

3 REVISIONS TO THE DRAFT SEIR

This chapter presents specific text changes made to the Draft EIR since its publication and public review. The changes are presented in the order in which they appear in the original Draft EIR and are identified by the Draft EIR page number. Text deletions are shown in ~~strike through~~, and text additions are shown in underline.

The information contained within this chapter clarifies and expands on information in the Draft EIR and does not constitute "significant new information" requiring recirculation. (See the Master Response regarding recirculation; see also Public Resources Code Section 21092.1; CEQA Guidelines Section 15088.5.)

Revisions to Chapter 1, "Introduction," of the Draft SEIR

Page 1-3 of the Draft SEIR has been amended as follows:

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- ▶ California Department of Resources Recycling and Recovery (CalRecycle) (Responsible Agency) – To provide concurrence for amendment of the SWFP.
- ▶ Central Valley Regional Water Quality Control Board (Responsible Agency) – To revise the landfill's Waste Discharge Requirements.
- ▶ California Department of Fish and Wildlife (Responsible and Trustee Agency) – To comply with the California ESA for potential take of state listed species, and review the EIR as a trustee agency because the project could potentially affect biological resources.
- ~~▶ California Department of Transportation (Caltrans) District 4 – Identify appropriate fair share contribution towards improvements to operating conditions at specified intersections and roadway segments (see Section 4.11 of this Draft SEIR).~~

Revisions to Chapter 2, "Executive Summary," of the Draft SEIR

Chapter 2, "Executive Summary," 2.2.3 "Project Overview," third bullet, page 2-2:

- ▶ ~~A-LUP modifications that acknowledges disposal module-1 (DM-1) extends 0.3-acre beyond its originally defined disposal footprint, and the acknowledgement of an existing 8-acre setback area located within 7 acres of the permitted landfill boundary and 1 acre of the permitted JPO boundary that would be included within the overall disposal footprint as a result of recent re-evaluation of the landfill boundaries and setbacks.~~ The permitted disposal footprints would be adjusted to reconcile the newly understood disposal footprints.

Page 2-3 of the Draft SEIR has been amended as follows:

2.3 SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Table 2-1, at the end of this chapter, summarizes the environmental impacts of the proposed project, the level of significance of the impact before mitigation, recommended mitigation measures for significant impacts, and the level of significance of the impact after the implementation of mitigation. ~~Implementation of the project would result in a cumulatively considerable contributions to significant and unavoidable transportation impacts at the intersections of State Route (SR) 12/SR 113 and SR 113/Midway Road and along Midway Road, which are projected to operate at unacceptable levels under Cumulative No Project conditions.~~

The last paragraph on page 2-4 of the Draft SEIR has been amended as follows:

With regard to the other alternatives considered in this SEIR, development of Alternative 2 (Vertical Expansion Alternative) would reduce all of the potentially significant impacts of the project, primarily through less land disturbance. Alternative 3 would reduce localized impacts at the RHR Landfill but would have potentially greater impacts associated with haul trucks travelling further for disposal purposes and similar localized impacts at ROR Landfill. ~~With respect to Alternative 2, it would avoid the considerable contribution to significant and unavoidable cumulative intersection and roadway segment operational impacts in the vicinity of the RHR Landfill associated with the project.~~ With the exception of aesthetics, Alternative 2 would reduce impacts associated with all other resource areas compared to the proposed project. While Alternative 2 would involve an expansion of landfill capacity, consistent with the project objectives, it would not achieve the project objectives related to increased gross disposal capacity and extension of the landfill’s life to the extent of the proposed project. Therefore, Alternative 2 would be environmentally superior within the near term but may result in greater long-term effects as a result of a lack of solid waste disposal options available to the Bay Area, similar to Alternative 3. Therefore, the environmental impact differences between the project and Alternative 2 are not substantial enough that one is clearly superior over the other. On balance, the environmentally superior alternative would be either the project or Alternative 2, depending on decisions weighing types of environmental benefits and adverse effects by Solano County.

In Table 2-1, the following changes have been made to Mitigation Measure 4.1-1 on pages 2-6 of the Draft SEIR.

<p>Impact 4.1-2: Long-Term Adverse Changes in Visual Character Lateral expansion of the landfill into the Triangle area and modification of existing landfill operations near the landfill’s existing administrative office (i.e. storage of baled recyclables and addition of a new flare at G2 facility) would result in changes to views of the project site. However, views of the landfill expansion and operation modifications would be consistent and blend in with existing views of landfill operations from Hay Road and immediately north, east, and west of the Triangle area. Further, design of the landfill expansion area would include vegetated landfill perimeter slopes with a 4:1 (horizontal: vertical) slope along the southern boundary of the Triangle to screen views of landfill operations from SR 113. Modifications to these views would be consistent with existing views of the landfill operations onsite and substantial adverse changes would not occur. With project implementation, the increase in truck trips and the expansion of the landfill into the Triangle area could result in an increase in the amount of windblown litter generated from the facility. Although existing litter removal is governed by the 2016 RHR Road and Litter Agreement, it does not factor in the proposed lateral expansion and increase in truck. Therefore, the impact is considered potentially significant.</p>	<p>PS</p>	<p>Mitigation Measure 4.1-1: Litter Control The facility operator shall implement the following litter control mitigation measures to address the lateral landfill expansion area and/or the increase in landfill truck trips following implementation of the proposed project:</p> <ul style="list-style-type: none"> ▶ Windblown Litter from the RHR Site: <ul style="list-style-type: none"> ➤ Portable litter control fences shall be installed directly downwind of the working face during site operations. ➤ Additional litter collection crews shall be deployed following high wind events to remove litter from the parcels adjacent to the landfill. The RHR facility operator shall work to establish site access agreements with the adjacent property owners prior to project implementation. ➤ The maximum size of the working face shall be limited to 200’ x 75’ or smaller. ➤ Use of portable fencing in the immediate vicinity of the landfills working face and downwind of the working face shall be used to contain litter. ➤ Fencing along the site boundary of the landfill expansion area shall be high enough to contain litter from migrating offsite. ➤ Prior to the start of landfill operations within the expansion area, RHR shall construct a permanent 25 ft. tall litter-control fence that extends along the entire length of the southerly site boundary of the landfill expansion area. ➤ Adequate staffing shall be onsite to remove 	<p>LTS</p>
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	<p>litter immediately from the property boundary in the event of a sudden change in wind speed or direction. Similarly, additional litter collection crews shall be deployed following such high wind events to remove litter from parcels adjacent to the landfill. The permittee (RHR) shall <u>negotiate the site access agreement with adjacent property owners and submit a copy of the executed agreement to the Department of Resource Management within 90 days of the approval of Land Use Permit U-11-09 Amendment No. 2</u>establish site access agreements with the adjacent property owners within 90 days of issuance of the use permit.</p> <ul style="list-style-type: none"> ▶ Windblown Litter from RHR-Related Truck Trips: <ul style="list-style-type: none"> ➤ If waste is hauled by RHR or its contractors over the following roads, RHR shall check for and pick up litter, on a weekly basis, or more frequently, on the following roads: Vanden Road from Peabody Road to Canon Road, Canon Road from Vanden Road to North Gate Road, North Gate Road from Canon Road to McCrory Road, McCrory Road from North Gate Road to Meridian Road, Meridian Road from McCrory Road to Hay Road, Hay Road from Meridian Road to Lewis Road, Lewis Road from Midway Road to Fry Road, and Midway Road from I-80 to SR 113. ➤ If Solano County personnel identify litter on roads used by RHR and its contractors, Solano County shall immediately notify RHR and request that it be removed. RHR shall respond and remove such litter within twenty-four (24) hours of receiving notification from Solano County. ▶ Litter Control: <ul style="list-style-type: none"> ➤ The facility operator <u>reimburse the County</u>shall negotiate an agreement with Solano County regarding reimbursement for the cost of removing trash and materials dumped along the above mentioned County roads, should County employees be required to assist in the removal of trash associated with the expanded use of the landfill. ➤ Litter control shall be the responsibility of the RHR compliance officer and shall be monitored by the Solano County Local Enforcement Agency (LEA) to ensure compliance with state minimum standards. A plan for litter control, by means of fencing, crews, adjustment of the size of working the face and use of soil cover, shall be detailed in the litter management plan. ➤ On a weekly basis, or more frequently if 	
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		<p>needed, RHR shall check for and pick up litter along adjacent properties, and along Burke Lane south of Hay Road, Dally Road north and south of Hay Road, Box R Ranch Road, Binghampton Road between SR 113 and Pedrick Road, Main Prairie Road between SR 113 and Pedrick Road, Brown Road between SR 113 and Pedrick Road, Pedrick Road between Brown Road and Binghampton Road, and along the following major haul routes: Fry Road between Leisure Town Road and SR 113, Lewis Road between Fry Road and Hay Road, Hay Road between SR 113 and Meridian Road, and Meridian Road between McCrory Road and Fry Road. The site, offsite properties, and roads listed above shall be kept as litter free as possible depending upon weather conditions. The County shall not be charged for disposal of litter or trash picked up during these activities. Within 90 days of the issuance of the land use permit, RHR shall execute an agreement with Solano County regarding reimbursement to the County for the cost of removing trash and materials dumped along the above mentioned County roads, should County employees be required to assist in the removal of trash associated with use of the RHR landfill in the event that RHR does not remove the litter within 24 hours of receiving notification from Solano County.</p>	
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In Table 2-1, the following changes have been made to biological mitigation measures on pages 2-13 through 2-24 of the Draft SEIR.

4.4 Biological Resources			
<p>Impact 4.4-1: Potential impacts to Special-Status Plants Project construction activities, including ground disturbance and vegetation removal, could result in disturbance to or loss of special-status plants if present on the project site. Because the loss of special-status plants could substantially affect the abundance, distribution, and viability of local and regional populations of these species, this would be a significant impact.</p>	S	<p>Mitigation Measure 4.4-1a: Special-Status Plant Surveys Prior to issuance of a grading permit for the lateral expansion (Triangle) and commencement of ground disturbance within habitats in the Triangle where special-status plants may occur (i.e., grassland habitat, vernal pool habitat), and during the blooming period for the special-status plants with potential to occur on the sites (Table 4.4-4), a qualified botanist will conduct protocol-level surveys for the potentially occurring special-status plants that could be removed or disturbed by project activities. Protocol-level surveys will be conducted in accordance with Protocols for Surveying and Evaluating Impacts to <u>Special Status Native Plant Populations and Natural Communities (CDFW 200918)</u>. <u>Surveys will be conducted not more than one or two seasons prior to project implementation.</u> If special-status plants are not found, the botanist will document the findings in a letter report to CDFW and further mitigation will not be required.</p>	LTS

