CITY OF FAIRFIELD

Initial Study Questionnaire

PROJECT DESCRIPTION AND BACKGROUND

Project title: Archway Recovery Services

Contact Person: Tendai Mtunga, Senior Planner (707) 428-7446
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Project Sponsor's James Haliburton, BRW Architects
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General Plan Designation: Residential Medium Density (RM)

Zoning: Residential Medium Density (RM)

Project Location: Southeast corner of Peach Tree Drive and Heath Drive in Fairfield, CA 94533.

Longitude/Latitude: 38.271423 "N", -122.042317 "W"
Assessor's Parcel Numbers: 0034-050-320

AVAILABILITY OF DOCUMENT: This document is available for review at:
1000 Webster St, 2nd fl., Fairfield, CA; 8am-12pm, 1-5:30pm; Monday-Thursday, and the second, fourth, and fifth Fridays of each month.

PROJECT DESCRIPTION: The project includes construction of a two-story 18,800 sq. ft. 62-bed adult residential substance abuse recovery facility on a 1.77-acre vacant parcel at the southeast corner of Heath Drive and Peach Tree Drive in the City of Fairfield. The project will include two on-site sliding vehicle gates and a pedestrian gate, landscaping with bioswales, and street frontage improvements.

SURROUNDING LAND USES AND SETTING: The project site is surrounded by apartment buildings to the north, single family residential homes to the south, and churches to the east and west.

OTHER PUBLIC AGENCY APPROVALS: California Department of Fish and Wildlife; U.S. Army Corps of Engineers; Regional Water Quality Control Board

TRIBAL NOTIFICATION: Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

☐ Yes ☒ No

NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below could be potentially affected by this project, involving at least one impact that is a "Less than Significant with Mitigation" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☐ Energy
☒ Geology / Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials

☐ Hydrology / Water Quality	☐ Land Use / Planning	☐ Mineral Resources
☐ Noise	☐ Population / Housing	☐ Public Services
☐ Recreation	☐ Transportation	☒ Tribal Cultural Resources
☐ Utilities / Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

DETERMINATION

On the basis of this initial evaluation:

☐ I find that 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 revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Tendai Mtunga, Senior Planner

Date

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the Lead Agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) A "Mitigated Negative Declaration" (Negative Declaration: Less Than Significant with Mitigation Incorporated) applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The Lead Agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration [CCR, Guidelines for the Implementation of CEQA § 15063(c)(3)(D)]. References to an earlier analysis should:

    a) Identify the earlier analysis and state where it is available for review.

    b) Identify which effects from the environmental checklist were adequately analyzed in the earlier document, pursuant to applicable legal standards, and whether these effects were adequately addressed by mitigation measures included in that analysis.

    c) Describe the mitigation measures in this document that were incorporated or refined from the earlier document and indicate to what extent they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

   a) the criteria or threshold, if any, used to evaluate each question; and

   b) the mitigation measure identified, if any, to reduce the impact to less than significance.

ISSUES

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
I. <u>AESTHETICS</u> – Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

<u>Discussion</u>: The project is located in a developed Residential High-Density area zoned for multifamily uses, wherein community care facilities and some schools among other uses of similar character and building types are permitted by right. According to the 1999 Fairfield Scenic Vistas and Roadways Plan, the project site is far away from more than 2,500 acres that were permanently preserved for visual open space. Furthermore, the project site is not located on a hillside which would make it visible and interfere with scenic resources. The project meets required setbacks, height limits, landscaping and similar development standards adopted to ensure aesthetic quality. The project's elevations, materials, colors and highlighted features are compatible with surrounding developments. The City requires, as a standard condition of

development, that lighting be of appropriate intensity and shielded to avoid unreasonable impacts to surrounding property. (Sources:2, 6, 15)

II. **AGRICULTURE AND FOREST RESOURCES**: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. -- Would the project:

	Potentially Significant Impact	Less Than Significant 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?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined in Public Resources Code section 4526), or timberland zoned Timberland Production (as defined in Public Resources Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

Discussion: The project is indicated as Urban and Built-Up Land on the Solano County Important Farmland map. This land and adjacent land are not designated as farmland in any statewide study nor involve Williamson Act property.

III. AIR QUALITY – Where available, the significant criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?		X		
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?		X		

Discussion:

This section evaluates the potential impacts on air quality resulting from implementation of the proposed project. This includes the potential for the proposed project to conflict with or obstruct implementation of the applicable air quality plan, violate an air quality standard or contribute substantially to an existing or projected air quality violation, result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment, expose sensitive receptors to substantial pollutant concentrations, or create objectionable odors affecting a substantial number of people. This section also sets forth mitigation measures to minimize or avoid significant impacts.

The project site is located on the eastern side of the City of Fairfield in Solano County. This area is situated along the northeastern portion of the San Francisco Bay Area Air Basin (SFBAAB). The SFBAAB includes all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara Counties as well as the southern half of Sonoma County and the southwestern portion of Solano County. Fairfield has a semi-arid temperate climate. The annual average minimum temperature is 47°F in Fairfield. July is usually the warmest month with annual average maximum temperatures around 73°F. Fairfield gets, on average, over 23 inches of precipitation annually (Western Regional Climate Center 2018). The region averages approximately 30 inches of rain

per year, with most of the rain falling during winter. Fog from nearby marshes and bays is common during winter. The prevailing wind in the region is from the southwest through the Carquinez Strait and can be gusty during summers, with many days experiencing winds of 20-45 mph.

Air pollutants of concern in the air basin are primarily generated by three categories of sources: mobile, stationary, and area sources. Mobile sources refer to operational and evaporative emissions from motor vehicles. Stationary sources include “point sources” which have one or more emission sources at a single facility. Point sources are usually associated with manufacturing and industrial uses and include sources such as refinery boilers or combustion equipment that produces electricity or process heat. Area sources include sources that produce widely distributed emissions. Examples of area sources include residential water heaters, painting operations, lawn mowers, agricultural fields, landfills, and consumer products, such as lighter fluid or hair spray. Criteria air pollutants (listed below) are defined as pollutants for which the federal and state governments have established ambient air quality standards for outdoor concentrations. The federal and state standards have been set at levels above which concentrations could be harmful to human health and welfare. These standards are designed to protect the most sensitive persons such as children, pregnant women, and the elderly, from illness or discomfort.

