

Notice of Determination

Appendix D

To:

☐ Office of Planning and Research
 U.S. Mail: Street Address:
 P.O. Box 3044 1400 Tenth St., Rm 113
 Sacramento, CA 95812-3044 Sacramento, CA 95814

☒ County Clerk
 County of: Solano
 Address: 675 Texas Street, Suite 2700
Fairfield, CA 94533

From:

Public Agency: Solano Irrigation District
 Address: 810 Vaca Valley Parkway, Suite 201
Vacaville, CA 95688
 Contact: Nancy McWilliams
 Phone: (707) 455-4018

FILED

Lead Agency (if different from above): DEC 28 2021

Address: _____
 Contact: Birgitta E. Corsello, Clerk of
the Board of Supervisors of
 Phone: _____
the County of Solano, State of California

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2020110179

Project Title: Brazelton Pipeline Realignment Project (Farrell Road/Gibson Canyon Road Intersection)

Project Applicant: Solano Irrigation District

Project Location (include county): Farrell Road and Gibson Canyon Road, Solano County

Project Description:

Solano Irrigation District (District) proposes to relocate an existing water transmission line, and three distribution lines at the intersection of Farrell Road and Gibson Canyon Road in unincorporated Solano County, California. The purpose of the project is to relocate the water transmission line where it conflicts with the intersection improvements project completed by Solano County in 2021.

This is to advise that the Solano Irrigation District has approved the above
☒ Lead Agency or ☐ Responsible Agency)

described project on 12/21/21 and has made the following determinations regarding the above
 (date)
 described project.

1. The project ☐ will ☒ will not have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures ☒ were ☐ were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan ☒ was ☐ was not adopted for this project.
5. A statement of Overriding Considerations ☐ was ☒ was not adopted for this project.
6. Findings ☒ were ☐ were not made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

810 Vaca Valley Parkway, Suite 201, Vacaville, CA 95688

Signature (Public Agency): [Signature] Title: General Manager

Date: 12/21/21 Date Received for filing at OPR: _____

Authority cited: Sections 21083, Public Resources Code.
 Reference Section 21000-21174, Public Resources Code

Document Posted From 12/28/2021 Revised 2011
 to _____

Deputy Clerk of the Board

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ATTORNEYS

**Mitigated Negative Declaration
Regarding Environmental Impact**
Pursuant to: Division 13, Public Resources Code

1. **Notice is Hereby Given** that the project described below has been reviewed pursuant to the provisions of the California Environmental Quality Act of 1970 (Public Resources Code 21100, et seq.) and a determination has been made that it will not have a significant effect upon the environment.
2. **Project Name:** Brazelton Pipeline Realignment Project (formerly the Farrell Road and Gibson Canyon Road Intersection Improvements Project)
3. **Description of Project:** The Project proposes to relocate an existing water transmission line, and two distribution lines at the intersection of Farrell Road and Gibson Canyon Road in unincorporated Solano County, California (Figure 1. Project Vicinity and Figure 2. Project Location). The purpose of the project is to relocate the water transmission line where it conflicts with the intersection improvements project to be completed by Solano County.

The portion of the existing 27" concrete cylinder transmission pipeline to be relocated begins approximately 80 feet south of the intersection of Gibson Canyon Road and Farrell Road and extends approximately 160 feet north west under the intersection within existing District easements. The pipeline would be relocated, with a 30" pipe, to begin approximately 80 feet south of the intersection and extend approximately 230 feet along the south side of Farrell Road, turn north and run under Farrell Road, then head east approximately 65 feet to connect to the existing main. An existing 10" water main that crosses Gibson Canyon Road just north of the intersection will be relocated approximately 50 feet north of the intersection or approximately 100 feet south of the intersection. Two existing 4 inch water main that run along the east edge of Gibson Canyon Road may be relocated approximately 10 feet west, into the existing paved area. All work will be contained within the area depicted in Figure 3.

Existing utilities will remain active during project construction. Partial or full road closures may be required to relocate the pipelines. Temporary construction easements and utility easements may be needed on a limited basis to accommodate the relocation of the pipeline. Construction is anticipated to last 30 days.

4. **Location of Project:** The project site is located within unincorporated Solano County in close proximity to the City of Vacaville city limits.
5. **Name and Address of Project Proponents:**

Solano Irrigation District
810 Vaca Valley Parkway, Suite 201
Vacaville, CA 95688

6. Mitigation Measures:

AQ-1: Adhere to the following Best Management Practices as recommended by the Yolo-Solano AQMD:

- Water all active construction sites as necessary.
- Haul trucks shall maintain at least 2 feet of freeboard.
- Cover all trucks hauling dirt, sand, or loose materials.
- Cover inactive storage piles.
- Sweep streets if visible soil material is carried out from the construction site.

BIO-1: Prior to initial ground disturbance activities, environmental awareness training will be given to all construction personnel by the Project biologist to brief them on how to recognize local special-status species. If any special-status species is detected, CDFW will be called for guidance before any construction activities are resumed. All personnel will be required to sign a form stating attendance of the environmental awareness training.

BIO-2: If feasible, vegetation removal should be conducted between September 1 and February 15 to avoid impacts on nesting birds. If construction activities, including vegetation removal, are scheduled to occur during the breeding season for migratory birds and raptors (generally between February 1 and August 31), the Project biologist will conduct nesting surveys before the start of construction. The nesting surveys should be conducted within 7 days before the initiation of construction activities (including tree removal) that are scheduled between February 1 and August 31. Surveys for active nests will occur in the Project area and trees within 50-feet of the work area. If no active nests are detected during these surveys, no additional mitigation is required.

