Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Solano
675 Texas St # 2700
Fairfield, CA 94533

From: (Public Agency): Fairfield Public Works Department
1000 Webster Street
Fairfield California 94533-4836
(Address)

FILED
AUG 07 2024
Bill Emlen, Clerk of the Board of Supervisors of the County of Solano, State of California
Deputy

Project Title: Waterman Water Treatment Plan Solar and Battery System Project

Project Applicant: Public Works Department

Project Location - Specific:

Waterman Water Treatment Facility (2900 Vista Grande, Fairfield, CA 94534)

Project Location - City: Fairfield Project Location - County: Solano

Description of Nature, Purpose and Beneficiaries of Project:

The City of Fairfield proposes to install solar photovoltaic power generation systems at the Waterman Water Treatment Plant (WTP). The proposed project would include installation of solar inverters and modules and a battery system on existing undeveloped land owned by the City within the WTP boundaries. Solar electrical conduit would be extended from the solar array to connect to the existing power room within the existing WTP.

Name of Public Agency Approving Project: Fairfield Public Works Department

Name of Person or Agency Carrying Out Project: Fairfield Public Works Department - Engineering Division

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number:
- ☒ Statutory Exemptions. State code number: Section 21080.35 of the Public Resources Code

Reasons why project is exempt:

Solar implementation projects involving installation of solar panels on existing undeveloped land owned by the City are statutorily exempt from environmental review provided that regulatory permits and tree removal are not required. As outlined in the attached memorandum, the proposed solar projects would be installed at existing developed sites and would not required regulatory agency permits or tree removal.

Lead Agency Contact Person: Bryan Heinzelman, P.E. Area Code/Telephone/Extension: (707) 428-7034

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ▪ Yes No

Signature: Date: 8/7/2024 Title: ASSOCIATE CIVIL ENGINEER

▪ Signed by Lead Agency ▪ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:

Document Posted From
08.07.24 to

Deputy Clerk of the Board

Revised 2011

LSA

CARLSBAD
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POINT RICHMOND
RIVERSIDE
ROSEVILLE
SAN LUIS OBISPO

MEMORANDUM

DATE: July 18, 2024

TO: Michael J. Hether,
Project Engineer
Assistant Public Works Director-Utilities, City of Fairfield

FROM: Aly Schmidt, Biologist
Steve Forman, Principal/Senior Biologist

SUBJECT: Biological Resources Analysis for Waterman Water Treatment Plant Solar Implementation Project, City of Fairfield, Solano County
(LSA Project No. COF2001.07)

INTRODUCTION AND PURPOSE

This memorandum was prepared to support a Statutory Exemption under the California Environmental Quality Act (CEQA) for Waterman Water Treatment Plant (WWTP) Solar Implementation Project (project) site in the City of Fairfield, Solano County. Solar implementation projects involving installation of solar panels are statutorily exempt from environmental review consistent with Section 21080.35 of the Public Resources Code, provided that the following five criteria are met:

- An individual federal permit pursuant to Section 401 or 404 of the Clean Water Act or waste discharge requirements pursuant to the Porter-Cologne Water Quality Control Act is not required.
- An individual take permit for species protected under the federal Endangered Species Act of 1973 (ESA) and/or the California Endangered Species Act (CESA) is not required.
- A streambed alteration permit pursuant to Chapter 6 of Division 2 of the California Fish and Game Code is not required.
- The removal of a tree required to be planted, maintained, or protected pursuant to local, State, or federal requirements is not required, unless the tree dies and there is no requirement to replace the tree.
- The removal of a native tree over 25 years old is not required.

The purpose of this memorandum is to evaluate the biological resources at the project site to assess whether the project meets the criteria outlined above for a Statutory Exemption under CEQA. This document provides information for the City decision-makers regarding a finding that the proposed project is exempt under CEQA.

The proposed construction and use of solar facilities (project) would not have any significant adverse impacts to Biological Resources as described in the following biological resources assessment.

