

# **Solano County**

*675 Texas Street  
Fairfield, California 94533  
[www.solanocounty.com](http://www.solanocounty.com)*



## **Agenda - Final**

**Thursday, November 5, 2015**

**7:00 PM**

**Board of Supervisors Chambers**

**Planning Commission**

Any person wishing to address any item listed on the Agenda may do so by submitting a Speaker Card to the Clerk before the Commission considers the specific item. Cards are available at the entrance to the meeting chambers. Please limit your comments to five (5) minutes. For items not listed on the Agenda, please see "Items From the Public".

All actions of the Solano County Planning Commission can be appealed to the Board of Supervisors in writing within 10 days of the decision to be appealed. The fee for appeal is \$150.

Any person wishing to review the application(s) and accompanying information may do so at the Solano County Department of Resource Management, Planning Division, 675 Texas Street, Suite 5500, Fairfield, CA. Non-confidential materials related to an item on this Agenda submitted to the Commission after distribution of the agenda packet are available for public inspection during normal business hours and on our website at [www.solanocounty.com](http://www.solanocounty.com) under Departments, Resource Management, Boards and Commissions.

The County of Solano does not discriminate against persons with disabilities and is an accessible facility. If you wish to attend this meeting and you will require assistance in order to participate, please contact Kristine Letterman, Department of Resource Management at (707) 784-6765 at least 24 hours in advance of the event to make reasonable arrangements to ensure accessibility to this meeting.

## **AGENDA**

### **CALL TO ORDER**

### **SALUTE TO THE FLAG**

### **ROLL CALL**

### **APPROVAL OF AGENDA**

### **APPROVAL OF THE MINUTES**

1      [PC 15-033](#)      September 17, 2015 PC Minutes

*Attachments:*      [minutes](#)

2      [PC 15-034](#)      October 1, 2015 PC Minutes

*Attachments:*      [minutes](#)

**ITEMS FROM THE PUBLIC:**

*This is your opportunity to address the Commission on a matter not heard on the Agenda, but it must be within the subject matter jurisdiction of the Commission. Please submit a Speaker Card before the first speaker is called and limit your comments to five minutes. Items from the public will be taken under consideration without discussion by the Commission and may be referred to staff.*

**REGULAR CALENDAR**

- 3      [PC 15-032](#)      Public Hearing to consider Lot Line Adjustment Application No. LLA-15-06 and Certificate of Compliance No. CC-15-09 of Eric Ian Anderson for an adjustment of property boundaries located at 5966 Birds Landing Road in an Exclusive Agriculture "A-160" Zoning District, APN's 0090-070-310 and 0090-090-350. The proposed lot line adjustment is a ministerial action and is therefore not subject to the provisions of the California Environmental Quality Act pursuant to CEQA Guidelines Section 21080(b)(1). (Project Planner: Eric Wilberg)

**Attachments:**    [A - PC Draft Resolution](#)  
                              [B - Assessor Parcel Maps](#)  
                              [C - Lot Line Adjustment Map](#)

- 4      [PC 15-031](#)      Public hearing to consider Use Permit Application No. U-14-01 of Venoco, Inc. to drill three natural gas wells, and if successful, install production equipment including a 5.8 mile gas pipeline connecting the well site(s) to an existing pipeline located at the southeast corner of the intersection of Chadbourne Road and Cordelia Road within the City of Fairfield, APN's: 0046-080-030; 0046-060-140, 030, 060; 0046-010-110, 120, 160. The Planning Commission will also be considering adoption of a Mitigated Negative Declaration of Environmental Impact as recommended by the Solano County Department of Resource Management. (Project Planner: Eric Wilberg)

**Attachments:**    [A - PC Draft Resolution](#)  
                              [B - APN Maps](#)  
                              [C - Site Plans](#)  
                              [D - Negative Declaration website location](#)  
                              [E - Comment Letters](#)

**ANNOUNCEMENTS AND REPORTS****ADJOURN**

*To the Planning Commission meeting of November 19, 2015 at 7:00 P.M., Board Chambers, 675 Texas Street, Fairfield, CA*



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## Agenda Submittal

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<b>Agenda #:</b>	1	<b>Status:</b>	PC Minutes
<b>Type:</b>	PC-Document	<b>Department:</b>	Planning Commission
<b>File #:</b>	PC 15-033	<b>Contact:</b>	
<b>Agenda date:</b>	11/5/2015	<b>Final action:</b>	
<b>Title:</b>	September 17, 2015 PC Minutes		

**Governing body:**

**District:**

**Attachments:** [minutes](#)

Date	Ver.	Action By	Action	Result
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# ***MINUTES OF THE SOLANO COUNTY PLANNING COMMISSION***

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## **Meeting of September 17, 2015**

The regular meeting of the Solano County Planning Commission was called to order at 7:00 p.m. in the Board of Supervisors' Chambers, Fairfield, California.

