

DEPARTMENT OF RESOURCE MANAGEMENT

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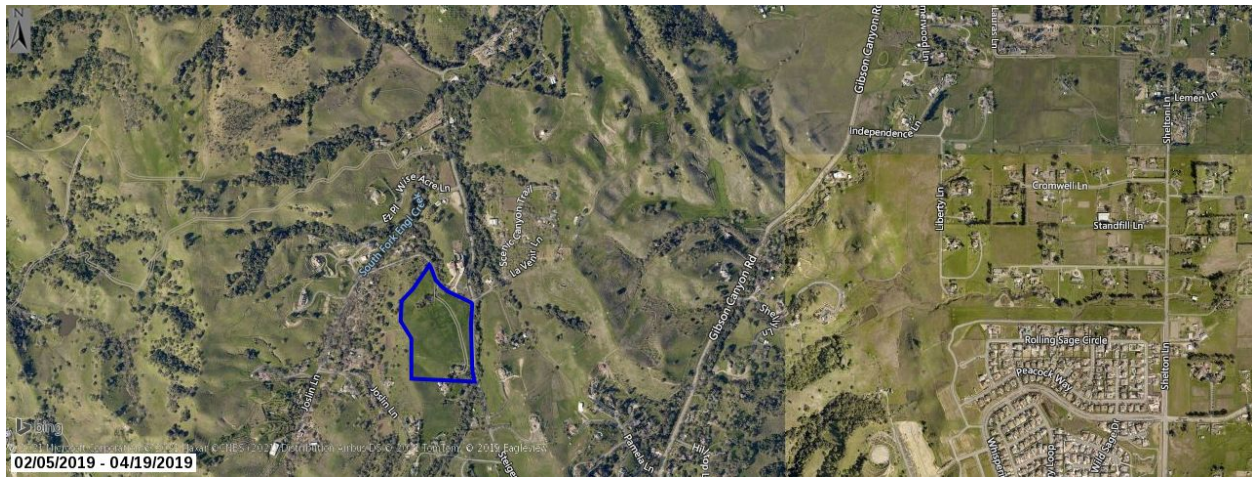
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Planning Services Division

**ZONING ADMINISTRATOR
Staff Report
STEIGER HILLS MINOR SUBDIVISION**

Application No. MS-20-02 Project Planner: Nedzlene Ferrario		Meeting of October 21, 2021 Agenda Item No. 1	
Applicant: Tony Alcala 102 Vine Street Vacaville, CA 95688		Property Owner: Marco Delcampo NorCal Properties Management LLC 102 Vine Street, Vacaville, CA 95688	
Action Requested: Approval of Minor Subdivision MS-20-02 to subdivide 22.97 acres in to four (4) lots. The property is located at 7061 Steiger Hill Road, southwest corner of Joslin Lane and Steiger Hill Road, within unincorporated Vacaville, and within the Rural Residential 2.5-acre minimum Zoning District, APN: 0105-190-090			
Property Information			
Size: 22.97 acres		Location: 7061 Steiger Hill Road	
APN: 0105-190-090			
Zoning: RR 2.5		Land Use: Residential	
General Plan: Rural Residential		Ag. Contract: N/A	
Utilities: Individual Septic Systems and Proposed Public Water by Rural North Vacaville Water District		Access: Joslin Lane and Steiger Hill Road	
Adjacent General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	Land Use
North	Rural Residential	RR - 2.5	Rural Residential
South	Rural Residential	RR - 5	Rural Residential
East	Rural Residential	RR - 5	Rural Residential
West	Rural Residential	AG - 20	Rural Residential
Environmental Analysis Initial Study/Mitigated Negative Declaration was prepared and circulated for public review and comment, on May 4, 2021. The public comment period closed on June 4, 2021.			
Motion to Approve The Zoning Administrator does hereby APPROVE Minor Subdivision Application No. MS-20-02 and determines that the Initial Study/Mitigated Negative Declaration is adequate and complete, and ADOPTS the mitigation monitoring plan, based on the findings and recommended conditions of approval in the attached Resolution.			

LOCATION MAP



BACKGROUND:

The 23-acre property is located at the southwest corner of Steiger Hill Road and Joslin Lane, within the unincorporated portion of Vacaville, California. The property is developed with a residence and several outbuildings, located on the southwestern portion of the site. The site is predominantly grasslands with a cluster of significant sized Oaks and riparian trees on the northwestern and southern portion of the site. There is a notable hill on the property (approx. 2% -30% slope), two (2) ephemeral creeks and one (1) intermittent creek.

PROJECT DESCRIPTION:

The applicant is proposing to subdivide the 23-acre property, zoned Rural Residential 2.5 acre minimum (RR 2.5) in to four (4) lots that exceed five (5) acres in size; Lot 1 – 6 acres, Lot 2 – 5.118 acres, Lot 3 – 5.288 acres and Lot 4 – 5.137 acres. The larger sized lots are preferred by the applicant to be compatible with the surrounding neighborhood and to accommodate homes larger than 3000 square feet in size. Driveway access is proposed off Joslin Lane and Steiger Hill Road, existing public roads. Individual septic systems and public water service by the Rural North Vacaville Water District are proposed. The property is located outside of the Rural North Vacaville Water District and annexation approval by the Solano Local Agency Formation Commission, into the District, is required prior to final map recordation.

The project proposes lot sizes greater than 5 acres and has the potential to be re-subdivided into 2.5 acre lots. If the property or lots are re-subdivided in the future, a new subdivision application and additional CEQA analysis may be required.

LAND USE CONSISTENCY:

The property is designated Rural Residential 1-10 acres per dwelling unit, in the General Plan and zoned Rural Residential 2.5 acre minimum. The project proposes overall density of one dwelling unit per 5.74 acres and parcel sizes exceed 2.5 acres. Approval of the subdivision is consistent with the General Plan and Zoning.

Access:

The property has frontage on Joslin Lane and Steiger Hill Road. Right-of-way dedication for 35-foot half-width right of way for both roads and public street improvements are required for the entire frontage consistent with County Road Improvement Standards and consistent with County Subdivision Ordinance and current Fire Safe Standards. Dedication and improvements are required prior to final map recordation. Driveway locations are limited to one per parcel, in order to minimize ingress and egress conflicts.

Water supply:

The subdivider proposes to provide public water service by Rural North Vacaville Water District (District). The property is located within the Rural North Vacaville Sphere of Influence and the District approved the sale of four (4) water rights as a condition of the tentative map approval. Annexation approval by the Solano Local Agency Formation Commission into the District is required prior to Parcel Map recordation.

Installation of the water lines, meters and connections are required prior to Parcel Map recordation or sale of the property. Design and engineering are subject to the rules and regulations of the Rural North Vacaville Water District.

Sewage Disposal:

The Environmental Health Services Division reviewed the soils report prepared for the subject site by FR Soiltesting and determined that standard septic systems are appropriate for Lot 2 and engineered or alternative septic systems are recommended for Lot 3 and 4.

A declaration is required on the parcel map to indicate that an alternative system is required for on-site sewage disposal for Lot 3 and 4. Design, construction, operations and maintenance of the system shall be in compliance with Solano County Code, Chapter 6.4 Sewage Disposal Standards.

State Fire Safety Rules and Regulations:

The property is located within the CalFire State Responsibility Area and is designated moderate risk. The area is predominantly rural residential and was spared from the 2020 Sonoma Lake Napa Unit (LNU) Lightning Fire Complex.

The project is located within the Vacaville Fire Protection District, approximately 1.5 miles west of the existing Fire Station at 4135 Cantelow Road. A fire hydrant is located on the corner of Steiger Hills Road and Joslin Lane. County Fire Safe Regulations require siting new structures a minimum of 1000 feet from an existing fire hydrant, a minimum of 30-foot wide setback along the property lines and maintain 100-foot wide defensible space/fire break around all buildings. The tentative parcel map complies with the standards, and requirements such as fire-resistant building materials, signage, building numbering and addresses, and driveway turnouts will be verified during building construction. Compliance with Fire Safe Regulations will minimize risks.

ENVIRONMENTAL ANALYSIS (CEQA)

The Department of Resource Management completed an Initial Study/Mitigated Negative Declaration for the project which was released for a 30-day review and comment period on May 4, 2021. The public comment period closed on June 4, 2021. The Initial Study/Mitigated Negative Declaration concludes that there could be significant adverse environmental impacts in the areas of noise, biological resources, cultural resources, hazards/wildfire and water supply; however, mitigation measures are proposed to reduce the impacts to less than significant levels. All mitigation measures, including the monitoring responsibilities, have been incorporated into the project as recommended conditions of approval and in the mitigation monitoring plan. Each of the conditions has been listed under the County divisions and other agencies responsible for their implementation.

Public Comments Received:

CA Department of Fish and Wildlife: Comments were received regarding potential impacts to Swainson Hawk, Burrowing Owl, Special Status Plants, American Badger, and tree avoidance. Mitigation measures relative to habitat assessments, loss of foraging habitat, preconstruction surveys and protection during avian nesting season are incorporated as conditions of approval.

ATTACHMENTS:

- A. Tentative Parcel Map
- B. Draft Resolution and conditions of approval
- C. Public Draft Initial Study/Mitigated Negative Declaration
- D. Public Draft Mitigation Monitoring Plan – Revised
- E. Rural North Vacaville Water District Will Serve Letter
- F. CA Department of Fish and Wildlife May 25, 2021 Letter
- G. Solano LAFCO Letter June 15, 2020

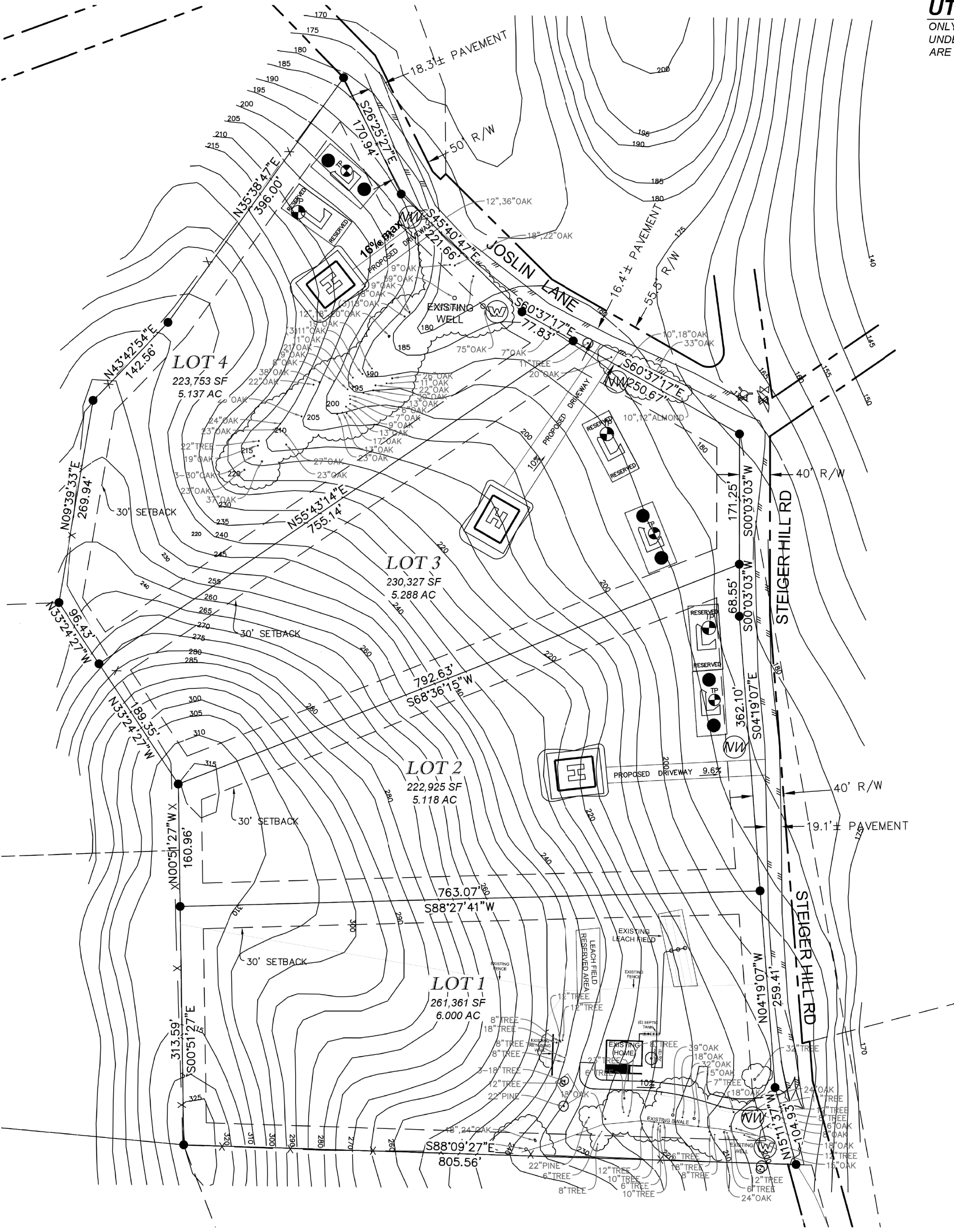
7061 Steiger Hill Rd

NOTES:

LANDS AREA	22.9 ± AC 21.543 ± AC NET	
# PROPOSED LOTS	4	
# 1	6.00 AC	261,361 Sq F
# 2	5.11 AC	222,925 Sq F
# 3	5.29 AC	230,327 Sq F
# 4	5.14 AC	223,753 Sq F
ZONING	RR - 2.5	
WATER SOURCE	ON-SITE WELLS / RNVWD	
WASTE WATER DISPOSAL	ON-SITE SEPTIC/ LEACH FIELD SYSTEMS	

UTILITY NOTE:

ONLY SURFACE UTILITIES HAVE BEEN SHOWN PER THIS SURVEY. UNDERGROUND UTILITIES HAVE NOT BEEN SURVEYED OR RESEARCHED AND ARE NOT SHOWN HEREON.