The California Air Resources Board (CARB) is the state agency responsible for ensuring implementation of the California Clean Air Act (CAA), setting the California Ambient Air Quality Standards (CAAQS), and overseeing air quality planning and control throughout the state. The California CAA established a legal mandate for air basins to achieve the CAAQS by the earliest practical date. These standards apply to the following 10 criteria pollutants; ozone (O3), nitrogen dioxide (NO2), carbon monoxide (CO), sulfur dioxide (SO2), particulate matter 2.5 microns or less in diameter (PM2.5), particulate matter ten microns or less in diameter (PM10), and lead (Pb), visibility-reducing particles, hydrogen sulfide, and vinyl chloride. CARB is also responsible for designating air basin areas of the State as ‘attainment’, ‘nonattainment’, or ‘unclassified’ based on the 10 criteria pollutants per State standards. The air quality of a region is considered to be in attainment of the State standards if the measured ambient air pollutant levels for O3, CO, NO2, PM10, PM2.5, SO2 (1-and 24-hour), and lead are not exceeded, and all other standards are not equaled or exceeded at any time in any consecutive three-year period.

The SFBAAB is considered in non-attainment for ozone, PM10, and PM2.5 with regards to standards established by the State of California. Management of air quality in the SFBAAB is the responsibility of the Bay Area Air Quality Management District (BAAQMD). Specifically, the BAAQMD has responsibility for monitoring ambient air pollutant levels throughout the air basin area and developing and implementing attainment strategies to ensure that future emissions will be within federal and state standards. The following plans have been developed by the BAAQMD to achieve attainment of the federal and state ozone standards. The Clean Air Plan (CAP) and Ozone Strategy fulfill the planning requirements of the California CAA, while the Ozone Attainment Planful fills the federal CAA requirements.

In addition to the aforementioned plans, the BAAQMD has developed screening criteria to provide conservative indications of whether the proposed project could result in potentially significant air quality impacts. If all the screening criteria are met by a proposed project, then it is assumed that the project's air pollutant emissions and odor impacts are less than significant. The proposed project is being reviewed under congregate Care Facility which calls for an operational criteria pollutant screening size of 657 dwelling units (ROG), and operational GHG screening size of 143 dwelling units with a construction related screening size of 240 dwelling units (ROG). The proposed project will have 62 beds which is an equivalent of 62 patience far less than 62 dwelling units and far less than the Bay Area Air Quality Management District CEQA Guidelines threshold of 657 dwelling units.

The project has met all the BAAQMD screening criteria and is therefore in alignment with all districts, state, and federal goals. Although the project meets the screening thresholds set forth by the BAAQMD, the project may have construction related impacts to air quality, such as dust and emissions, that the surrounding community could find undesirable. To mitigate such undesirable impacts, the construction shall comply with BAAQMD CEQA Guidelines Table 2 which outlines feasible control measures for Construction sites emission PM10.

Impact AQ-1: Construction

Construction activities would generate exhaust emissions from vehicles/equipment and fugitive particulate matter emissions that would affect local air quality. Construction dust could be generated at levels that would create an annoyance to nearby properties. Because of the prevailing winds that affect the area, generation of dust during grading and construction activities is a potential significant impact of the project.

Mitigation AQ-1: Construction

To mitigate these potential impacts to less-than significant levels, the City will require the Enhanced Control Measures identified as acceptable by the BAAQMD Guidelines including the following:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

4. All vehicle speeds on unpaved roads shall be limited to 15 mph.

5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by California).

7. All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

8. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

9. Sweep as needed (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites.

10. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.

11. All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM.

12. All contractors shall use equipment that meets CARB's most recent certification standard for off-road heavy duty diesel engines. The idle time of diesel-powered construction equipment shall be limited to two minutes.

13. All diesel-powered off-road equipment larger than 50 horsepower and operating on the site for more than two days continuously shall, at a minimum, meet U.S. EPA particulate matter emissions standards for Tier 2 engines or equivalent.

14. All diesel-powered portable equipment (i.e., air compressors, concrete saws, forklifts, and generators) operating on the site for more than two days shall meet U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent.

15. Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.

16. Limit the area subject to excavation, grading, and other construction activity at any one time.

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
IV. <u>BIOLOGICAL RESOURCE</u> – Would the project:				
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		X		

IV. **BIOLOGICAL RESOURCE** – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				
b) Have substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		X		
c) Have a substantial adverse effect state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X		
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?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
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?				X

Discussion: The site is currently vacant and characterized by typical ruderal vegetation common to previously disturbed sites. The site was previously graded. A biological assessment was prepared by FirstCarbon Solutions in April 2023 to evaluate the site's existing conditions for soils, wetlands, and special-status species.

According to the assessment, the site does not contain suitable habitat for rare plant species, which would require valley grasslands, cismontane woodlands, chaparral, swamps, marshes, serpentine-derived substrate, or outcrops. No special-status plant species or other habitat conditions supporting sensitive plant species were observed during the field survey. Therefore, it is reasonable to conclude that no special-status plant species occur on the project site.

The only special-status wildlife species with the potential to occur on-site is burrowing owl (*Athene cunicularia*), and other protected nesting birds. The project site generally lacks specific habitat conditions and dispersal opportunities to support special-status wildlife species. The required habitat types for these species include sufficiently large and suitable woodland, grassland, specific native hostplants, saltmarsh/estuarine, or suitable freshwater aquatic habitats, or a combination thereof. None of these habitat types or conditions are present on the project site or adjacent areas.

Additionally, the project site lacks dispersal opportunities from regionally occurring special-status wildlife species populations by large swaths of surrounding developments. No special-status wildlife species were observed during the field survey. However, potential impacts to burrowing owl and other protected nesting birds would be considered significant if an active nest or burrow were impacted during project construction. Therefore, potential impacts to burrowing owl and protected nesting birds are addressed below.

The closest CNDDB record of burrowing owls was documented 1.1 miles north of the project site (CNDDB Occurrence No. 102). No burrowing owls or signs of burrowing owl were observed during the field survey analysis in March 2023. No ground squirrel burrows suitable for burrowing owl were present within the site.

The active nests of most bird species are protected by federal and/or State law (MBTA and Fish and Game Code). Species that are protected pursuant to MBTA are listed by the USFWS.8 Nests are generally defined as being “active” if they contain eggs or altricial young. Project-related activities that occur during the breeding season could be constrained through the presence of active nests within the immediate vicinity of the project site.