PROJECT DESCIPTION

The City proposes to install solar photovoltaic power generation systems at the Waterman Water Treatment Plant. The proposed project would include installation of solar inverters and modules and a battery system on existing undeveloped land owned by the City within the WTP boundaries. Solar electrical conduit would be extended from the solar array to connect to the existing power room within the existing WTP. The battery storage is anticipated to be placed in the existing WTP parking facilities. The project would include clearing and grubbing within the project footprint, no tree removal is required.

The Project is in the City of Fairfield, along the Putah South Canal north of Waterman Boulevard and west of Interstate 80 (Figure 1). The Project falls within the Fairfield North, California 7.5-minute United States Geological Survey (USGS) quadrangle.

Setting

The Project is located along the edge of the inner coast range, moving from the valley up to sloping hills moving north from the WWTP facility. While the facility is relatively flat the solar array will be installed along the southwest facing slope of hills within the property.

The project is located the Alonzo watershed which drains into Suisun Marsh. The project site is immediately bordered by the Rancho Solano Open Space to the east, north and west. Existing residential development borders the WWTP to the south. The open space is open grassland grazed by cattle and offers connectivity for native terrestrial wildlife between the facility and residential development to the north.

METHODS

Prior to visiting the sites, LSA reviewed the site plans and aerial photographs of the Project. LSA also obtained an official U.S. Fish and Wildlife Service Species List (IPac) from the Sacramento Fish and Wildlife Office LSA biologists also queried the California Natural Diversity Database (CNDDB) for occurrence of special-status species within a 5-mile radius of parcel.

LSA senior biologist Steve Foreman and biologist Aly Schmidt visited the project site on March 19, 2024, and LSA biologist Aly Schmidt, investigated an additional area on the project site on May 22, 2024. Both surveys assessed current conditions and evaluated whether habitat existed on the project site with the potential to support aquatic resources and special-status plant and animal species. All wildlife species that could be identified were recorded in a field notebook. No protocol rare plant surveys or focused wildlife surveys were conducted as part of this site evaluation.

RESULTS

Regulated Waters and Wetlands

The facility property contains a constructed detention basin containing cattails (*Typha* sp.), an ephemeral creek draining from an offsite stock pond, two ephemeral drainages occurring between hills funneling precipitation, and five potential wetland depressions (Figure 2).

Potential aquatic resources were dominated by facultative species such as western blue-eyed grass (*Sisyrinchium bellum*), beardless wildrye (*Leymus triticoides*), soft brome (*Bromus hordeaceus*) and blue wild rye (Elymus glaucus). Obligate species such as iris leaf rush (*Juncus xiphioides*) and spiked rush (*Eleocharis macrostachya*) were isolated to the creeks edge and at the wettest portions of the southeastern most wetland.

Buffers were incorporated into the design to prevent installation impacts to these features during construction of the solar array. The area designated for the solar array installation does not contain hydrophytic species nor wetland hydrology (**Figure 2**).

Vegetation

While the facility is developed it is bordered with planted and native oak woodland species such as coast live oak (*Quercus agrifolia*) and western redbud (*Cercis occidentalis*) the vegetation within the project area for the solar array is dominated by non-native grassland. Grasslands on the parcel consist of a mix of non-native and native grassland species. Non-native grassland (a combination of wild oats grassland [Avena sp. Herbaceous Semi-Natural Alliance] and annual brome grasslands [Bromus sp. Herbaceous Semi-Natural Alliance]). Species indicative of the non-native grasslands include wild oats (*Avena fatua*), false brome (*Brachypodium distachyon*), ripgut brome (*Bromus diandrus*), and black mustard (*Brassica nigra*). Other non-native plant species observed in the grasslands include fennel (*Foeniculum vulgare*), cat's ear (*Hypochaeris glabra*), English plantain (*Plantago lanceolata*), and milk thistle (*Silybum marianum*). Native plant species found included soap plant (*Chlorogalum pomeridianum*), California poppy (*Eschscholzia californica*), hayfield tarweed (*Hemizonia congesta subsp. lutescens*), and blue wild rye.