GENERAL NOTES:

PROPOSED DRIVEWAYS, HOUSE OR LEACH FIELDS, WILL BE CONSTRUCTED WITHIN REQUIRED SETBACK ZONES AND MUST MEET SOLANO COUNTY IMPROVEMENT STANDARDS AND SPECIFICATIONS

NOTE:

PRIOR TO FINAL INSPECTION OF THE SEWAGE DISPOSAL SYSTEM THE PROPERTY OWNER SHALL VERIFY DRAINAGE SWALES AT MINIMUM OF 50' FROM ALL PORTIONS OF THE PRIMARY AND RESERVE SEWAGE DISPOSAL FIELDS.

LEGEND

- HOUSE SITE (PROPOSED)
- LEACH FIELD, 10,000 SQ. FT. (PROPOSED)
- LEACH FIELD, TEST HOLE (PROPOSED)
- HYDROMETER TEST HOLE (PROPOSED)
- NEW RNVWD WATER CONNECTION (PROPOSED)
- EXISTING WATER WELLS
- EXISTING CONTOURS
- EXISTING FIRE HYDRANT
- EXISTING WATER VALVE
- EXISTING UTILITY POLE
- ROAD RIGHT OF WAY

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SURVEYOR'S STATEMENT

I HEREBY STATE THAT THIS IS A CORRECT REPRESENTATION OF A TOPOGRAPHIC SURVEY MADE UNDER MY DIRECTION NOVEMBER 2020.

STEVEN B. KILLMER
 12-22-2020
 DATE



SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO. XX

WHEREAS, the Solano County Zoning Administrator has considered Minor Subdivision Application No. MS-20-02 of Norcal Properties Management LLC to subdivide 22.97 acres into four(4) lots of five (5) or more acres in size. The property is located at 7061 Steiger Hill Road, southwest corner of Joslin Lane and Steiger Hill Road, within unincorporated Vacaville, and within the Rural Residential 2.5-acre minimum Zoning District, APN: 0105-190-090, and;

WHEREAS, said Zoning Administrator has reviewed the report of the Department of Resource Management and the Mitigated Negative Declaration, and heard testimony relative to the subject application at the duly noticed public hearing held on October 21, 2021 and;

WHEREAS, after due consideration, the Zoning Administrator has made the following findings in regard to said proposal:

1. The proposed map is consistent with applicable general and specific plans as specified in Section 65451 of the Government Code.

The General Plan Land Use Diagram designates the property Rural Residential 1 dwelling unit/2.5 acres – 1 dwelling unit/10 acres. The design of the subdivision allocates appropriate densities consistent with the Rural Residential land use designation. As conditioned, the proposed map is consistent with applicable policies of the General Plan.

2. The design of the proposed subdivision is consistent with the Solano County General Plan.
 - a. **The property is designated by the General Plan for rural residential development, which allows for single family residences and accessory uses. The design of the proposed subdivision, provisions for domestic water supply and wastewater disposal, and the development density satisfy the intent of the General Plan.**
 - b. **As proposed and conditioned, the design of the subdivision is in conformance with the provisions of Article VII (Design Requirements) of the Solano County Subdivision Ordinance.**
3. The site is physically suitable for the proposed type of development.

The site as proposed can accommodate the proposed home sites, driveways and individual septic disposal systems.

4. The site is physically suitable for the proposed density of development.

The project site can accommodate the proposed subdivision with four (4) primary homes on 22.974 acres, resulting in a development density of one primary dwelling unit per 5.74 acres. The new parcels meet the minimum lot size allowed by zoning.

5. The design of the subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

A Mitigated Negative Declaration was drafted and circulated for public review and comment. Mitigation measures recommended by the Mitigated Negative Declaration are implemented by and incorporated into Conditions of Approval included in this Resolution. With implementation of these recommended mitigation measures, the project will not cause significant adverse impacts to the environment.

6. The design of the subdivision will not cause serious public health problems.

The Mitigated Negative Declaration reviewed the project for possible health or environmental problems and with mitigation as proposed the project will not cause serious public health problems.

7. The design of the subdivision and the type of improvements will not conflict with any public easements.

The project as conditioned and as evident on the Parcel Map will not conflict with any public easements.

8. The discharge of waste from the proposed subdivision into an existing community sewer system would not result in, or add to, a violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code.

Each primary single-family residence would utilize on-site septic systems and would not affect any existing community sewer system.

9. The property does not front on any public waterway, public river, public stream, coastline, shoreline, publicly owned lake or publicly owned reservoir.
10. The proposed subdivision does not front along a public waterway, public river or public stream and dedication of a public easement along a portion of the bank of the private waterway, river or stream bordering or lying within the subdivision is required.
11. The property or property owner has not entered into contract with Solano County California Land Conservation Act; therefore, the provisions of the California Land Conservation Act do not apply.
12. The project does not involve hazardous waste; therefore, consistency with the County Hazardous Waste Management Plan is not required.
13. The proposed subdivision is not located within a special studies zone established pursuant to the Alquist-Priolo Special Studies Zone Act (Public Resources Code Section 2621 et seq.)

14. **The proposed subdivision is consistent with the State Board of Forestry and Fire Protection's State Responsibility Area (SRA) Fire Safe Regulations.**

15. **A Mitigated Negative Declaration was prepared pursuant to the California**

Environmental Quality Act and noticed for public comment by the Department of Resource Management. The Mitigated Negative Declaration reflects the County of Solano's independent judgment and analysis. Implementation of the mitigation measure described in the Mitigated Negative Declaration will mitigate all potentially significant impacts of the project to less than significant levels, and the Mitigation Monitoring and Reporting Plan ensures that those mitigation measures will be implemented.

RESOLVED, the Zoning Administrator adopts the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Plan prepared for Minor Subdivision Application MS-20-02.

RESOLVED, the Zoning Administrator approves Minor Subdivision Application No. MS-20-06 subject to the following conditions of approval:

1. Pursuant to Section 26-98.1 of the Solano County Subdivision Ordinance, a Parcel Map shall be recorded within twenty-four (24) months from the date of approval of the Tentative Subdivision Map. Failure to do so will result in the expiration of the approved Tentative Subdivision Map unless extended pursuant to Section 26-98.2 of the Solano County Subdivision Ordinance.
2. The Parcel Map to be recorded shall be in substantial compliance with the Tentative Parcel Map prepared by RFE Engineering, for Norcal Property Management LLC, received by the Solano County Planning Division on April 20, 2021, except as modified herein.

Solano Local Agency Formation Commission

3. Prior to Parcel Map recordation or installation of the Rural North Vacaville public water system, the subdivider shall secure annexation approval into the Rural North Vacaville Water District boundary, by the Solano Local Agency Formation Commission and submit written documentation to the Department of Resource Management.

Solano County Public Works – Engineering Services Division

4. Prior to recordation of the Parcel Map, the subdivider shall improve the entire frontage of the proposed property on Steiger Hill and Joslyn Road pursuant to the County Public Road Improvement Standards. Plans shall be submitted for review by the Public Works Engineering Office. The plans shall be in accordance with the Solano County Subdivision Ordinance and current adopted Fire Safety Regulations. The public roadways shall be twenty-four (24 feet) wide with double chip seal surface and shall have four-foot (4 feet) graded shoulders on both sides.
5. Prior to any work within the public right-of-way, the subdivider shall apply, secure and abide by the conditions of an encroachment permit. Driveways must be maintained in such a manner as to prevent soils, rocks, and debris from tracking on to public roads.
6. The subdivider shall apply for, secure and abide by the conditions of a grading permit for the construction of the private roads(driveways) and access improvements as shown on the tentative map, as well as any onsite grading.

7. A Parcel Map, as defined in the California State Subdivision Map Act and prepared by a licensed land surveyor or civil engineer, showing all easements and parcels shall be filed with the Solano County Surveyor.
8. Subdivider shall dedicate on the map, right-of-way, to the County of Solano, free of encumbrances, necessary to provide a thirty-five (35') foot right-of-way half-width on any side of the road that fronts the subdivision, for the full length of the property within the subdivision boundary along Steiger Hill and Joslin Road.
9. Each parcel/lot shall be limited to one driveway connection to the public road.
10. NOTE ON THE MAP: Each lot is limited to one driveway connection to a public road
11. NOTE ON THE MAP: A grading permit may be required for home construction.
12. NOTE ON THE MAP: Additional Fire Safe regulations may affect future construction on these parcels.

Environmental Health Division

13. Prior to recordation of the Parcel Map, include a declaration on the Parcel Map stating that the alternative type onsite wastewater treatment system is required for Lot 3 and 4, based on the site and soil findings to date. The alternative type onsite wastewater treatment system shall be operated, monitored and maintained in accordance with the Solano County Code, Chapter 6.4 Sewage Disposal Standards.

Rural North Vacaville Water District (District)

14. Prior to approval of the Parcel Map, the subdivider shall obtain a Will Serve letter from the Rural North Vacaville Water District and submit a copy to the County Surveyor.
15. Prior to approval of any maps or plans, the subdivider must be paid current on all accounts and assessments.
16. The subdivider shall have their engineer design the necessary system improvements to accommodate service to each newly created parcel. The District shall review and approve all Improvement Plans.
17. Prior to approval of the Rural North Vacaville District Improvement Plans, the subdivider must pay an inspection deposit. The inspection deposit amount shall be estimated by the District and shall be due in full.
18. The District may require performance and maintenance bonds for newly constructed District facilities. Typical bond requirements are 110% and 50% of the facility construction costs for the Performance Bond and Maintenance Bond, respectively.
19. Prior to Parcel Map recordation and any ground disturbance activities including trenching or homesite development, the subdivider shall secure a Rural North Vacaville Water District and Solano County encroachment permit to conduct work within the public right-of-way and comply with the following:
 - a. Install and complete new water service to each parcel.

- b. All improvements shall be constructed by the subdivider's contractor and inspected by the Rural North Vacaville Water District.
 - c. Prior to construction and after approval of all plans, the subdivider's engineer shall provide the District with two (2) sets of full-sized improvement plans, three (3) half-sized sets of improvement plan, and one (1) PDF copy of the plan and map sets.
 - d. A preconstruction field meeting must be held with the subdivider, the subdivider's contractor, and Rural North Vacaville Water District staff.
 - e. The subdivider's contractor shall submit material specification sheets for all materials required for the proposed improvements. The District must review and approve the material submittals prior to material procurement.
 - f. The District will furnish, at the subdivider's expense, the meter, pressure regulating valve, and backflow prevention device to be installed by the subdivider's contractor.
 - g. All infrastructure construction shall be completed prior to recordation of the Parcel Map.
20. The Parcel Map shall include the Rural North Vacaville Water District's Statement for District approval and note indicating that the District is a rural drinking water system, New residences may need to provide additional on-site storage for in-house fire protection systems, Hydrants within the district are for the filling of fire department tanker trucks, and there is no guarantee on flow rate or quantity of water available.
21. After approval of Parcel Map, the subdivider's engineer shall provide the District with two (2) copies of the Parcel Map, and one (1) PDF copy of the Parcel Map.
22. All costs for project administration, design, review, construction, inspection, and other work related to the project shall be borne by the subdivider.
23. District GIS files will be updated accordingly, by the District, and at the subdivider's expense.
24. Electronic AutoCAD files are required upon the completion of the project showing "As-Built" for electronic archiving.

Vacaville Fire Protection District

25. Comply with the Vacaville Fire Protection District rules and regulations.

Environmental Mitigation Measures

26. Mitigation measure Bio – 3A (Swainson Hawk) Pre-construction Surveys:

Prior to any ground disturbance such as trenching or grading for public water system, issuance of encroachment or building permit, a qualified biologist shall conduct and prepare the following pre-construction surveys; and submit copies of the report to the Department of Resource Management and CDFW:

- a. If Project activities are scheduled during the nesting season for Swainson's hawks (March 1 to September 15), prior to beginning work on this Project, the project proponent shall hire a qualified biologist to conduct surveys according to the *Recommended timing and methodology for Swainson's Hawk Nesting Surveys in California's Central Valley*. Survey methods should be closely followed by starting early in the nesting season (late March to early April) to maximize the likelihood of detecting an active nest (nests, adults,

and chicks are more difficult to detect later in the growing season because trees become less transparent as vegetation increases). Surveys shall be conducted: 1) within a minimum 0.5-mile radius of the Project site or a larger area if needed to identify potentially impacted active nests, and 2) for at least the two survey periods immediately prior to initiating Project-related construction activities. Surveys shall occur annually for the duration of the Project. The qualified biologist shall have a minimum of two years of experience implementing the survey methodology resulting in detections. If active Swainson's hawk nests are detected, the Project shall implement a 0.5-mile construction avoidance buffer around the nest until the nest is no longer active as determined by a qualified biologist. If take of Swainson's hawk cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP. CDFW Bay Delta Region staff is available to provide guidance on the ITP application process. A copy of the survey shall be submitted to the Department of Resource Management.

27. Mitigation measure Bio-3B (Swainson Hawk) – Loss of Foraging Habitat:

Loss of foraging habitat shall be mitigated at the appropriate ratio following CDFW's (then Fish and Game) *Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (Buteo Swainsoni) in the Central Valley of California* prior to Project construction and accepted by CDFW in writing. The Project shall be assumed to be within one mile of an active nest tree and mitigate at a 1:1 mitigation to impact ratio, unless protocol-level Swainson's hawk surveys are conducted demonstrating that Swainson's hawks are not nesting within one mile of the Project. Habitat mitigation shall include permanent preservation of foraging habitat through a conservation easement and implementing and funding a long-term management plan in perpetuity.