	<p><u>Perennial shrub species (e.g., Carquinez goldenbrus) may be identified to genus (i.e., <i>Isocoma</i>) outside of the plants bloom period. If no specimens in the <i>Isocoma</i> genus are detected during the special-status plat survey, further surveys during the species' bloom period will not be necessary to determine presence.</u></p> <p>[See pg 4.4-19 for Table 4.4-4, Normal Blooming Period for Special-Status Plants with Potential to Occur Within the Triangle]</p> <p>Mitigation Measure 4.4-1b: Special-Status Plant Avoidance</p> <p>If special-status plant species are found on the project site and are located outside of the permanent footprint of any proposed structures/site features and can be avoided, the project applicant will establish and maintain a protective buffer around special-status plants to be retained.</p> <p>Mitigation Measure 4.4-1c: Special-Status Plant Impact Minimization Measures</p> <p>If special-status plants are found during rare plant surveys and cannot be avoided, the project applicant will consult with CDFW and USFWS, as appropriate depending on species status, to determine the appropriate compensation to achieve no net loss of occupied habitat or individuals. Mitigation measures may include, but are not limited to, preserving and enhancing existing populations, creating offsite populations on mitigation sites through seed collection or transplantation at a 1:1 ratio, and restoring or creating suitable habitat in sufficient quantities to achieve no net loss of occupied habitat or individuals. Potential mitigation sites could include suitable locations within <u>the site or offsite locations, preferably in Solano County</u>outside of the campus.</p> <p>The project applicant will develop and implement a site-specific mitigation strategy describing how unavoidable losses of special-status plants will be compensated. Success criteria for preserved and compensatory populations will include:</p> <ul style="list-style-type: none"> ▶ The extent of occupied area and plant density (number of plants per unit area) in compensatory populations will be equal to or greater than the affected occupied habitat. Compensatory and preserved populations will be self-producing. Populations will be considered self-producing when: <ul style="list-style-type: none"> ➤ plants reestablish annually for a minimum of five years with no human intervention such as supplemental seeding; and ➤ reestablished and preserved habitats contain an occupied area and flower density comparable to existing occupied habitat areas
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<p>Impact 4.4-2: Potential impacts to Special-status Wildlife Construction activities, such as ground disturbance, grading, and vegetation removal could result in the disturbance to several special-status wildlife species, including California tiger salamander, giant garter snake, burrowing owl, California black rail, northern harrier, Swainson’s hawk, tricolored blackbird, white-tailed kite, special-status branchiopods, and Delta green ground beetle. The loss of special-status wildlife species and their habitat would be a potentially significant impact.</p>	<p>PS</p>	<p>in similar habitat types in the project vicinity.</p> <p>Mitigation Measure 4.4-2a: California Tiger Salamander Avoidance and Compensatory Mitigation for Habitat Loss Prior to issuance of a grading permit for the lateral expansion (Triangle), widening of the borrow pit, and commencement of ground-disturbing activities within suitable habitat for California tiger salamander (i.e., grassland, vernal pools), the project applicant will implement the following measures to avoid direct loss of California tiger salamanders if present within the project site.</p> <ul style="list-style-type: none"> ▶ A worker environmental awareness training shall be conducted to inform onsite construction personnel regarding the potential presence of listed species and the importance of avoiding impacts to these species and their habitat. ▶ A USFWS <u>and</u> CDFW-approved biologist will conduct a pre-construction survey of the project site no more than two weeks before commencement of project construction activities. ▶ When feasible, there will be a 50-foot no-disturbance buffer around burrows that provide suitable upland habitat for California tiger salamander. Burrows considered suitable for California tiger salamander will be determined by a qualified biologist, approved by USFWS <u>and</u> CDFW. ▶ All suitable burrows directly impacted by construction will be hand excavated under the supervision of a qualified wildlife biologist. <u>A small excavator or backhoe could be utilized to assist in burrow excavation, under the direction of a qualified wildlife biologist.</u> If California tiger salamanders are found, the biologist will relocate the organism to the nearest burrow that is outside of the construction impact area. ▶ For work conducted during the California tiger salamander migration season (November 1 to May 31), exclusionary fencing will be erected around the construction site during ground-disturbing activities after hand excavation of burrows has been completed. A qualified biologist will visit the site weekly to ensure that the fencing is in good working condition. Fencing material and design will be subject to the approval of the USFWS <u>and</u> CDFW. If exclusionary fencing is not used, a qualified biological monitor will be onsite during all ground disturbance activities. Exclusion fencing will also be placed around all spoils and stockpiles. ▶ For work conducted during the California tiger salamander migration season (November 1 to 	<p>LTS</p>
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	<p>May 31), a qualified biologist will survey the active work areas (including access roads) in mornings following measurable precipitation events each day that the 72-hour National Weather Service forecast predicts a 40 percent chance or greater of precipitation or after rain events of a tenth of an inch or greater. Construction may commence once the biologist has confirmed that no California tiger salamander are in the work area.</p> <ul style="list-style-type: none"> ▶ Prior to beginning work each day, underneath equipment and stored pipes greater than 1.2 inches (3 cm) in diameter will be inspected for California tiger salamander. If any are found, they will be allowed to move out of the construction area under their own accord. ▶ Trenches and holes will be covered and inspected daily for stranded animals. Trenches and holes deeper than 1 foot will contain escape ramps (maximum slope of 2:1) to allow trapped animals to escape uncovered holes or trenches. Holes and trenches will be inspected prior to filling. ▶ All food and food-related trash will be enclosed in sealed trash containers at the end of each workday and removed completely from the construction site once every three days to avoid attracting wildlife. ▶ A speed limit of 15 mph will be maintained on dirt roads. ▶ All equipment will be maintained such that there are no leaks of automotive fluids such as fuels, oils, and solvents. Any fuel or oil leaks will be cleaned up immediately and disposed of properly. ▶ Plastic monofilament netting (erosion control matting) or similar material will not be used at the Project site because California tiger salamander may become entangled or trapped. Acceptable substitutes include coconut coir matting or tackified hydroseeding compounds. ▶ Hazardous materials such as fuels, oils, solvents, etc. will be stored in sealable containers in a designated location that is at least 100 feet from aquatic habitat. If it is not feasible to store hazardous materials 100 feet from wetlands and the river channel, then spill containment measures will be implemented to prevent the possibility of accidental discharges to wetlands and waters. ▶ The applicant shall secure any necessary take authorization prior to project construction through formal consultation with USFWS pursuant to Section 7 of the ESA <u>and approval from CDFW and proper take authorization under</u> 	
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	<p><u>CESA.</u></p> <p>Prior to issuance of a grading permit of the lateral expansion (Triangle) and commencement of ground-disturbing activities within suitable habitat for California tiger salamander in the Triangle (i.e., grassland and vernal pools within the landfill expansion area), the project applicant will implement the following measures to compensate for loss of California tiger salamander habitat.</p> <ul style="list-style-type: none"> ▶ The project applicant will provide suitable in-kind habitat that will be created, restored, and/ or set aside in perpetuity at a ratio of 3:1. Alternatively, credits will be purchased at a USFWS <u>and CDFW</u>-approved conservation bank. <u>The conservation bank will be located within Solano County, if feasible (i.e., if applicable credits are available at conservation banks in Solano County).</u> Compensation plans will be subject to review and approval by USFWS <u>and CDFW</u>. All compensation will be acquired or secured prior to the beginning of ground disturbance. ▶ In-kind habitat compensation will occur prior to initiation of ground or vegetation disturbance activities. Aquatic habitat will be provided for damage or loss of aquatic habitat and upland habitat will be provided for damage or loss of upland habitat. Compensation will be accomplished, <u>on lands located within Solano County, to the extent feasible</u>, through the following options: 1) acquire land, by itself, or possibly in conjunction with a conservation organization, State park, State Wildlife Area, National Wildlife Refuge, or local regional park that provides occupied habitat; 2) purchase the appropriate credit units at a USFWS <u>and CDFW</u>-approved conservation bank; 3) restore habitat to support the Central California tiger salamander; or 4) other method as determined by USFWS <u>and CDFW</u> including participation within a HCP permit area. <p>Mitigation Measure 4.4-2b: Protection of Giant Garter Snake</p> <p>Prior to issuance of a grading permit for the lateral expansion (Triangle), widening of the borrow pit, and commencement of ground-disturbing activities within suitable aquatic (i.e., irrigation ditches) or upland habitat (i.e., grassland habitat) for giant garter snake in the Triangle, the project applicant will implement the following measures to avoid direct loss of giant garter snake if present within the project site.</p> <p>For projects or ground-disturbing activities with potential to disturb suitable aquatic or adjacent upland habitat for giant garter snake, the following measures will be implemented.</p>	
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	<ul style="list-style-type: none"> ▶ The applicant shall retain a qualified biologist to conduct a field investigation to delineate giant garter snake aquatic habitat within the project footprint and adjacent areas within 300 feet of the project footprint. Giant garter snake aquatic habitat includes agricultural ditches. A report summarizing the results of the delineation shall be submitted to the Solano County Department of Resource Management, <u>CDFW, and USFWS</u> within 10 days of the delineation. ▶ During construction, an approved biologist experienced with giant garter snake identification and behavior shall be onsite daily when construction activities within aquatic habitat or within 300 feet of aquatic habitat are taking place. The biologist shall inspect the project site daily for giant garter snake prior to construction activities. The biologist will also conduct environmental awareness training for all construction personnel working on the project site on required avoidance procedures and protocols if a giant garter snake enters an active construction zone. ▶ All construction activity within giant garter snake aquatic and upland habitat in and around the site shall be conducted between May 1 and September 15<u>October 1</u>, the active period for giant garter snakes. This would reduce direct impacts on the species because the snakes would be active and respond to construction activities by moving out of the way. ▶ If construction activities occur in giant garter snake aquatic habitat (i.e., irrigation ditches, the borrow pit, other habitat identified during the delineation of habitat), aquatic habitat shall be dewatered and then remain dry and absent of aquatic prey (e.g., fish and tadpoles) for 15 days prior to initiation of construction activities. If complete dewatering is not possible, the project applicant shall consult with CDFW and USFWS to determine what additional measures may be necessary to minimize effects to giant garter snake. After aquatic habitat has been dewatered 15 days prior to construction activities, exclusion fencing shall be installed extending a minimum of 300 feet into adjacent uplands to isolate both the aquatic and adjacent upland habitat. Exclusionary fencing shall be erected 36 inches above ground and buried at least 6 inches below the ground to prevent snakes from attempting to move under the fence into the construction area. In addition, high-visibility fencing shall be erected to identify the construction limits and to protect adjacent habitat from encroachment of personnel and equipment. <u>Exclusionary fencing and high-visibility fencing will be made from</u> 	
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	<p><u>material that will not cause entanglement (e.g., silt fencing and stakes with flagging and/or poly wire).</u> Giant garter snake habitat outside construction fencing shall be avoided by all construction personnel. The fencing and the work area shall be inspected by the approved biologist to ensure that the fencing is intact and that no snakes have entered the work area before the start of each work day. The fencing shall be maintained by the contractor until completion of the project.</p> <ul style="list-style-type: none"> ▶ If a giant garter snake is observed, the biologist shall notify CDFW and USFWS immediately. Construction activities will be suspended in a 100-foot radius of the garter snake until the snake leaves the site on its own volition. If necessary, the biologist shall consult with CDFW and USFWS regarding appropriate procedures for relocation. If the animal is handled, a report shall be submitted, including date(s), location(s), habitat description, and any corrective measures taken to protect giant garter snake within 1 business day to CDFW and USFWS. The biologist shall report any take of listed species to USFWS <u>and CDFW</u> immediately. Any worker who inadvertently injures or kills a giant garter snake or who finds one dead, injured, or entrapped must immediately report the incident to the approved biologist. ▶ All excavated steep-walled holes and trenches more than 6 inches deep shall be covered with plywood (or similar material) or provided with one or more escape ramps constructed of earth fill or wooden planks at the end of each work day or 30 minutes prior to sunset, whichever occurs first. All steep-walled holes and trenches shall be inspected by the approved biologist each morning to ensure that no wildlife has become entrapped. All construction pipes, culverts, similar structures, construction equipment, and construction debris left overnight within giant garter snake modeled habitat shall be inspected for giant garter snake by the approved biologist prior to being moved. ▶ If erosion control is implemented on the project site, non-entangling erosion control material shall be used to reduce the potential for entrapment. Tightly woven fiber netting (mesh size less than 0.25 inch) or similar material will be used to ensure snakes are not trapped (no monofilament). Coconut coir matting and fiber rolls containing burlap are examples of acceptable erosion control materials. ▶ The applicant shall ensure that there is no-net-loss of giant garter snake habitat by 	