Grassland areas within the facility are routinely mowed for fire prevention. Plant species that are listed under the ESA and/or the CESA typically only survive in specific edaphic conditions such as serpentine soils, shallow rocky soils, alkaline soils, vernal pools, or salt marshes. These habitats are not present onsite; therefore, there is no potential for listed plant species to occur.

Trees

Shrubs and trees within the survey area have evidence of regular maintenance pruning. However, no tree removal will be required for the facility site. The area designated for the solar array only consists of grassland species.

Special-Status Natural Communities

The California Department of Fish and Wildlife tracks the occurrences of natural plant communities that are of limited distribution statewide or within a county or region and are often vulnerable to

environmental effects of projects. Special-status natural communities support special-status plants and animals and are addressed under CEQA as habitat for those species. Special-status natural communities occurring on the project area include riparian woodland and potential aquatic resources. Riparian woodland with red willow thickets occurs along western boundary of the parcel. This land cover type is associated with an ephemeral drainage dominated by red willow (*Salix lasiolepis*). Plant species observed within this plant community include Himalayan blackberry (*Rubus armeniacus)*, blue wild rye, iris leaf rush, and western blue-eyed grass. No red willow thickets occur within the project development footprint. No special-status natural communities occur within the designated solar sites.

Wildlife

No species listed under the ESA or the CESA were seen during the site visits. No suitable habitat for any of the listed species described by the IPac list nor the CNDDB within five miles of the project area occurs within the project limits as described in **Figure 2**.

Review of the IPac list, CNDDB, and the Solano County Habitat Conservation Plan Database (Solano County Water Agency 2024), 12 plant species and 17 animal species occurrences are documented within five miles of the Project (**Table A**, attached). There is no suitable vernal pool, wetland, or marsh habitat present within the project site that would provide the habitat for the plant species or populations of any of the special-status crustaceans shown in Table A that are associated with grasslands.

Crotch's bumble bee (*Bombus crotchii*) and Western bumble bee (*Bombus occidentalis*) are not expected to occur on the site, the project site does not contain ground squirrel burrows that could be used as nest sites or by overwintering queens. Though some foraging plants may be present adjacent too the project in the form of ornamentals and house gardens little to no native forage was present onsite. Narrow leaf milkweed (*Asclepias fascicularis*) is a favored nectar plant for Crotch's bumble bees, but no plants were observed growing on the site. Any effects of the proposed project on this species are unlikely to rise to the level of "substantial effect" given the small footprint of the project relative to the amount of surrounding habitat.

Swainson's hawks (*Buteo swainsoni*) are present in the area and could occasionally forage on the site. The quality of foraging habitat for Swainson's hawk is low because of the small size and paucity of small mammals for prey. No suitable nest trees are on the property and no potential or old raptor nests were observed in trees within 500 feet of the property. No burrows or other cover which could provide shelter for burrowing owls (*Athene cunicularia*) was identified on the property. Northwestern pond turtles (*Actinemys marmorata*) require aquatic habitat adjacent to upland habitat with adequate refuge and may move between the offsite stock pond and the WTTP facility ponds via the ephemeral creek.

The following birds were observed during the site visits: White-crowned sparrow (*Zonotrichia leucophrys*), California scrub jay (*Aphelocoma californica*), cliff swallow (*Petrochelidon pyrrhonota*), tree swallow (*Tachycineta bicolor*), Canada goose (*Branta canadensis*), mourning dove (*Zenaida macroura*), Anna's hummingbird (*Calypte anna*), Turkey vulture (*Cathartes aura*), red-tailed hawk (*Buteo jamaicensis*), rock pigeon (*Columba livia*), white-tailed kite (*Elanus leucurus*), American crow

(*Corvus brachyrhynchos*), black phoebes (*Sayornis nigricans*), dark-eyed junco (*Junco hyemalis*) and red-winged blackbirds (*Agelaius phoeniceus*). Other common bird species may use the sites throughout the year. The limited vegetation on the sites provides a place for a variety of native migratory birds to feed. Raptors may nest in the trees near the areas that are adjacent to open areas. No other fish, reptiles, or amphibians were seen.