- a. Prior to recordation of the Parcel Map, the subdivider shall compensate for the loss of 0.65 acres of Swainson Hawk of foraging habitat at a ratio of 1:1 (1 acre for every 1 acre removed).
- b. Mitigation may be in the form of fee-title or a conservation easement or credits, held by a non-profit land management organization, on lands containing suitable Swainson's hawk foraging habitat and as approved by the CDFW in Solano County. Alternatively, the purchase of Swainson's Hawk mitigation credits at a mitigation bank or conservation area located in Solano County is acceptable. Submit evidence in the form of a Bill of Sale from the mitigation bank or Conservation Easement, for Swainson Hawk mitigation to the Planning Services Division, prior to Parcel Map recordation.

28. Mitigation measure Bio-4A Burrowing Owl Habitat Assessment, Surveys and Avoidance:

Prior to any ground disturbance such as trenching or grading for public water system, issuance of encroachment permit or building permit, a qualified biologist shall conduct and prepare the following assessment and submit copies of the report to the Department of Resource Management and CDFW:

A habitat assessment shall be performed following *Appendix C: Habitat Assessment and Reporting Details* of the CDFW 2012 Staff Report. The habitat assessment shall extend at least 150 meters (492 feet) from the Project area boundary and include burrows and burrow surrogates. If the habitat assessment identifies potentially suitable burrowing owl habitat, then

a qualified biologist shall conduct surveys following the CDFW 2012 Staff Report survey methodology. Surveys shall encompass the Project site and a sufficient buffer zone to detect owls nearby that may be impacted commensurate with the type of disturbance anticipated, as outlined in the CDFW 2012 Staff Report, and include burrow surrogates such as culverts, piles of concrete or rubble, and other non-natural features, in addition to burrows and mounds.

Time lapses between surveys or Project activities shall trigger subsequent surveys, as determined by a qualified biologist, 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 CDFW 2012 Staff Report survey methodology resulting in detections. Detected nesting burrowing owls shall be avoided pursuant to the buffer zone prescribed in the CDFW 2012 Staff Report and any passive relocation plan for non-nesting owls shall be subject to CDFW review

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-4B outlined below 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.”

29. Mitigation measure BIO-4B: Burrowing Owl Habitat Assessment, Surveys and Avoidance

Prior to any ground disturbance such as trenching or grading for public water system, issuance of encroachment or building permit, a qualified biologist shall conduct and prepare the Burrowing Owl habitat assessment and surveys in accordance with CDFW guidelines; and submit copies of the report to the Department of Resource Management and CDFW:

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 above), the following habitat mitigation shall be implemented prior to Project construction:

Impacts to each nesting site shall be mitigated by permanent preservation of two occupied nesting sites with appropriate foraging habitat within Solano 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.

Impacts to burrowing owl foraging habitat shall be mitigated by permanent preservation of foraging habitat at a 1:1 mitigation to impact ratio, in the same manner described above, and accepted by CDFW in writing. The CDFW 2012 Staff Report states, “current scientific literature

supports the conclusion that mitigation for permanent habitat loss necessitates replacement with an equivalent or greater habitat area for breeding, foraging, wintering, dispersal...”

30. Mitigation Measure BIO-5: Special-Status Plant Surveys

Prior to any ground disturbance such as trenching or grading for public water system, issuance of encroachment permit or building permit, a qualified biologist shall conduct and prepare the following assessment and submit copies of the report to the Department of Resource Management and CDFW:

A qualified biologist shall conduct surveys during the appropriate blooming period for all special-status plants that have the potential to occur on or adjacent to the Project site prior to the start of ground-disturbing activities and prepare a report documenting survey findings. Surveys and reporting shall be conducted following *Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities*⁶. If special-status plants are found during surveys, the Project shall be re-designed to avoid impacts to special-status plants. If special-status plants listed as threatened or endangered under the ESA, such as Keck’s checkerbloom, are discovered on or adjacent to the Project site, the Project shall consult with U.S. Fish and Wildlife Service prior to commencing Project activities. If impacts to any special-status plants cannot be avoided completely during construction, the Project shall provide mitigation including offsite habitat preservation or another method accepted in writing by CDFW. The qualified biologist shall be knowledgeable about plant taxonomy, familiar with plants of the region, and have experience conducting botanical field surveys according to vetted protocols.

31. Mitigation measure Bio-2: American Badger:

Prior to any ground disturbance such as trenching or grading for public water system, issuance of encroachment permit or building permit, a qualified biologist shall conduct and prepare the following assessment and submit copies of the report to the Department of Resource Management and CDFW:

The qualified biologist shall survey for the presence of the American Badger and develop a monitoring plan to keep the badgers out of the area during construction activities involving road, driveways, residences or accessory structures, no more than 30 days prior to construction. These measures may include a qualified biologist surveying for the species including adjacent habitat prior to construction, avoiding occupied burrows including a sufficient buffer approved by CDFW, and preparing and implementing a CDFW-approved relocation plan if badgers are found on or adjacent to the Project site.

32. Mitigation measure Bio - 1: Avoidance of Avian Nests and Protected Avian Species:

Prior to any ground disturbance such as trenching or grading for public water system, issuance of encroachment permit or building permit, a qualified biologist shall conduct and prepare the following assessment and submit copies of the report to the Department of Resource Management and CDFW:

If construction activities are scheduled to occur during the avian breeding season (February 1- August 31), a qualified wildlife biologist shall conduct pre-construction surveys of all potential suitable nesting habitat within 0.5 miles 500 feet of active construction areas,

including trees, shrubs, grassland and wetland vegetation. The qualified wildlife biologist shall determine the timing of the preconstruction surveys based upon the time of year and habitats that are present. The qualified wildlife biologist shall conduct surveys no more than 7 days prior to construction. If a lapse in Project-related work of 7 days or longer occurs, another focused survey shall occur before Project work is reinitiated.

33. **Mitigation measure Bio - 2 (Tree Avoidance):** Development, construction or trenching within 5 feet of the dripline of the cluster of Oak Trees on Lot, 1, 3 and 4 shall be prohibited and remain undisturbed. No trees shall be removed during the Project. For each existing tree within or adjacent to Project ground-disturbing activities, a critical root zone that extends at least five feet from the dripline of the tree shall be established by a qualified biologist. The critical root zone of each tree within the project area shall be flagged or fenced off from Project activities. Flagging or fencing shall be maintained throughout the Project activities and removed and disposed of once the Project is complete. The final map and design plans shall include a such this requirement as a notation under supplemental notes .
34. **Mitigation measure CR – 1:** In the event that presently undocumented buried archeological deposits are encountered during any Project-associated construction activity, work must cease within 50-foot radius of the discovery. A qualified archeologist must be retained to document the discovery, assess its significance, and recommend treatment. If human remains or any associated funerary artifacts are discovered during construction, all work must cease within the immediate vicinity of the discovery. In accordance with the California Health and Safety Code (Section 7050.5), the Solano County Sheriff/Coroner must be contacted immediately. If the Coroner determines the remains to be Native American, the Coroner will notify the Native American Heritage Commission which will in turn appoint a Most Likely Descendent (MLD) to act as a Tribal Representative. The MLD will work with the subdivider and a qualified archeologist to determine the proper treatment of the human remains and associated funerary objects. Construction activities will not resume until either the human remains are exhumed, or the remains are avoided via project construction design change.
35. **Mitigation measure Haz – 1:** On the Parcel Map, delineate the 30-foot setback (defensible space) from the property line as shown on the tentative map, required by Cal Fire Regulations and include in the supplemental notes that the property is located within the State Responsibility Area for wildfire. Compliance with the Cal Fire adopted regulations (Cal Code reg. Title 14 Sec 1270 et seq) could minimize the risk of loss, injury or death involving wildfire.
36. **Mitigation measure WS - 1:** Prior to the recordation of the Parcel Map, complete all engineering and construction related to the public water system, according to the terms of agreement with the Rural North Vacaville Water District, in compliance with the rules and regulations of the Rural North Vacaville District. Submit evidence to the Department of Resource Management that the engineering plans and necessary infrastructure installation are complete to the satisfaction of the Rural North Vacaville Water District.
37. **Mitigation measure Noise – 1:** Construction activity is limited to weekdays during the hours of 8 a.m. to 5 p.m., Monday through Friday; and 9 a.m. to 4 p.m. on Saturdays, and no work should occur on Sundays and Federal holidays. In order to ensure future buyers are aware of the noise restrictions, the final map shall include a note indicating the noise restriction for construction activities.

Resolution No. --
MS-20-02, Norcal Properties LLC
Page 10 of 10

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on October 21, 2021.

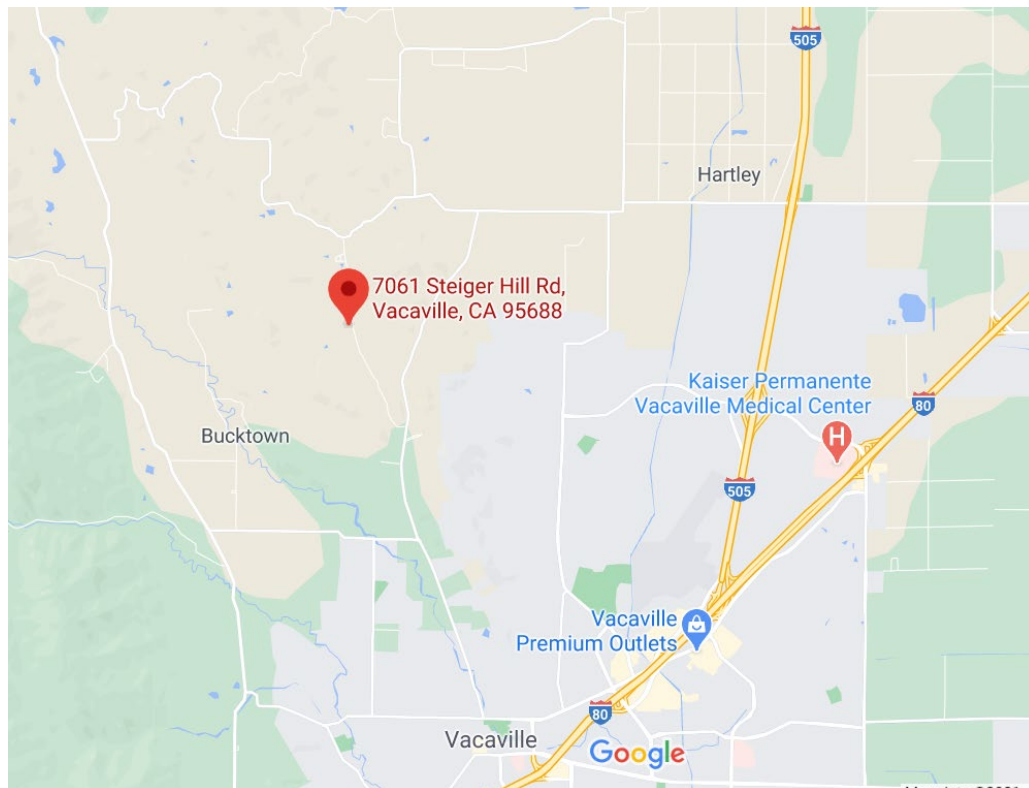
TERRY SCHMIDTBAUER, DIRECTOR
RESOURCE MANAGEMENT

Allan Calder
Planning Program Manager

DRAFT

**Norcal Properties Minor Subdivision
STEIGER LANDS
MS-20-02**

**Draft Initial Study and
Mitigated Negative Declaration**



April 2021

**Prepared By
Department of Resource Management
County of Solano**

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DEPARTMENT OF RESOURCE MANAGEMENT
PART II OF INITIAL STUDY OF ENVIRONMENTAL IMPACTS

Introduction

The following analysis is provided by the Solano County Department of Resource Management as a review of and supplement to the applicant's completed "Part I of Initial Study". These two documents, Part I and II, comprise the Initial Study prepared in accordance with the State CEQA Guidelines, Section 15063.

Project Title:	Steiger Lands - Minor Subdivision
Application Number:	MS-20-02
Project Location:	7061 Steiger Hill Road, at the southwest corner of Joslin Lane and Steiger Hill Road, within unincorporated Vacaville.
Assessor Parcel No.(s):	0105-190-090
Project Sponsor's Name and Address:	Norcal Property Management LLC 102 Vine Street, Vacaville, CA 95688

General Information

This document discusses the proposed project, the environmental setting for the proposed project, and the impacts on the environment from the proposed project and any measures incorporated which will minimize, avoid and/or provide mitigation measures for the impacts of the proposed project on the environment.

- Please review this Initial Study. You may order additional copies of this document from the Planning Services Division, Resource Management Department, County of Solano County at 675 Texas Street, Fairfield, CA, 94533.
- We welcome your comments. If you have any comments regarding the proposed project please send your written comments to this Department by the deadline listed below.
- Submit comments via postal mail to

Planning Services Division
Resource Management Department
Attn: Nedzlene Ferrario, Senior Planner
675 Texas Street, Suite 5500
Fairfield, CA 94533

- Submit comments via email to: nferrario@solanocounty.com
- Submit comments by the deadline of: June 4, 2021**

Next Steps

After comments are received from the public and any reviewing agencies, the Department may recommend that the environmental review is adequate and that a Mitigate Negative Declaration be adopted or that the environmental review is not adequate and that further environmental review is required.

ENVIRONMENTAL DETERMINATION

On the basis of this initial study:

- I find the proposed project could not have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the project proponent has agreed to revise the project to avoid any significant effect. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find the proposed project could have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT (EIR)** is required.
- I find the proposed project could have a significant effect on the environment, but at least one effect has been (1) adequately analyzed in a previous document pursuant to applicable legal standards, and (2) addressed by mitigation measures based on the previous analysis as described in the attached initial study.
An EIR is required that analyzes only the effects that were not adequately addressed in a previous document.
- I find that although the proposed project could have a significant effect on the environment, no further environmental analysis is required because all potentially significant effects have been (1) adequately analyzed in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (2) avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are included in the project, and further analysis is not required.