A 0.06-acre potential seasonal wetland was observed on the western edge of the project site, along Heath Drive. Several wetland indicators were observed in the field and included the presence of hydrophytic vegetation in the form of willow dock (Rumex salicifolius), a facultative wetland species. This area also contained standing water, evidence of algal matting, and a water-stained fence that borders the western boundary of the project site. Additionally, soils exhibited redoximorphic features within the top 12 inches of the soil substrate.

These field indicators would support the conclusion that this area would meet the United States Army Corp of Engineers (USACE) criteria of a seasonal wetland. However, this area does not have a visible surface connection to an aquatic feature (“significant nexus”) and should therefore be considered isolated. Additionally, this potential wetland appears to be a direct result of previous anthropogenic (e.g., grading and compaction) activities, including the construction of Heath Drive, which further constricts drainage on the project site. Therefore, the seasonal wetlands on-site are potentially not jurisdictional as waters of the United States due to the lack of a significant nexus to a Traditional Navigable Water of the United States. However, these features are likely jurisdictional as waters of the State. Based on the details provided above, a formal Jurisdictional Delineation (JD) should be conducted during the blooming season (e.g., April, May) and

submitted to the USACE and Regional Water Quality Control Board (RWQCB) for a jurisdictional determination.

The trees along Heath Drive are not defined as protected trees under the Fairfield Tree Preservation Ordinance (Section 25.36 of the Fairfield Municipal Code). Furthermore, the site was not identified as a significant habitat in the Draft Solano County Habitat Conservation Plan.

Impact Bio-1: Burrowing Owl

It cannot be ruled out that burrowing owl may appear on-site under certain circumstances before start of construction and could potentially be impacted by the proposed project. Out of an abundance of caution, the following mitigation measure will ensure that any potential impacts are less than significant.

Mitigation Bio-1: Burrowing Owl

Prior to any ground disturbance, pre-construction surveys for burrowing owl shall be conducted by walking the entire project site. The pre-construction surveys shall be conducted within 14 days prior to the onset of any ground-disturbing activities. Surveys shall be conducted by a qualified biologist following California Department of Fish and Wildlife (CDFW) 2012 staff report survey methods. If no burrowing owls are detected during the pre-construction survey, no further action is necessary. If construction is delayed or suspended for more than 30 days after the survey, the area shall be resurveyed in accordance with previously described methods.

If burrowing owls are found to occupy the project site during the nonbreeding season (September 1 to January 31), occupied burrows shall be avoided by establishing a no-disturbance buffer zone a minimum of 100 feet around the burrow. Buffers may be increased to address site-specific conditions using the impact assessment approach described in the CDFW 2012 staff report. If a qualified biologist determines the location of an occupied burrow/s may be impacted even with the implementation of the 100-foot buffer, or the burrow(s) are in a location(s) on the project site where a buffer cannot be established without preventing the proposed project from moving forward, then a passive relocation effort may be instituted to relocate the individual(s) out of harm's way pursuant to a Burrowing Owl Exclusion Plan prepared in accordance with the CDFW 2012 staff report. The applicant shall notify CDFW at least 14 days prior to the implementation of the Burrowing Owl Exclusion Plan.

If burrowing owl are found to be present during the breeding season (February 1 to August 31), the proposed project ground-disturbing activities shall follow the CDFW 2012 staff report recommended avoidance protocol whereby occupied burrows shall be avoided with a no-disturbance buffer of between 50 meters and 500 meters depending on time of year and disturbance level, as described in the 2012 CDFW staff report. This breeding season buffer zone shall remain until the young have fledged or an unsuccessful nesting attempt is documented.

Impact Bio-2: Nesting birds

The project site contains trees that provide suitable habitat for protected migratory or native resident nesting bird species relatively tolerant of human disturbance. Therefore, construction activities that adversely affect the nesting success of nesting birds or result in mortality of individual birds constitute a violation of State and federal laws should be mitigated. The following mitigations will ensure any potential impacts are less than significant.

Mitigation Bio-2: Nesting birds

Removal of trees shall be limited to only those necessary to construct the proposed project as reflected in the relevant project approval documents. If the proposed project requires vegetation to be removed during the nesting season (February 1 to August 31), pre-construction surveys shall be conducted no more than 7 days prior to the start of ground or vegetation disturbance (including tree removal) to determine whether or not active nests are present.

If an active nest is located during pre-construction surveys, a qualified biologist shall determine an appropriately sized avoidance buffer based on the species and anticipated disturbance level. (CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors.) A qualified biologist shall delineate the avoidance buffer using Environmentally Sensitive Area fencing, pin flags, and/or yellow caution tape. The buffer zone shall be maintained around the active nest site(s) until the young have fledged and are foraging independently, as confirmed by a qualified biologist. No construction activities or construction foot traffic is allowed to occur within the avoidance buffer(s).

In consultation with USFWS or CDFW (as appropriate), the qualified Biologist shall monitor the active nest during construction activities and modify the protection zone accordingly to prevent project-related nest disturbance, until the young have fledged.

Impact Bio-3: Seasonal Wetlands

The project will impact .06acres of seasonal wetlands.

Mitigation Bio-3: Seasonal Wetlands

Prior to the fill of any potentially jurisdictional water as part of the proposed project, the project applicant shall consult with the United States Army Corps of Engineers (USACE) to determine the extent, if at all, that waters of the United States may be impacted by the proposed project. The applicant shall obtain a Section 404 CWA permit for impacts to waters of the United States, if required. The applicant shall also obtain a Section 401 Water Quality Certification from the Regional Water Quality Control Board (RWQCB). This permit and certification shall be obtained prior to issuance of grading permits for the implementation of the proposed project.

If the seasonal wetland is found to be exempt from being regulated by the USACE as a water of the United States, the applicant shall consult with the RWQCB and obtain a WDR if deemed necessary. The applicant shall design the proposed project to the extent feasible, to result in no net loss of functions and values of waters of the United States/State by incorporating impact avoidance, impact minimization, and/or compensatory mitigation for the impact, as determined in the CWA 404/401 or WDR. Compensatory mitigation may consist of (1) obtaining credits from a mitigation bank; (2) making a payment to an in-lieu fee program that will conduct wetland, stream, or other aquatic resource restoration, creation, enhancement, or preservation activities; and/or (3) providing compensatory mitigation through an aquatic resource restoration, establishment, enhancement, and/or preservation activity. This final type of compensatory mitigation may be provided at or adjacent to the impact site (i.e., on-site mitigation) or at another location, usually within the same watershed as the permitted impact (i.e., off-site mitigation). The project/permit applicant retains responsibility for the implementation and success of the mitigation project.