Existing wildlife that currently move through the area are urban-adapted species that would continue to move through or around the area and adjacent open space after project development. Typical wildlife that may move through the area include various native and non-native birds, black-tailed deer (*Odocoileus hemionus columbianus*), striped skunk (*Mephitis mephitis*), raccoon (*Procyon lotor*), coyote (*Canis latrans*), and small rodents, such as western harvest mice (*Reithrodontomys megalotis*), deer mice (*Peromyscus maniculatus*), and Botta's pocket gopher (*Thomomys bottae*).

SUMMARY

Though sensitive communities, riparian habitat and potential aquatic resources, are present on the property, buffers are designed to avoid impacts to these communities. Project installation, battery storage facility, associated connections and operation would not result in actions requiring state or federal take permits provided the following measures are incorporated into the project specifications:

- Potential aquatic resources are avoided with recommended buffers.
- All staging of materials and equipment must remain outside of buffers and identified aquatic resources.
- No trees are removed.

The results of this assessment support the determination that construction of the proposed solar facility is statutorily exempt from California Environmental Quality Act (CEQA) review consistent with Section 21080.35 of the Public Resources Code based on the five criteria outlined above:

- An individual federal permit pursuant to Section 401 or 404 of the Clean Water Act or waste discharge requirements pursuant to the Porter-Cologne Water Quality Control Act is not required.

  Results: If onsite potential aquatic resources are avoided, no individual federal or state permits are required.

- An individual take permit for species protected under the ESA or the CESA is not required.

  Results: The site does not provide suitable habitat for federally or state-listed species.

- A streambed alteration permit pursuant to Chapter 6 of Division 2 of the California Fish and Game Code is not required.

  Results: The project site does not require a streambed alteration agreement as along as identified buffers are maintained.

- The removal of a tree required to be planted, maintained, or protected pursuant to local, State, or federal requirements is not required, unless the tree dies and there is no requirement to replace the tree.

  ***Results*:** No tree removal is required therefore no permit would be required.

- The removal of a native tree over 25 years old is not required.

  Results: No tree removal is required therefore no permit would be required.

REFERENCES AND LITERATURE CITED

California Department of Fish and Wildlife (CDFW). 2024. California Natural Diversity Database (CNDDB). Sacramento: CDFW. Website: https://wildlife.ca.gov/Data/CNDDB/Maps-and-Data#43018408-cnddb-in-bios.

California Native Plant Society, Rare Plant Program. 2020. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39). Website: http://www.rareplants.cnps.org.

Solano County Water Agency. 2024. Administrative Draft Solano Habitat Conservation Plan and Database. Prepared by LSA Associates, Point Richmond, California.

United States Fish and Wildlife Service (USFWS). 2024. Information for Planning and Consultation (IPac) Online Database. Sacramento Fish and Wildlife Office, Sacramento, California. Available at https://ecos.fws.gov/ipac [Accessed March 12, 2024].

Attachments: A: Figure 1: Project Location
Figure 2: Project Design and Aquatic Resources with Buffers
B: Table A: Special-Status Species Northern Fairfield

APPENDIX A

FIGURES

A1 SITE PLAN
SCALE: 1" = 50'-0"

TRUE NORTH

HOLT Renewables
1301 Cap. O TX Hwy S #B315
Austin, TX 78746
www.holtrenewables.com

STAMP:

FOR REVIEW ONLY

NOT FOR CONSTRUCTION

CLIENT: CITY OF FAIRFIELD

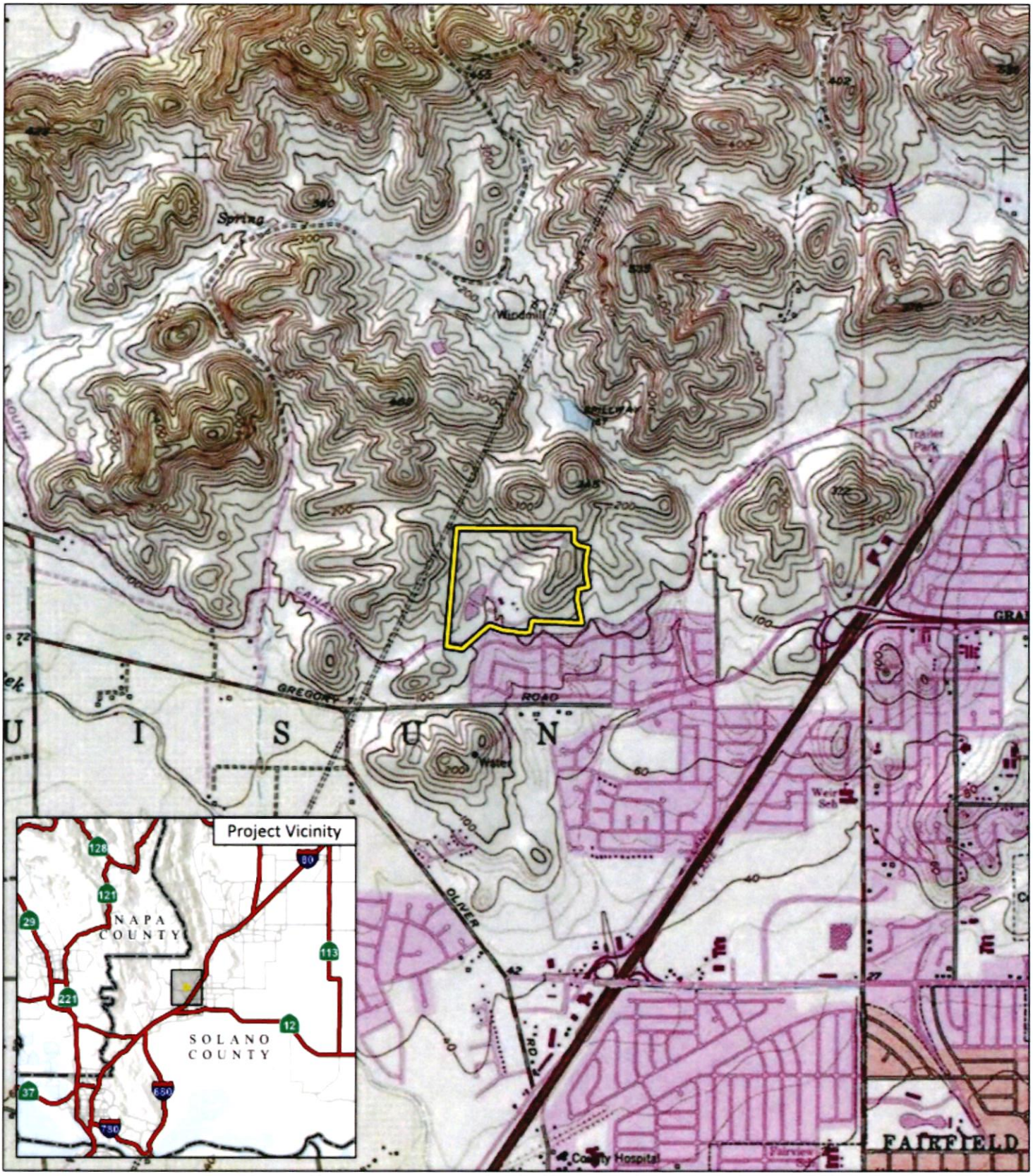
PROJECT: WATERMAN TREATMENT PLANT SOLAR PROJECT
1785.0 kW DC STC RATING
2900 VISTA GRANDE CIRCLE
FAIRFIELD, CA 95434