INCORPORATION OF MITIGATION MEASURES INTO THE PROPOSED PROJECT

By signature of this document, the project proponent amends the project description to include the mitigation measures as set forth in Section 2.

4/23/21

Date



Marco Martin Del Campo
Norcal LLC

4/26/2021

Date



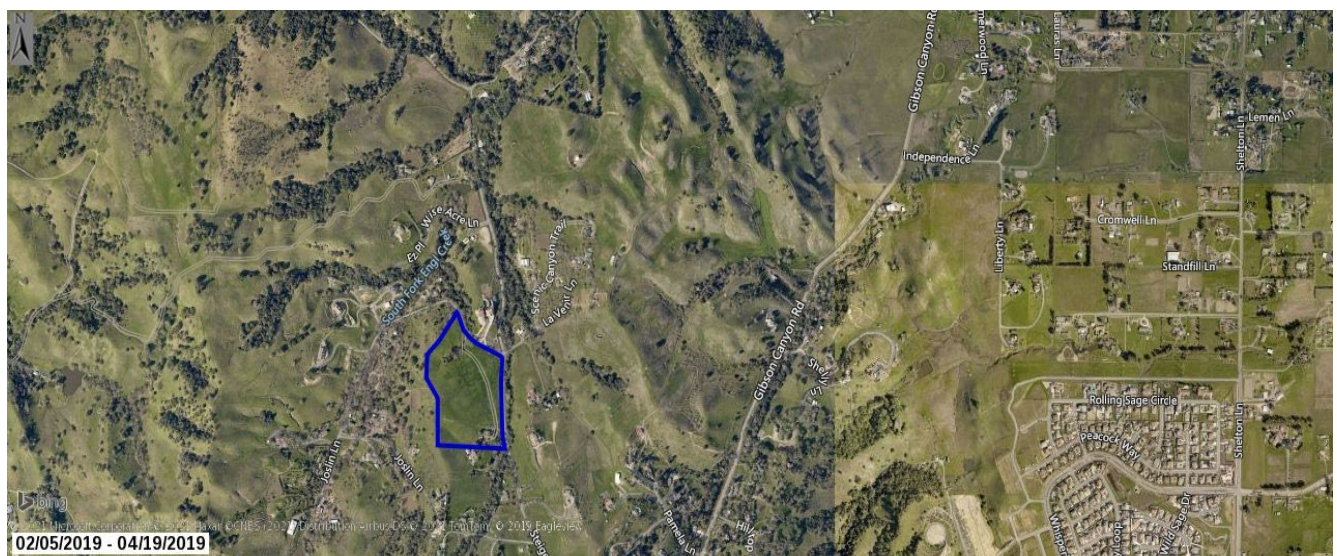
Nedziene Ferrario
Senior Planner

1.0 ENVIRONMENTAL SETTING and PROJECT DESCRIPTION

1.1 ENVIRONMENTAL SETTING:

The 23-acre property is located at the southwest corner of Steiger Hill Road and Joslin Lane, within the unincorporated portion of Vacaville, California. The property is developed with a residence and several outbuildings, located on the southwestern portion of the site. The site is predominantly grasslands with a cluster of significant sized Oaks and riparian trees on the northwestern and southern portion of the site. There is a notable hill on the property (approx. 2% -30% slope), two (2) ephemeral creeks and one (1) intermittent creek.

Project Location



1.2 PROJECT DESCRIPTION:

The applicant is proposing to subdivide the 23-acre property, zoned Rural Residential 2.5 acre minimum (RR 2.5) in to four(4) lots that are more than 5 acres in size; Lot 1 – 6 acres, Lot 2 – 5.118 acres, Lot 3 – 5.288 acres and Lot 4 – 5.137 acres. The larger sized lots are preferred by the applicant to be compatible with the surrounding neighborhood and to accommodate homes larger than 3000 square feet in size. Access is proposed off Joslin Lane or Steiger Hill Road, both public roads. Individual septic systems and public water service by the Rural North Vacaville Water District are proposed. The property is located outside of the Rural North Vacaville Water District and annexation approval by the Solano Local Agency Formation Commission, into the District is required prior to final map recordation.

The project proposes lot sizes greater than 5 acres and has the potential to be resubdivided into 2.5 acre lots. If the property or lots are resubdivided in the future, additional CEQA analysis may be required.

1.2.1 ADDITIONAL DATA:

NRCS Soil Classification:	Millsholm Series
Agricultural Preserve Status/Contract No.:	
Non-renewal Filed (date):	Not applicable
Airport Land Use Referral Area:	Not applicable
Alquist Priolo Special Study Zone:	Not applicable
Primary or Secondary Management Area of the Suisun Marsh:	Not applicable
Primary or Secondary Zone identified in the Delta Protection Act of 1992:	Not applicable

1.2.2 Surrounding General Plan, Zoning and Land Uses

	General Plan	Zoning	Land Use
Property	Rural Residential	RR - 2.5 acre	Residential
North	Rural Residential	RR - 2.5 acre	Residential
South	Rural Residential	RR – 5 acre	Residential
East	Rural Residential	RR – 5 acre	Residential
West	Agriculture	AG - 20	Rural Residential

1.3 CONSISTENCY WITH EXISTING GENERAL PLAN, ZONING, AND OTHER APPLICABLE LAND USE CONTROLS:

1.3.1 General Plan

The property is designated Rural Residential density 1-10 acres per unit, on the General Plan land use diagram. The project proposes 5 acre lots with density of 5 acres per unit, and is consistent with the land use designation and General Plan policies.

1.3.2 Zoning

The property is zoned Rural Residential 2.5 acre minimum (RR 2.5). The five-acre lot size is consistent with minimum zoning requirements.

1.3 Permits and Approvals Required from Other Agencies (Responsible, Trustee and Agencies with Jurisdiction):

Rural North Vacaville Water District
 Vacaville Fire Protection District
 Solano Local Agency Formation Commission

1.4 Agencies that May Have Jurisdiction over the Project

Unknown

2.0 AFFECTED ENVIRONMENT, ENVIRONMENTAL CONSEQUENCES AND AVOIDANCE, MINIMIZATION AND/OR PROTECTION MEASURES

This chapter discusses the potential for adverse impacts on the environment. Where the potential for adverse impacts exist, the report discusses the affected environment, the level of potential impact on the affected environment and methods to avoid, minimize or mitigate for potential impacts to the affected environment.

Findings of SIGNIFICANT IMPACT

Based on the Initial Study, Part I as well as other information reviewed by the Department of Resource Management, the project does not have the potential for significant impacts to any environmental resources.

Findings of LESS THAN SIGNIFICANT IMPACT Due to Mitigation Measures Incorporated Into the Project

Based on the Initial Study, Part I as well as other information reviewed by the Department of Resource Management, the project does not have the potential for impacts that require mitigation measures that reduces impacts to less than significant level to any environmental resources.

- Noise
- Biological Resources
- Hydrology & Water
- Hazards/Wildfire
- Cultural Resources

Findings of LESS THAN SIGNIFICANT IMPACT

Based on the Initial Study, Part I as well as the review of the proposed project by the Department of Resource Management, the following environmental resources were considered and the potential for impact is considered to be less than significant. A detailed discussion of the potential adverse effects on environmental resources is provided in the Sections below:

- | | |
|---|---|
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Transportation & Traffic | <input type="checkbox"/> Aesthetic |
| <input type="checkbox"/> Geology & Soils | <input type="checkbox"/> Population & Housing |
| <input type="checkbox"/> Transportation & Traffic | <input type="checkbox"/> Utilities & Service System |

Findings of NO IMPACT

Based on the Initial Study, Part I as well as the review of the proposed project by the Department of Resource Management, the following environmental resources were considered but no potential for adverse impacts to these resources were identified. A discussion of the no impact finding on environmental resources is provided in the Sections below:

- | | |
|--|---|
| <input type="checkbox"/> Land use planning | <input type="checkbox"/> Agricultural Resources |
| <input type="checkbox"/> Greenhouse gases | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Recreation | |
-

2.1 Aesthetics

Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock out-croppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Increase the amount of shading on public open space (e.g. parks, plazas, and/or school yards)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>a-c: The site is located along Joslin Lane and Steiger Hill Road, none of which are designated a Scenic Corridor, according to the General Plan. Construction of additional residential development will not degrade the visual character of the area. Less than significant impacts are anticipated.</p>				
<p>d: The additional residences could introduce additional exterior lighting and cause light or glare into the neighborhood. However, County Zoning Code requires the exterior lighting to be oriented from away from adjacent residences. Compliance with the Zoning Code standards will result in less than significant impacts.</p>				
<p>e: The project will not increase the amount of shading on public open space. No impacts are anticipated.</p>				

2.2 Agricultural Resources

Checklist Items: Would the project

	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-c: The property is designated Grazing Land, pursuant to the California Farmland Mapping and Monitoring Program and is not under Williamson Act contract. The property is designated Rural Residential on the General Plan and zoned for Rural Residential development. **No impacts to agricultural practices are anticipated.**

2.3 Air Quality

Checklist Items: Would the project		Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a.	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d.	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e.	Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a-e: The property is developed with one (1) residential unit and the potential addition of three (3) additional dwellings would not cause a substantial increase in new emissions, additional pollutant concentrations, or objectionable odors and **less than significant impacts** to air quality are expected.

2.4 Biological Resources

Checklist Items: Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any aquatic, wetland, or riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A Biological Resource Assessment prepared by Moore Biological Consultants was submitted for review. The report covered assessment of potential jurisdictional Waters of the US, vegetation and wildlife habitat. A copy of the report is attached.

The following impacts and mitigation measures are recommended to minimize impacts to a **less than significant level**:

a: Swainson Hawk Foraging Habitat:

The Biological Assessment Report indicates that Swainson’s Hawk prefer foraging ground composed of grasslands, irrigated pastures, hay and wheat crops. The grasslands on the subject property are highly disturbed by extensive horse grazing and provide low quality for foraging habitat. Due to the limited value of the disturbed grasslands on the property, the impact of potential loss of foraging habitat is low and less than significant. However, the large trees on site and nearby the subject site are suitable

for nesting raptors and other protected migratory birds. Construction activities could cause disturbance to protected birds and the following mitigation is recommended to minimize impacts to a less than significant level. The measure applies to the subdivider and any individual lot owner seeking construction permits:

Mitigation measure Bio - 1 (Avoidance of avian nests and protected avian species):

- A. If construction activities are scheduled to occur during the breeding season (February 1- August 31), a qualified wildlife biologist shall conduct pre-construction surveys of all potential suitable nesting habitat within 0.5 miles of active construction areas, including trees, shrubs, grassland and wetland vegetation. The qualified wildlife biologist shall determine the timing of the preconstruction surveys based upon the time of year and habitats that are present. The qualified wildlife biologist shall conduct surveys no more than 30 days prior to construction.
- B. If active nests are found, maintain a no disturbance buffer zone around the active nests during the breeding season or until it is determined that the young have fledged. The no disturbance buffer zone from active Swainson Hawk nest(s) or any protected avian specie shall be 0.5 miles or as may otherwise be determined by the Planning Services Division, Department of Resource Management, in consultation with a qualified biologist, United States Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) as appropriate.

c: Potential jurisdictional waters of the US

The report identified the intermittent creek (0.02 acres) located on Lot 1 and two ephemeral creeks (0.06 acres) on Lot 4 and Lot 1 as potentially jurisdictional Waters of the US. No development is proposed that directly impacts the area. Therefore, impacts are considered ***less than significant and mitigation measures are not recommended***.

e: Oak Woodlands and Heritage sized trees:

Significant sized Oak trees are located on the property, specifically on Lot 1 adjacent to the existing residence, clustered by the drainage swale on Lot 4, and along Joslin Lane on Lot 3. The trees and oaks on Lot 1 and Lot 3 appear undisturbed by the proposed project and no mitigation measures are recommended for this area. Lot 2 is devoid of any trees.

General Plan policy RS. P-6 states that the County shall protect Oak Woodlands and Heritage sized Trees and encourage the planting of native tree species in new development and along the road right of way. Heritage sized trees are defined as trees with trunk diameter of 15 inches at breast height (dbh). The cluster of oaks, predominantly Blue Oaks and Interior Live Oaks, identified on Lot 4 range in size between 7" – 75" dbh as shown on the tentative map. Tree removal is not proposed and construction of the future homesite, septic systems, leach field and replacement areas are located outside of the dripline; however, in order to ensure that adverse impacts are avoided, the following mitigation measure is recommended:

Mitigation Measure Bio - 2

- A. Development, construction or trenching within 5 feet of the dripline of the cluster of Oak Trees on Lot, 1, 3 and 4 shall be prohibited and remain undisturbed. The final map shall include a such notation under supplemental notes.
-

Special status plants and wildlife.