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	<p>compensating for loss of habitat at a ratio of 1:1, by purchasing credits from a USFWS and CDFW-approved conservation bank. <u>The selected conservation bank will be located within Solano County, if feasible (i.e., if applicable credits are available at conservation banks in Solano County).</u></p> <ul style="list-style-type: none"> ▶ Prior to construction, USFWS shall be consulted pursuant to Section 7 of the ESA. <u>Approval from CDFW and proper take authorization under CESA shall be obtained.</u> The activities may qualify to use the “Programmatic Formal Consultation for U.S. Army Corps of Engineers 404 Permitted Projects with Relatively Small Effects on the Giant Garter Snake within Butte, Colusa, Glenn, Fresno, Merced, Sacramento, San Joaquin, Solano, Stanislaus, Sutter and Yolo Counties, California” (USFWS 1999). The Habitat Replacement & Restoration Guidelines (Appendix A), Items Necessary for Formal Consultation (Appendix B), Avoidance & Minimization Measures During Construction (Appendix C), and Monitoring Requirements (Appendix D) shall be followed. <p>Mitigation Measure 4.4-2c: Vernal Pool Tadpole Shrimp and Vernal Pool Fairy Shrimp Habitat Compensation for Direct Effects</p> <p>The project applicant shall implement the following measures to minimize and compensate for loss of vernal pool fairy shrimp and vernal pool tadpole shrimp and suitable habitat prior to ground-disturbing activities.</p> <p>The following mitigation shall occur before the approval of any grading or improvement plans for the lateral expansion and any project phase that would allow work within 250 feet of such habitat, and before any ground-disturbing activity within 250 feet of the habitat.</p> <ul style="list-style-type: none"> ▶ Habitat Preservation: The applicant, in consultation with USFWS, shall compensate for direct effects of the project on potential habitat for vernal pool fairy shrimp, conservancy fairy shrimp, and vernal pool tadpole shrimp at a ratio of 2:1, by purchasing vernal pool preservation credits from a USFWS-approved conservation bank. <u>The selected conservation bank will be located within Solano County if feasible (i.e., if applicable credits are available at conservation banks in Solano County).</u> Compensation credits shall be purchased prior to any ground-disturbing activities. ▶ Habitat Creation: The applicant shall compensate for the direct effects of the project on potential habitat for vernal pool fairy shrimp, conservancy fairy shrimp, and vernal pool tadpole shrimp at a ratio of 1:1, by purchasing vernal pool creation 	
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	<p>credits from a USFWS-approved conservation bank. <u>The selected conservation bank will be located within Solano County if feasible (i.e., if applicable credits are available at conservation banks in Solano County).</u></p> <ul style="list-style-type: none"> ▶ For seasonal wetlands and drainages that shall be retained on the site (i.e., those not proposed to be filled), a minimum setback of at least 50 feet from these features will be avoided on the project site. The buffer area shall be fenced with high visibility construction fencing prior to commencement of ground-disturbing activities and shall be maintained for the duration of construction activities. ▶ A worker environmental awareness training shall be conducted to inform onsite construction personnel regarding the potential presence of listed species and the importance of avoiding impacts to these species and their habitat. ▶ The applicant shall secure any necessary take authorization prior to project construction through consultation with USFWS pursuant to Section 7 of the ESA. ▶ Documentation of habitat preservation, habitat creation, and take authorization shall be provided to the County following approval by USFWS. <p>Mitigation Measure 4.4-2d: Protection of Conservancy Fairy Shrimp Habitat From Indirect Effects</p> <p>Prior to issuance of a grading permit for the lateral expansion (Triangle), the project applicant shall implement the following measures to minimize indirect effects to Conservancy fairy shrimp habitat prior to any ground-disturbing activities within or adjacent to the playa pool on the project site.</p> <ul style="list-style-type: none"> ▶ During the dry season, when the playa pool is completely devoid of water, the project applicant shall construct a permanent, impermeable barrier along the southern boundary of the new disposal area within the Triangle that overlaps the playa pool. The barrier will be designed to prevent stormwater runoff or sediment discharge between the project site and the playa pool and will remain in place after construction to prevent operation-related discharge into the playa pool. The barrier shall be constructed of material that prevents discharge into the playa pool, including but not limited to: an earthen levee, steel sheet piles, or concrete riprap. Final design plans shall be reviewed and approved by a qualified biologist and the County. ▶ The project site will be graded in a manner that prevents surface water flow from the project site into the playa pool. 	
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	<ul style="list-style-type: none"> ▶ A worker environmental awareness training shall be conducted to inform onsite construction personnel regarding the potential presence of listed species and the importance of avoiding impacts to these species and their habitat. <p>Mitigation Measure 4.4-2e: Protection of Burrowing Owl</p> <p>Prior to issuance of a grading permit for the lateral expansion (Triangle) and ground disturbance, grading, or vegetation removal activities, the project applicant will implement the following measures:</p> <ul style="list-style-type: none"> ▶ The applicant shall retain a qualified biologist to conduct focused breeding and nonbreeding season surveys for burrowing owls in areas of suitable habitat on and within 1,500 feet of the project site. Surveys shall be conducted prior to the start of construction activities and in accordance with Appendix D of CDFW's <i>Staff Report on Burrowing Owl Mitigation</i> (CDFW 2012). ▶ If no occupied burrows are found, a letter report documenting the survey methods and results shall be submitted to CDFW and no further mitigation will be required. ▶ If an active burrow is found during the nonbreeding season (September 1 through January 31), the applicant shall consult with CDFW regarding protection buffers to be established around the occupied burrow and maintained throughout construction. If occupied burrows are present that cannot be avoided or adequately protected with a no-disturbance buffer, a burrowing owl exclusion plan shall be developed, as described in Appendix E of CDFW's 2012 Staff Report. Burrowing owls shall not be excluded from occupied burrows until the project's burrowing owl exclusion plan is approved by CDFW. The exclusion plan shall include a plan for creation, maintenance, and monitoring of artificial burrows in suitable habitat proximate to the burrows to be destroyed, that provide substitute burrows for displaced owls. ▶ If an active burrow is found during the breeding season (February 1 through August 31), occupied burrows shall not be disturbed and will be provided with a 150- to 1,500-foot protective buffer unless a qualified biologist verifies through noninvasive means that either: (1) the birds have not begun egg laying, or (2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. The size of the buffer shall depend on the time of year and level disturbance as outlined in the CDFW Staff Report (CDFW 2012). The size of the buffer may be reduced if a broad-scale, long-term, monitoring program acceptable to CDFW is 	
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	<p>implemented to ensure burrowing owls are not detrimentally affected. Once the fledglings are capable of independent survival, the owls can be evicted and the burrow can be destroyed per the terms of a CDFW-approved burrowing owl exclusion plan developed in accordance with Appendix E of CDFW's 2012 Staff Report.</p> <ul style="list-style-type: none"> ▶ If active burrowing owl nests are found on the site and are destroyed by project implementation, the project applicant shall mitigate the loss of occupied habitat in accordance with guidance provided in the CDFW 2012 Staff Report, which states that permanent impacts to nesting, occupied and satellite burrows, and burrowing owl habitat shall be mitigated such that habitat acreage, number of burrows, and burrowing owls impacted are replaced through permanent conservation of comparable or better habitat with similar vegetation communities and burrowing mammals (e.g., ground squirrels) present to provide for nesting, foraging, wintering, and dispersal. The applicant shall retain a qualified biologist to develop a burrowing owl mitigation and management plan that incorporates the following goals and standards: <ul style="list-style-type: none"> ➤ Mitigation lands shall be selected based on comparison of the habitat lost to the compensatory habitat, including type and structure of habitat, disturbance levels, potential for conflicts with humans, pets, and other wildlife, density of burrowing owls, and relative importance of the habitat to the species range wide. ➤ If feasible, mitigation lands shall be provided adjacent or proximate to the site so that displaced owls can relocate with reduced risk of take. Feasibility of providing mitigation adjacent or proximate to the project site depends on availability of sufficient suitable habitat to support displaced owls that may be preserved in perpetuity. ➤ If suitable habitat is not available for conservation adjacent or proximate to the project site, mitigation lands shall be focused on consolidating and enlarging conservation areas outside of urban and planned growth areas and within foraging distance of other conservation lands. Mitigation may be accomplished through purchase of mitigation credits at a CDFW-approved mitigation bank, if available. If mitigation credits are not available from an approved bank and mitigation lands are not available adjacent to other conservation lands, alternative 	
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	<p>mitigation sites and acreage shall be determined in consultation with CDFW. <u>The conservation bank will be located within Solano County, if feasible (i.e., if applicable credits are available at conservation banks in Solano County).</u></p> <ul style="list-style-type: none"> <p>➤ If mitigation is not available through an approved mitigation bank and will be completed through permittee-responsible conservation lands, the mitigation plan shall include mitigation objectives, site selection factors, site management roles and responsibilities, vegetation management goals, financial assurances and funding mechanisms, performance standards and success criteria, monitoring and reporting protocols, and adaptive management measures. Success shall be based on the number of adult burrowing owls and pairs using the site and if the numbers are maintained over time. Measures of success, as suggested in the 2012 Staff Report, shall include site tenacity, number of adult owls present and reproducing, colonization by burrowing owls from elsewhere, changes in distribution, and trends in stressors.</p> <p>Mitigation Measure 4.4-2f: Special-status and Other Nesting Bird Surveys and Avoidance</p> <p>Prior to issuance of a grading permit for the lateral expansion (Triangle) or any ground disturbances, the applicant will implement the following measures to reduce impacts on special-status bird species:</p> <ul style="list-style-type: none"> <p>▶ To minimize the potential for disturbance or loss of tricolored blackbird, northern harrier, California black rail, or other bird nests, vegetation removal activities will only occur during the nonbreeding season (September 16- January 31). If all suitable nesting habitat (e.g., trees, grassland) is removed during the nonbreeding season, no further mitigation would be required.</p> <p>▶ Prior to removal of any vegetation or any ground disturbance between February 1 and August 31 <u>September 15</u>, a qualified biologist will conduct preconstruction <u>protocol-level</u> surveys for <u>Swainson's hawk</u> nests within 0.5 mile of the project site for Swainson's hawks, and for black rail within suitable habitat. <u>Protocol-level surveys for Swainson's hawks will follow the Swainson's Hawk Technical Advisory Committee's <i>Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley</i>. Protocol-level surveys for Swainson's hawk and black rail may require multiple site visits; some more than 30 days prior to project</u></p> 	
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	<p><u>implementation. Additionally, preconstruction surveys will be conducted within 500 feet of the project site for other nesting raptors, and 100 feet for all other birds. The surveys will be conducted no more than 30 7 days before construction commences.</u></p> <ul style="list-style-type: none"> ▶ If no active nests are found during focused surveys, no further action under this measure will be required. ▶ If active nests are located during the <u>protocol-level and</u> preconstruction surveys, the biologist will notify CDFW. Impacts to nesting Swainson’s hawks, other raptors, or other nesting birds shall be avoided by establishing appropriate buffers around active nest sites identified during preconstruction raptor surveys. Project activity shall not commence within the buffer areas until a qualified biologist has determined, in coordination with CDFW, that the young have fledged, the nest is no longer active, or reducing the buffer would not likely result in nest abandonment. CDFW guidelines recommend implementation of 0.5-mile-wide buffer for Swainson’s hawk, 500 feet for other raptors, and 100 feet for other nesting birds, but the size of the buffer may be adjusted if a qualified biologist and the project applicant, in consultation with CDFW, determine that such an adjustment would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist during and after construction activities shall be required if the activity has potential to adversely affect the nest. <p>Mitigation Measure 4.4-2g: Swainson’s Hawk Foraging Habitat Mitigation</p> <p>To mitigate for the loss of approximately 17 acres of suitable Swainson’s hawk foraging habitat, the project applicant shall implement a Swainson’s hawk mitigation plan consistent with the Solano MSHCP, including but not limited to the requirements described below:</p> <ul style="list-style-type: none"> ▶ Prior to issuance of a grading permit and site disturbance associated with the landfill expansion, such as clearing or grubbing within the Triangle, the issuance of any permits for grading, building, or other site improvements, or recordation of a final map, whichever occurs first, the project applicant shall acquire suitable Swainson’s hawk foraging habitat as determined by CDFW. ▶ The project applicant shall preserve through conservation easement(s) or fee title one acre of similar habitat for each acre affected or shall purchase credits from a CDFW-approved mitigation bank in Solano County at the same ratio. 	
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		<ul style="list-style-type: none"> ▶ The project applicant may transfer said easement(s) or title to CDFW and a third-party conservation organization as acceptable to CDFW. Such third-party conservation organizations shall be characterized by non-profit 5019(c)(3) status with the Internal Revenue Service. 	
<p>Impact 4.4-3: Potential impacts to Wetlands, Vernal Pools, and Other Waters of the United States and State Potentially jurisdictional vernal pools, vernal pool swales, open water, detention basins, and drainage ditches are present within the project site. Future land use changes and development would result in conversion of these wetlands and vernal pools to urban uses. Loss or degradation of wetland or vernal pool habitat would be a potentially significant impact.</p>	<p>PS</p>	<p>Mitigation Measure 4.4-3: Wetland Delineation Verification, Permitting, and Compensatory Mitigation Prior to issuance of a grading permit for the lateral expansion (Triangle) and ground disturbance, grading, or vegetation removal activities within undeveloped areas of the project site (including ditches) the project applicant will implement the following measures:</p> <ul style="list-style-type: none"> ▶ Wetlands and vernal pools are of special concern to resource agencies and are afforded specific consideration, based on Section 404 of the CWA and other applicable regulations. An updated delineation of waters of the United States or state, including wetlands that would be affected by the project, was completed by ICF in 2017 (ICF 2017). This delineation shall be submitted to and verified by USACE. If, based on the verified delineation, it is determined that fill of waters of the United States or state would result from implementation of the project, authorization for such fill shall be secured from USACE through the 404 permitting process. ▶ Any waters of the United States that would be affected by project development shall be replaced or restored on a "no-net-loss" basis in accordance with USACE mitigation guidelines (or the applicable USACE guidelines in place at the time of construction). In association with the Section 404 permit (if applicable) and prior to the issuance of any grading permit, Section 401 Water Quality Certification from the RWQCB shall be obtained. ▶ If it is determined that waters subject to jurisdiction by CDFW are present within the project site following the delineation of waters of the United States and state, and that site development would affect the bed, bank, or channel, a Streambed Alteration Notification will be submitted to CDFW, pursuant to Section 1600 et seq. of the California Fish and Game Code. If proposed activities are determined to be subject to CDFW jurisdiction, the project proponent will abide by the conditions of any executed agreement prior to the issuance of a grading permit. Several aquatic features onsite, including intermittent streams, would likely fall under the jurisdiction of CDFW. 	<p>LTS</p>

