a roundabout, or to provide the necessary additional left and right turn lanes to provide appropriate access to the Solano Landing development. This would also eliminate the very erratic and unsafe parking and circulation conditions at this existing property.

**Response to Comment SVCSD12:** This comment is requesting a roundabout to help address area-wide traffic conditions, that is substantially out of proportion to any traffic impacts caused by this project and therefore, is not something the County can impose on this project as CEQA mitigation.

**Comment SVCSD13:** We look forward to the County and Applicant carefully considering our comments and performing additional study of the noted concerns, especially the queuing impacts that are wholly inadequately described in the IS/MND and Traffic Impact Analysis. We are disappointed that the County appears to be looking to grant a significant and valuable entitlement (of all remaining available ATC zoning at Rockville Corners) to the Applicant without requiring the project to follow the best practices for left hand turn lanes and other queuing mitigating measures, and improvement to Suisun Valley Court to a proper state of maintenance, signage and repair. We are pleased to meet with the County and Applicant and be a resource for the

additional evaluations needed and identification of appropriate mitigation measures to address our concerns.

Specifically, given the potential for significant development in the valley in the coming years, attracting many new visitors to the community, the County should seriously consider a Suisun Valley Road – Rockville Road roundabout, which would improve already overcapacity and dangerous conditions at this intersection, match Abernathy Road and Rockville Road to the east, and could provide an attractive place setting amenity/welcoming entry to the Suisun Valley experience.

Please contact us at any time with questions or to collaborate on these issues. We truly believe Solano Landing will be a wonderful member of our community, with these critical issues addressed more thoroughly and responsibly by the County and Applicant.

**Response to Comment SVCSD13:** The proposed project will not impact traffic, therefore, mitigation is not required. Refer to response to comment SVCSD12 regarding roundabouts. The amount of ATC zoning proposed by this project is not a CEQA issue. The commenter has not identified any “better” projects that the County should be saving its supply of ATC zoning for. General Plan Policy SS.P-10 says the County will “establish neighborhood agricultural centers that expand agri-tourism in the Valley.” The proposed rezoning is consistent with that policy. The Suisun Valley Strategic Plan recommends that the Board of Supervisors rezone property to ATC to accommodate a proposed project if the Board can make the following the following findings:

1. The proposed project site is contiguous with an existing ATC;
2. The proposed project would not cause the total planned acres of ATC within Suisun Valley to exceed 75 acres; and
3. The proposed project would contribute to the Vision of the Suisun Valley as an agricultural tourism destination.

The Project meets all three finding requirements, and the MND adequately analyzes land use impacts.

**Supplemental Revisions to the Solano Landing Project**  
**October 2023 to the**  
**Draft Negative Declaration dated July 2023**

Corrections or additional text discussed in the responses to comments are shown in the text below in strikethrough (for deleted text) and underline (for added text) format. Additional minor clarifications and corrections to typographical errors not based on responses to comments may also be shown in strikeout/underline format in the Final MND.

None of these changes introduce significant new information or affect the conclusions of the MND. The MND was circulated for a 30-day public review August 4, 2023, through September 5, 2023.

**Conclusion:** Refinements of the Project design will not alter the proposed uses, increase the number of visitors, or increase the square footage of the proposed addition to the existing buildings or increase the impervious area of the property analyzed in the MND issued by Solano County July 2023.

The following are revisions to the MND:

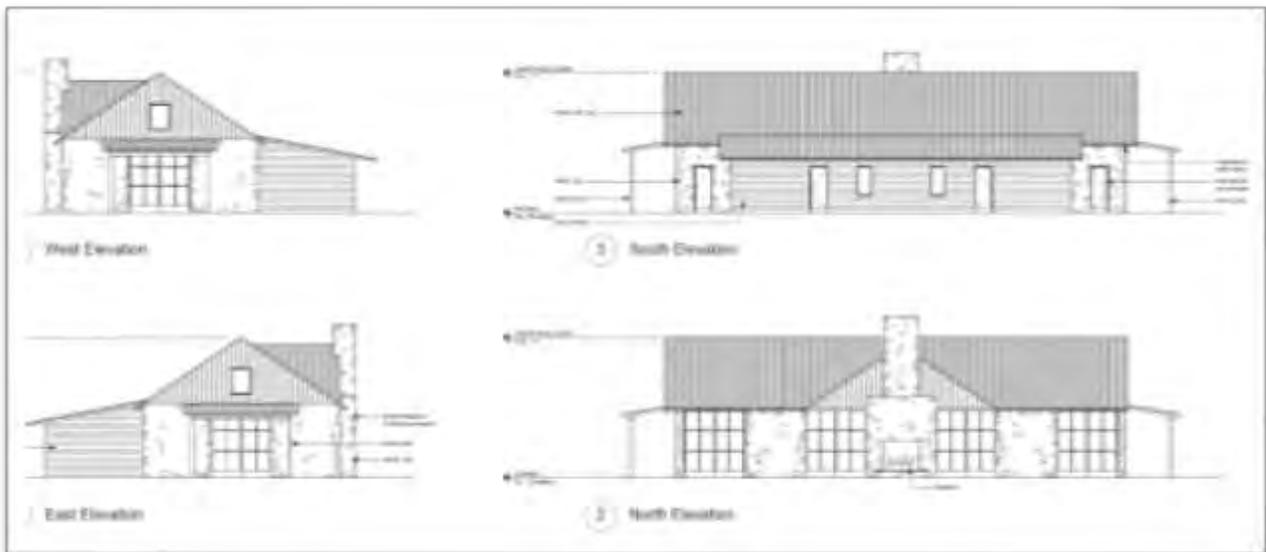
1. Page 9, last paragraph, revise as follows:

Proposed development would total 32,141 square feet, as shown in Table A.  
Impervious (developed surfaces) would total approximately 3.5 acres.