**PRESENT:** Commissioners Cayler, Hollingsworth, Castellblanch, and Chairperson Rhoads-Poston

**EXCUSED:** Commissioner Walker

**STAFF PRESENT:** Mike Yankovich, Planning Program Manager; Jim Leland, Principal Planner; Jim Laughlin, Deputy County Counsel; Matt Tuggle, Engineering Manager, and Kristine Letterman, Planning Commission Clerk

### Approval of the Agenda

The Agenda was approved with no additions or deletions.

1. **The Minutes** of the regular meeting of September 3, 2015 were approved as prepared.

### Items from the Public:

There was no one from the public wishing to speak.

2. **PUBLIC HEARING** to consider the **Woodcreek66 project** which would permit 66 residential lots on 33 acres of land southwest of the intersection of Rockville Road and Suisun Valley Road. The project includes consideration of a Final Environmental Impact Report, a Rezoning Petition (Z-11-01) to rezone 33 acres from R-TC-1AC to R-TC-10, with a Policy Plan Overlay District (PP-11-01) and a 66 lot Major Subdivision Application (No. S-11-01) (Project Planner: Jim Leland)

Chairperson Rhoads-Poston announced that the applicant has submitted a request asking that this matter be continued to the next regularly scheduled meeting. The applicant indicated that due to circumstances beyond their control, some of their design team members were not available to attend tonight's meeting. Ms. Rhoads-Poston noted that the meeting will proceed with staff providing a brief summary of the project, public testimony will be taken and then the commission will vote to continue the matter.

Jim Leland introduced the item and gave a brief presentation of the written staff report. Woodcreek Homes has filed applications to allow the development of 66 homes on 33 acres southwest of the intersection of Rockville Road and Suisun Valley Road. The proposal in front of the commission includes the following entitlement requests: 1) An Environmental Impact Report, 2) A Rezoning and Policy Plan Overlay, and 3) A Tentative Subdivision Map.

The report states that the project, at two dwelling units per acre, is consistent with the Solano County General Plan Land Use Element which designates this neighborhood as Traditional Community – Residential with a density range of 1-4 dwelling units per acre. The project is served by public streets and public water and sanitary sewer services. It will be subject to design review for the residential architecture as well as the public landscape and hardscape areas and features. Residential design standards are included in the policy plan overlay. A financing district will be formed to finance the maintenance and replacement of public streets, sidewalks, public landscaping, and sanitary sewer and stormwater drainage facilities.

A Final Environmental Impact Report has been prepared for the proposed project which identifies potentially significant environmental impacts which have been mitigated to less than significant, as well as potentially significant impacts which cannot be mitigated to less than significant. The project has been reviewed by the county as well as affected outside agencies. Each of those agencies has submitted their requirements for the development of the property. The proposed conditions of approval for the tentative map address each of those requirements and are included in the staff report.

Chairperson Rhoads-Poston opened the public hearing.

Linda Ellis, 4151 Oakwood Drive, Fairfield, said that as a resident of Oakwood Drive she objected to the proposal. She said that the view from their residence will be compromised by the proposal for the construction of a brick wall. Ms. Ellis said that she felt there is a better way to make a project that fits with the community. She opposed the rezoning and did not believe the proposed project fits within the intent of the general plan.

Jerry Moore, 4129 Oakwood Drive, Fairfield, stated that he opposes the project. He noted that the initial proposal was for 33 homes but now has been increased to 66 homes. He felt this was retaliation on the developer's part due to previous neighborhood opposition to the project. He said that 66 homes is too many for the area and that Oakwood Drive would not benefit in any way from this development and the project will have environmental impacts.