<p>Impact 4.4-4: Impacts to Wildlife Migratory Corridors Future land use changes and development within the project site would result in loss of grassland and vernal pool habitats but would not substantially impede wildlife movement because the project site is relatively small, mostly developed, and is surrounded by roads and agricultural development. The project site does not contain any native wildlife nursery sites. Impacts to movement corridors and habitat connectivity for these species would be less than significant.</p>	<p>LTS</p>	<p>No mitigation measures are necessary.</p>	<p>LTS</p>
<p>Impact 4.4-5: Conflict with the Solano County General Plan Project implementation could result in impacts to natural resources and conversion of vernal pool habitat within an area identified as a high-priority habitat area in the Solano County General Plan, potentially resulting in a conflict with the Plan. This would be a potentially significant impact.</p>	<p>PS</p>	<p>Implement Mitigation Measures 4.4-1a, 4.4-1b, 4.4-1c, 4.4-2a, 4.4-2b, 4.4-2c, 4.4-2d, 4.4-2e, 4.4-2f, 4.4-2g, and 4.4-3 as described in this section.</p>	<p>LTS</p>

The last two impact sections in Table 2-1 on page 2-31 and 2-32 of the Draft SEIR have been amended as follows:

<p>4.11 Transportation and Circulation</p>			
<p>Impact 4.11-1: Impacts to Intersection Operations Implementation of the project would add an estimated 46 AM peak hour, 27 PM peak hour, and 43 Saturday peak hour trips to the roadway network in the study area. Based on the traffic modeling and analysis, all study intersections would operate at acceptable LOS with the addition of project-generated trips. This impact would be less than significant.</p>	<p>LTS</p>	<p>No mitigation measures are necessary.</p>	<p>LTS</p>
<p>Impact 4.11-2: Impacts to Roadway Segment Operations Implementation of the project would add an estimated 46 AM peak hour and 27 PM peak hour trips to the roadway network in the study area. Based on the traffic modeling and analysis, all study roadway segments would operate at acceptable LOS with the addition of project-generated trips. This impact would be less than significant.</p>	<p>LTS</p>	<p>No mitigation measures are necessary.</p>	<p>LTS</p>
<p>Impact 4.11-13: Impacts to Local Roadways Operation of the project could cause additional damage to local roadways within the vicinity of the landfill. Compliance with the Road and Litter Agreement between Recology and Solano County would ensure that any additional road damage caused by facility operations are paid for by RHR. Therefore, this impact would be less than significant.</p>	<p>LTS</p>	<p>No mitigation measures are necessary.</p>	<p>LTS</p>
<p>Cumulative Impacts</p>			
<p>Cumulative Plus Project Intersection Operations</p>	<p>S</p>	<p>Mitigation Measure 5-1a: SR-113 and Midway Road Intersection Improvements This intersection is under the jurisdiction of Caltrans, and Caltrans has identified a conceptual project to widen shoulders, construct a median and install a traffic signal at the SR-113 / Midway Road intersection to enhance safety. Within six months of project approval by the County, the project applicant and Solano County shall coordinate with Caltrans and identify the appropriate fair share contribution that the project applicant shall pay toward the construction of the improvements detailed above. Mitigation Measure 5-1b: SR-12 and SR-113</p>	<p>SU</p>

		<p>Intersection Improvements Installation of a second eastbound lane through the roundabout will improve the LOS to an acceptable level in the PM peak hour. Within six months of project approval by the County, the project applicant and Solano County shall coordinate with Caltrans and identify the appropriate fair share contribution that the project applicant shall pay toward the construction of a second eastbound lane through the roundabout.</p>	
<p>Cumulative Plus Project Roadway Segment Operations</p>	<p>S</p>	<p>Mitigation Measure 5-2: Midway Road (I-80 Eastbound Ramps to Porter Road) Roadway Segment Improvements A 0.30-mile-long passing lane in both eastbound and westbound directions would be needed to improve the roadway segment LOS to an acceptable level. The project applicant shall coordinate with Solano County and identify the appropriate fair share contribution that the project applicant shall pay toward the construction of the eastbound and westbound passing lanes along Midway Road between the I-80 eastbound ramps and Porter Road.</p>	<p>SU</p>

Revisions to Chapter 3, “Project Description,” of the Draft SEIR

Chapter 3, “Project Description,” Section 3.7.8, “Modifications to the Existing Soil Borrow Pit” on page 3-23 of the Draft SEIR has been modified as follows:

3.7.8 Modifications to the Existing Soil Borrow Pit

As part of the proposed LUP modifications, the limits of the existing soil borrow pit would be deepened and widened to accommodate the increased need for soil associated with proposed landfill construction and operations. The existing borrow pit measures 80 acres with a current maximum excavation depth of 60 feet below ground surface (bgs). In anticipation of the need for approximately 3.6 million cubic yards of additional soil, up to a 6-acre increase in the existing footprint of the borrow pit and deepening of the borrow pit by an additional ~~8868~~ feet bgs is proposed as part of the project. The proposed expansion of the borrow pit would not extend past an existing topsoil berm located adjacent to the Western Mitigation Area. The proposed increase in the area and depth of the landfill borrow site for excavation would provide the amount of soil necessary to provide cover for the landfill and avoid the need to import soil to the site.

Revisions to Section 4.1, “Aesthetics,” of the Draft SEIR

A sentence in the last paragraph on page 4.1-2 of the Draft SEIR has been amended as follows to provide additional clarification:

The visual character of the project site includes the existing developed landfill area where waste acceptance activities and composting operations are ongoing. The facility is surrounded by a six-foot chain-link fence with a taller litter control fence located along the perimeter of the landfill adjacent to Hay Road and SR 113. The current height of the existing landfill modules range from approximately 18 feet above mean sea level (MSL) to 145 MSL. The existing landfill is a major visual feature in the project area because of the lack of other features that rise above the valley floor. The majority of views to the site consist of large mounds of inactive disposal modules that are now covered by a soil cap and resembles rolling hills from middleground and background views (i.e. more than 0.5 mile from the viewer). With the exception of portions of Hay Road and SR 113, views of the site available to motorists on adjacent roadways consist primarily of steep, grass-covered terrain (i.e., landfill perimeter slopes) that obstructs views of landfill operations (Figure 4.1-2 and Figure 4.1-3, Viewpoints A-C).

The text of Mitigation Measure 4.1-1 on pages 4.1-11 through 4.1-12 of the Draft SEIR has been amended as follows:

Mitigation Measure 4.1-1: Litter Control

The facility operator shall implement the following litter control mitigation measures to address the lateral landfill expansion area and/or the increase in landfill truck trips following implementation of the proposed project:

- ▶ Windblown Litter from the RHR Site:
 - Portable litter control fences shall be installed directly downwind of the working face during site operations.
 - Additional litter collection crews shall be deployed following high wind events to remove litter from the parcels adjacent to the landfill. The RHR facility operator shall work to establish site access agreements with the adjacent property owners prior to project implementation.
 - The maximum size of the working face shall be limited to 200' x 75' or smaller.
 - Use of portable fencing in the immediate vicinity of the landfills working face and downwind of the working face shall be used to contain litter.
 - Fencing along the site boundary of the landfill expansion area shall be high enough to contain litter from migrating offsite.
 - Prior to the start of landfill operations within the expansion area, RHR shall construct a permanent 25 ft. tall litter-control fence that extends along the entire length of the southerly site boundary of the landfill expansion area.
 - Adequate staffing shall be onsite to remove litter immediately from the property boundary in the event of a sudden change in wind speed or direction. Similarly, additional litter collection crews shall be deployed following such high wind events to remove litter from parcels adjacent to the landfill. The permittee (RHR) shall negotiate the site access agreement with adjacent property owners and submit a copy of the executed agreement to the Department of Resource Management within 90 days of the approval of Land Use Permit U-11-09 Amendment No. 2~~establish site access agreements with the adjacent property owners within 90 days of issuance of the use permit.~~
- ▶ Windblown Litter from RHR-Related Truck Trips:
 - If waste is hauled by RHR or its contractors over the following roads, RHR shall check for and pick up litter, on a weekly basis, or more frequently, on the following roads: Vanden Road from Peabody Road to Canon Road, Canon Road from Vanden Road to North Gate Road, North Gate Road from Canon Road to McCrory Road, McCrory Road from North Gate Road to Meridian Road, Meridian Road from McCrory Road to Hay Road, Hay Road from Meridian Road to Lewis Road, Lewis Road from Midway Road to Fry Road, and Midway Road from I-80 to SR 113.
 - If Solano County personnel identify litter on roads used by RHR and its contractors, Solano County shall immediately notify RHR and request that it be removed. RHR shall respond and remove such litter within twenty-four (24) hours of receiving notification from Solano County.
- ▶ Litter Control:
 - The facility operator shall ~~negotiate an agreement with Solano County~~reimburse the County regarding reimbursement for the cost of removing trash and materials dumped along the above mentioned County roads, should County employees be required to assist in the removal of trash associated with the expanded use of the landfill.
 - Litter control shall be the responsibility of the RHR compliance officer and shall be monitored by the Solano County Local Enforcement Agency (LEA) to ensure compliance with state minimum

standards. A plan for litter control, by means of fencing, crews, adjustment of the size of working the face and use of soil cover, shall be detailed in the litter management plan.

- On a weekly basis, or more frequently if needed, RHR shall check for and pick up litter along adjacent properties, and along Burke Lane south of Hay Road, Dally Road north and south of Hay Road, Box R Ranch Road, Binghampton Road between SR 113 and Pedrick Road, Main Prairie Road between SR 113 and Pedrick Road, Brown Road between SR 113 and Pedrick Road, Pedrick Road between Brown Road and Binghampton Road, and along the following major haul routes: Fry Road between Leisure Town Road and SR 113, Lewis Road between Fry Road and Hay Road, Hay Road between SR 113 and Meridian Road, and Meridian Road between McCrory Road and Fry Road. The site, offsite properties, and roads listed above shall be kept as litter free as possible depending upon weather conditions. The County shall not be charged for disposal of litter or trash picked up during these activities. ~~Within 90 days of the issuance of the land use permit, RHR shall execute an agreement with Solano County regarding reimbursement to the County for the cost of removing trash and materials dumped along the above mentioned County roads, should County employees be required to assist in the removal of trash associated with use of the RHR landfill in the event that RHR does not remove the litter within 24 hours of receiving notification from Solano County.~~

Revisions to Section 4.4, “Biological Resources,” of the Draft SEIR

Section 4.4, “Biological Resources,” the fourth row of Table 4.4-3 on page 4.4-13 of the Draft SEIR has been amended as follows:

Tricolored blackbird <i>Agelaius tricolor</i>		CE <u>ST</u> SSC	Freshwater marsh, marsh and swamp, swamp, wetland. Highly colonial species, most numerous in Central Valley and vicinity. Largely endemic to California. Requires open water, protected nesting substrate, and foraging area with insect prey within a few kilometers of the colony.	Likely to occur. This species has been observed nesting within the Bird Sanctuary area adjacent to the project site, as well as within another aquatic area on Recology property approximately 0.5 mile west of the project site (CNDDDB 2018).
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The endnote of Table 4.4-3 on page 4.4-14 of the Draft EIR has been amended to remove the abbreviation for a candidate species, as shown below:

Note: CNDDDB = California Natural Diversity Database

¹ Legal Status Definitions

Federal:

- E Endangered (legally protected)
- T Threatened (legally protected)
- D Delisted
- C Candidate

State:

- D Delisted
- FP Fully protected (legally protected)
- SSC Species of special concern (no formal protection other than CEQA consideration)
- E Endangered (legally protected)
- T Threatened (legally protected)
- ~~C Candidate~~

² Potential for Occurrence Definitions

Not expected to occur: Species is unlikely to be present in the project area due to poor habitat quality, lack of suitable habitat features, or restricted current distribution of the species.

Could occur: Suitable habitat is available in the project area; however, there are little to no other indicators that the species might be present.

Likely to occur: The species, or evidence of its presence, was observed in the project area during reconnaissance surveys, or was reported by others.

Source: CNDDDB 2018; eBird 2017; ESA (2016a, 2016b, 2016c, 2017b); Entomological Consulting Services Ltd. (2016, 2018)

Section 4.4, "Biological Resources," Mitigation Measure 4.4-1a (pages 4.4-19 through 4.4-20 of the Draft SEIR) has been revised to reflect CDFW's recommendation:

Mitigation Measure 4.4-1a: Special-Status Plant Surveys

Prior to commencement of ground disturbance within habitats in the Triangle where special-status plants may occur (i.e., grassland habitat, vernal pool habitat), and during the blooming period for the special-status plants with potential to occur on the sites (Table 4.4-4), a qualified botanist will conduct protocol-level surveys for the potentially occurring special-status plants that could be removed or disturbed by project activities. Protocol-level surveys will be conducted in accordance with Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities (CDFW 200918). Surveys will be conducted not more than one or two seasons prior to project implementation. If special-status plants are not found, the botanist will document the findings in a letter report to CDFW and further mitigation will not be required. Perennial shrub species (e.g., Carquinez goldenbush) may be identified to genus (i.e., *Isocoma*) outside of the plants bloom period. If no specimens in the *Isocoma* genus are detected during the special-status plant survey, further surveys during the species' bloom period will not be necessary to determine presence.