According to the report, the presence or impacts to other protected wildlife or plant species are unlikely. **Impacts are anticipated to be less than significant.**

d, f: The project does not substantially interfere with movement of any native wildlife species and does not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional or state habitat conservation plan. **No impacts are anticipated.**

2.5 Cultural Resources

Checklist Items: Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a-d: A Cultural Resources Technical Memorandum was prepared by Solano Archeological Services for the subject property. The technical memorandum summarizes research, Native American community outreach and pedestrian survey. According to the summary and recommendations, both NAHC and NWIC searches were negative for cultural resources in the project area and no Native American community representatives have expressed interest in or concerns with the proposed project. The memo identified a vernacular outbuilding (SAS-001) dating back to 1960s located on Lot 1, however, due to lack of significant historical characteristics, the report did not recommend SAS-001 not eligible for California Historic Resource Listing. However, in the event that undocumented buried archeological deposits or human remains are uncovered, the following mitigation measure shall apply to **minimize impacts to a less than significant level**:

Mitigation Measure CR – 1:

In the event that presently undocumented buried archeological deposits are encountered during any Project-associated construction activity, work must cease within 50-foot radius of the discovery. A qualified archeologist must be retained to document the discovery, assess its significance, and recommend treatment. If human remains or any associated funerary artifacts are discovered during construction, all work must cease within the immediate vicinity of the discovery. In accordance with the California Health and Safety Code (Section 7050.5), the Solano County Sheriff/Coroner must be contacted immediately. If the Coroner determines the remains to be Native American, the Coroner will notify the Native American Heritage Commission which will in turn appoint a Most Likely Descendent (MLD) to act as a Tribal Representative. The MLD will work with the subdivider and a qualified archeologist to determine the proper treatment of the human remains and associated funerary objects. Construction activities will not resume until either the human remains are exhumed, or the remains are avoided via project construction design change.

2.6 Geology and Soils

Checklist Items: Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a.				
1) Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, differential settlement, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a-d: The property is not located within the Alquist-Priolo Earthquake Fault Zone or identified with Liquefaction potential. However, is identified as Generally Susceptible to Land sliding (Figure HS – 8 of the Public Health and Safety Chapter, General Plan) and located on soil that has high-shrink swell potential (Figure HS -10 of the Public Health and Safety Chapter of the General Plan). Parcel specific geotechnical reports prepared by a Geotechnical Engineer licensed in California is required prior to Building Division approval. Compliance will result in **less than significant impacts**.

b. The addition of three (3) new homes would not cause a substantial amount of soil erosion. Compliance with County’s Grading standards will result in **less than significant impacts**.

e. The Environmental Health Services Division reviewed the soils report prepared for the subject site by FR Soiltesting and determined that standard septic systems are appropriate for Lot 2 and

engineered septic systems are recommended for Lot 3 and 4. Compliance with County regulations for on-site sewage disposal would minimize impacts to **less than significant**.

2.7 Greenhouse Gas Emissions

Checklist Items: Would the project		Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. Potential residential development on the subject site would not have a significant impact on greenhouse gas emissions (GhG) as the impact of GhG emissions is considered to be global in nature. **No impacts are anticipated.**
- b. As proposed, the project should not conflict with any goals or policies of the Solano County General Plan, which are intended to reduce or indirectly reduce GhG emissions. Nor would the project conflict with the County's recently adopted Climate Action Plan (June 2011). **No impacts are anticipated.**

2.8 Hazards and Hazardous Materials

Checklist Items: Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a – g: No hazardous materials should be released into the environment through transport or accidental upset of hazardous materials as a result of this proposal. The project site is not listed on a list of hazardous materials sites, nor located within an airport land use plan. The project will not impair the implementation of an adopted emergency response plan or emergency evacuation plan. Impacts are less than significant.				
h. The project site is located within the Cal Fire State Responsibility Area and has the potential to expose people or structures to significant loss during a wildfire. Cal Fire adopted regulations addressing various aspects of development such as defensible space, road widths and driveway access standards which could mitigate the risk of exposure and loss, injury and death. The proposed tentative map identifies				

required 30-foot setback required for defensible space and complies with the Vacaville Fire Protection District rule regarding siting homesites no farther than 1000 foot from an existing fire hydrant. Compliance with driveway access standards will be verified during the residential construction phase. However, in order to inform future buyers of the potential risks, the following mitigation measure is recommended in order to **minimize impacts to a less than significant level**.

- Haz – 1** On the final parcel map, delineate the 30-foot setback(defensible space) from the property lines as shown on the tentative map, required by Cal Fire Regulations and include a note that the property is located within the State Responsibility Area for wildfire. Compliance with the Cal Fire adopted regulations (Cal Code reg. Title 14 Sec 1270 et seq) could minimize the risk of loss, injury or death involving wildfire.

2.9 Hydrology and Water

Checklist Items: Would the project		Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a.	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on-or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e.	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f.	Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g.	Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h.	Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i.	Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j.	Be subject to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b:	The entire property is designated as an "A" zone for water bearing rocks in the San Francisco Bay Area by D.A. Webster 1972 - US Department of Interior of Geological Survey. The "A"				

water zone has the lowest probability of success when attempting to develop a domestic drinking water well with a minimum sustained yield of 3 gallons per minute, when compared to water bearing rock zones with higher probability such as “B, C and D”.

The Subdivision Ordinance allows well water to serve as the water supply for lots 5 acres or more; however, the low probability of success raises the risk of water availability and concern for domestic use feasibility for project approval. The applicant has proposed public water service connections by the Rural North Vacaville Water District for four (4) lots. The public water main is located in Steiger Hill Road and new water meter connections are required.

Public water service connection will ensure adequate water supply for the project in a groundwater scarce area. The Rural North Vacaville Water District has approved the sale of four (4) water rights (Resolution 2020-44) and requires annexation approval by the Solano Local Agency Formation Commission. The District requires that all improvements shall be designed, engineered and installed by the subdivider in accordance with the District Rules and Regulations prior to recording the final map or sale of individual lots.

Individual well water usage for three (3) additional lots in a groundwater scarce area has the potential to cause a significant impact; therefore, the following mitigation measure is recommended to minimize impacts to a **less than significant level**:

Mitigation measure WS-1:

- A. Prior to the recordation of the Parcel Map, complete all engineering and construction related to the public water system, according to the terms of agreement with the Rural North Vacaville Water District, in compliance with the rules and regulations of the Rural North Vacaville District. Submit evidence to the Department of Resource Management that the engineering plans and necessary infrastructure installation are complete to the satisfaction of the Rural North Vacaville Water District.
 - c-f: Site development and grading activities will be required to implement Best Management Practices (BMP's) to address construction related surface runoff and vehicle and construction equipment clean out areas. With an approved grading/drainage and erosion control plan utilizing the latest BMP technologies and compliance with the recommended riparian corridor mitigation measures, impacts to on-site and off-site water quality should be reduced to a less than significant level. **Less than significant impacts are anticipated.**
 - g,h: According to FEMA flood maps, the project site is not located within the Federal Emergency Management Agency's (FEMA) Flood Zone A (100-year flood zone). The site lies within FEMA Flood Zone X according to Firm Panels 06095C 0161F and C0695C 0150E. Zone X is defined as an area of minimal flood hazard. Therefore, there would be **no impact** and no further discussion is required.
 - i, j: The project site is inland and is not threatened by potential seiche or tsunamis. Therefore, **no impact** would occur and no further discussion on this issue is required.
-

2.10 Land Use and Planning

Checklist Items: Would the project		Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a.	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-c: The project will not physically divide any community. The project site is located within the Rural Residential land use designation and zoned for rural residential development. The proposed subdivision is consistent with the General Plan. Annexation into the Rural North Vacaville Water District will ensure, adequate provision of public water service. There is no conservation plan in the project vicinity; therefore, **no impacts** are anticipated.

2.11 Mineral Resources

Checklist Items: Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a, b. The site is not designated with mineral resource importance according to the General Plan or other land use plan. No impacts are anticipated.				

2.12 Noise

Checklist Items: Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generation of, excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-d: Due to the location within the valley, the project could add ambient noise levels during construction and post construction. Complaints from the community have been received regarding noise levels during residential construction. The addition of additional residences could potentially raise the temporary ambient noise levels in the neighborhood. In order to mitigate for construction level noise, the following mitigation measure is recommended to minimize impacts to **less than significant**

Mitigation measure Noise – 1:

Construction activity is limited to weekdays during the hours of 8 a.m. to 5 p.m., Monday through Friday; and 9 a.m. to 4 p.m. on Saturdays, and no work should occur on Sundays and Federal holidays. In order to ensure future buyers are aware of the noise restrictions, the final map shall include a supplemental note statement regarding the noise restriction for construction activities.

However, residential activities are considered normal and would not typically exceed the 65 dB noise standard for residential neighborhood. Noise nuisances would be subject to enforcement actions.

e, f. The project is not located within the vicinity of an airport or private airstrip. **No impacts** are anticipated.

2.13 Population and Housing

Checklist Items: Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. The proposed project would allow three (3) additional single-family dwellings. Given that the average household size in the unincorporated County is 2.88 persons per household (2010 Census Data), the average number of additional persons expected to reside at the project site is 9 persons. This increase alone would create a less than significant impact .				
b,c This area is planned for this density of residential growth with the necessary infrastructure and public services to support the project available. The project does not involve the displacement of homes or people, and will have no impact .				

2.14 Public Services

Checklist Items: Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
1) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- 1) The project will not cause adverse impacts; however, compliance with Vacaville Fire Protection District Rules and Regulations and Cal Fire State Responsibility Area regulations as recommended in the Hazards Section of this Initial Study, could minimize impacts to **less than significant level**.
- 2) The project proposes three (3) additional homesites, in an existing service area of the Sheriff's Department and the relatively small number of new parcels being created would not typically require additional staffing resources by the Sheriff. **Less than significant impacts are anticipated.**
- 3) Individual property owners will pay fees prior to issuance of building permits which will help pay for new schools or additional facilities, in the Vacaville Unified School District. **Less than significant impacts are anticipated.**
- 4) The project is not anticipated to generate the need or impact for additional recreational facilities. **Less than significant impacts are anticipated.**
- 5) The project will utilize public water service by the Rural North Vacaville Water District. The project proponent will be required to install public water meters and infrastructure lines within public right-of-way, prior to Final Map recordation or sale of each individual lot. Each individual lot owner will be responsible for installation to the home. Installation of the infrastructure will be subject to the rules and regulations of the Rural North Vacaville Water District. **Less than significant impacts are anticipated.**

2.15 Recreation

Checklist Items: Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-c: The additional households could utilize existing neighborhood or regional parks in the vicinity of the project. The potential small increase in park use would not cause substantial physical deterioration and, therefore, the project will have **no impact** on recreational facilities.

2.16 Transportation and Traffic

Checklist Items: Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable congestion management program, including, but not limited to level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a-f: Steiger Hill and Joslin Lane are currently built to County Road Improvement Standards. The project is anticipated to generate additional 28.8 ADT based upon a 9.6 trip generation rate for a single-family residence according to the Institute of Transportation Engineers Trip Generation manual. The increase in traffic would not have significant impacts on the existing traffic load and capacity of the street system and impacts are considered **less than significant**.

California Office of Planning and Research guidelines for Vehicle Mile Traveled (VMT) analysis state that projects that generate fewer than 110 trips per day may be assumed to cause less than significant impacts. The project generates approximately 28.8 ADT; therefore, **impacts are less than significant**.

The proposed project will not conflict with any circulation plan, result in inadequate emergency access or impact any farm equipment. Traffic impacts are **less than significant**.

2.16 Utilities and Service Systems

Checklist Items: Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a-b,f,g: No wastewater treatment plants will be used as all four parcels will utilize septic systems. The existing land fill has the capacity to handle all waste from the additional parcels. No impacts are anticipated.				
c. Compliance with County Code Chapter 31, Grading, Drainage, Land Leveling and Erosion Control prior to issuance of building permits for the new residences will ensure less than significant impacts .				
d. As discussed in the Hydrology & Water Section, the property is in the groundwater scarce zone, "A" water zone and the project proposes to provide public water service for the proposed development and existing residence. Compliance with recommended mitigation measure WS-1 could mitigate impacts to less than significant .				
e. The applicant submitted a Soils Report prepared by FR Soiltesting, for the subject site. The Environmental Health Services Division reviewed the report and concluded that septic systems are permissible on the property. Compliance with County Code Section 6.4 shall ensure that impacts are less than significant .				

2.17 Mandatory Findings of Significance

Checklist Items: Would the project	Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
a. Does the project have the potential to (1) degrade the quality of the environment, (2) substantially reduce the habitat of a fish or wildlife species, (3) cause a fish or wildlife population to drop below self-sustaining levels, (4) threaten to eliminate a plant or animal community, (5) reduce the number or restrict the range of a rare or endangered plant or animal, or (6) eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a-c: The General Plan has designated this area for rural residential purposes and impacts associated residential activities, are to be expected and anticipated. Implementation of recommended mitigation measures could reduce environmental effects and impacts to the environment and humans to less than significant level. Therefore, impacts could be mitigated to **less than significant level**.

3.0 Agency Coordination and Public Involvement

3.1 Consultation and Coordination with Public Agencies

The Initial Study is being circulated for public comment for 30-day period. Public Comment period deadline is June 4, 2021. See below or page 4 for contact information.

3.2 Public Participation Methods

The Initial Study is available at the Solano County Department of Resource Management and online at the Department's Planning Services Division website at:

<http://www.solanocounty.com/depts/rm/documents/eir/default.asp>

Interested parties may contact the planner assigned to this project at the contact points provided below:

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Resource Management Department
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4.0 List of Preparers

This Initial Study was prepared by the Solano County Department of Resource Management. The following staff and consultants contributed to the preparation of this Initial Study:

Solano County Department of Resource Management
Nedzlene Ferrario

5.0 Distribution List

Rural North Vacaville Water District
Vacaville Fire Protection District
Solano Local Agency Formation Commission

6.0 Appendices

- 6.1 Application Forms MS - 20-02**
 - 6.2 Assessor's Parcel Map**
 - 6.3 Tentative Parcel Map**
 - 6.4 Biological Assessment Report**
 - 6.5 Cultural Resource Technical Memorandum**
 - 6.7 Rural North Vacaville Water District Letter**
 - 6.8 Solano Local Agency Formation Commission**
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**STEIGER LANDS MINOR SUBDIVISION
APPLICATION NO. MS-20-02
MITIGATION MONITORING AND REPORTING PROGRAM**

When an agency makes a finding that potentially significant impacts have been mitigated to less than significant levels, the agency must also adopt a program for reporting on or monitoring the efficacy of the mitigation measures that were adopted (Public Resources Code 21081.6). This document consists of a proposed Mitigation Monitoring and Reporting Program for Steiger Lands Application. The monitoring and reporting measures included in this program are the responsibility of the Project Sponsor/Applicant/Subdivider.