David Martin, 4064 Suisun Valley Road, Fairfield, voiced his concerns with regard to public safety. He said that there will be increased residential traffic to and from the development as well as contributing elements from the nearby college, travelers to Lake Berryessa, agricultural activities, and visitors to the area. The traffic back up could potentially extend to Rockville Corners commercial area. Mr. Martin also noted that approximately 200 yards to the south on Suisun Valley Road is a housing project that is currently being built by the city which will produce additional traffic. He said the increase in foot and bicycle traffic makes this an enormous safety issue. Mr. Martin suggested that the developer widen Suisun Valley Road to 3 lanes with a middle turn lane. He noted that when his home was built 34 years ago they were required to contribute monies to the county capital improvements fund for future improvements to Suisun Valley Road and he assumed that other developments along the road had to do the same. He said to ignore an immediate future safety and traffic problem with a patch job is not a solution to the problem, it is not wise or cost effective nor is it safe, especially to the local residents. Mr. Martin proposed that the commission deny the rezoning of the project as presented and that the property should remain at 1 acre per unit, otherwise the widening of Suisun Valley Road from the community college to Rockville Corners should be included in the project.

Meredith McKown, 4143 Oakwood Drive, Fairfield, stated that in the Final EIR while it offers many mitigation strategies for most concerns, it glosses over the groundwater concerns. She referred to page 38 saying that the reduction of water to the aquifer due to the housing project is both significant and unavoidable. It completely ignores the fact that all homes along Oakwood Drive rely upon well water. Ms. McKown stated that they do not have other water options available and being that this is the 4<sup>th</sup> year of a record breaking drought this development further threatens their water source. Ms. McKown said that she opposes the rezoning because 66 homes will not sustain the rural character of the community. She stated that she could support the continuation of the 1 acre zoning currently in place. She asked the commission to vote against rezoning the property and ask the developers to address the groundwater concerns before moving forward.

John Martin, 354 Zachary Drive, Vacaville, stated that he became aware of this project through various agencies. He said that it is disappointing that this could reach the level where the commission is considering it and that someone needs to protect the rights of the people who whom have chosen a place to live and raise their families away from city living. It should not be all about the people who have a vision of making more money for a piece of land. Mr. Martin asked that the commission vote no and keep the property at the 1 acre minimum.

John Nelson, 68 Willotta Drive, Fairfield, stated that it does not seem to make sense for a housing development of this size in this area. He said that some years back Solano County had talked about wanting to attract visitors by creating small hubs such as the Iwama Market which sits across from Willotta Drive. He said by placing 66 homes in the area would be the beginning of the destruction of that idea. Mr. Nelson said the valley should be treated like the jewel that it is and in keeping with the agricultural nature.

Larry Welch, 2266 Rockville Road, Fairfield, spoke in opposition to the project. He said that this development project will destroy the jewel that is the valley.

Roy Pearson, 4167 Oakwood Drive, Fairfield, spoke to the inevitable increase in traffic. He said this is a terrible project and the increase from 33 to 66 homes is retribution by the developer because he chose to rally for an entrance on Rockville Road at the time the EIR was before the commission. He said that this is a rural community and should remain that way. He said the proposed sound wall will be unsightly and the developer is not doing anything to benefit the residents who reside on Oakwood Drive, Suisun Valley Road or Rockville Road.

Art Denio, 2458 Rockville Road, Fairfield, stated that he supports keeping Rockville rural. He said that he bought his property with family in mind and enjoys the rural environment and the wildlife that roams the area. He noted that this project is close to Rockville Park and there are many cyclists who ride in the area and the increased traffic can become a safety issue. Mr. Denio spoke about the culvert on his property. He said that when it rains water drains from the hill across Rockville Road where it becomes a swampy mess which attracts mosquitos and frogs and other wildlife that are not healthy. Mr. Denio said that in reading through the summary of the report he realized that there are some serious mitigation issues with regard to water and drainage and the threat to groundwater is an important concern.

Robert Valdez, 248 Plantation Way, Vacaville, spoke about loss of cultural resources and possible and potential significant loss of wildlife within and outside the project area. He stated

that he is concerned with the potential impacts on habitat. He said this area contains significant Native American burial sites and the county is losing this resource because of all of the cumulative development. Mr. Valdez said that the community will endure a tremendous loss if this project is approved. He said the corridors need to be kept open for bird and wildlife species.