Section 4.4, "Biological Resources," Mitigation Measure 4.4-1c (pages 4.4-20 through 4.4-21 of the Draft SEIR) has been revised to fix an error in the text found by Solano County:

Mitigation Measure 4.4-1c: Special-Status Plant Impact Minimization Measures

If special-status plants are found during rare plant surveys and cannot be avoided, the project applicant will consult with CDFW and USFWS, as appropriate depending on species status, to determine the appropriate compensation to achieve no net loss of occupied habitat or individuals. Mitigation measures may include, but are not limited to, preserving and enhancing existing populations, creating offsite populations on mitigation sites through seed collection or transplantation at a 1:1 ratio, and restoring or creating suitable habitat in sufficient quantities to achieve no net loss of occupied habitat or individuals. Potential mitigation sites could include suitable locations within the site or offsite locations, preferably in Solano County~~outside of the campus~~. The project applicant will develop and implement a site-specific mitigation strategy describing how unavoidable losses of special-status plants will be compensated. Success criteria for preserved and compensatory populations will include:

- ▶ The extent of occupied area and plant density (number of plants per unit area) in compensatory populations will be equal to or greater than the affected occupied habitat. Compensatory and preserved populations will be self-producing. Populations will be considered self-producing when:
 - plants reestablish annually for a minimum of five years with no human intervention such as supplemental seeding; and
 - reestablished and preserved habitats contain an occupied area and flower density comparable to existing occupied habitat areas in similar habitat types in the project vicinity.

If offsite mitigation includes dedication of conservation easements, purchase of mitigation credits, or other offsite conservation measures, the details of these measures will be included in the mitigation plan, including information on responsible parties for long-term management, conservation easement holders, long-term management requirements, success criteria such as those listed above and other details, as appropriate to target the preservation of long term viable populations.

Section 4.4, "Biological Resources," Mitigation Measure 4.4-2a, pages 4.4-22 through 4.4-23 of the Draft SEIR:

Mitigation Measure 4.4-2a: California Tiger Salamander Avoidance and Compensatory Mitigation for Habitat Loss

Prior to deepening and widening of the borrow pit and commencement of ground-disturbing activities within suitable habitat for California tiger salamander (i.e., grassland, vernal pools), the project applicant will implement the following measures to avoid direct loss of California tiger salamanders if present within the project site.

- ▶ A worker environmental awareness training shall be conducted to inform onsite construction personnel regarding the potential presence of listed species and the importance of avoiding impacts to these species and their habitat.
- ▶ A USFWS- and CDFW-approved biologist will conduct a pre-construction survey of the project site no more than two weeks before commencement of project construction activities.
- ▶ When feasible, there will be a 50-foot no-disturbance buffer around burrows that provide suitable upland habitat for California tiger salamander. Burrows considered suitable for California tiger salamander will be determined by a qualified biologist, approved by USFWS and CDFW.
- ▶ All suitable burrows directly impacted by construction will be hand excavated under the supervision of a qualified wildlife biologist. A small excavator or backhoe could be utilized to assist in burrow excavation, under the direction of a qualified wildlife biologist. If California tiger salamanders are found, the biologist will relocate the organism to the nearest burrow that is outside of the construction impact area.
- ▶ For work conducted during the California tiger salamander migration season (November 1 to May 31), exclusionary fencing will be erected around the construction site during ground-disturbing activities after hand excavation of burrows has been completed. A qualified biologist will visit the site weekly to ensure that the fencing is in good working condition. Fencing material and design will be subject to the approval of the USFWS and CDFW. If exclusionary fencing is not used, a qualified biological monitor will be onsite during all ground disturbance activities. Exclusion fencing will also be placed around all spoils and stockpiles.
- ▶ For work conducted during the California tiger salamander migration season (November 1 to May 31), a qualified biologist will survey the active work areas (including access roads) in mornings following measurable precipitation events each day that the 72-hour National Weather Service forecast predicts a 40 percent chance or greater of precipitation or after rain events of a tenth of an inch or greater. Construction may commence once the biologist has confirmed that no California tiger salamander are in the work area.
- ▶ Prior to beginning work each day, underneath equipment and stored pipes greater than 1.2 inches (3 cm) in diameter will be inspected for California tiger salamander. If any are found, they will be allowed to move out of the construction area under their own accord.
- ▶ Trenches and holes will be covered and inspected daily for stranded animals. Trenches and holes deeper than 1 foot will contain escape ramps (maximum slope of 2:1) to allow trapped animals to escape uncovered holes or trenches. Holes and trenches will be inspected prior to filling.
- ▶ All food and food-related trash will be enclosed in sealed trash containers at the end of each workday and removed completely from the construction site once every three days to avoid attracting wildlife.
- ▶ A speed limit of 15 mph will be maintained on dirt roads.
- ▶ All equipment will be maintained such that there are no leaks of automotive fluids such as fuels, oils, and solvents. Any fuel or oil leaks will be cleaned up immediately and disposed of properly.
- ▶ Plastic monofilament netting (erosion control matting) or similar material will not be used at the Project site because California tiger salamander may become entangled or trapped. Acceptable substitutes include coconut coir matting or tackified hydroseeding compounds.

- ▶ Hazardous materials such as fuels, oils, solvents, etc. will be stored in sealable containers in a designated location that is at least 100 feet from aquatic habitat. If it is not feasible to store hazardous materials 100 feet from wetlands and the river channel, then spill containment measures will be implemented to prevent the possibility of accidental discharges to wetlands and waters.
- ▶ The applicant shall secure any necessary take authorization prior to project construction through formal consultation with USFWS pursuant to Section 7 of the ESA and approval from CDFW and proper take authorization under CESA.

Prior to commencement of ground-disturbing activities within suitable habitat for California tiger salamander in the Triangle (i.e., grassland and vernal pools within the landfill expansion area), the project applicant will implement the following measures to compensate for loss of California tiger salamander habitat.

- ▶ The project applicant will provide suitable in-kind habitat that will be created, restored, and/ or set aside in perpetuity at a ratio of 3:1. Alternatively, credits will be purchased at a USFWS- and CDFW-approved conservation bank. The conservation bank will be located within Solano County, if feasible (i.e., if applicable credits are available at conservation banks in Solano County). Compensation plans will be subject to review and approval by USFWS and CDFW. All compensation will be acquired or secured prior to the beginning of ground disturbance.
- ▶ In-kind habitat compensation will occur prior to initiation of ground or vegetation disturbance activities. Aquatic habitat will be provided for damage or loss of aquatic habitat and upland habitat will be provided for damage or loss of upland habitat. Compensation will be accomplished on lands located within Solano County, to the extent feasible, through the following options: 1) acquire land, by itself, or possibly in conjunction with a conservation organization, State park, State Wildlife Area, National Wildlife Refuge, or local regional park that provides occupied habitat; 2) purchase the appropriate credit units at a USFWS- and CDFW-approved conservation bank; 3) restore habitat to support the Central California tiger salamander; or 4) other method as determined by USFWS and CDFW including participation within a HCP permit area.

Significance after Mitigation

Implementation of Mitigation Measure 4.4-2a would reduce impacts on California tiger salamander to a **less-than-significant** level because California tiger salamanders and their habitat would be avoided and protected from construction activities, and the project applicant would compensate for loss of suitable occupied habitat because of construction activities.

Section 4.4, "Biological Resources," Mitigation Measure 4.4-2b (pages 4.4-23 through 4.4-25 of the Draft SEIR) has been revised to reflect CDFW's recommendation:

Mitigation Measure 4.4-2b: Protection of Giant Garter Snake

Prior to deepening and widening of the borrow pit and commencement of ground-disturbing activities within suitable aquatic (i.e., irrigation ditches) or upland habitat (i.e., grassland habitat) for giant garter snake in the Triangle, the project applicant will implement the following measures to avoid direct loss of giant garter snake if present within the project site.

For projects or ground-disturbing activities with potential to disturb suitable aquatic or adjacent upland habitat for giant garter snake, the following measures will be implemented.

- ▶ The applicant shall retain a qualified biologist to conduct a field investigation to delineate giant garter snake aquatic habitat within the project footprint and adjacent areas within 300 feet of the project footprint. Giant garter snake aquatic habitat includes agricultural ditches. A report summarizing the results of the delineation shall be submitted to the Solano County Department of Resource Management, CDFW, and USFWS within 10 days of the delineation.

- ▶ During construction, an approved biologist experienced with giant garter snake identification and behavior shall be onsite daily when construction activities within aquatic habitat or within 300 feet of aquatic habitat are taking place. The biologist shall inspect the project site daily for giant garter snake prior to construction activities. The biologist will also conduct environmental awareness training for all construction personnel working on the project site on required avoidance procedures and protocols if a giant garter snake enters an active construction zone.
- ▶ All construction activity within giant garter snake aquatic and upland habitat in and around the site shall be conducted between May 1 and ~~September 15~~ October 1, the active period for giant garter snakes. This would reduce direct impacts on the species because the snakes would be active and respond to construction activities by moving out of the way.
- ▶ If construction activities occur in giant garter snake aquatic habitat (i.e., irrigation ditches, the borrow pit, other habitat identified during the delineation of habitat), aquatic habitat shall be dewatered and then remain dry and absent of aquatic prey (e.g., fish and tadpoles) for 15 days prior to initiation of construction activities. If complete dewatering is not possible, the project applicant shall consult with CDFW and USFWS to determine what additional measures may be necessary to minimize effects to giant garter snake. After aquatic habitat has been dewatered 15 days prior to construction activities, exclusion fencing shall be installed extending a minimum of 300 feet into adjacent uplands to isolate both the aquatic and adjacent upland habitat. Exclusionary fencing shall be erected 36 inches above ground and buried at least 6 inches below the ground to prevent snakes from attempting to move under the fence into the construction area. In addition, high-visibility fencing shall be erected to identify the construction limits and to protect adjacent habitat from encroachment of personnel and equipment. Exclusionary fencing and high-visibility fencing will be made from material that will not cause entanglement (e.g., silt fencing and stakes with flagging and/or poly wire). Giant garter snake habitat outside construction fencing shall be avoided by all construction personnel. The fencing and the work area shall be inspected by the approved biologist to ensure that the fencing is intact and that no snakes have entered the work area before the start of each workday. The fencing shall be maintained by the contractor until completion of the project.
- ▶ If a giant garter snake is observed, the biologist shall notify CDFW and USFWS immediately. Construction activities will be suspended in a 100-foot radius of the garter snake until the snake leaves the site on its own volition. If necessary, the biologist shall consult with CDFW and USFWS regarding appropriate procedures for relocation. If the animal is handled, a report shall be submitted, including date(s), location(s), habitat description, and any corrective measures taken to protect giant garter snake within 1 business day to CDFW and USFWS. The biologist shall report any take of listed species to USFWS and CDFW immediately. Any worker who inadvertently injures or kills a giant garter snake or who finds one dead, injured, or entrapped must immediately report the incident to the approved biologist.
- ▶ All excavated steep-walled holes and trenches more than 6 inches deep shall be covered with plywood (or similar material) or provided with one or more escape ramps constructed of earth fill or wooden planks at the end of each workday or 30 minutes prior to sunset, whichever occurs first. All steep-walled holes and trenches shall be inspected by the approved biologist each morning to ensure that no wildlife has become entrapped. All construction pipes, culverts, similar structures, construction equipment, and construction debris left overnight within giant garter snake modeled habitat shall be inspected for giant garter snake by the approved biologist prior to being moved.
- ▶ If erosion control is implemented on the project site, non-entangling erosion control material shall be used to reduce the potential for entrapment. Tightly woven fiber netting (mesh size less than 0.25 inch) or similar material will be used to ensure snakes are not trapped (no monofilament). Coconut coir matting and fiber rolls containing burlap are examples of acceptable erosion control materials.
- ▶ The applicant shall ensure that there is no-net-loss of giant garter snake habitat by compensating for loss of habitat at a ratio of 1:1, by purchasing credits from a USFWS- and CDFW- approved conservation bank.

The selected conservation bank will be located within Solano County, if feasible (i.e., if applicable credits are available at conservation banks in Solano County).

- ▶ Prior to construction, USFWS shall be consulted pursuant to Section 7 of the ESA. Approval from CDFW and proper take authorization under CESA shall be obtained. The activities may qualify to use the “Programmatic Formal Consultation for U.S. Army Corps of Engineers 404 Permitted Projects with Relatively Small Effects on the Giant Garter Snake within Butte, Colusa, Glenn, Fresno, Merced, Sacramento, San Joaquin, Solano, Stanislaus, Sutter and Yolo Counties, California” (USFWS 1997). The Habitat Replacement & Restoration Guidelines (Appendix A), Items Necessary for Formal Consultation (Appendix B), Avoidance & Minimization Measures During Construction (Appendix C), and Monitoring Requirements (Appendix D) shall be followed.

Significance after Mitigation

Implementation of Mitigation Measure 4.4-2b would reduce impacts on giant garter snake to a **less-than-significant** level because giant garter snakes and habitat would be avoided and protected from construction activities, and the project applicant would compensate for loss of suitable occupied habitat because of construction activities.