V. CULTURAL RESOURCES – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to 15064.5 of the State CEQA Guidelines?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5 of the State CEQA Guidelines?		X		
c) Disturb any human remains, including those interred outside of formal cemeteries?		X		

Discussion: The site is site is relatively flat, as it has been graded and filled in past years. Furthermore, there have been no known discoveries of archeological resources at the site or within its immediate vicinity. However, cultural resources could be encountered unexpectedly during the excavation of the site. The greater Fairfield area does have a rich tribal history, which has resulted in the discovery of human remains and artifacts during construction projects in the past.

Construction of the proposed project may result in the identification of historic-era or prehistoric archaeological materials including human remains. In the event that such resources are encountered unexpectedly during excavation activities, the City will require that no resources shall be handled or photographed, construction activity of subject property shall cease, and the following measures implemented to address potential impacts. (Source: 2, 3, 18)

Impact CR-1: Archaeological Resources

Archaeological resources could be discovered during grading and potentially significant impacts could result to as-yet-unidentified archaeological resources at the construction stage.

Mitigation Measure CR-1: Archaeological Resources

If prehistoric archaeological resources are discovered during grading activities, work within 25 feet of the discovery will be redirected and a qualified archaeologist contacted to evaluate the finds and make recommendations for mitigation to be followed by the applicant. It is recommended that adverse effects to such deposits be avoided. If such deposits cannot be avoided, it shall be determined, by a qualified archaeologist or equally qualified professional, whether they qualify as historical or unique archaeological resources under CEQA. If the deposits are not eligible, avoidance is not necessary. If they are eligible, they shall be avoided, or, if avoidance is not feasible, the adverse effects shall be mitigated.

Mitigation may include, but is not limited to, thorough recording of the Department of Parks and Recreation form 523 records (DPR523) or data recovery excavation. If data recovery excavation is selected, the excavation must be guided by a data recovery plan prepared and adopted prior to beginning the data recovery work, and a report of findings shall be submitted to the City of Fairfield and the Northwest Information Center (NWIC) (CCR Title 14(3) 15126.(b)(3)(C)).

Impact CR-2: Archaeological Remains

Archaeological remains could be discovered during grading and potentially significant impacts could result to as-yet-unidentified archaeological remains at the construction stage.

Mitigation Measure CR-2: Archaeological Remains

If archaeological remains are discovered during grading activities, work within 25 feet of the discovery will be redirected and the County Coroner notified immediately. At the same time an Archeologist will be contacted to assess the situation. If human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results and provide recommendations for the treatment of the human remains and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The report shall be submitted to the City of Fairfield and the Northwest Information Center.

VI. **ENERGY –** Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

Discussion: During construction there would be a temporary consumption of energy resources required for the movement of equipment and materials. Compliance with local, State, and federal regulations would reduce short-term energy demand during the project's construction to the extent feasible, and project construction would not result in a wasteful or inefficient use of energy. Energy use during project construction would be primarily in the form of fuel consumption to operate heavy equipment, light-duty vehicles, machinery, and generators. Temporary power may also be provided to construction trailers or electric construction equipment.

There are no unusual project characteristics or processes involved in this recovery services building that would require the use of equipment that would be more energy intensive than is used for comparable activities, or the use of equipment that would not conform to current emissions standards and related fuel efficiencies. Overall, the construction and operation of this proposed project would not require the creation of a new source of energy. Compliance with state and local requirements and mitigations identified in the Air Quality and Greenhouse Gas sections of this analysis would not result in a potential impact due to wasteful, inefficient, or unnecessary consumption of energy resources.

The project would not conflict with or obstruct the State plan for renewable energy, and the project would use a minimum amount of electricity. State and local agencies regulate the use and consumption of energy through various methods and programs. As a result of the passage of Assembly Bill 32 (AB 32), which seeks to reduce the effects of greenhouse gas (GHG) emissions, a majority of State regulations are intended to reduce energy use and GHG emissions. These include the California Code of Regulations Title 24, Part 6–Energy Efficiency Standards and the California Code of Regulations Title 24, Part 11– California Green Building Standards. The City of Fairfield Building Division enforces the applicable requirements of the Energy Efficiency Standards and Green Building Standards in Title 24. Further, Senate Bill 100 (SB 100) mandates that electricity providers supply 100% carbon-free clean energy by 2045. Because the proposed project would be powered by the existing electricity grid, the project would eventually be powered by renewable energy mandated by SB 100 and would not conflict with this statewide

plan. The City of Fairfield General Plan Open Space, Conservation, and Recreation Element contains programs related to energy usage to minimize energy consumption during construction and operation of projects. The proposed project would not conflict with or obstruct State or local plans for renewable energy or energy efficiency and impacts would be less than significant. (Sources: 2, 3, 4, 18, 19)

VII. GEOLOGY AND SOILS – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i) Rupture of a known earthquake fault, as delineated 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.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
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, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating substantial risks direct or indirect to life or property?			X	
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?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		

Discussion: The project is not located within an Alquist-Priolo special studies fault zone. Nonetheless, Fairfield is a seismically active area. As a condition of approval, a design-level geotechnical study, prepared by a licensed geotechnical engineer, is required for all development project within the City and shall be submitted to the City for review prior to the start of construction. The study shall include details and recommendations for geologic hazards including setbacks & restrictions, grading limitations and requirements, foundation design, subsurface drainage and the potential for ground deformation at the project site.

It is acknowledged that seismic hazards cannot be completely eliminated, even with site-specific geotechnical investigation and advanced building practices. Exposure to seismic hazards is a generally accepted part of living in the seismically active areas of California. The project conditions of approval shall require the project to be designed according to the most recent California Building Code, applicable local codes, and be in accordance with the accepted standards for geotechnical practice for seismic design in Northern California.

The project site is on flat ground with no significant elevation changes and landslides are not a threat. The project site will be finished per Storm Water Pollution Prevention Plan standards to prevent the erosion of topsoil.