The Mitigation Monitoring and Reporting Program includes the confirmation of, or review and approval of, the implementation of specific mitigation actions in the form of reports and plans. The mitigation measures included in this monitoring program will be completed at various stages of the Project, including future document submittals for Building and Grading Permit approvals, actions or approvals linked to other Responsible Agencies if applicable, as well as during project construction and implementation. Solano County will provide documentation that the Mitigation Monitoring and Reporting Program has been fully adhered to and completed. This Mitigation Monitoring and Reporting Program applies to all activities evaluated by the Steiger Lands Initial Study.

Solano County remains responsible for ensuring that the implementation of these mitigation measures occurs to the extent noted in this Mitigation Monitoring and Reporting Program and, where it is noted, Solano County will be responsible for reviewing and monitoring the required mitigation measures to ensure compliance (CEQA Guidelines 15097).

Steiger Lands Minor Subdivision MS-20-02 Mitigation Monitoring and Reporting Program				
Mitigation Measures	Party Responsible for Implementation	Party Responsible for Monitoring	Monitoring Action	Significance After Mitigation
Biological Resources				
<p>Mitigation Measure Bio - 1 (Avoidance of avian nests and protected avian species):</p> <p>Prior to any ground disturbance such as trenching or grading for public water system, issuance of encroachment permit or building permit, a qualified biologist shall conduct and prepare the following assessment and submit copies of the report to the Department of Resource Management and CDFW:</p> <p>A. If construction activities are scheduled to occur during the breeding season (February 1- August 31), a qualified wildlife biologist shall conduct pre-construction surveys of all potential suitable nesting habitat within 500 feet of active construction areas, including trees, shrubs, grassland and wetland vegetation. The qualified wildlife biologist shall determine the timing of the preconstruction surveys based upon the time of year and habitats that are present. The qualified wildlife biologist shall conduct surveys no more than 7 days prior to construction. If a lapse in Project-related work of 7 days or longer occurs, another focused survey shall occur before Project work is reinitiated.</p> <p>B. If active nests are found, maintain a no disturbance buffer zone around the active nests during the breeding season or until it is determined that the young have fledged. The no disturbance buffer zone from active Swainson Hawk nest(s) or any protected avian specie shall be 0.5 miles or as may otherwise be determined by the Planning Services Division, Department of</p>	Subdivider/Applicant	Department of Resource Management	Prior to construction	Less than significant

Steiger Lands Minor Subdivision MS-20-02 Mitigation Monitoring and Reporting Program				
Mitigation Measures	Party Responsible for Implementation	Party Responsible for Monitoring	Monitoring Action	Significance After Mitigation
<p>Resource Management, in consultation with a qualified biologist, USFWS and CDFW as appropriate.</p> <p>Mitigation Measure Bio – 2 (Tree Avoidance):</p> <p>Development, construction or trenching within 5 feet of the dripline of the cluster of Oak Trees on Lot, 1, 3 and 4 shall be prohibited and remain undisturbed. No trees shall be removed during the Project. For each existing tree within or adjacent to Project ground-disturbing activities, a critical root zone that extends at least five feet from the dripline of the tree shall be established by a qualified biologist. The critical root zone of each tree within the project area shall be flagged or fenced off from Project activities. Flagging or fencing shall be maintained throughout the Project activities and removed and disposed of once the Project is complete. The final map and design plans shall include a such this requirement as a notation under supplemental notes.</p>				
<p>Mitigation Measure Bio-2: American Badger:</p> <p>Prior to any ground disturbance such as trenching or grading for public water system, issuance of encroachment permit or building permit, a qualified biologist shall conduct and prepare the following assessment and submit copies of the report to the Department of Resource Management and CDFW:</p> <p>The qualified biologist shall survey for the presence of the American Badger and develop a monitoring plan to</p>	Subdivider/Applicant	Department of Resource Management	Prior to construction	Less than significant

Steiger Lands Minor Subdivision MS-20-02 Mitigation Monitoring and Reporting Program				
Mitigation Measures	Party Responsible for Implementation	Party Responsible for Monitoring	Monitoring Action	Significance After Mitigation
keep the badgers out of the area during construction activities involving road, driveways, residences or accessory structures, no more than 30 days prior to construction. These measures may include a qualified biologist surveying for the species including adjacent habitat prior to construction, avoiding occupied burrows including a sufficient buffer approved by CDFW, and preparing and implementing a CDFW-approved relocation plan if badgers are found on or adjacent to the Project site.				
<p>Mitigation Measure BIO-5: Special-Status Plant Surveys</p> <p>Prior to any ground disturbance such as trenching or grading for public water system, issuance of encroachment permit or building permit, a qualified biologist shall conduct and prepare the following assessment and submit copies of the report to the Department of Resource Management and CDFW:</p> <p>A qualified biologist shall conduct surveys during the appropriate blooming period for all special-status plants that have the potential to occur on or adjacent to the Project site prior to the start of ground-disturbing activities and prepare a report documenting survey findings. Surveys and reporting shall be conducted following <i>Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities</i>⁶. If special-status plants are found during surveys, the Project shall be re-designed to avoid impacts to special-status plants. If</p>	Subdivider/Applicant	Department of Resource Management	Prior to construction	Less than significant

Steiger Lands Minor Subdivision MS-20-02 Mitigation Monitoring and Reporting Program				
Mitigation Measures	Party Responsible for Implementation	Party Responsible for Monitoring	Monitoring Action	Significance After Mitigation
<p>special-status plants listed as threatened or endangered under the ESA, such as Keck's checkerbloom, are discovered on or adjacent to the Project site, the Project shall consult with U.S. Fish and Wildlife Service prior to commencing Project activities. If impacts to any special-status plants cannot be avoided completely during construction, the Project shall provide mitigation including offsite habitat preservation or another method accepted in writing by CDFW. The qualified biologist shall be knowledgeable about plant taxonomy, familiar with plants of the region, and have experience conducting botanical field surveys according to vetted protocols.</p>				
<p>Mitigation Measure BIO-4B: Burrowing Owl Habitat Mitigation</p> <p>Prior to any ground disturbance such as trenching or grading for public water system, issuance of encroachment or building permit, a qualified biologist shall conduct and prepare the Burrowing Owl habitat assessment and surveys in accordance with CDFW guidelines; and submit copies of the report to the Department of Resource Management and CDFW:</p> <p>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 above), the following habitat mitigation shall be implemented prior to Project construction:</p>	Subdivider/Applicant	Department of Resource Management	Prior to construction	Less than significant

Steiger Lands Minor Subdivision MS-20-02 Mitigation Monitoring and Reporting Program				
Mitigation Measures	Party Responsible for Implementation	Party Responsible for Monitoring	Monitoring Action	Significance After Mitigation
<p>Impacts to each nesting site shall be mitigated by permanent preservation of two occupied nesting sites with appropriate foraging habitat within Solano 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.</p> <p>Impacts to burrowing owl foraging habitat shall be mitigated by permanent preservation of foraging habitat at a 1:1 mitigation to impact ratio, in the same manner described above, and accepted by CDFW in writing. The CDFW 2012 Staff Report states, "current scientific literature supports the conclusion that mitigation for permanent habitat loss necessitates replacement with an equivalent or greater habitat area for breeding, foraging, wintering, dispersal..."</p>				
<p>Mitigation Measure Bio-4A Burrowing Owl Habitat Assessment, Surveys and Avoidance:</p> <p>Prior to any ground disturbance such as trenching or grading for public water system, issuance of encroachment permit or building permit, a qualified biologist shall conduct and prepare the following assessment and submit copies of the report to the Department of Resource Management and CDFW:</p> <p>A habitat assessment shall be performed following <i>Appendix C: Habitat Assessment and Reporting Details</i></p>	Subdivider/Applicant	Department of Resource Management	Prior to construction	Less than significant

Steiger Lands Minor Subdivision MS-20-02 Mitigation Monitoring and Reporting Program				
Mitigation Measures	Party Responsible for Implementation	Party Responsible for Monitoring	Monitoring Action	Significance After Mitigation
<p>of the CDFW 2012 Staff Report. The habitat assessment shall extend at least 150 meters (492 feet) from the Project area boundary and include burrows and burrow surrogates. If the habitat assessment identifies potentially suitable burrowing owl habitat, then a qualified biologist shall conduct surveys following the CDFW 2012 Staff Report survey methodology. Surveys shall encompass the Project site and a sufficient buffer zone to detect owls nearby that may be impacted commensurate with the type of disturbance anticipated, as outlined in the CDFW 2012 Staff Report, and include burrow surrogates such as culverts, piles of concrete or rubble, and other non-natural features, in addition to burrows and mounds.</p> <p>Time lapses between surveys or Project activities shall trigger subsequent surveys, as determined by a qualified biologist, 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 CDFW 2012 Staff Report survey methodology resulting in detections. Detected nesting burrowing owls shall be avoided pursuant to the buffer zone prescribed in the CDFW 2012 Staff Report and any passive relocation plan for non-nesting owls shall be subject to CDFW review</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-</p>				

Steiger Lands Minor Subdivision MS-20-02 Mitigation Monitoring and Reporting Program				
Mitigation Measures	Party Responsible for Implementation	Party Responsible for Monitoring	Monitoring Action	Significance After Mitigation
<p>than-significant, Mitigation Measure BIO-4B outlined below 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>				
<p>Mitigation Measure Bio-3B (Swainson Hawk):</p> <p>Loss of foraging habitat shall be mitigated at the appropriate ratio following CDFW’s (then Fish and Game) <i>Staff Report Regarding Mitigation for Impacts to Swainson’s Hawks (Buteo Swainsoni) in the Central Valley of California</i> prior to Project construction and accepted by CDFW in writing. The Project shall be assumed to be within one mile of an active nest tree and mitigate at a 1:1 mitigation to impact ratio, unless protocol-level Swainson’s hawk surveys are conducted demonstrating that Swainson’s hawks are not nesting within one mile of the Project. Habitat mitigation shall include permanent preservation of foraging habitat through a conservation easement and implementing</p>	Subdivider/Applicant	Department of Resource Management	Prior to construction	Less than significant

Steiger Lands Minor Subdivision MS-20-02 Mitigation Monitoring and Reporting Program				
Mitigation Measures	Party Responsible for Implementation	Party Responsible for Monitoring	Monitoring Action	Significance After Mitigation
<p>and funding a long-term management plan in perpetuity.</p> <p>a. Prior to recordation of the Parcel Map, the subdivider shall compensate for the loss of 0.65 acres of Swainson Hawk of foraging habitat at a ratio of 1:1 (1 acre for every 1 acre removed).</p> <p>b. Mitigation may be in the form of fee-title or a conservation easement or credits, held by a non-profit land management organization, on lands containing suitable Swainson's hawk foraging habitat and as approved by the CDFW in Solano County. Alternatively, the purchase of Swainson's Hawk mitigation credits at a mitigation bank or conservation area located in Solano County is acceptable. Submit evidence in the form of a Bill of Sale from the mitigation bank or Conservation Easement, for Swainson Hawk mitigation to the Planning Services Division, prior to Parcel Map recordation.</p>				
<p>Mitigation Measure Bio – 3A (Swainson Hawk) Pre-construction Surveys:</p> <p>Prior to any ground disturbance such as trenching or grading for public water system, issuance of encroachment or building permit, a qualified biologist shall conduct and prepare the following pre-construction surveys; and submit copies of the report to the Department of Resource Management and CDFW:</p>	Subdivider/Applicant	Department of Resource Management	Prior to construction	Less than significant

Steiger Lands Minor Subdivision MS-20-02 Mitigation Monitoring and Reporting Program				
Mitigation Measures	Party Responsible for Implementation	Party Responsible for Monitoring	Monitoring Action	Significance After Mitigation
<p>a. If Project activities are scheduled during the nesting season for Swainson's hawks (March 1 to September 15), prior to beginning work on this Project, the project proponent shall hire a qualified biologist to conduct surveys according to the <i>Recommended timing and methodology for Swainson's Hawk Nesting Surveys in California's Central Valley</i>.³ Survey methods should be closely followed by starting early in the nesting season (late March to early April) to maximize the likelihood of detecting an active nest (nests, adults, and chicks are more difficult to detect later in the growing season because trees become less transparent as vegetation increases). Surveys shall be conducted: 1) within a minimum 0.5-mile radius of the Project site or a larger area if needed to identify potentially impacted active nests, and 2) for at least the two survey periods immediately prior to initiating Project-related construction activities. Surveys shall occur annually for the duration of the Project. The qualified biologist shall have a minimum of two years of experience implementing the survey methodology resulting in detections. If active Swainson's hawk nests are detected, the Project shall implement a 0.5-mile construction avoidance buffer around the nest until the nest is no longer active as determined by a qualified biologist. If take of Swainson's hawk cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP. CDFW Bay Delta Region staff is available to provide guidance on the ITP application process. A copy of the survey shall be submitted to the Department of Resource Management.</p>				