Mitigation Measure 4.4-2c on pages 4.4-25 through 4.4-26 of the Draft SEIR has been amended as follows:

Mitigation Measure 4.4-2c: Vernal Pool Tadpole Shrimp and Vernal Pool Fairy Shrimp Habitat Compensation for Direct Effects

The project applicant shall implement the following measures to minimize and compensate for loss of vernal pool fairy shrimp and vernal pool tadpole shrimp and suitable habitat prior to ground-disturbing activities.

The following mitigation shall occur prior to ground-disturbing activities and approval of improvement plans for the lateral expansion and any project phase that would allow work within 250 feet of such habitat (or a reduced distance if established in the BO for the project), and before any ground-disturbing activity within 250 feet of the habitat (or a reduced distance if established in the BO for the project).

- ▶ Habitat Preservation: The applicant, in consultation with USFWS, shall compensate for direct effects of the project on potential habitat for vernal pool fairy shrimp, ~~conservancy fairy shrimp~~, and vernal pool tadpole shrimp at a ratio of 2:1, by purchasing vernal pool preservation credits from a USFWS-approved conservation bank. The conservation bank will be located within Solano County if feasible (i.e., if applicable credits are available at conservation banks in Solano County). Compensation credits shall be purchased prior to any ground-disturbing activities.
- ▶ Habitat Creation: The applicant shall compensate for the direct effects of the project on potential habitat for vernal pool fairy shrimp, ~~conservancy fairy shrimp~~, and vernal pool tadpole shrimp at a ratio of 1:1, by purchasing vernal pool creation credits from a USFWS-approved conservation bank. The conservation bank will be located within Solano County if feasible (i.e., if applicable credits are available at conservation banks in Solano County).
- ▶ For seasonal wetlands and drainages that shall be retained on the site (i.e., those not proposed to be filled), a minimum setback of at least 50 feet from these features will be avoided on the project site. The buffer area shall be fenced with high visibility construction fencing prior to commencement of ground-disturbing activities and shall be maintained for the duration of construction activities.
- ▶ A worker environmental awareness training shall be conducted to inform onsite construction personnel regarding the potential presence of listed species and the importance of avoiding impacts to these species and their habitat.
- ▶ The applicant shall secure any necessary take authorization prior to project construction through consultation with USFWS pursuant to Section 7 of the ESA.

- ▶ Documentation of habitat preservation, habitat creation, and take authorization shall be provided to the County following approval by USFWS.

Mitigation Measure 4.4-2e (pages 4.4-27 through 4.4-28 of the Draft SEIR) has been revised to reflect Solano County's recommendation:

Mitigation Measure 4.4-2e: Protection of Burrowing Owl

Prior to ground disturbance, grading, or vegetation removal activities for the lateral expansion (Triangle), the project applicant will implement the following measures:

- ▶ The applicant shall retain a qualified biologist to conduct focused breeding and nonbreeding season surveys for burrowing owls in areas of suitable habitat on and within 1,500 feet of the project site. Surveys shall be conducted prior to the start of construction activities and in accordance with Appendix D of CDFW's *Staff Report on Burrowing Owl Mitigation* (CDFW 2012).
- ▶ If no occupied burrows are found, a letter report documenting the survey methods and results shall be submitted to CDFW and no further mitigation will be required.
- ▶ If an active burrow is found during the nonbreeding season (September 1 through January 31), the applicant shall consult with CDFW regarding protection buffers to be established around the occupied burrow and maintained throughout construction. If occupied burrows are present that cannot be avoided or adequately protected with a no-disturbance buffer, a burrowing owl exclusion plan shall be developed, as described in Appendix E of CDFW's 2012 Staff Report. Burrowing owls shall not be excluded from occupied burrows until the project's burrowing owl exclusion plan is approved by CDFW. The exclusion plan shall include a plan for creation, maintenance, and monitoring of artificial burrows in suitable habitat proximate to the burrows to be destroyed, that provide substitute burrows for displaced owls.
- ▶ If an active burrow is found during the breeding season (February 1 through August 31), occupied burrows shall not be disturbed and will be provided with a 150- to 1,500-foot protective buffer unless a qualified biologist verifies through noninvasive means that either: (1) the birds have not begun egg laying, or (2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. The size of the buffer shall depend on the time of year and level disturbance as outlined in the CDFW Staff Report (CDFW 2012). The size of the buffer may be reduced if a broad-scale, long-term, monitoring program acceptable to CDFW is implemented to ensure burrowing owls are not detrimentally affected. Once the fledglings are capable of independent survival, the owls can be evicted and the burrow can be destroyed per the terms of a CDFW-approved burrowing owl exclusion plan developed in accordance with Appendix E of CDFW's 2012 Staff Report.
- ▶ If active burrowing owl nests are found on the site and are destroyed by project implementation, the project applicant shall mitigate the loss of occupied habitat in accordance with guidance provided in the CDFW 2012 Staff Report, which states that permanent impacts to nesting, occupied and satellite burrows, and burrowing owl habitat shall be mitigated such that habitat acreage, number of burrows, and burrowing owls impacted are replaced through permanent conservation of comparable or better habitat with similar vegetation communities and burrowing mammals (e.g., ground squirrels) present to provide for nesting, foraging, wintering, and dispersal. The applicant shall retain a qualified biologist to develop a burrowing owl mitigation and management plan that incorporates the following goals and standards:
 - Mitigation lands shall be selected based on comparison of the habitat lost to the compensatory habitat, including type and structure of habitat, disturbance levels, potential for conflicts with humans, pets, and other wildlife, density of burrowing owls, and relative importance of the habitat to the species range wide.
 - If feasible, mitigation lands shall be provided adjacent or proximate to the site so that displaced owls can relocate with reduced risk of take. Feasibility of providing mitigation adjacent or proximate to the project

site depends on availability of sufficient suitable habitat to support displaced owls that may be preserved in perpetuity.

- If suitable habitat is not available for conservation adjacent or proximate to the project site, mitigation lands shall be focused on consolidating and enlarging conservation areas outside of urban and planned growth areas and within foraging distance of other conservation lands. Mitigation may be accomplished through purchase of mitigation credits at a CDFW-approved mitigation bank, if available. If mitigation credits are not available from an approved bank and mitigation lands are not available adjacent to other conservation lands, alternative mitigation sites and acreage shall be determined in consultation with CDFW. The conservation bank will be located within Solano County, if feasible (i.e., if applicable credits are available at conservation banks in Solano County).
- If mitigation is not available through an approved mitigation bank and will be completed through permittee-responsible conservation lands, the mitigation plan shall include mitigation objectives, site selection factors, site management roles and responsibilities, vegetation management goals, financial assurances and funding mechanisms, performance standards and success criteria, monitoring and reporting protocols, and adaptive management measures. Success shall be based on the number of adult burrowing owls and pairs using the site and if the numbers are maintained over time. Measures of success, as suggested in the 2012 Staff Report, shall include site tenacity, number of adult owls present and reproducing, colonization by burrowing owls from elsewhere, changes in distribution, and trends in stressors.

The tricolored blackbird impact discussion (page 4.4-28 of the Draft SEIR) has been modified as follows to reflect the changed status of tricolored blackbird:

Swainson's Hawk, White-Tailed Kite, Tricolored Blackbird, Northern Harrier, California Black Rail

California black rail, ~~and Swainson's hawk, and tricolored blackbird~~ are listed as threatened under CESA and California black rail is also a fully protected species under California Fish and Game Code. White-tailed kite is also fully protected under Fish and Game Code. ~~Tricolored blackbird is a candidate for listing under CESA and is currently a California species of special concern.~~ Northern harrier is a California species of special concern. Potentially suitable nesting habitat for tricolored blackbird and California black rail is present within the Bird Sanctuary area adjacent to the Triangle, and within vegetation along drainage ditches on and adjacent to the project site. Northern harrier could nest within the grassland habitat within the project site, and Swainson's hawk and white-tailed kite could nest within trees within and adjacent to the project site. Additionally, project plans include the conversion of approximately 17 acres of potentially suitable grassland Swainson's hawk foraging habitat within the Triangle.

Project activities, such as ground disturbance, vegetation removal, and presence of construction equipment, vehicles, and personnel could result in disturbance to special-status bird species or direct loss of adults, chicks, or eggs, if present within the project site. This would be a **potentially significant** impact.

Chapter 4.4, "Biological Resources," Mitigation Measure 4.4-2f, pages 4.4-28 through 4.4-29 of the Draft SEIR:

Mitigation Measure 4.4-2f: Special-status and Other Nesting Bird Surveys and Avoidance

Prior to any ground disturbances for the lateral expansion (Triangle), the applicant will implement the following measures to reduce impacts on special-status bird species:

- ▶ To minimize the potential for disturbance or loss of tricolored blackbird, northern harrier, California black rail, or other bird nests, vegetation removal activities will only occur during the nonbreeding season (September 16-January 31). If all suitable nesting habitat (e.g., trees, grassland) is removed during the nonbreeding season, no further mitigation would be required.

- ▶ Prior to removal of any vegetation or any ground disturbance between February 1 and ~~August 31~~ September 15, a qualified biologist will conduct ~~preconstruction~~ protocol-level surveys for Swainson's hawk nests within 0.5 mile of the project site ~~for Swainson's hawks, and for black rail within suitable habitat.~~ Protocol-level surveys for Swainson's hawks will follow the Swainson's Hawk Technical Advisory Committee's Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley. Protocol-level surveys for Swainson's hawk and black rail may require multiple site visits; some more than 30 days prior to project implementation. Additionally, preconstruction surveys will be conducted within 500 feet of the project site for other nesting raptors, and 100 feet for all other birds. The surveys will be conducted no more than ~~30~~ 7 days before construction commences.
- ▶ If no active nests are found during focused surveys, no further action under this measure will be required.
- ▶ If active nests are located during the protocol-level and preconstruction surveys, the biologist will notify CDFW. Impacts to nesting Swainson's hawks, other raptors, or other nesting birds shall be avoided by establishing appropriate buffers around active nest sites identified during preconstruction ~~raptor~~ surveys. Project activity shall not commence within the buffer areas until a qualified biologist has determined, in coordination with CDFW, that the young have fledged, the nest is no longer active, or reducing the buffer would not likely result in nest abandonment. CDFW guidelines recommend implementation of 0.5-mile-wide buffer for Swainson's hawk, 500 feet for other raptors, and 100 feet for other nesting birds, but the size of the buffer may be adjusted if a qualified biologist and the project applicant, in consultation with CDFW, determine that such an adjustment would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist during and after construction activities shall be required if the activity has potential to adversely affect the nest.

Revisions to Section 4.9, "Hydrology and Water Quality," of the Draft SEIR

The Draft SEIR has been amended in the following four locations within Section 4.9, "Hydrology and Water Quality," to provide the requested clarification.

The second paragraph on page 4.9-6 of the Draft SEIR has been amended to state:

Surface water drainage from the project site is conveyed by a series of manmade drainage structures: drainage channels and down drains on the disposal modules, drainage channels, and culverts conveying water away from the disposal modules, sedimentation basins, and the bird sanctuary pond. The Alamo Creek Flood Control Channel (A-1 Channel) runs along Hay Road north of the project site, and along SR-113, east of the project site. An additional drainage channel runs along the northern boundary of the project site and flows into the bird sanctuary pond ~~south~~ southeast of the project site. A hydrological flow analysis of the project site concluded that drainage within the project site flows east- southeasterly towards the perimeter channel along the eastern boundary of the triangle, consistent with drainage of the overall watershed (ESA 2017).

The first paragraph on page 4.9-8 of the Draft SEIR has been modified as follows:

The depth to groundwater measured in site groundwater monitoring wells varies across most of the site from about 5 to 36 feet below ground surface (i.e., elevation 2 to 22 feet NGVD 29). Currently, the landfill conducts dewatering activities at the existing borrow pit, in order to extract soil material for landfill cover within the disposal modules. Dewatering of the soil borrow pit is completed by pumping water from the south end of the pit to a drainage swale that drains along the southern perimeter of the permitted landfill footprint to the Bird Sanctuary Pond. Pumping is completed as necessary to manage the water levels in the soil borrow pit (Golder Associates: 2018 5-10). Dewatering operations are conducted consistent with Regional Board Order No. R5-2013-0073-01, NPDES No. CAG995002, Waste Discharge Requirements for Limited Threat Discharge of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water (Golder Associates 2018: 3-9). The extracted groundwater is then either ~~redistributed into an unused part of the borrow pit or~~ used for dust control purposes elsewhere within the landfill disposal area or discharged offsite. Dewatering of the borrow pit, as part of existing landfill operations, has altered the movement of shallow groundwater beneath the

western half of the site, where the groundwater flow direction has been changed to flow toward the west to the borrow pit, rather than the natural southeasterly flow direction. Groundwater elevations also vary seasonally about 1 to 5 feet and in response to water level changes in surface recharge areas (Golder Associates 2018: 3-7).