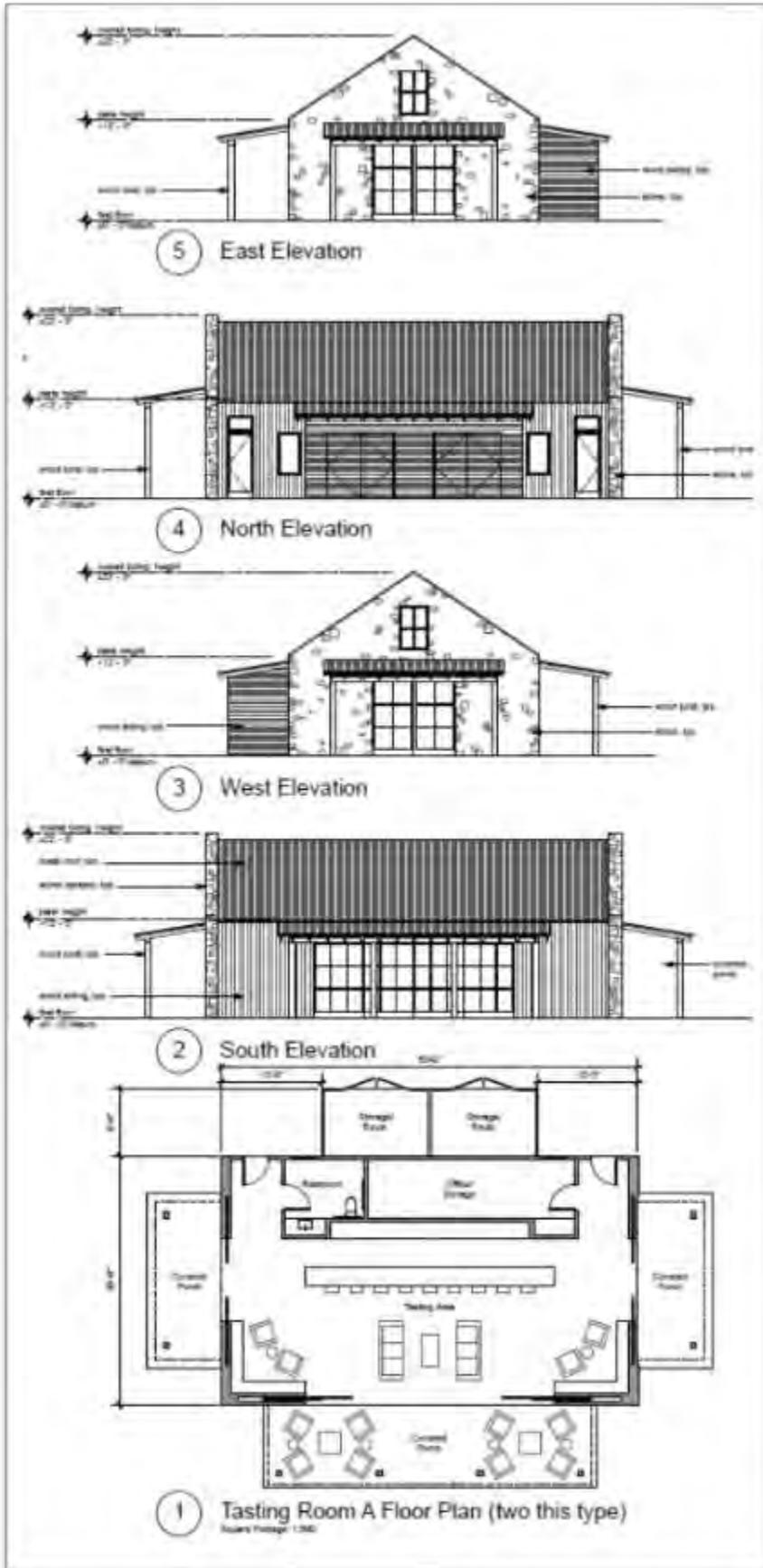
2. Following page 10, insert new page with the following graphics showing a conceptual view of the proposed Hotel / Resort and elevations of the Special Event Facility and Hotel Cottages:

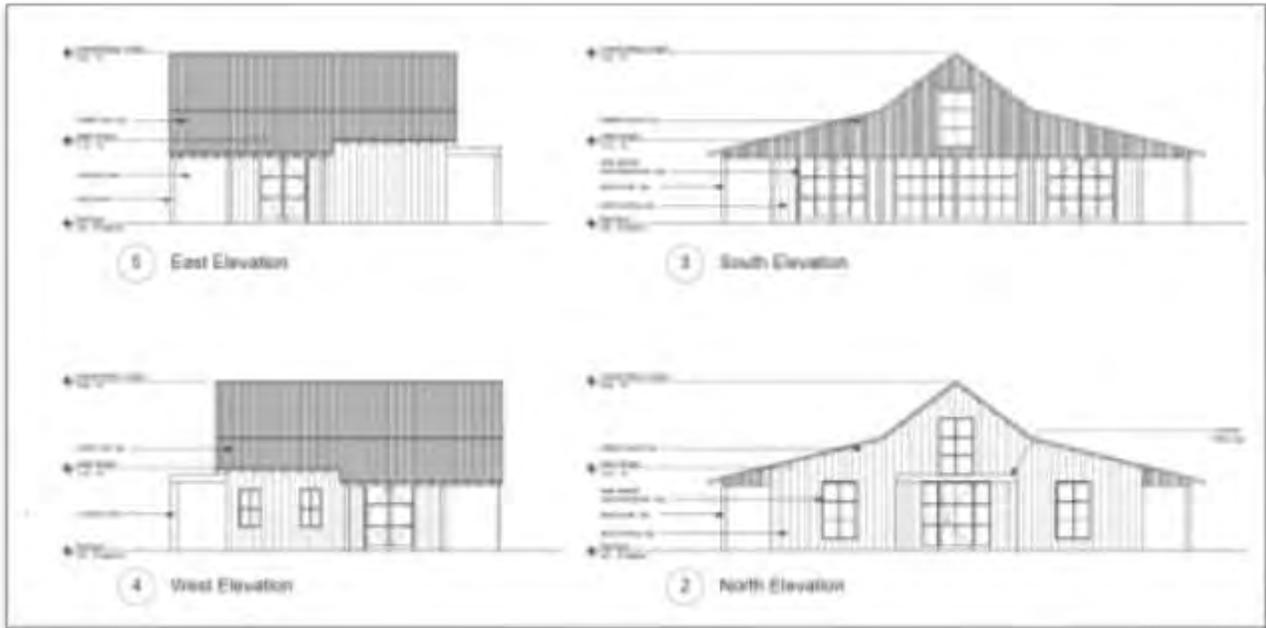


Conceptual elevations of Hotel / Resort Complex



Special Event Facility





3. Page 11 add the following discussion following the paragraph which includes the Boutique Hotel:

**Outdoor Amphitheatre:** The proposed outdoor area will be a grass area, made up of soft surfaced, natural contouring that allows for adequate space on three levels of seating. It will be used by guests of the property to sit outdoors for picnicking, or special events. Outdoor music may occur, but it will be required to meet the County's noise standards of 65 db (decibels) at the property line.

4. Page 12, second paragraph revise as follows:

Potable water for the proposed project would be provided by 2 to 3 new wells to be constructed on the project site. In addition, the project applicant is working with the City of Vallejo to provide water for the fire suppression system. SID would continue to provide water for irrigation of the proposed vineyards and

project landscaping. The groundwater wells would be considered a public water system and therefore, require a public water system permit from the state of California. It should be noted that both the City of Vallejo and the City of Fairfield have water lines in the streets adjacent to the project site. If a public water system is not allowed by the state, the project will be required to connect to the existing public water systems.

5. Page 12, Table 1.2.2 Surrounding General Plan, Zoning and Land Uses is amended as follows.

<b>Property</b>	<b>General Plan</b>	<b>Zoning</b>	<b>Land Use</b>
<b>Property</b>	<b>Neighborhood Agricultural/ Tourist Center and Agriculture Suisun Valley Region</b>	<b>Suisun Valley Agriculture (ASV-20)</b>	<b><u>Developed/Agriculture/Undeveloped</u></b>
North	Agriculture (AG)	Suisun Valley Agriculture (ASV-20)	Existing Single-family residence and commercial uses (i.e. Ice House). <u>To the north of Rockville Road are agricultural uses.</u>

6. Page 14 following the 5<sup>th</sup> bullet add the following to Agencies that May have Jurisdiction over the Project:
- State Water Resources Control Board Division of Drinking Water for approval of a water supply permit.

Amend the 7<sup>th</sup> bullet as follows:

- Cordelia Fire Protection District and/or Fairfield Fire District.
7. Page 21, delete the blank page referring to the Important Farmland Map (that figure is found on page 15 of the MND).

8. Page 43, second paragraph in the Impacts section revise as follows:

As described above, two historic period buildings that both appear to have been constructed sometime prior to 1948, based on the earliest available aerial photograph (1948), have been identified on the project site but are not part of the Project.

9. Revise page 68 to include the following table outlining pre and post project drainage:

<u>Pre Development Area</u>	<u>Acres and Volume</u>	<u>Post Development Area Type of Storm</u>	<u>Acres and Volume</u>
<u>Pre Development Site Area</u>	<u>8.45 acres</u>	<u>Post Development Site Area</u>	<u>8.45 acres</u>
<u>Pre Development 10-year storm</u>	<u>3.14 cubic feet per second</u>	<u>Post Development 10-year Storm</u>	<u>0.00 cubic feet per second</u>
<u>Pre Development 100-year storm</u>	<u>5.08 cubic feet per second</u>	<u>Post Development 100-year Storm</u>	<u>4.33 cubic feet per second</u>

As shown in the table, with construction of onsite detention, flows offsite will be less than under predevelopment existing conditions during the 10 and 100-year storms.