MARK	DESCRIPTION	DATE	DRAWN	CHK'D
A	30% SET	07/26/2024	SLS	CH

PROJECT NO:
PHASE: 30% SET
COPYRIGHT: HoltRenewables. 2024
SCALE: AS NOTED
SHEET SIZE: ANSI D - 22X34

SHEET TITLE: SITE PLAN

SHEET NO: WI101.4



LSA

FIGURE 1

0 1000 2000
FEET

SOURCE: USGS 7.5' Quad - *Fairfield North (1980)*, CA

I:\COF2001.08\GIS\Pro\Waterman Treatment Plant\Waterman Treatment Plant.aprx (3/19/2024)

Waterman WTP Solar Project

Project Location

APPENDIX B

TABLE A: SPECIAL STATUS SPECIES TABLE

Table A: Special-Status Species Northern Fairfield

Common Name/ Scientific Name	Federal Status	State Status	Other Status	Habitat	Potential to Occur
Plants					
Alkali milk-vetch *Astragalus tener var. tener*	--	--	1B.2	Playas, Valley and Foothill grassland (adobe clay), vernal pools	No suitable habitat present.
Baker's navarretia *Navarretia leucocephala ssp. bakeri*	--	--	1B.1	Wetlands, vernal pools	No suitable habitat present.
Pappose tarplant *Centromadia parryi ssp. parryi*	--	--	1B.2	Chaparral, coastal prairie and marshes, meadows and seeps, Valley and Foothill grassland (vernally mesic)	No suitable habitat present.
San Joaquin spearscale *Extriplex joaquinana*	--	--	1B.1	Meadows, usually in non-wetlands, occasionally in wetlands in shadscale scrub and valley grassland. 0-950 meters. Blooming period: April-Sep.	No suitable habitat present.
Carquinez goldenbush *Isocoma arguta*	--	--	1B.1	Alkali flats and other mineral-rich soils	No suitable habitat present.
Dwarf downingia *Downingia pusilla*	--	--	2B.2	Vernal pools	No suitable habitat present.
Contra Costa goldfields *Lasthenia conjugens*	Endangered	--	1B.1	Cismontane woodland, playas (alkaline), Valley and Foothill grassland, vernal pools	No suitable habitat present.
Legenere *Legenere limosa*	--	--	1B.1	In beds of vernal pools. Many historical occurrences are extirpated. 1-880 meters. Blooming period: April-June.	No suitable habitat present.
Suisun marsh aster *Symphyotrichum lentum*	--	--	1B.2	Marshes and swamps (brackish and freshwater)	No suitable habitat present.
Two-fork clover *Trifolium amoenum*	Endangered	--	1B.1	Grasslands	No suitable habitat; considered extinct in the Central Valley.
Saline clover *Trifolium hydrophilum*	--	--	1B.2	Salt marshes, open areas in alkaline soils, alkaline grassland.	No suitable habitat present.
San Joaquin spearscale *Extriplex joaquinana*	--	--	1B.2	Shadscale Scrub, Valley Grassland, meadows, occasionally in wetlands	No suitable habitat present.
Animals					
Vernal pool fairy shrimp *Branchinecta lynchi*	Threatened	None	--	Vernal pools	No suitable habitat present.
Vernal pool tadpole shrimp *Lepidurus pacrkdi*	Endangered	None	--	Vernal pools	No suitable habitat present.