The last paragraph on page 4.9-10 of the Draft SEIR has been amended to state:

~~The two areas of the landfill that were under a corrective action monitoring program for nitrate/nitrite as nitrogen detected in groundwater at concentrations greater than the concentration limit were located in the western part of the landfill. These areas underwent ~~are currently undergoing~~ remediation under the application of General Order R5- 2008-0149-056 "General Waste Discharge Requirements for In-situ Groundwater Remediation at Sites with Volatile Organic Compounds, Nitrogen Compounds, Perchlorate, Pesticides, Semi-volatile Organic Compounds and/or Petroleum Compounds." As of May 2018, the CVRWQCB rescinded the Notice of Availability of General Order R5-2008-0149-056 because the discharger had implemented a targeted and aggressive strategy to remediate nitrate plumes beneath the site, including source removal and groundwater extraction, that had shown to be effective. The progress of corrective action is monitored under Monitoring and Reporting Program No. R5-2008-0149-056. ~~Six new groundwater monitoring wells were installed to provide treatment zone, transition zone, and compliance monitoring wells for the nitrate remediation under General Order R5-2008-0149-056. The groundwater remediation involved the injection of sodium lactate into the groundwater to reduce nitrate levels. The injection process was completed between March 17, 2015 and May 22, 2015, and the corrective action monitoring program was completed and approved by the RWQCB (Golder 2018:6-5).~~~~

The first paragraph on page 4.9-11 of the Draft SEIR has been revised to state:

WATER USE

There are 12 known water wells existing within 1 mile of the landfill. Groundwater in the area is primarily used for farm stock watering (Golder Associates 2018: 4-1). Use of water onsite is limited to dust control and washing/restroom uses at the RHR office. The RHR Landfill is not connected to a municipal water system and does not use potable water. The site maintains one 10,000-gallon water tank that is supplied by dewatering of the borrow pit and supplies RHR's two-4,000-gallon water trucks, which are used for dust control on all onsite roadways. The RHR office is supplied by non-potable well water, and employees are provided with bottled water for consumption. Water that is not used for dust control is subsequently discharged to the Bird Sanctuary Pond, and then to the A-1 Channel (Golder Associates, 2018: 7-12, 7-16). In 2017, approximately 223 million gallons of groundwater were dewatered from the borrow pit (Recology Hay Road 2017).

Revisions to Section 4.11, "Transportation," of the Draft SEIR

Pages 4.11-15 through 4.11-17 in Section 4.11, "Transportation," of the Draft SEIR have been revised to reflect the recent ruling by the Third District Court of Appeal.

ISSUES NOT DISCUSSED FURTHER

There are no transit facilities or transit routes within the project study area; and thus, the project would not affect operations of existing transit lines, nor would it degrade access to transit. Therefore, the project would not adversely affect public transit operations. Additionally, implementation of the project would not generate new demand for transit trips; and thus, would not result in demands to transit facilities greater than available capacity. This issue is not discussed further in this SEIR.

There are no bike facilities or pedestrian facilities present within the study area. Therefore, the project would not disrupt any existing or planned bicycle/pedestrian facilities, nor would it create inconsistencies with any adopted plans, guidelines, policies or standards related to bicycle or pedestrian systems. This issue is not discussed further in this SEIR.

The project would not result in the alteration to the existing roadway network; and thus, would not increase hazards because of a design feature. The mix of vehicles generated by the project (i.e., transfer trucks, packer trucks, self-haul vehicles) are generally consistent with the existing vehicle types using the surrounding roadway network to access the project site. Therefore, the project would not increase hazards because of incompatible uses. This issue is not discussed further in this SEIR.

The project would not result in alteration to the existing roadway network, nor would it change or increase the size of vehicles that may travel to and from the project site. Thus, existing emergency access would be maintained, and adequate emergency access would be provided. This issue is not discussed further in this SEIR.

The closest airfield to the RHR Landfill is Travis Airforce Base, located approximately 3.3 miles southwest of the project site. The project would not involve the construction of tall structures such that potential interference with existing flight patterns may occur. Thus, the project would not result in a change in air traffic patterns such that significant physical environmental impacts could occur, nor would it result in the construction and operation of uses within the study area that may be incompatible with the nearby airfield. This issue is not discussed further in this SEIR. With respect to the risk of bird strikes as a result of increased wildlife activity as a result of the project, refer to Section 4.8, "Hazards and Hazardous Materials."

With respect to Level of Service (LOS), recent amendments to the CEQA Guidelines were adopted in late 2018, including California Code of Regulations (CCR) Section 15064.3, "Determining the Significance of Transportation Impacts," which implemented PRC Section 21099. The changes focused on VMT and include the statement that, except for roadway capacity projects, "a project's effect on automobile delay shall not constitute a significant impact."

In addition, the 2018 amendments to the CEQA Guidelines added CCR Section 15064.3(c), which states:

Applicability. The provisions of this section shall apply prospectively as described in section 15007. A lead agency may elect to be governed by the provisions of this section immediately. Beginning on July 1, 2020, the provisions of this section shall apply statewide.

By referring to CCR Section 15007, the deadline of no later than July 1, 2020 was set as the date by which the new guidelines (e.g., VMT) must be followed. This requirement, like all new CEQA requirements, applies to CEQA documents that were not yet circulated for public review before the implementation date.

Following certification of the updated guidelines on December 28, 2018, an apparent gap between PRC Section 21099 and CCR Section 15064.3 was created. However, many lead agencies, like Solano County, elected to continue evaluating transportation using Level of Service before July 1, 2020 due to the interrelationship between general plan goals and policies and CEQA. However, on December 18, 2019, the Third District Court of Appeal ruled in favor of the City of Sacramento's approval and adoption the City of Sacramento 2035 General Plan and certification of the Environmental Impact Report (EIR) for the City of Sacramento 2035 General Plan Update. The decision in the Citizens for Positive Growth & Preservation v. City of Sacramento (2019) Cal.App.5th is notable for its ruling on the applicability of State CEQA Guidelines Section 15064.3 as it relates to projects for which draft EIRs are published before July 1, 2020 (i.e., the VMT impact analysis opt-in date). The ruling issued by the Third District Court affirms that upon certification of the guidelines by the Secretary of the Natural Resources Agency (i.e., on December 28, 2018), automobile delay no longer constitutes a significant impact on the environment under CEQA and that it is optional for a lead agency to analyze transportation impacts using VMT until July 1, 2020, after which it becomes mandatory.

With respect to the RHR Land Use Permit Amendment No. 2 Draft SEIR, the recent ruling by the Third District Court of Appeal occurred during the public review period of the Draft SEIR. In accordance with that ruling, impacts and mitigation measures associated with automobile delay are considered to be no longer applicable within the context of CEQA. Furthermore, as the opt-in period for the analysis of VMT is still in effect, the Draft EIR's discussion of VMT is considered appropriate, and no further analysis or significance conclusions are considered necessary, in accordance with CEQA requirements. Nonetheless, the topic of automobile delay may

be considered by decision-makers, independent of the environmental review process, as part of their decision to approve, modify, or disapprove the proposed project.

PROJECT IMPACTS AND MITIGATION MEASURES

Potential impacts of the project on the transportation system are evaluated in this section based on the thresholds of significance and analysis results. Mitigation measures are recommended for any identified significant impacts.

Impact 4.11-1: Impacts to Intersection Operations

Implementation of the project would add an estimated 46 AM peak hour, 27 PM peak hour, and 43 Saturday peak hour trips to the roadway network in the study area. Based on the traffic modeling and analysis, all study intersections would operate at acceptable LOS with the addition of project generated trips. This impact would be **less than significant**.

Existing Plus Project traffic volumes account for the addition of project-generated vehicle trips to the existing volumes in accordance with the trip distribution previously presented. Figure 4.11-3 displays the resulting AM, PM, and Saturday peak hour intersection traffic volumes under Existing Plus Project conditions

Table 4.11-10 displays the AM, PM, and Saturday peak period LOS at each study intersection under Existing Plus Project conditions. Refer to Appendix G of this Draft SEIR for detailed modeling and technical calculations.

Table 4.11-10 — Existing PLUS Peak Hour Levels of Service at Intersections

Location	Control	Existing Plus Project AM Peak Hour		Existing Plus Project PM Peak Hour		Existing Plus Project Saturday Peak Hour		Peak Hour Warrant Met?
		LOS	Average Delay (secs)	LOS	Average Delay (secs)	LOS	Average Delay (secs)	
I-80 Westbound Ramps / Oday Rd —— Southbound Left —— Westbound	Westbound Stop							No
		A	7.7	A	7.5	---	---	
		B	10.3	A	9.6	---	---	
Midway Road / Oday Rd —— Southbound —— Eastbound Left	Southbound Stop	B	11.1	A	9.8	---	---	No
		A	7.8	A	7.6	---	---	
I-80 Eastbound Ramps / Midway Rd —— Northbound —— Eastbound Left	Northbound Stop							No
		B	13.2	B	12.4	---	---	
		A	8.2	A	8.1	---	---	
Midway Rd / Porter Rd —— Westbound	Westbound Stop	A	9.1	A	8.9	---	---	No
SR 113 / Midway Rd —— Northbound Left —— Southbound Left —— Eastbound —— Westbound	Westbound Stop / Eastbound Stop	A	7.7	A	7.7	A	7.5	No
		A	7.5	A	7.6	A	7.4	
	B	14.3	B	12.3	B	10.5		
	B	11.8	B	14.2	B	10.0		
SR 113 / Hay Rd —— Northbound Left —— Eastbound	Eastbound Stop	A	7.6	A	7.8	A	7.5	No
		B	11.2	B	12.5	A	9.9	
SR 113 / SR 12	Roundabout	A	7.1	C	19.1	---	---	N/A

Location	Control	Existing Plus Project AM Peak Hour		Existing Plus Project PM Peak Hour		Existing Plus Project Saturday Peak Hour		Peak Hour Warrant Met?
		LOS	Average Delay (secs)	LOS	Average Delay (secs)	LOS	Average Delay (secs)	
Hay Rd / Project Entrance	Northbound Stop							No
Northbound		A	9.5	A	9.3	A	9.2	
Westbound Left		A	7.4	A	7.3	A	7.4	

Notes: LOS = Level of service, SR = State Route

Source: KDA-2018

As shown in Table 4.11-10, all intersections would operate at acceptable LOS (i.e., LOS C or better for Solano County intersections, LOS D or better for Caltrans intersections) with the addition of project-generated trips to the study intersections under Existing Plus Project conditions. Therefore, this impact would be **less than significant**.

Mitigation Measures

No mitigation is required.

Impact 4.11-2: Impacts to Roadway Segment Operations

Implementation of the project would add an estimated 46 AM peak hour and 27 PM peak hour trips to the roadway network in the study area. Based on the traffic modeling and analysis, all study roadway segments would operate at acceptable LOS with the addition of project-generated trips. This impact would be **less than significant**.

Table 4.11-11 displays the results of the AM and PM peak hour roadway segment operations analysis for each of the six study roadway segments. Refer to Appendix G of this Draft SEIR for detailed modeling and technical calculations.

Table 4.11-11 Existing Plus Project Roadway Segment Levels of Service

Roadway	Location	Facility Classification	ATS/PTSF/LOS	
			Existing Plus Project AM	Existing Plus Project PM
Midway Rd	I-80 to Porter Rd Eastbound	Class I Highway	46.4 / 45.4 / C	45.8 / 55.6 / C
	Westbound		46.3 / 55.3 / C	45.9 / 51.3 / C
	Porter Rd to SR 113 Eastbound	Class I Highway	47.9 / 37.5 / C	49.8 / 13.3 / C
	Westbound		47.6 / 32.3 / C	50.1 / 29.6 / B
SR 113	Midway Rd to Fry Rd Northbound	Class I Highway	47.2 / 31.0 / C	45.7 / 38.5 / C
	Southbound		47.0 / 28.1 / C	45.7 / 37.7 / C
	Fry Rd to Hay Rd Northbound		45.3 / 45.3 / C	44.7 / 47.8 / D
	Southbound	45.3 / 34.0 / C	44.7 / 44.1 / D	
	Hay Rd to SR 12 Northbound	Class I Highway	46.0 / 48.5 / C	44.8 / 45.0 / D
	Southbound		45.7 / 30.9 / C	44.8 / 50.7 / D
Hay Rd	SR 113 to Daily Rd Eastbound	Class I Highway	49.0 / 27.2 / C	49.3 / 29.3 / C
	Westbound		49.0 / 21.8 / C	49.2 / 13.1 / C

Notes: ATS = average travel speed, PTSF = percent time spent following, LOS = Level of service, SR = State Route

Source: KDA-2018

As shown in Table 4.11-11, all Solano County study roadway segments would operate at LOS C or better during the AM and PM peak hours. Additionally, all Caltrans study roadway segments (i.e., roadway segment along SR 113) would operate at LOS D or better during the AM and PM peak hours. Therefore, all study roadway segments would operate at acceptable LOS during both the AM and PM peak hours with the addition of project generated traffic under Existing Plus Project conditions. Thus, this impact would be **less than significant**.