Trudy Weins, 4121 Oakwood Drive, Fairfield, spoke to her past experience with construction in the area and how she was negatively impacted. She voiced her concerns regarding potential impacts to groundwater, drainage, and sewer. She felt that the rural nature of the area should be maintained. Ms. Weins commented on the aesthetics of the proposed brick wall saying that it would be unsightly. She said that this area is home to Native American burial grounds and that it is disrespectful to disrupt that. Ms. Weins said that there are other locations that are better suited for this development.

Teri Luchini, 2140 Rockville Road, Fairfield, stated that she has a working knowledge and understanding of the local watershed, wildlife and public usage at Rockville Park. She commented that late in the season the project site is still inundated with standing water and it remains until midsummer. She said the 10 acre meadow next to Mr. Pearson's residence is not passible until June or July, and there is already an existing problem with flooding on Mr. Pearson's property. The overreaching concern with the water is if the project is actually constructed what will happen to the water table in that area. Ms. Luchini stated that the area residents are dependent upon wells and it is a huge concern. She said the cliffs above the project site are nesting habitat for various birds of prey and the light pollution from the proposed project site will be a significant impact to those animals. She said other small mammals and predators are dependent on those corridors as well as the open areas for rearing and feeding, so the meadow has habitat value and the loss of that meadow would be a significant impact to local wildlife. She said that traffic is also a huge concern. The entrance/exit onto Rockville Road has blind corners on both sides. The amount of traffic and cyclists that utilize that road is significant. The speed limit is exceeded significantly by motorists that are coming from Green Valley using Rockville Road to travel into town or over to Suisun Valley Road. Ms. Luchini asked the commission to make the right decision and not allow the development to occur as it is currently being proposed.

A motion was made by Commissioner Cayler and Seconded by Commissioner Hollingsworth to continue this matter to October 1, 2015. The motion passed unanimously.

### 3. **ANNOUNCEMENTS and REPORTS**

Mike Yankovich welcomed Ramon Castellblanch to the Planning Commission who will be representing District 2.

4. Since there was no further business, the meeting was **adjourned**.



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## Agenda Submittal

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<b>Agenda #:</b>	2	<b>Status:</b>	PC Minutes
<b>Type:</b>	PC-Document	<b>Department:</b>	Planning Commission
<b>File #:</b>	PC 15-034	<b>Contact:</b>	Kristine Letterman
<b>Agenda date:</b>	11/5/2015	<b>Final action:</b>	
<b>Title:</b>	October 1, 2015 PC Minutes		

**Governing body:** Planning Commission

**District:**

**Attachments:** [minutes](#)

Date	Ver.	Action By	Action	Result
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# ***MINUTES OF THE SOLANO COUNTY PLANNING COMMISSION***

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## **Meeting of October 1, 2015**

The regular meeting of the Solano County Planning Commission was called to order at 7:00 p.m. in the Board of Supervisors' Chambers, Fairfield, California.

PRESENT: Commissioners Cayler, Walker, Hollingsworth, Castellblach, and Chairperson Rhoads-Poston

EXCUSED: None

STAFF PRESENT: Bill Emlen, Director; Mike Yankovich, Planning Program Manager; Jim Laughlin, Deputy County Counsel; Matt Tuggle, Engineering Manager; and Kristine Letterman, Planning Commission Clerk

### Approval of the Agenda

The Agenda was approved with no additions or deletions.

### Approval of the Minutes

There were no minutes for approval.

### Items from the Public:

There was no one from the public wishing to speak.

1. **PUBLIC HEARING** to consider Lot Line Adjustment Application No. LLA-15-05 and Certificate of Compliance No. CC-15-07 of **Marcus Mager** to reconfigure interior property lines between three adjacent parcels under common ownership. The property is zoned Exclusive Agriculture "A-20" and entered into an active land conservation contract, Williamson Act Contract No. 73. The property is located off Cantelow Road, 1.5 miles northwest of the City of Vacaville; APNs 0105-100-040, 12, and 13. Lot line adjustments are ministerial projects, and therefore are not held to the provisions and requirements of CEQA per CEQA Section 21080 (b)(1).

Eric Wilberg briefly reviewed staff's written report. The report stated that the result of the lot line adjustment would better align parcel boundaries with an existing private roadway that traverses the site in a south-north direction. In addition, the parcels are entered into an active Williamson Act Contract, therefore requiring action to be taken by the planning commission.