Steiger Lands Minor Subdivision MS-20-02 Mitigation Monitoring and Reporting Program				
Mitigation Measures	Party Responsible for Implementation	Party Responsible for Monitoring	Monitoring Action	Significance After Mitigation
Cultural Resources				
<p>Mitigation Measure CR – 1:</p> <p>In the event that presently undocumented buried archeological deposits are encountered during any Project-associated construction activity, work must cease within 50-foot radius of the discovery. A qualified archeologist must be retained to document the discovery, assess its significance, and recommend treatment. If human remains or any associated funerary artifacts are discovered during construction, all work must cease within the immediate vicinity of the discovery. In accordance with the California Health and Safety Code (Section 7050.5), the Solano County Sheriff/Coroner must be contacted immediately. If the Coroner determines the remains to be Native American, the Coroner will notify the Native American Heritage Commission which will in turn appoint a Most Likely Descendent (MLD) to act as a Tribal Representative. The MLD will work with the subdivider and a qualified archeologist to determine the proper treatment of the human remains and associated funerary objects. Construction activities will not resume until either the human remains are exhumed, or the remains are avoided via project construction design change.</p>	Applicant/Subdivider	Department of Resource Management	During construction	Less than significant
Hazards				
<p>Mitigation measure Haz – 1</p>	Applicant/Subdivider	Department of Resource Management	Final map recordation process	Less than significant

Steiger Lands Minor Subdivision MS-20-02 Mitigation Monitoring and Reporting Program				
Mitigation Measures	Party Responsible for Implementation	Party Responsible for Monitoring	Monitoring Action	Significance After Mitigation
On the parcel map, delineate the 30-foot setback (defensible space) from the property lines as shown on the tentative map, required by Cal Fire Regulations and include a note that the property is located within the State Responsibility Area for wildfire. Compliance with the Cal Fire adopted regulations (Cal Code reg. Title 14 Sec 1270 et seq) could minimize the risk of loss, injury or death involving wildfire.				
Water Supply				
Mitigation Measure WS-1: Prior to the recordation of the parcel map, complete all engineering and construction related to the public water system, according to the terms of agreement with the Rural North Vacaville Water District, in compliance with the rules and regulations of the Rural North Vacaville District. Submit evidence to the Department of Resource Management that the engineering plans and necessary infrastructure installation are complete to the satisfaction of the Rural North Vacaville Water District.	Applicant/Subdivider	Department of Resource Management	Prior to final map recordation process	Less than significant

<p>Mitigation measure Noise – 1:</p> <p>Construction activity is limited to weekdays during the hours of 8 a.m. to 5 p.m., Monday through Friday; and 9 a.m. to 4 p.m. on Saturdays, and no work should occur on Sundays and Federal holidays. In order to ensure future buyers are aware of the noise restrictions, the final map shall include a note indicating the noise restriction for construction activities.</p>	<p>Subdivider/Contractor /Property Owner</p>	<p>Department of Resource Management</p>	<p>During construction</p>	<p>Less than significant</p>

The logo for Rural North Vacaville Water District is circular. It features a blue water drop at the top, a green and yellow landscape below it, and the text "Rural North Vacaville Water District" around the top edge and "Solano County, California" around the bottom edge.

RURAL NORTH VACAVILLE WATER DISTRICT

October 19, 2020

Building Official
Solano County Department of Resource Management
675 Texas Street, Suite 5500
Fairfield, CA 94533

Subject: Will Serve Confirmation; Subdivision application MS 20-02

Reference Address: 7061 Steiger Hill Road, Vacaville CA 95688, APN 105-190-090

Dear Building Official:

This “**will serve**” letter is written in reference to the above subject property address as requested by the property owner Norcal Properties Management, LLC. This property is not in the water district. The board of directors has approved Resolution 2020-44 requesting Annexation by LAFCO.

The District has approved the sale of 4 water rights to the developer upon annexation by LAFCO and as a condition of the Tentative map approval. The District requires that the developer shall purchase 4 water rights and that all improvements shall be designed, engineered and installed by the developer in accordance with the requirements of the most recent District Rules and Regulations and Exhibits and that the work be approved and accepted by the District as a condition precedent to the recording of a Final map.

The water district is a rural drinking water system. New residences may need to provide additional on-site storage for in-house fire protection systems. Hydrants within the district are for the filling of fire department tanker trucks (there is no guarantee on flow rate or quantity of water available). The landowner should verify the risks and limitations regarding fire protection in this area.

Please contact the undersigned if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Gordon Stankowski".

Gordon Stankowski
General Manager



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
(707) 428-2002
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



May 25, 2021

Ms. Nedzlene Ferrario
Solano County Department of Resource Management
675 Texas Street, Suite 5500
Fairfield, CA 94533
nferrario@solanocounty.org

Subject: MS-20-02 Steiger Lands, Mitigated Negative Declaration,
SCH No. 2021040652, Solano County

Dear Ms. Ferrario:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt a Mitigated Negative Declaration (MND) from the County of Solano (County) for the MS-20-02 Steiger Lands Project (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

CDFW is submitting comments on the MND to inform the County, as the Lead Agency, of our concerns regarding potentially significant impacts to sensitive 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: Norcal Property Management, LLC

Objective: The Project would subdivide an existing approximately 23-acre parcel into four approximately 5-acre parcels. Future construction of single-family residences, driveways, and associated infrastructure are anticipated at three of the four new parcels. An existing residential structure and associated outbuildings would be maintained at the

¹ 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.

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southern-most parcel. Primary Project activities include grading, excavation, trenching, building construction, concrete pouring, and construction of leach fields.

Location: The Project is located at 7061 Steiger Hill Road, approximately one mile west of the City of Vacaville, in unincorporated Solano County. The Project site is immediately south and west of the intersection of Joslin Lane and Steiger Hill Road. Steiger Hill Road borders the eastern side of the Project. The Project would occur on Assessor's Parcel Number 0105-190-090. The approximate Project centroid is Latitude 38.40423°N, Longitude 122.00895°W.

Timeframe: The MND does not specify a Project timeframe.

ENVIRONMENTAL SETTING

The Project is located on an approximately 23-acre mostly undeveloped parcel. The southeast portion of the Project site consists of a single residential structure, several outbuildings, and associated infrastructure, covering approximately 0.8 acres. The rest of the Project site is undeveloped non-native grassland with clusters of oak trees (*Quercus* sp.). The grassland is periodically mowed or disked and has been heavily grazed by horses. The surrounding area consists of agricultural land, rangeland, low density ranchette-style housing, and blue oak (*Q. douglasii*), valley oak (*Q. lobata*) and interior live oak (*Q. wislizeni*) woodlands. An unnamed tributary to South Fork English Creek with a mature riparian canopy flows north across the southeast corner of the Project site, under Steiger Hill Road through an existing culvert, and then along the eastern border of the Project site, east of Steiger Hill Road. Two additional watercourses are present on the Project site: an ephemeral creek with a blue oak and interior live oak overstory in the northwest, a tributary to South Fork English Creek; and an ephemeral creek with a mixed hardwood overstory in the southeast, a tributary to the unnamed tributary that follows Steiger Hill Road. The MND identifies that California ground squirrels (*Otospermophilus beecheyi*) and associated burrows were observed on-site (Appendix 6.4). Botta's pocket gopher (*Thomomys bottae*) burrows were also observed on-site (Appendix 6.4). Special-status species with the potential to occur in or near the Project site include, but are not limited to, Swainson's hawk (*Buteo swainsoni*), listed as threatened pursuant to CESA; burrowing owl (*Athene cunicularia*), a California Species of Special Concern (SSC); American badger (*Taxidea taxus*), an SSC; white-tailed kite (*Elanus leucurus*), a Fully Protected Species; Keck's checkerbloom (*Sidalcea keckii*), listed as endangered pursuant to the federal Endangered Species Act (ESA) and California Rare Plant Rank (CRPR) 1B.1; and adobe lily (*Fritillaria pluriflora*), CRPR 1B.2².

² CRPR 1B plants are considered rare, threatened, or endangered in California and elsewhere. The threat ranks, 1B.1 and 1B.2, are considered seriously threatened in California and moderately threatened in California, respectively. Further information on CRPR is available in CDFW's *Special Vascular Plants*,

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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, such as Swainson’s hawk, either during construction or over the life of the Project. 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 Agreement

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 notification requirements. The MND identifies an intermittent creek and two ephemeral creeks occur within the Project site, and states that no development is proposed that would directly impact these areas (page 13 and Appendix 6.4). Please be advised that all identified ephemeral and intermittent streams are subject to LSA notification requirements if they will be impacted, either directly or indirectly. Activities that could indirectly impact these streams, e.g., through changes in hydrology and on-site drainage, could also be considered substantial. In that case, CDFW will consider the CEQA document for the Project and may issue an LSA Agreement. CDFW may not execute the final LSA Agreement until it has complied with CEQA as a Responsible Agency.

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Raptors and Other Nesting Birds

CDFW also 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.

Fully Protected Species

Fully Protected species, such as white-tailed kite, may not be taken or possessed at any time (Fish and Game Code, §§ 3511, 4700, 5050, & 5515).

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document. Based on the Project's avoidance of significant impacts on biological resources, in part through implementation of CDFW's below recommendations, CDFW concludes that an MND is appropriate for the Project.


Environmental Setting and Related Impact Shortcoming

Swainson's Hawk

The MND identifies that Swainson's hawk, listed as threatened pursuant to CESA, may occur within the Project site, which provides low quality foraging habitat (page 12, Appendix 6.4). The MND identifies that potentially suitable nesting trees exist in and near the Project site and that the closest California Natural Diversity Database (CNDDB) occurrence of nesting Swainson's hawk is approximately 1.5 miles southwest of the Project (*ibid.*). In addition, the California Wildlife Habitat Relationships Predicted Habitat Suitability for the site is High Suitability. The MND relies on the general pre-construction nesting bird surveys identified in Mitigation Measure (MM) BIO-1 to locate any nearby Swainson's hawk nests. This measure requires nesting bird surveys to occur within the Project area and the 0.5 miles surrounding the Project site. It also requires these surveys within 30 days before commencing Project activities. While MM BIO-1 incorporates an appropriate survey buffer zone for Swainson's hawk, it does not provide adequate survey techniques to effectively identify nesting Swainson's hawk in and near the Project site.

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The breeding population of Swainson's hawks in California has declined by an estimated 91% since 1900 and the species continues to be threatened by on-going and cumulative loss of foraging habitat (CDFW 2016). Swainson's hawks could be disturbed by Project activities, resulting in potentially significant impact to Swainson's hawk through nest abandonment or reduced health and vigor of young. In addition, the MND does not propose compensatory mitigation for removal of Swainson's hawk foraging habitat. To reduce impacts to less-than-significant, CDFW recommends including the following Mitigation Measures.

Mitigation Measure BIO-3A: Swainson's Hawk Survey 

If Project activities are scheduled during the nesting season for Swainson's hawks (March 1 to September 15), prior to beginning work on this Project, a qualified biologist shall conduct surveys according to the *Recommended timing and methodology for Swainson's Hawk Nesting Surveys in California's Central Valley*.³ Survey methods should be closely followed by starting early in the nesting season (late March to early April) to maximize the likelihood of detecting an active nest (nests, adults, and chicks are more difficult to detect later in the growing season because trees become less transparent as vegetation increases). Surveys shall be conducted: 1) within a minimum 0.5-mile radius of the Project site or a larger area if needed to identify potentially impacted active nests, and 2) for at least the two survey periods immediately prior to initiating Project-related construction activities. Surveys shall occur annually for the duration of the Project. The qualified biologist shall have a minimum of two years of experience implementing the survey methodology resulting in detections. If active Swainson's hawk nests are detected, the Project shall implement a 0.5-mile construction avoidance buffer around the nest until the nest is no longer active as determined by a qualified biologist. If take of Swainson's hawk cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP. CDFW Bay Delta Region staff is available to provide guidance on the ITP application process.

Mitigation Measure BIO-3B: Swainson's Hawk Habitat Mitigation 

Loss of foraging habitat shall be mitigated at the appropriate ratio following CDFW's (then Fish and Game) *Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California*⁴ prior to Project construction, and accepted by CDFW in writing. The Project shall be assumed to be within one mile of an active nest tree and mitigate at a 1:1 mitigation to impact ratio, unless protocol-level Swainson's hawk surveys are conducted demonstrating that Swainson's hawks are not nesting within one mile of the Project. Habitat mitigation shall include permanent preservation of foraging habitat through a conservation easement

³ Swainson's Hawk Technical Advisory Committee, 2000.

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83990&inline>

⁴ CDFW, 1994. <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83992&inline>

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and implementing and funding a long-term management plan in perpetuity. Please be advised that the draft Solano Multispecies Habitat Conservation Plan, Section 6.4.8 and Figure 4-21, identifies 1:1 Swainson's hawk foraging habitat mitigation for the Project site (see: <https://www.scwa2.com/solano-multispecies-habitat-conservation-plan/>).

Burrowing Owl

The MND identifies that burrowing owl, a California Species of Special Concern, may occur within the Project site, which provides potentially suitable foraging habitat and potential refuge via ground squirrel burrows (Appendix 6.4). The MND also notes that there are documented occurrences of burrowing owl approximately three miles east of the Project site according to the CNDDDB (*ibid.*). In addition, the California Wildlife Habitat Relationships Predicted Habitat Suitability for the site is High Suitability for burrowing owls. During the biological site assessment on August 18, 2020, no burrowing owls or their sign were observed, though several ground squirrels and ground squirrel burrows were identified (Appendix 6.4). In accordance with CDFW's *Staff Report on Burrowing Owl Mitigation, Appendix C: Habitat Assessment and Reporting Details*⁵ (CDFW 2012 Staff Report), owls may be disturbed up to 1,640 feet (500 meters) from a project. Burrowing owls are present within the vicinity of the Project site and there is potentially suitable habitat for the species on and adjacent to the site.

The Project could result in burrowing owl nest abandonment, loss of young, reduced health and vigor of owlets, or injury or mortality of adults. Additionally, the Project would result in a permanent reduction of burrowing owl habitat in Solano County. Burrowing owls are a California Species of Special Concern due to population decline and breeding range retraction. Based on the above, the Project may potentially significantly impact burrowing owls. To reduce impacts to less-than-significant CDFW recommends the following Mitigation Measures.