The site is relatively flat, as it has been graded and filled in past years. Historically, the site has been disturbed by grading. There have been no known discoveries of paleontological resources at the site or within its immediate vicinity. However, construction of the proposed project may result in the identification of historic-era or prehistoric paleontological materials. In the event that such resources are encountered unexpectedly during excavation activities, the City will require that no resources shall be handled or photographed, construction activity of subject property shall cease and the following measures implemented to address potential impacts. (Sources: 3, 4, 5)

Impact GEO-1: Paleontological Resources

Paleontological resources could be discovered during grading and potentially significant impacts could result to as-yet-unidentified paleontological resources at the construction stage.

Mitigation Measure GEO-1: Paleontological Resources

If paleontological resources are discovered during grading activities, work within 25 feet of the discovery will be redirected until a paleontological monitor can evaluate the resources and make recommendations. If paleontological deposits are identified, it is recommended that such deposits be avoided by construction activities. If such deposits cannot be avoided, or if avoidance is not feasible, the adverse effects shall be mitigated. Mitigation can include data recovery and analysis, preparation of a report and the presentation of fossil material recovered to an

accredited paleontological repository, such as the University of California, Museum of Paleontology (UCMP). Monitoring shall continue until, at the paleontologist's judgment, paleontological resources are no longer likely to be encountered. Upon project completion, a report shall be prepared documenting the methods and results of the monitoring. Copies of this report shall be submitted to the City of Fairfield and the repository to which any fossils were presented.

VIII. GREENHOUSE GAS EMISSIONS – Would the project:	Potentially Significant Impact	Less Than Significant 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?			X	
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Discussion: California has adopted a series of laws and programs to reduce emissions of greenhouse gas emissions (GHG) into the atmosphere. Assembly Bill 32 (AB 32) seeks to reduce the effects of greenhouse gas (GHG) emissions to relative 1990 levels by the year 2030. Branching off of AB32 goals, a majority of State regulations are intended to reduce energy use and GHG emissions. These include the California Code of Regulations Title 24, Part 6–Energy Efficiency Standards and the California Code of Regulations Title 24, Part 11– California Green Building Standards, and Bay Area Air Quality Management District's (BAAQMD) adopted updated CEQA Air Quality Guidelines.

The proposed project can be considered as a congregate care facility with 62 beds which is well below the minimum screening threshold for operational criteria established by the Bay Area Air Quality Management District Guidelines (BAAQMD) of 143 dwelling units for greenhouse gas impacts, furthermore, these screening criteria do not take into account local development requirements or project design that could lead to lower emissions or differences between in-fill development projects, such as the one proposed, and greenfield development projects. The proposed project may generate greenhouse gas emissions in addition to other emissions during the construction phase of the project, as well as possible emissions related to the operation of the facility. On an individual level these emissions can be projected to have a less than significant impact, even while may contribute to the cumulative increase in greenhouse gas emissions.

It is important to note that the estimates from mobile sources used in the BAAQMD threshold calculations are likely much greater than the emissions that would actually occur. The analysis assumes that all emissions sources are new sources and that 100% of emissions from these sources will be added to existing conditions. This is a standard approach taken for air quality

analyses. In many cases, such an assumption is appropriate because it is impossible to determine whether emissions sources associated with a project move from outside the air basin and are in effect new emissions sources, or whether they are sources that were already in the air basin and just shifted to a new location. Because the effects of GHGs are global, a project that shifts the location of a GHG-emitting activity (e.g., where people live, where vehicles drive, or where companies conduct business) would result in no net change in global GHG emissions levels. (Source: 1, 3, 4, 5, 18)

IX. **HAZARDS AND HAZARDOUS MATERIALS** – Would the project:	Potentially Significant Impact	Less Than Significant 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?			X	
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?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter mile of an existing or proposed school?			X	
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?				X
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 or excessive noise for people residing or working in the project area?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X

IX. **HAZARDS AND HAZARDOUS MATERIALS** – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				X

Discussion: The project anticipated primary uses will be a substance abuse recovery similar to a nursing home. The project will feature a central courtyard, medical support offices, dining area, withdrawal management unit, counseling rooms, and shower facilities. The complex will meet all requirements of Solano County and the State of California for disposing of or recycling use motor oil and other hazardous chemicals. The project will not involve transporting substances known to the City to be hazardous, caustic, or explosive. It is not located in a potentially hazardous airport area, nor would it interfere with an emergency response plan or expose people or structures to a significant risk of wildland fires. Furthermore, the project is not located within any identified by the High Wildfire Risk Areas according to the City General Plan. All buildings are required by California Building Code to be equipped with fire sprinklers.
(Source: 2, 3, 4, 5, 19)

X. **HYDROLOGY AND WATER QUALITY** – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c) Substantially alter the existing drainage pattern of the site or areas including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			X	
i) Result in substantial erosion or siltation on- or off-site?			X	

X. HYDROLOGY AND WATER QUALITY – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?			X	
iii) 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?			X	
iv) Impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X

Discussion: The proposed project will increase impervious surfaces. However, storm drainage from the project site will be handled through on-site detention and new drains to the existing infrastructure to accommodate peak runoff per the conditions of approval prepared by the City Public Works Department. Compliance with the Fairfield-Suisun Sewer District standard requirements to pre-treat storm run-off, including but not limited to the use of Best Management Practices (BMP's) to address the issue of ongoing post-construction storm water quality for the project site. Additionally, the applicant will be required to prepare an erosion and sedimentation control plan and comply with the National Pollution Discharge Elimination System (NPDES) Permit and Storm Water Pollution Prevention Plan (SWPPP) requirement. (Source: 2, 3, 4, 5, 7, 8)

XI. LAND USE AND PLANNING – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Physically divide an established community?				X
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				X

Discussion: The project is not in conflict with any applicable land use plan and meets the standards and regulations of the General Plan and Zoning Ordinance of the City. The prosed project is adjacent to existing residential and church developments. In this location the project would create no physical division of the existing neighborhood. The City is currently cooperating with other jurisdictions in Solano County in the preparation of a Habitat Conservation Plan for identification and protection of federally listed endangered species. Sections of the County which have the potential for providing habitat for endangered species (Areas of Special Status Species Concern) have been mapped. This property does not identify any potential habitat. (Source: 2, 3, 4, 5, 11)

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
XII. MINERAL RESOURCES – Would the project:				
a) Result in the loss of availability of a known mineral resource of value to the region and the residents of the state?				X
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?				X

Discussion: The project is not in conflict with any applicable land use plan and meets the standards and regulations of the General Plan and Zoning Ordinance of the City. There are no known mineral resources on this site. (Source: 3, 4)

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
XIII. NOISE – Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive ground borne vibration or ground borne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a				X

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
XIII. NOISE – Would the project result in:				
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?				