Commissioner Castellblanch asked for a clarification regarding the CEQA statement that the project is ministerial in nature, and also inquired about the purpose of the lot line adjustment.

Mr. Wilberg explained that the statement means the project does not need further environmental review or the need to go through an initial study process. He said the purpose for the adjustment is to clean up the alignment of the existing roadway because it does not follow the parcel lines as they are currently configured, and it would make each lot more agriculturally viable.

Since there were no further questions, Chairperson Rhoads-Poston opened the public hearing. There were no speakers either for or against this matter therefore the public hearing was closed.

A motion was made by Commissioner Walker and seconded by Commissioner Cayler to adopt the resolution with respect to the mandatory and suggested findings, and approve Lot Line Adjustment Application No. LLA-15-05 subject to the recommended conditions of approval. The motion passed unanimously. (Resolution No. 4628)

2. **PUBLIC HEARING** to consider a continued public hearing to consider the **Woodcreek66 project** which would permit 66 residential lots on 33 acres of land southwest of the intersection of Rockville Road and Suisun Valley Road. The project includes consideration of a Final Environmental Impact Report, a Rezoning Petition (Z-11-01) to rezone 33 acres from R-TC-1AC to R-TC-10, with a Policy Plan Overlay District (PP-11-01) and a 66 lot Major Subdivision Application (No. S-11-01) (Project Planner: Jim Leland)

Matthew Gerken, Consultant, AECOM, provided the commission with an outline on the project's CEQA review. His presentation highlighted the findings of the environmental documentation including the project description, what environmental review is required, the type of environmental analysis, alternatives to the project, and the public review period.

Commissioner Hollingsworth referred to the EIR's 60-day public review period. He stated that as late as this afternoon the commission received additional information and he questioned if changes can be made at this point.

Jim Laughlin, Deputy County Counsel, stated that the information provided to the commission were not changes to the EIR, they were changes to the proposed CEQA Findings. They are the county's response to the information contained in the EIR. He did note that the EIR is not technically final until it is certified by the Board of Supervisors. He said that it is still a document that is open to some change and revision although once certified the language is locked into place and becomes the official county document.

Commissioner Hollingsworth stated that if changes are made then those changes should go back through public review.

Mr. Laughlin stated that the public review period provides the public a chance to review the document to see whether they have questions or corrections or to point out mistakes; they are in a sense the editors of the document. Once the public review period closes the consultant goes back and makes appropriate revisions based on the public's comments and then the document moves forward for agency action.

Commissioner Castellblanch spoke on the subject of human remains. He believed the Native American population of Solano County 200 years ago was heavily concentrated in the area where this project will be located.

Mr. Gerken said that staff was aware of that issue from the beginning of this process and certain extraordinary measures were included such as having the representatives of the potentially affected Native American community walk the site with the project archeologists, and be present

when trenching took place on the site to provide direction and supervision. He noted that no remains were discovered. The tribe who participated was the Yocha Dehe Wintum Nation. Mr. Gerken commented that this is somewhat unusual to do prior to approving a development project like this but they determined that based on the area's sensitivity it would be appropriate in this instance.

Commissioner Castellblanch asked if the Wintum Tribe have come to the conclusion that this is not a concern or that the mitigating measures being put into place are satisfactory.

Mr. Leland stated that the only reason this is still an impact is because the entire site has not been trenched. Only nine different locations were sampled so there is a chance that something could be found during the construction of the project. He said that there are mitigation measures that would take affect if something is found, construction would stop and allow for the Native American community representatives to determine what should be done with the remains.

Commissioner Castellblanch inquired about the flood issue. Mr. Gerken stated that flooding is addressed in the EIR as it relates to the drainage improvements that are required for the project. In this case the drainage requirements address stormwater runoff, but there are also benefits for the surrounding area relative to existing drainage conditions on the site. He said one important aspect is the 100 year flood, but there are also other flood events that dictate the county stormwater drainage criteria.

Commissioner Castellblanch wanted to know if the area is affected by liquefaction. Mr. Gerken said that this is part of the analysis in the EIR. He said that it is also addressed by requirements of the building code that take into account different measures that have to be used with many different soil and geologic constraints. He said the initial study dealt with all soil and geologic constraints except landslide risk. He noted that at the time they were preparing the initial study, they were not confident about what they could say regarding landslide risk so that was included as a section in the EIR, but the other soils and geologic constraints were dealt with in the initial study including liquefaction.