Mitigation Measure BIO-4A: Burrowing Owl Habitat Assessment, Surveys, and Avoidance

Prior to Project activities, a habitat assessment shall be performed following *Appendix C: Habitat Assessment and Reporting Details* of the CDFW 2012 Staff Report. The habitat assessment shall extend at least 150 meters (492 feet) from the Project area boundary and include burrows and burrow surrogates. If the habitat assessment identifies potentially suitable burrowing owl habitat, then a qualified biologist shall conduct surveys following the CDFW 2012 Staff Report survey methodology. Surveys shall encompass the Project site and a sufficient buffer zone to detect owls nearby that may be impacted commensurate with the type of disturbance anticipated, as outlined in the CDFW 2012 Staff Report, and include burrow surrogates such as culverts, piles of concrete or rubble, and other non-natural features, in addition to burrows and mounds.

⁵ Department of Fish and Wildlife (then Fish and Game), 2012.
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843&inline>

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Time lapses between surveys or Project activities shall trigger subsequent surveys, as determined by a qualified biologist, 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 CDFW 2012 Staff Report survey methodology resulting in detections. Detected nesting burrowing owls shall be avoided pursuant to the buffer zone prescribed in the CDFW 2012 Staff Report and any passive relocation plan for non-nesting owls shall be subject to CDFW review.

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-4B outlined below 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.”

Mitigation Measure BIO-4B: Burrowing Owl Habitat 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 above), the following habitat mitigation shall be implemented prior to Project construction:

Impacts to each nesting site shall be mitigated by permanent preservation of two occupied nesting sites with appropriate foraging habitat within Solano 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.


Impacts to burrowing owl foraging habitat shall be mitigated by permanent preservation of foraging habitat at a 1:1 mitigation to impact ratio, in the same manner described above, and accepted by CDFW in writing. The CDFW 2012 Staff Report states, “current scientific literature supports the conclusion that mitigation for permanent habitat loss necessitates replacement with an equivalent or greater habitat area for breeding, foraging, wintering, dispersal...” Please be advised that the draft Solano Multispecies Habitat Conservation Plan, Section 6.4.9 and Figure 4-22, identifies 1:1 burrowing owl foraging habitat mitigation for the project site (see: <https://www.scwa2.com/solano->

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[multispecies-habitat-conservation-plan/](#)).

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

Special-Status Plants

The MND identifies 24 special-status plants with potential to occur in the area and concludes that all are unlikely to be present on the Project site (page 14, Appendix 6.4). Most plants were deemed unlikely to occur due to the absence of required habitat features such as vernal pools or serpentine soils. However, at least two species, Keck's checkerbloom, ESA listed as endangered and CRPR 1B.1, and adobe lily, CRPR 1B.2, may be associated with "valley and foothill grassland," consistent with habitat on-site, and were considered unlikely based solely on the level of disturbance at the site (*ibid.*). While disturbance on-site may reduce the habitat quality for some special-status plants, it does not necessarily preclude their presence. Special-status plants could occur on or adjacent to the Project site. 

The Project has the potential to crush and kill special-status plants and could significantly impact special-status plants on-site. Special-status plants could also be indirectly impacted by the Project through, for example, changes to hydrology or introduction of invasive species. To reduce impacts to less-than-significant, CDFW recommends the following Mitigation Measure.

Mitigation Measure BIO-5: Special-Status Plant Surveys

A qualified biologist shall conduct surveys during the appropriate blooming period for all special-status plants that have the potential to occur on or adjacent to the Project site prior to the start of ground-disturbing activities and prepare a report documenting survey findings. Surveys and reporting shall be conducted following *Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities*⁶. If special-status plants are found during surveys, the Project shall be re-designed to avoid impacts to special-status plants. If special-status plants listed as threatened or endangered under the ESA, such as Keck's checkerbloom, are discovered on or adjacent to the Project site, the Project shall consult with U.S. Fish and Wildlife Service prior to commencing Project activities. If impacts to any special-status plants cannot be avoided completely during construction, the Project shall provide mitigation including offsite habitat preservation or another method accepted in writing by CDFW. The qualified biologist shall be knowledgeable about plant taxonomy, familiar

⁶ Department of Fish and Wildlife, 2018. <https://www.wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>

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with plants of the region, and have experience conducting botanical field surveys according to vetted protocols.

American Badger

The MND identifies that the Project is within the range of the American badger, a California Species of Special Concern, and that a CNDDDB badger occurrence is approximately 3 miles southeast of the Project site (Appendix 6.4). The Project is located within grassland habitat that may be suitable for American badger. Badgers range⁷ throughout most of California and can dig burrows in a single day; therefore, the species may occupy the Project site and adjacent habitat prior to Project construction (Ministry of Environment Ecosystems 2007 as cited in Brehme et al. 2015). Additionally, the California Wildlife Habitat Relationships Predicted Habitat Suitability for the site is High Suitability. This information confirms the species has occurred in the vicinity of the Project site and could use it and adjacent habitat.

The Project may result in injury or mortality to adult or young badgers, or burrow abandonment. Therefore, project impacts to American badger would be potentially significant.

To reduce impacts to less-than-significant, CDFW recommends that the MND: (1) further analyze the potential for American badger to occur on and adjacent to the Project site, and (2) include mitigation measures to ensure impacts are reduced to less-than-significant. These measures may include a qualified biologist surveying for the species including adjacent habitat prior to construction, avoiding occupied burrows including a sufficient buffer approved by CDFW, and preparing and implementing a CDFW-approved relocation plan if badgers are found on or adjacent to the Project site.

Mitigation Measure or Alternative and Related Impact Shortcoming

Nesting Birds


The MND identifies that Project activities could disturb protected nesting birds and requires pre-construction nesting bird surveys in MM BIO-1A (page 13, Appendix 6.4). MM BIO-1A states that the nesting bird surveys may occur up to 30 days before Project activities, which could allow birds to begin nesting after the survey has occurred but prior to Project activities. This would not ensure avoidance of nesting birds.

Human activity and removal of habitat has contributed to the loss of a significant proportion of the total number of birds in the United States and Canada since the 1970s (Rosenburg et al. 2019). Nesting birds may be disturbed by Project noise or human

⁷ CDFW maintains range maps and life history accounts for all terrestrial species in California. The American badger range map is available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=2598&inline=1>

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presence, which could lead to nest abandonment or reduced health and vigor of young, a potentially significant impact. To reduce impacts to less-than-significant, CDFW recommends revising MM BIO-1A; additions are in **bold italics** and deletions are in ~~strikethrough~~.

Mitigation Measure BIO-1A: Avoidance of Avian Nests and Protected Avian Species 

If construction activities are scheduled to occur during the **avian** breeding season (February 1- August 31), a qualified wildlife biologist shall conduct pre-construction surveys of all potential suitable nesting habitat within ~~0.5 miles~~ **500 feet** of active construction areas, including trees, shrubs, grassland and wetland vegetation. The qualified wildlife biologist shall determine the timing of the preconstruction surveys based upon the time of year and habitats that are present. The qualified wildlife biologist shall conduct surveys no more than ~~30~~ **7** days prior to construction. ***If a lapse in Project-related work of 7 days or longer occurs, another focused survey shall occur before Project work is reinitiated.***

Tree Avoidance

The MND notes that several significant oaks and heritage sized trees are present on the Project site and that no tree removal is anticipated during the Project (page 13, Appendix 6.4). MM BIO-2 states that no Project activities would occur within five feet of the dripline of specified oak clusters, but does not provide a mechanism that would inform workers to avoid these areas. In addition, MM BIO-2 appears to be missing text and is grammatically unclear. To ensure trees are avoided during Project activities, CDFW recommends revising MM BIO-2; additions are in **bold italics** and deletions are in ~~strikethrough~~.

Mitigation Measure BIO-2: Tree Avoidance 

~~Development, construction or trenching within 5 feet of the dripline of the cluster of Oak Trees on Lot, 1, 3 and 4 shall be prohibited and remain undisturbed.~~ ***No trees shall be removed during the Project. For each existing tree within or adjacent to Project ground-disturbing activities, a critical root zone that extends at least five feet from the dripline of the tree shall be established by a qualified biologist. The critical root zone of each tree within the project area shall be flagged or fenced off from Project activities. Flagging or fencing shall be maintained throughout the Project activities and removed and disposed of once the Project is complete.*** The final map ***and design plans*** shall include a ~~such~~ ***this requirement as a*** notation under supplemental notes.

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GENERAL SUGGESTIONS

In addition to the above recommendations, CDFW encourages landscaping using native trees and shrubs to benefit native wildlife such as nesting birds and insect pollinators. The removal of habitat for birds from human activities has contributed to the loss of a significant proportion of birds in the United States and Canada since the 1970s (Rosenburg et al. 2019). Similarly, insect pollinators such as monarch butterflies and native bees have declined drastically relative to 1990 levels (Xerces Society Western Monarch Thanksgiving Count 2021, Xerces Society et al. 2018, Forister et al. 2011). Planting native trees, shrubs, and flowering species, is an opportunity to improve conditions for native birds and insects. It is unclear in the MND what plant species, if any, are proposed for the landscaping of the Project site and these details have likely not yet been planned (Appendix 6.3). If landscaping would occur, CDFW recommends native species such as valley oaks (*Quercus lobata*), western redbud (*Cercis occidentalis*), and narrow leaf milkweed (*Asclepias fascicularis*) where possible.⁸

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, online field survey form, and contact information for CNDDDB staff can be found at the following link: <https://wildlife.ca.gov/data/CNDDDB/submitting-data>.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of 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 fee is required for the underlying Project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish and Game Code, § 711.4; Pub. Resources Code, § 21089).

⁸ For further native species recommendations and planting tips, review the Willis L. Jepson Chapter of the California Native Plant Society document *Native Landscape Planting Guide*: https://jepson.cnps.org/images/horticulture/plans/willis_jepson-planting_guide.pdf and the Xerces Society document *Pollinator Plants: California*: https://xerces.org/sites/default/files/2018-05/17-045_02_XercesSoc_Pollinator-Plants_California_web-3page.pdf

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CONCLUSION

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

Questions regarding this letter or further coordination should be directed to Ms. Amanda Culpepper, Environmental Scientist, at amanda.culpepper@wildlife.ca.gov; or Ms. Melanie Day, Senior Environmental Scientist (Supervisory), at melanie.day@wildlife.ca.gov.

Sincerely,

DocuSigned by:

BE74D4C83C604EA...
Gregg Erickson
Regional Manager
Bay Delta Region

ec: Office of Planning and Research, State Clearinghouse (SCH No. 2021040652)

Jamielynn Harrison, Solano County, jbharrison@solanocounty.com

REFERENCES

Brehme, C.S., Hathaway, S.A.; Booth, R.; Smith, B.H.; and Fisher, R.N. 2015. Research of American Badgers in Western San Diego County, 2014. Data Summary prepared for California Department of Fish and Wildlife and the San Diego Association of Governments. 24pp. (42pp. with Appendix).

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>

Forister, Matthew L.; Jahner, Joshua P.; Casner, Kayce L.; Wilson, Joseph S.; and Shapiro, Arthur M. 2011. The race is not to the swift: Long-term data reveal pervasive declines in California's low-elevation butterfly fauna. *Ecology*. 92 (12): 2222-2235.

Rosenburg, Kenneth V.; Dokter, Adriaan M.; Blancher, Peter J.; Sauer, John R.; Smith, Adam C.; Smith, Paul A.; Stanton, Jessica C.; Panjabi, Avirind; Helft, Laura; Parr, Michael; and Marra, Peter P. 2019. Decline of the North American Avifauna. *Science*: 120-124.

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Xerces Society, Defenders of Wildlife, and Center for Food Safety. 2018. A petition to the State of California Fish and Game Commission to list the Crotch bumble bee (*Bombus crotchii*), Franklin's bumble bee (*Bombus franklini*), Suckley cuckoo bumble bee (*Bombus suckleyi*), and western bumble bee (*Bombus occidentalis occidentalis*) as endangered under the California Endangered Species Act. Available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=161902&inline>

Xerces Society Western Monarch Thanksgiving County. 2021. Western Monarch Thanksgiving County Data, 1997-2020. Available at www.westernmonarchcount.org.



Solano Local Agency Formation Commission

675 Texas St. Ste. 6700 • Fairfield, California 94533
(707) 439-3897 • FAX: (707) 438-1788

June 15, 2020

Notice of an Incomplete Application

Gordon Stankowski, General Manager
Rural North Vacaville Water District
PO Box 5097
Vacaville CA 95696

RE: LAFCO Project No. 2020-04: Steiger Hill Subdivision Annexation to the Rural North Vacaville Water District (APN: 0105-190-090)

Dear Mr. Stankowski:

Solano Local Agency Formation Commission (LAFCO) received a change of organization (annexation) application on June 16, 2020 from the Rural North Vacaville Water District (RNVWD) for the above subject proposal. California Government Code Section 56658 requires LAFCO to determine whether the application is complete and acceptable for filing within 30 days of receiving an application. This letter is to inform you that the application for the above subject proposal is incomplete.

Solano LAFCO's Mandatory Standard Six requires the applicant to provide environmental studies in compliance with the California Environmental Quality Act (CEQA) Guidelines. For the subject property, the property owner has also applied to Solano County indicating their desire to subdivide the property into four parcels. With the totality of the project (the subdivision and the change of organization applications), it is highly likely the proposal cannot qualify for an exemption under the CEQA guidelines. As we discussed, to advance the subject application expediently, it will be more practical to have Solano County include the LAFCO actions in their environmental analysis. Using this method, the County and LAFCO can use one CEQA document.

We may require additional information from RNVWD and the applicant as we continue to process your application. Please contact us if you have any questions.

Sincerely,

Michelle McIntyre

c: Solano County Resource Management

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