Discussion: The project is located in a Residential High-Density Zoning District, wherein apartment buildings surround the site to the north across Peach Tree Drive, while the east and west sides of the project site are surrounded by church buildings. The southern portion of the site abuts residential homes.

In addition, noise generated by project construction activities would temporarily elevate ambient noise levels in the project vicinity. Noise impacts resulting from construction depend on the noise generated by various pieces of construction equipment, the timing and duration of noise generating activities, and the distance between construction noise sources and noise sensitive receptors. Construction noise impacts primarily occur when construction activities occur during noise-sensitive times of the day (early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise sensitive land uses, or when construction durations last over extended periods of time. Typically, significant noise impacts do not result when standard construction noise control measures are enforced at the project site and when the duration of the noise generating construction period is limited to one construction season (typically one year) or less. Once construction moves indoors, minimal noise would be generated at off-site locations. City ordinance limits the hours of construction to between 7 a.m. and 10 p.m. Additionally, noise and vibration during construction will be moderated by the City standard construction noise conditions of which the project will be required to comply. As such, construction related noise impact would be considered less than significant.

The project is not located near an airport and no noise impacts from airport noise are anticipated. (Source: 2, 3, 4, 5, 16, 19)

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
XIV. POPULATION AND HOUSING – Would the project:				
a) Induce substantial unplanned 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)?				X

XIV. **POPULATION AND HOUSING** – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

Discussion: : No existing homes will be removed, nor will a substantial number of new homes be required for additional population. The project will not significantly induce population growth above that already assumed in the General Plan. (Sources: 2, 3, 4, 5)

XV. **PUBLIC SERVICES**	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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:				
Fire protection?			X	
Police protection?			X	
Schools?			X	
Parks?			X	
Other public facilities?			X	

Discussion: Both the Fire and the Police Departments have reviewed the plans and determined that no additional resources will be required. The Fire Department has imposed conditions to meet fire safety standards. The project will pay AB 1600 impact fees for traffic improvements and public facilities, and impact fees for schools and County Public Facilities to offset the impacts and increased demand for public services and facilities created by the project. (Source: 2, 3, 4, 5, 7)

XVI. RECREATION	Potentially Significant Impact	Less Than Significant 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?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Discussion: This commercial project will not have a direct impact on recreational facilities. (Source:2, 3, 4, 5)

XVII. TRANSPORTATION – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?			X	
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(1)?				X
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
d) Result in inadequate emergency access?				X

Discussion: Under Senate Bill 743, CEQA replaced the delay-based Level of Service (LOS) significance thresholds with Vehicle Miles of Travel (VMT) for evaluating transportation impacts. SB 743 attempts to "promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." (Public Resources Code Section 21099(b)(1).) to achieve the statewide climate goals. Measurements of transportation impacts may include vehicle miles traveled (VMT), vehicle miles traveled per capita/employee,

automobile trip generation rates, or automobile trips generated. The City also retains the right to use LOS as a condition of approval to maintain consistency with the General Plan and City policies. Therefore, projects over a certain size will continue to be evaluated for contributing to LOS deficiencies and this evaluation will be referred to as "local transportation analysis" to distinguish from impacts under CEQA. Pedestrian and bicycle circulation, safety, parking, traffic control warrant analysis, site circulation, and other operational topics will also continue to be addressed under local transportation analysis, as appropriate.

The City's guidelines for Project VMT Screening Transportation Analysis state nonresidential projects that generate less than 110 daily trips, consist of 100% affordable housing or local serving retail, are within ½ mile of high-quality transit, or are located in a low VMT area shall be presumed to have less than significant impacts and do not require further VMT analysis.

A trip generation analysis was prepared for the proposed project to determine what level of local transportation analysis (Level of Service) and CEQA analysis (VMT) is required. The anticipated trip generation for the proposed project was estimated using standard rates published by the Institute of Transportation Engineers (ITE) in *Trip Generation Manual*, 11th Edition, 2021 for "Nursing Home" (ITE LU 620). This land use best fits the proposed project because of its many similarities including the presence of skilled nurses and aides 24 hours a day, the need for resident treatment on an ongoing basis, and where project traffic is primarily limited to employees, some visitors, and deliveries.

The trip generation prepared by W-Trans projected an average of 106 trips per day, including 12 trips during the a.m. peak hour and 11 trips during the p.m. peak hour. Being less than 110 daily trips, the project is screened out from further VMT analysis and assumed to have a less than significant impact.

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
XVIII. <u>TRIBAL CULTURAL RESOURCES</u> – Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		X		

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
XVIII. <u>TRIBAL CULTURAL RESOURCES</u> – Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		X		

<u>Discussion</u>:

There have been no known discoveries of archeological resources at the site or within its immediate vicinity. However, tribal cultural resources could be encountered unexpectedly during the excavation of the site. The greater Fairfield area does have a rich tribal history, which has resulted in the discovery of human remains and artifacts during construction projects in the past. In the event that such resources are encountered unexpectedly during excavation activities, the City will require that no resources shall be handled or photographed, construction activity of subject property shall cease and the following measures implemented to address potential impacts. With the mitigation measures below, project impacts would be less than significant.

Furthermore, as required by state law, City staff sent a notification letter on July 12, 2023, to the Yocha Dehe Wintun Nation in compliance with Assembly Bill 52. In their response letter dated August 29, 2023, the Yocha Dehe Winton Nation did not request formal consultation, but requested the project applicant to schedule Cultural Resources Sensitivity Training prior to grading and construction. (Source: 3, 4, 5, 20).

<u>Impact TC-1: Tribal Cultural Resources</u>

Tribal cultural resources could be discovered during grading and potentially significant impacts could result to as-yet-unidentified tribal cultural resources at the construction stage. Implementation of Mitigation Measures TC-1 and TC-2 would ensure that potential impacts related to previously undiscovered historic or archaeological resources and human remains would be less than significant.

Mitigation Measure TC-1: Tribal Cultural Resources

Due to the possibility of archeological resources on the project site, the City of Fairfield shall require a note on any plans that require ground disturbing excavation that there is a potential for exposing buried cultural resources, including prehistoric Native American burials.