**ATTACHMENT H – Summary Tables**

**Table 1 Proposed Buildings/Uses**

<b>Building Type</b>	<b>Building Size</b>
Boutique Market	5,496 square feet
Tasting Rooms (6)	9,000 square feet (6 buildings each 1,500 sq feet)
Restaurant	7,462 square feet
Multi-purpose/Dining Hall	3,655 square feet
Boutique Hotel Concierge	1,728 square feet
Boutique Hotel Cottages	4,800 square feet (Each cottage 480 sq ft)
<b>Total</b>	<b>32,141 square feet</b>

**Table 2 Current and Proposed Zoning**

<b>Current Zoning</b>	<b>Acres</b>	<b>Proposed Zoning</b>	<b>Acres</b>
ATC	2.1	ATC	9.5
CN	.25	A-SV-20	.25
A-SV-20	21.89	A-SV-20	14.67

**Table 3 Land Use by Percentage**

<b>Proposed Land Use</b>	<b>Acres</b>	<b>Approximate Percentage of total uses</b>
Hotel / Resort	9.1 acres	37%
Agricultural Production (Vineyards)	10.5 acres	43%
Landscaping parking* and open areas, and existing Ice House & Fruit Stand	4.82 acres	20%
<b>Total</b>	<b>24.42 acres</b>	<b>100%</b>

DEPARTMENT OF RESOURCE MANAGEMENT



Planning Services Division

## NOTICE OF PUBLIC HEARING (Planning Commission)

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**NOTICE IS HEREBY GIVEN** that the Solano County Planning Commission will hold a PUBLIC HEARING to consider Rezoning Petition No. Z-22-01 and Use Permit application U-22-02 by Solano Landing LLC to rezone 7.4 acres from Suisun Valley Agriculture "A-SV-20" to Agricultural Tourist Center "ATC" and rezone 0.25 acre from Neighborhood Commercial "CN" to A-SV-20 and establish and operate a Resort Hotel comprised of a market, six tasting rooms, restaurant, multi-purpose/dining hall, and 10-cottage hotel. The Planning Commission will also consider the Mitigated Negative Declaration prepared pursuant to the California Environmental Quality Act and make a recommendation to the Solano County Board of Supervisors regarding the entitlements. The property is located at 2316 Rockville Road at the southeast corner of Rockville Road and Suisun Valley Road, one-quarter mile north of the City of Fairfield; APN: 0027-200-150. (Project Planner: Eric Wilberg: 707-784-6765)

The hearing will be held on **Thursday, December 7, 2023, at 7:00 p.m.** in the Board of Supervisors Chambers, County Administration Center, 1<sup>st</sup> Floor, 675 Texas Street, Fairfield, California.

The County of Solano does not discriminate against persons with disabilities. If you wish to participate in this meeting and you will require assistance in order to do so, please contact the Department of Resource Management at 707-784-6765 at least 24 hours in advance of the event to make reasonable arrangements to ensure accessibility to this meeting.

### **PUBLIC COMMENTS:**

**In-Person:** You may attend the public hearing at the time and location listed above and provide comments during the public speaking period. **Phone:** You may provide comments verbally from your phone by dialing **1-415-655-0001** and entering **Access Code 2632 666 6680**. Once entered in the meeting, you will be able to hear the meeting and will be called upon to speak during the public speaking period. **Email/Mail:** Written comments can be emailed to [PlanningCommission@SolanoCounty.com](mailto:PlanningCommission@SolanoCounty.com) or mailed to Resource Management, Planning Commission, 675 Texas Street, Suite 5500, Fairfield, CA 94533 and must be received by 10:00 a.m. the day of the meeting. Copies of written comments received will be provided to the Planning Commission and will become a part of the official record but will not be read aloud at the meeting.

Staff reports and associated materials will be available to the public approximately one week prior to the meeting at [www.solanocounty.com](http://www.solanocounty.com) under Departments; Resource Management; Boards, Commissions & Special Districts; Solano County Planning Commission.

If you challenge the proposed consideration in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

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**Daily Republic - legal ad/one time – Wednesday, November 22, 2023**