Mr. Laughlin spoke briefly with regard to a couple of legal issues that the commission are likely to hear by giving them a frame of reference for considering the issues when raised; the first being general plan issues. He spoke of the two general plans that may be discussed which are the county's general plan and the City of Fairfield's general plan. He addressed the ordinance known as Measure T and how it relates in this proceeding. He said that page 4 of that document refers to Land Use Policy No. 2 and that policy begins with a statement that is a cornerstone principle of the county's general plan. It states how the county is going to implement that principle by protecting certain land use designations in the general plan.

Mr. Laughlin referred to the letter distributed to the commission by the attorneys Shute, Mihaley, and Weinberger and how it related to Measure T. Mr. Laughlin stated that the project site and the surrounding area are not designated agriculture in the county's general plan. They have been designated for suburban residential development since 1980 or longer. He explained that the purpose of the traditional community residential land use designation in the general plan is to recognize that the county has several existing suburban communities in the unincorporated area and that all of these communities have some room for infill development. The designation is to both recognize what already exists and to allow infill development within the vacant parcels



inside those designated areas. When looking at general plan consistency for this project the rule is to look at consistency with the overall general plan. It may not be in full alignment with a particular policy in the general plan, but the general plan needs to be viewed as a whole and decide whether the project meets the overall intent of the overall general plan.

Mr. Laughlin stated that the other general plan issue that may be brought up is City of Fairfield Measure L which is a part of the city's general plan. Because it is a part of their plan, it does not apply to SID or the Fairfield-Suisun sewer district; those two entities are independent special districts that are not bound by the city's general plan arguments that Measure L would prevent the city from entering into a water treatment agreement discussed for this project. He stated that it is somewhat of an open question and is a question that the city will need to address when they consider the agreement. The county can offer an opinion but cannot make a final decision on whether the city has the ability to enter into that agreement. Mr. Laughlin stated that he prepared a memo that is included in the EIR that goes deeper into the issue with a lot more detail. He said the purpose of the memo is in response to a California Supreme Court case known as the Vineyard case. In order to address this, Mr. Laughlin stated that Condition 5 was revised to add language that it is clear that there is no impact on the environment until the water and sewer issues are firmly resolved.

Mr. Laughlin stated that Shute, Mihaley and Weinberger also asked that the county condition the proposed zoning amendment and add a condition that the zoning does not become effective until the agreements are signed. Mr. Laughlin stated that he strongly recommends against doing that. He explained that every law has both an effective date and an operative date. He said that the attorney has asked for the county to make it non-operative until these agreements are signed by the city, sewer district and SID. Mr. Laughlin said that the county cannot do that because they cannot give up their legislative power to control when statutes or ordinances become effective. He said if the county was to put such a provision in their local ordinance that would mean the City of Fairfield, the sewer district, or SID would have power to decide when the county's ordinances become operative.

Commissioner Castellblanch referred to Measure L and stated that the language seems specific to say that the City of Fairfield cannot supply water or sewage services outside of city limits if it is for urban development. He referred to the past court decision and asked why the county would approve something if it is going to get hung up in court later. He said that it seems to be a waste of county resources. Mr. Castellblanch referred to the revision of Condition No. 5 and said that it appears to be an effort to get around the Measure L issue, but then it was explained that the county cannot make a decision contingent on what the city does because then they are letting the city govern the county. He said he was not clear how revising Condition No. 5 fixes the problem.

Mr. Laughlin stated that the court decision mentioned is a lawsuit that was filed against the county by property owners on a different project. The city was not involved in that lawsuit, so the judge was very careful about his wording and said he was not deciding whether Measure L prevents the city from entering into whatever they were going to do in that case. In that case the judge thought it was uncertain how water would be provided to the project site, it may not get fully developed and so he ordered that the county look at an alternative water source. Mr. Laughlin explained that in this project, staff added the condition that there will be no environmental impact if the city water source does not come about. If there is an inability of the

city to provide service, either because they legally cannot or politically decide not to, this project will not go forward and there will be no impact on the environment.