Prior to groundbreaking, construction personnel associated with earth moving equipment, drilling, grading, and excavating, shall be provided with basic archaeological and cultural sensitivity training conducted by a qualified archaeologist and in consultation with the Yocha Dehe Wintun Nation. Issues that shall be included in the basic training will be geared toward training the applicable construction crews in the identification of archaeological deposits and tribal cultural resources. Training will include written notification of the restrictions regarding disturbance and/or removal of any portion of archaeological deposits and the proper procedures to follow should a resource be identified. The project applicant shall inform the Yocha Dehe Wintun Nation of the project construction schedule and allow for a Yocha Dehe Wintun Nation tribal monitor to be present at the project site during any ground disturbance activities in native soil, to ensure such activities do not negatively impact cultural resources. The tribal monitor will also be provided an opportunity to attend the pre-construction briefing. The construction contractor, or its designee, shall be responsible for implementation of this measure.

Mitigation Measure TC-2: Tribal Cultural Resources

If archaeological remains or tribal cultural resources are uncovered, all construction activities within a 100-foot radius shall be halted immediately until a qualified archaeologist, in consultation with the tribal monitor, can evaluate whether the resource requires further study. The City shall require that the applicant include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Any previously undiscovered archaeological resources are found during construction shall be recorded on appropriate Department of Parks and Recreation forms and evaluated for significance in terms of California Environmental Quality Act criteria by a qualified archaeologist. Prehistoric archaeological site indicators include but are not limited to: obsidian and chert flakes and chipped stone tools; grinding and mashing implements (e.g., slabs and handstones, and mortars and pestles); bedrock outcrops and boulders with mortar cups; and locally darkened midden soils. Midden soils may contain a combination of any of the previously listed items with the possible addition of bone and shell remains, and fire-affected stones. Historic period site indicators generally include but are not limited to: fragments of glass, ceramic, and metal objects; milled and split lumber; and structure and feature remains such as building foundations and discrete trash deposits (e.g., wells, privy pits, dumps). If the resource is determined to be significant under CEQA, the City and a qualified archaeologist shall determine whether preservation in place is feasible. Such preservation in place is the preferred mitigation. If such preservation is infeasible, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan for the resource. The archaeologist shall also conduct appropriate technical analyses, prepare a comprehensive written report and file it with the appropriate information center (California Historical Resources Information System [CHRIS]), and provide for the permanent

curation of the recovered materials. For any tribal cultural resources found during the ground disturbance activities, the Yocha Dehe Wintun Nation shall be immediately notified, and the appropriate treatment method for the uncovered resources shall be determined by the City and archaeologist in consultation with the Yocha Dehe Wintun Nation and its Yocha Dehe Treatment Protocol.

The treatment of human remains and any associated or unassociated funerary objects discovered during any soil-disturbing activity within the project site shall comply with applicable State laws. This shall include immediate notification of the Solano County Coroner and the City of Fairfield of the discovery of any human remains.

In the event of the Coroner's determination that the human remains are Native American, the coroner must contact the NAHC within 24 hours. The NAHC shall identify a Most Likely Descendant (MLD) of the deceased Native American (PRC Section 5097.98). The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for the means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98. Development activity on the impacted site will halt until the landowner has conferred with the MLD about their recommendations for treatment of the remains, and the coroner has determined that the remains are not subject to investigation under California Government Code Section 27491.

The project applicant, archaeological consultant, and MLD shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of human remains and associated or unassociated funerary objects (CEQA Guidelines Section 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. The California PRC allows 48 hours to reach agreement on these matters. If the MLD and the other parties do not agree on the reburial method, the project will follow PRC Section 5097.98(b) which states that ". . . the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance."

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
XIX. <u>UTILITIES AND SERVICE SYSTEMS</u> – Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment facilities or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?				X

XIX. **UTILITIES AND SERVICE SYSTEMS** – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				X
c) 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?				X
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?				X
g) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				X

Discussion: The responsible departments and agencies for wastewater and water supply have reviewed the project and determined that capacities will be adequate. The project will substantially increase the site's impervious surfaces, but not beyond the capacity of the existing storm drainage system. The drainage of this project will be required to comply with City standards for drainage and grading (see "Discussion: Hydrology and Water Quality"). Appropriate permits will be required to be obtained prior to construction. Solid waste will be managed on site and redirected to a secondary facility with adequate capacity. (Source: 2, 3, 4, 5, 7)

XX. **WILDFIRE** -- If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project				X

XX. **WILDFIRE** -- If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X	
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	

Discussion: The project is not located within any identified by the High Wildfire Risk Areas according to the City General Plan or a very high fire hazard severity zone according to the 2007 Fire Hazard Severity Zones in LRA produced by the California Department of Forestry and Fire Protection (CalFire). Additionally, the project will develop the site with infrastructure and associated site improvements to support the 62-bed facility. Furthermore, both the Fire and the Police Departments have reviewed the plans and determined that limited additional resources will be required. The Fire Department has imposed conditions to meet fire safety standards. The project will pay AB 1600 impact fees for traffic improvements and public facilities, and impact fees for schools and County Public Facilities to offset the impacts and increased demand for public services and facilities created by the project.

The responsible departments and agencies for wastewater and water supply have reviewed the project and determined that capacities will be adequate. The project will substantially increase the site's impervious surfaces, but not beyond the capacity of the existing storm drainage system. The drainage of this project will be required to comply with City standards for drainage and grading (see "Discussion: Hydrology and Water Quality"). Appropriate permits will be required to be obtained prior to construction. Additionally, the applicant will be required to prepare an erosion and sedimentation control plan and comply with the National Pollution Discharge Elimination System (NPDES) Permit and Storm Water Pollution Prevention Plan (SWPPP) requirement. (Sources: 3, 4, 5)

Discussion: This Initial Study identified potentially significant project impacts relative to air quality, biological resources, transportation, and cultural and tribal resources and Geology. The identified impacts can be reduced to less than significant levels through implementation of Mitigation Measures discussed in the Initial Study. Therefore, a Draft Mitigated Negative Declaration has been prepared for the project to satisfy the requirements of the California Environmental Quality Act.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
a) Does the project have the potential to significantly degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		
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)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Discussion: The Initial Study identified potential significant project impacts relative to air quality, biological resources, cultural resources, geology, and tribal cultural resources. None of the identified impacts will cause substantial adverse efforts on human beings, and all of the identified impacts can be reduced to less than significant levels through implementation of Mitigation Measures discussed in the Initial Study.