Table A: Special-Status Species Northern Fairfield

Common Name/ Scientific Name	Federal Status	State Status	Other Status	Habitat	Potential to Occur
Conservancy shrimp *Branchinecta conservatio*	Endangered	--	--	Vernal pools	No suitable habitat present.
Monarch butterfly *Danaus plexippus*	Candidate	--	--	Winter roosts in dense stands of trees near the coast; milkweed is the obligate host plant for breeding	No suitable winter roosting habitat; no milkweed present for breeding; potential nectar sources present.
Valley elderberry longhorn beetle *Desmocerus californicus dimorphus*	Threatened	None	--	Closely associated with blue elderberry (Sambucus mexicana or S. velutina).	No elderberry shrubs present on site, No suitable habitat present at or near site.
Crotch's bumble bee *Bombus crotchii*	--	Candidate Endangered	--	Overwintering under leaf litter or soft soil. Food plants include milkweeds, lupines, phacelias, and sages. It also feeds on snapdragons, Clarkia, poppies, and wild buckwheats.	Low quality foraging habitat present at the project site. Foraging habitat presence is limited to potential home gardens and some adjacent areas of planted ornamentals.
Western bumble bee *Bombus occidentalis*	--	Candidate Endangered	--	Open grassy areas, prairie, urban parks and gardens, sagebrush steppe, mountain meadows. Variety of habitat types supporting native flowering plants. Species has declined precipitously, perhaps from disease.	Low quality foraging habitat present at the project site. Foraging habitat presence is limited to potential home gardens and some adjacent areas of planted ornamentals.
California tiger salamander *Ambystoma californiense*	Threatened	Threatened	--	Vernal pools and grasslands	Site is located outside of the known population range in Solano County; no suitable habitat present.
Western pond turtle *Actinemys marmorata*	Proposed Threatened	--	SSC	Primarily associated with ponds and creeks but may use other wetlands, marshes, and adjacent uplands for breeding, movement, and shelter.	No suitable habitat; work area is upland grasses with no discernable suitable habitat nor connective habitat.
California red-legged frog *Rana draytonii*	Threatened	--	SSC	Primarily associated with ponds and creeks for breeding but may use other wetlands, marshes, and adjacent uplands for movement and shelter.	No suitable habitat; isolated from nearby aquatic habitat, no onsite refuge or breeding habitat.
Foothill yellow-legged frog *Rana boylii*	--	Not listed in Solano County	--	Primarily associated with ponds and creeks for breeding but may use other wetlands, marshes, and adjacent uplands for movement and shelter.	No suitable habitat; isolated from nearby aquatic habitat, no onsite refuge or breeding habitat.
Tricolored blackbird *Agelaius tricolor*	--	Threatened	SSC	Wetlands, marshes, grasslands and agricultural fields	Marginal foraging habitat present on site; no suitable nesting habitat.

Table A: Special-Status Species Northern Fairfield

Common Name/ Scientific Name	Federal Status	State Status	Other Status	Habitat	Potential to Occur
Burrowing owl *Athene cunicularia*	--	--	SSC	Nests in burrows in grasslands and woodlands; often associated with ground squirrels. Will also nest in artificial structures (culverts, concrete debris piles, etc.)	No suitable habitat present onsite. Area does not have identifiable burrows or fossorial mammal burrows suitable for occupation. Vegetation cover is dense and greater then 2 feet in many places, atypical of suitable habitat.
Swainson's hawk *Buteo swainsoni*	None	Threatened	SSC	Grasslands, agricultural fields	Marginal foraging habitat present at the site.
Northern Spotted Owl *Strix occidentalis caurina*	Threatened	Threatened	SSC	Dense canopy forests with abundant logs, standing snags, live trees with broken tops.	No suitable habitat present at or near site.
California Ridgway's rail *Rallus obsoletus obsoletus*	Endangered	Endangered	CFP	Salt-water and brackish marshes traversed by tidal sloughs in the vicinity of the San Francisco Bay.	No suitable habitat present at or near site.
Townsend's western big-eared bat *Corynorhinus townsendii*	--	--	SSC	Found in wooded areas with caves or old buildings for roost sites.	May forage within the site. No suitable roosting or hibernating habitat present on the site.

Sources: California Native Plant Society, 2020; California Department of Fish and Wildlife, 2024; United States Fish and Wildlife Service, 2024, Solano HCP, 2024.
OTHER STATUS CODES:
CALIFORNIA NATIVE PLANT SOCIETY RARE PLANT INVENTORY
Rank 1A: Plants Presumed Extinct in California
Rank 1B: Plants Rare, Threatened, or Endangered in California and Elsewhere
Rank 2: Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere
Rank 3: Plants About Which We Need More Information—A Review List
Rank 4: Plants of Limited Distribution—A Watch List
CALIFORNIA NATURAL DIVERSITY DATA BASE
SSC – Species of Special Concern
CFP – CDFW Fully Protected