Mitigation Measures

No mitigation is required.

Impact 4.11-13: Impacts to Local Roadways

Operation of the project could cause additional damage to local roadways within the vicinity of the landfill. Compliance with the Road and Litter Agreement between Recology and Solano County would ensure that any additional road damage caused by facility operations are paid for by RHR. Therefore, this impact would be **less than significant**.

The existing agreement between the County and RHR requires the facility operator to pay for road damage caused by their operations (2016 RHR Road and Litter Agreement), and this agreement is updated periodically based on road conditions. If any additional road damage associated with the proposed increase in truck trips occurred, the terms of the existing agreement would continue to govern and RHR would be responsible for the repair of landfill-related road damage. Thus, this impact would be **less than significant**.

Mitigation Measures

No mitigation is required.

Revisions to Chapter 5, “Cumulative Impacts,” of the Draft SEIR

As shown below and in Chapter 3, “Revisions to the Draft SEIR,” one location within Chapter 5, “Cumulative Impacts,” of the Draft SEIR has been amended to reflect the recent ruling by the Third District Court of Appeal.

The discussion of cumulative transportation impacts on pages 5-12 through 5-20 of the Draft SEIR have been modified as follows.

5.4.11 Transportation

The potential cumulative transportation impacts of the project were evaluated within the context of additional damage to local roadways resulting from future traffic conditions anticipated to occur in this area of Solano County. ~~The most recent Napa-Solano regional travel demand model was used to estimate cumulative traffic conditions in 2030 in the project vicinity. Cumulative volumes along the roadway links were developed using the difference method (i.e., using the project model growth between existing conditions and cumulative conditions and adding this to existing traffic counts.)~~

As described in Impact 4.11-1 (Section 4.11, “Transportation”), operation of the project could cause additional damage to local roadways within the vicinity of the landfill. However, compliance with the Road and Litter Agreement between Recology and Solano County would ensure that any additional road damage caused by facility operations are paid for by RHR. Similar to the project, other traffic-generating projects would be required to mitigate for their fair share of damage to local roadways. Therefore, the project’s contribution to roadway damage impacts would not be cumulatively considerable.

Through continued compliance with the Road and Litter Agreement between Recology and Solano County, the proposed project would not result in a considerable contribution to a cumulative impact related to damage to local roadways. Cumulative impacts related to roadway damage would be less than significant.

Revisions to Chapter 6, “Alternatives,” of the Draft SEIR

As shown below and in Chapter 3, “Revisions to the Draft SEIR,” the Draft SEIR has been amended in the following seven locations within Chapter 6, “Alternatives” to reflect the recent ruling by the Third District Court of Appeal.

The last paragraph on page 6-2 of the Draft SEIR has been amended as follows:

Because of the nature of the project (i.e., expansion of disposal area at an existing landfill, revisions to the existing tonnage limitations to allow for additional throughput, and modifications to internal operations), alternatives that attain most of the project objectives are limited. The Recology Hay Road (RHR) Landfill has been operating continuously since 1964 and has extensive solid waste disposal and landfill control facilities and infrastructure such as monitoring and control systems (e.g., groundwater, landfill gas, leachate), storm water retention ponds, flood control berms, groundwater dewatering facilities, and materials handling and processing areas; therefore, alternative sites for the project are limited. In addition, alternative uses of the project site that do not involve waste disposal are infeasible because of the substantial infrastructure and inactive disposal areas already in place. ~~Further, alternatives are intended to reduce significant environmental impacts. As noted above, the project would result in one significant and unavoidable impact with respect to cumulative transportation conditions.~~ These factors were considered in this analysis, which ultimately resulted in elimination of the following alternatives from further consideration in this Draft SEIR.

The third paragraph on page 6-3 has been modified as follows:

~~In addition, the only significant and unavoidable impact associated with the proposed project would be increases in delay at intersections which are projected to operate at unacceptable levels under Cumulative No Project conditions (i.e., SR 113/Midway Road and SR 12/SR 113). It is unlikely that construction of a new landfill facility at a new location would avoid the significant and unavoidable traffic impact on intersection level of service because construction of a new facility would require substantially more construction trips compared to expansion of an existing facility, and operation of a new facility of similar capacity to the proposed project would likely have similar long-term impacts on the transportation network. (Offsite alternatives could also logically include expansion of a different landfill in the region. For purposes of this analysis, “offsite alternative” would be a new solid waste disposal facility. Routing RHR Landfill customers to another existing landfill owned by Recology is considered in the range of reasonable alternatives assessed below).~~

Text on page 6-3 and 6-4 of the Draft SEIR has been revised as follows:

ALTERNATIVE TECHNOLOGY ALTERNATIVE

To handle additional waste disposal needs, Recology also considered alternative means of reducing waste disposed of within RHR Landfill. The use of alternative technologies, such as thermal conversion, is one method of reducing the need for additional waste disposal capacity that was considered. Thermal conversion technologies use high temperatures to convert waste into ash, flue gas (i.e., combustion exhaust gas), and heat. Facilities that use this technology may also include scrubbers and filters that clean flue gas and reduce pollution emissions; however, these facilities still produce some heavy metal and dioxin emissions and toxic fly ash that must be disposed of properly in a Class I landfill. This alternative may also result in additional ~~traffic and~~ air quality impacts beyond those identified for the project evaluated as part of this SEIR during construction of alternative technology infrastructure onsite ~~and then transporting of ash to a Class I landfill~~. In addition, implementation of alternative technologies would result in additional time, costs, and permitting requirements associated with updating the landfill infrastructure to accommodate the new technologies. Because of the additional costs and permitting required for this alternative, it is considered infeasible. As a result, this alternative was eliminated from further consideration in this SEIR.

The third paragraph on page 6-11 of the Draft SEIR has been amended as follows:

Transportation

~~Under the No Project Alternative, RHR Landfill would not be expanded and the CUP would not be amended. The proposed project would have less-than-significant impacts on transportation; however, these impacts would be avoided under the No Project Alternative. Therefore, overall, the No Project Alternative would result in less of an impact on transportation than the project. Therefore, the considerable contribution to significant and unavoidable cumulative intersection (i.e., SR 113/Midway Road and SR 12/SR 113) and roadway segment (i.e., Midway Road between I-80 and Porter Road) operations impacts associated with the proposed project at local transportation facilities would be avoided. As a result, impacts associated with this alternative would be less than the proposed project. (Less)~~

The fourth paragraph on page 6-13 of the Draft SEIR has been modified as follows:

Transportation

Under the Lateral Expansion Alternative, the life of the landfill would increase but no increase under the CUP’s existing tonnage limit of 2,400 tpd would occur. However, the proposed project would result in less-than-significant impacts on transportation. Overall, impacts of the ROR Expansion Alternative on transportation would be similar to the proposed project. (Similar) ~~Therefore, the considerable contribution to significant and unavoidable cumulative intersection (i.e., SR 113/Midway Road and SR 12/SR 113) and roadway segment (i.e., Midway Road between I-80 and Porter Road) operations impacts associated with the proposed project would be avoided. The overall impacts of the Lateral Expansion Alternative related to transportation would be less than the proposed project. (Less)~~

Text on page 6-15 of the Draft SEIR has been revised as follows:

Transportation

Alternative 3 would include expansion of an existing facility and operations similar to the proposed project. Therefore, landfill expansion at the ROR Landfill could result in similar damage to local roadways within the vicinity of the landfill. However, the proposed project would result in less-than-significant impacts related to local roadway damage because the Landfill is required to comply with an existing agreement between Recology and Solano County that would ensure any additional road damage caused by facility operations are paid for by Recology. Similar to the proposed project, ROR would be required to enter a similar agreement. Therefore, Alternative 3 would result in a similar overall impact on transportation impacts compared to the proposed project. (Similar) ~~Construction-related traffic under Alternative 3 would be similar to the proposed project. No expansion of disposal capacity at RHR Landfill would occur under Alternative 3. Therefore, the considerable contribution to significant and unavoidable cumulative intersection (i.e., SR 113/Midway Road and SR 12/SR 113) and roadway segment (i.e., Midway Road between I-80 and Porter Road) operations impacts associated with the proposed project would be avoided. However, waste from RHR Landfill customers would be transported to the more distant landfill facility once the RHR Landfill reaches capacity under the existing CUP. Therefore, long term transportation impacts could be greater than those caused by the project. Although this alternative would avoid significant localized traffic impacts associated with the project, it could create or exacerbate localized traffic impacts near ROR. Therefore, overall transportation impacts of the ROR Landfill Expansion Alternative would be greater than the proposed project. (Greater)~~

Text on page 6-16 of the Draft SEIR has been modified as follows:

Table 6-2 Comparison of the Environmental Impacts of the Alternatives in Relation to the Proposed Project

Resource Area	Proposed Project	Alternative 1: No Project	Alternative 2: Vertical Expansion Alternative	Alternative 3: ROR Expansion Alternative
Aesthetics	Less than Significant	Less	Greater	Similar
Air Quality and Greenhouse Gas Emissions	Less than Significant	Less	Less	Greater

Resource Area	Proposed Project	Alternative 1: No Project	Alternative 2: Vertical Expansion Alternative	Alternative 3: ROR Expansion Alternative
Archaeological, Historic, and Tribal Cultural Resources	Less than Significant	Less	Less	Similar
Biological Resources	Less than Significant	Less	Less	Similar
Energy	Less than Significant	Less	Less	Greater
Geology, Soils, Mineral, and Paleontological Resources	Less than Significant	Less	Less	Less
Hazards and Hazardous Materials	Less than Significant	Less	Less	Similar
Hydrology and Water Quality	Less than Significant	Less	Less	Similar
Noise	Less than Significant	Less	Less	Similar
Transportation	Less than Significant and Unavoidable	Less	Similar Less	Similar Greater

Source: Compiled by Ascent Environmental in 2019

With regard to the other alternatives considered in this SEIR, development of Alternative 2 (Vertical Expansion Alternative) would reduce all but aesthetic-related potentially significant impacts of the project, primarily through less land disturbance. ~~Alternative 3 would reduce localized impacts at the RHR Landfill but would have potentially greater impacts associated with haul trucks travelling further for disposal purposes and similar localized impacts at ROR Landfill. With respect to Alternative 2, it would avoid the considerable contribution to significant and unavoidable cumulative intersection and roadway segment operational impacts in the vicinity of the RHR Landfill associated with the project.~~ With the exception of aesthetics, Alternative 2 would reduce impacts associated with all other resource areas compared to the proposed project. While Alternative 2 would involve an expansion of landfill capacity, consistent with the project objectives, it would not achieve the project objectives related to increased gross disposal capacity and extension of the landfill's life to the extent of the proposed project. Therefore, Alternative 2 would be environmentally superior within the near term but may result in greater long-term effects as a result of a lack of solid waste disposal options available to the Bay Area, similar to Alternative 3. Therefore, the environmental impact differences between the project and Alternative 2 are not substantial enough that one is clearly superior over the other. On balance, the environmentally superior alternative would be either the project or Alternative 2, depending on decisions weighing types of environmental benefits and adverse effects by Solano County.

Revisions to Chapter 7, "Other CEQA-Required Sections," of the Draft SEIR

As shown below and in Chapter 3, "Revisions to the Draft SEIR," the third paragraph on page 7-1 within Chapter 7, "Other CEQA-Required Sections," of the Draft SEIR has been revised to reflect the recent ruling by the Third District Court of Appeal.

The third paragraph on page 7-1 of the Draft SEIR has been revised as follows:

Chapter 4, "Environmental Setting, Environmental Impacts, and Mitigation Measures," provides a description of the potential environmental impacts of the project and recommends various mitigation measures to reduce impacts, to the extent feasible. Chapter 5, "Cumulative Impacts," determines whether the incremental effects of this project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects. After implementation of the recommended mitigation measures, ~~all most~~ of the impacts associated with development of the project would be reduced to a less-than-significant level. ~~The following impacts are considered significant and unavoidable; that is, no feasible mitigation is available to reduce the project's impacts to a less-than-significant level.~~

Chapter 5, Cumulative Impacts, Transportation:

- ▶ ~~Cumulative Plus Project Intersection Operations~~
- ▶ ~~Cumulative Plus Project Roadway Segment Operations~~

Revisions to Chapter 9, “References,” of the Draft SEIR

The reference to CDFW’s 2009 protocols for special status plant and natural community evaluations on page 9-5 of the Draft SEIR has been amended as follows to reflect the 2018 update to CDFW’s guidance.

~~California Department of Fish and Wildlife. 2009. *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities*. Available: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959>. Accessed September 2017.~~

California Department of Fish and Wildlife. 2018. *Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities*. Available: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>. Accessed February 18, 2020.