Sources:

1. Bay Area Air Quality Management District, California Environmental Quality, Air Quality Guidelines, May 2017.
2. City of Fairfield: Chapter 25: Zoning Ordinance, August 2020
3. City of Fairfield: Draft Program Environmental Impact Report for the Comprehensive Amendment to the City of Fairfield General Plan, August 2001.
4. City of Fairfield: Final Program Environmental Impact Report for the Comprehensive Amendment to the City of Fairfield General Plan, May 2002.
5. City of Fairfield: General Plan Policy Document, September 2017.
6. City of Fairfield: Scenic Vistas and Roadways Plan, June 1999.
7. City of Fairfield: Public Works Department Conditions of Approval, July 26, 2021
8. Federal Emergency Management Administration: *Flood Insurance Rate Map, CPN 06095C0452F,* August 8, 2016.
9. LSA, Solano County Water Agency, *Solano Multispecies Habitat Conservation Plan- Administrative Draft,* May 2009.
10. State of California, Department of Conservation, *Solano County Williamson Act Map*, FY 2013/2014.
11. State of California, Department of Conservation, *Solano County Important Farmland Map*, 2016.
12. State of California, Department of Conservation, State Geologist, *Special Studies Zones, Revised Map,* 2015.
13. State of California, Department of Transportation, *Officially Designated Scenic Highways List*, 2017.
14. Solano County, Department of Resource Management, *Travis Air Force Base Land Use Compatibility Plan*, Adopted October 8, 2015.
15. Huffman Broadway Group *Biological Evaluation for Fairfield Environmental Center, Fairfield, Solano County, California.* May 26, 2021
16. Bay Area Air Quality Management District, *CEQA Guidelines*, May 2017
17. Letter from Yvonne Perkins, Yocha Dehe Tribal Historic Preservation Officer, August 29, 2023
18. First Carbon Solutions Memorandum (Biological Due Diligence) dated April 11, 2023.
19. FirstCarbon Solutions Inc., Mitigation Measures in Response to FCS Biological Due Diligence Memorandum Pages 2 and 3
20. FirstCarbon Solutions Inc. Aquatic Resources Delineation Report Archway Recovery Services Project City of Fairfield, Solano County, California, dated June 8, 2023
21. W-Trans California Traffic Engineering Consultants, Initial Assessment for Archway Recovery Services Project Dated November 29,2023

Initial Site Assessment Checklist for Special Status Species or Habitat

PROJECT NAME:

SITE LOCATION:

ASSESSMENT PREPARED BY:

SITE CHARACTERISTICS	PRESENT? Yes	No	COMMENTS

I. GENERAL CRITERIA

A. Is the Proposed Project Site located within one of the following Areas of Concern*:

Vernal Pool Species	____	NO	_____
Giant Garter Snake	____	NO	_____
Valley Elderberry Longhorn Beetle	____	NO	_____
California Red-legged Frog	____	NO	_____
Coastal Marsh Species	____	NO	_____
Callippe Silver spot Butterfly (i.e., Potrero Hills or the open space area formed by Interstate Highways 80, 680, 780)	____	NO	_____

B. Is the Proposed Project Site located along a watercourse? ____ NO _____

*See accompanying Areas of Concern Guidelines for descriptions and map.

If the answer to any of the above Section I criteria is “yes”:

1. The site should be evaluated by a qualified biologist/botanist to determine the presence of special status species and/or habitat for such species.

2. The project will require evidence of compliance with the federal Endangered Species Act. The applicant should contact USFWS regarding compliance with the Endangered Species Act and the Solano Project Biological Opinion. Details are provided in the Areas of Concern Guidelines.

If “no”: Complete Section II of this checklist on the following pages.

The USFWS can be reached at: Sacramento Fish and Wildlife Office, Endangered Species Program
2800 Cottage Way, Rm. W-2605
Sacramento, CA 95825.
(916) 414-6600

Initial Site Assessment Checklist for Special Status Species or Habitat

SITE CHARACTERISTICS	PRESENT? Yes	No	COMMENTS
II. SPECIES-SPECIFIC CRITERIA			
Vernal Pool Species			
Vernal pool and/or seasonal wetlands, including alkaline wetlands and stock ponds	____	X	_____
Level topography with shallow depressions capable of containing standing water during the rainy season (Nov.-May)	____	X	Site was previously graded.
Has a wetland delineation has been completed?	____	X	_____
Grassland with low-lying areas with stunted vegetation growth	____	X	_____
Shallow stock ponds which normally dry on an annual basis	____	X	_____
Presence of the following soil types: Pescadero series, Antioch series, San Ysidro series, Solano series, and associated complex soils (excludes existing developed areas and areas cultivated with perennial crops)	_____	X	_____
Giant Garter Snake			
Freshwater marshes, sloughs, ponds, low flow drainages, irrigation canals, backwater areas, rice fields	____	X	_____
Emergent aquatic vegetation (e.g., cattails, bulrushes)	____	X	_____
Grassy banks and vegetated uplands adjacent to or within 200ft of habitats listed above	____	X	_____

Initial Site Assessment Checklist for Special Status Species or Habitat

SITE CHARACTERISTICS	PRESENT? Yes	No	COMMENTS
Valley Elderberry Longhorn Beetle			
Creeks, small drainages, man-made watercourses		X	
Elderberry Shrubs		X	
Riparian vegetation		X	
California Red-legged Frog			
Perennial and seasonal creeks and ponds, small drainages, seeps and springs, stock ponds and other artificial water sources		X	
Aquatic or riparian vegetation		X	
Oak woodlands nearby or other suitable migration corridors between wet areas		X	
Coastal Marsh Species			
Brackish or salt marsh, tidal sloughs		X	
Dense patches of pickleweed, saltgrass, or other perennial marsh vegetation		X	
Adjacent high marsh (non-submerged) areas for refuge		X	
Presence of any of above habitat conditions within 1,000 feet of proposed new development		X	

Summary:

If the answer to any of the above Section II criteria is “yes”, the site should be evaluated by a qualified biologist or botanist to determine the presence of special status species and/or potential habitat of such species. Also, the applicant should contact the Sacramento Fish and Wildlife Office regarding compliance with the Endangered Species Act and the Solano Project Biological Opinion.