If surveys indicate that migratory bird or raptor nests are present in the Project area, a no-disturbance buffer will be established around the sites to avoid disturbance or destruction of the nest site until after the breeding season or until after the Project biologist determines that the young have fledged. The extent of these buffers will be determined by the biologist (in coordination with CDFW) and will depend on the level of noise or construction disturbance, line-of-sight between the nest and disturbance, ambient levels of noise and other disturbances, and other topographic or artificial barriers. These factors will be analyzed to make an appropriate decision on buffer distances. Suitable buffer distances may vary by species.

BIO-3: All natural areas temporarily disturbed during Project construction will be restored onsite to pre-Project conditions or better prior to Project completion. All temporarily affected waters will be re-contoured to preconstruction conditions and seeded with a native seed mix. All hydroseed and plant mixes must consist of a biologist approved plant palette seed mix of native species sourced within the same ecoregion the Project area.

BIO-4: The Project will impact an ephemeral swale, a jurisdictional water of the State and CDFW habitat. The District will consult with CDFW and obtain a 1602 Streambed Alteration Agreement prior to construction.

- BIO-5:** Prior to arrival at the Project site and prior to leaving the Project site, construction equipment that may contain invasive plants and/or seeds will be cleaned to reduce the spreading of noxious weeds.
- BIO-6:** The contractor must not apply rodenticide or herbicide within the BSA during construction.
- BIO-7:** All food-related trash must be disposed of in closed containers and must be removed from the Project Area daily. Construction personnel must not feed or otherwise attract wildlife to the Project area.
- BIO-8:** If wildlife species are encountered during construction, construction will temporarily stop within the area of discovery. Work will not resume in the area of discovery until the animal has left the area on its own accord and unharmed.
- BIO-9:** A protocol level pre-construction survey will be conducted for Swainson's hawk during nesting season between March 1 and September 15. This entails surveying all suitable nesting sites within a ¼ mile radius of the project area for evidence of Swainson's hawk activity according to the protocol survey methods recommended by the Swainson's Hawk Technical Advisory Committee. If active nesting is identified within the ¼ mile radius, coordination with CDFW is required. If "take" or adverse impacts to Swainson's hawk cannot be avoided, an incidental take permit from CDFW shall be obtained.
- BIO-11:** A qualified biologist will conduct a survey during the appropriate blooming period for all special-status plants that have the potential to occur on the Project site. Surveys will be conducted following Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities. If special-status plants are found during surveys, coordination with the appropriate agencies shall occur.
- BIO-10:** Qualified biologists will conduct a pre-construction survey for burrowing owl within 1-2 weeks of the start of construction. If burrowing owls are not detected, no further mitigation will be required. If burrowing owls are observed within 500 feet of the project area, the following measure will be implemented:
- Occupied burrows will not be disturbed during the breeding season (February 1st to August 31st) unless a qualified biologist approved by the CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg-laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival. If avoidance of active nests is preferred, the biologist will consult with the CDFW to determine appropriate buffer widths and acreage of foraging habitat to be permanently preserved contiguous with the occupied burrow site. The Contractor will not disturb identified burrowing owl burrows until the qualified biologist verifies it has been cleared.
- CR-1:** If previously unidentified cultural materials are unearthed during construction, work shall be halted within 100 feet of the area until a qualified archaeologist can assess the significance of the find and develop a plan for documentation and removal of resources, if necessary. This buffer can be reduced or increased, based on the type

of discovery. Additional archaeological survey will be needed if project limits are extended beyond the present survey limits.

CR-2: Section 5097.94 of the PRC and Section 7050.5 of the California Health and Safety Code protect Native American burials, skeletal remains and grave goods, regardless of age and provide method and means for the appropriate handling of such remains. If human remains are encountered, work should halt within 100 feet of the find and the County Coroner should be notified immediately. Concurrently, an archaeologist should be contacted to assess the find. If the human remains are determined to be of Native American origin, the Coroner must notify the NAHC of the finding within twenty-four hours of positive identification. CEQA details steps to be taken if human burials are of Native American origin.

GEO-1: Prior to the start of construction, all construction personnel would receive paleontological sensitivity training, detailing the types of paleontological resources that may be encountered and procedures to follow if a find should occur.

GEO-2: If paleontological resources (i.e., fossils) are discovered during ground-disturbing activities, Solano Irrigation District project contact will immediately be notified, and will ensure that their contractors shall stop work in that area and within 100 feet of the find until a qualified paleontologist can assess the significance of the find and develop appropriate treatment measures. Treatment measures will be made in consultation with the Solano Irrigation District and Solano County.

7. A copy of the initial study regarding the environmental effect of this project is on file at:

Solano Irrigation District
810 Vaca Valley Parkway, Suite 201
Vacaville, CA 95688

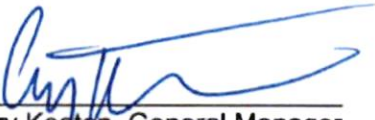
This study was:

- ☒ Adopted as presented.
☐ Adopted with changes. Specific modifications and supporting reasons are attached.

8. Determination: On the basis of the Initial Study of Environmental Impact, comments received on the proposal and our own knowledge and independent research:

☐ We find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION is hereby adopted.

☒ We find that the project COULD have a significant effect on the environment but will not in this case, because of attached mitigation measures described in Item 6 above which are by this reference made of conditions of project approval. A MITIGATED NEGATIVE DECLARATION is hereby adopted.



Cary Keaten, General Manager
Solano Irrigation District

Date: 12-22-21