Also in response to Commissioner Castellblanch, Mr. Laughlin said that it makes the developer, not the county, dependent on the city's decision. The county can approve the project but there are a lot of unforeseen things that the county does not have control over such as the developer may not get financing for the project and for that reason it may not move forward. In these situations where the county is acting as a lead agency and there are various responsible agencies that will act after the county does, the county does not have control over what those responsible agencies do.

Commissioner Hollingsworth pointed out that he spent a lot of time reading through Measure T. He stated that 70 percent of the voters in Solano County agreed that the measure readopts the Orderly Growth Initiative current city center development policy of relocating residential growth in the county's seven cities and not in the unincorporated areas.

Jim Leland provided a brief description of the project and depicted the location of the area by way of PowerPoint presentation. He stated that staff is recommending approval of the project including that the commission recommend to the Board of Supervisors that they find the FEIR adequate and certify it, adopt the CEQA findings, approve the ordinance to rezone the property, approve the proposed policy plan overlay, and adopt the resolution approving the tentative subdivision map.

Commissioner Hollingsworth asked if the sewer and water line that runs from the college to the project site will also be available to the residents who live on either side of that road.

Mr. Leland stated that some of the landowners on Suisun Valley Road already have sanitary services from the district. There is an existing agreement between the county and the sanitary district to provide sewer service to those homes under the process where a public health hazard was identified. He stated that this is the agreement that will be proposed for modification should the Board approve this project, in order to provide sanitary sewer to the Woodcreek subdivision. At that time the consideration for other properties who meet the public health test can be brought forward. Mr. Leland said that it is not an obligation of Woodcreek to either bring those properties in nor preclude them from coming in. That will be something the county will examine as they work with Woodcreek to put together the proposal for the amendment to the sanitary sewer agreement and proposal for water service.

Mr. Leland said Woodcreek will be asked to provide stub-outs for water toward Oakwood Drive and toward the pocket of lots on the north side of Woodcreek that have access off Rockville Road between Woodcreek and the commercial development at the corner. Mr. Leland presumed lot owners along Suisun Valley Road will be able to talk to SID and inquire under what conditions they could ask for domestic water since the water main will be running up Suisun Valley Road.

In response to Commissioner Castellblanch's inquiry with regard to the financial district, Mr. Laughlin stated that some of the costs that will need to be paid in connection with this project are infrastructure, and at some point in time that will require maintenance, repair, and possibly replacement. He commented that there is a state law provision that says the county can provide

sewer service in the unincorporated county, however the cost of providing that service need to be paid by those who are receiving the service. The sewer district for various reasons cannot expand their territory to include this project area however they can take the sewage that is produced by this project and treat it, but the sewer pipes themselves serving this project will be a piece of county infrastructure. The county will be responsible for maintaining that infrastructure in the future so that is one of the main purposes of the financial district to accumulate a fund that the county can afford to pay for these sewer improvements in the years to come. It will also pay for other things like the public landscaping and other pieces of public infrastructure that will impose costs on the county over the years. It will be to collect enough money from this project to pay for those costs that are generated by the project area.

Commissioner Castellblanch inquired about funding for social services and recreational services such as parks. Mike Yankovich stated that Rockville Regional Park is located up the street on Rockville Road and provides recreational activities for the surrounding residents. Commissioner Castellblanch commented that Rockville Road is not a favorable road for taking a walk on especially with children. He inquired if there is public transit in that area. Mr. Yankovich responded that there is no public transportation available. He mentioned that the community college is located down the street as well as other open areas relatively close to the proposed development.

Commissioner Castellblanch spoke about his experience in getting a community center built in the City of Benicia where he lives. He asked if this neighborhood would have something similar for its residents. Mr. Yankovich said that a portion of the development fees will go toward a capital improvement fund which helps pay for such structures. He noted that specifically speaking there is no community center planned for this area, but county facilities are provided for as part of the capital improvement fee.

Commissioner Castellblanch asked about retail services in the area. Mr. Yankovich stated that there are some shops at the northwest corner of Suisun Valley and Rockville Road including a restaurant. He said a larger shopping center exists further down the road in the City of Fairfield.

Jim Grassi appeared before the commission and spoke on behalf of the applicant. He depicted the project site on the area map and stated that he has been involved with this development for the past 13 years. He said the project has a general plan land use designation of 4 units per acre and they are proposing 66 lots. He said that the developer is proposing to bring sewer and water service to the Oakwood Drive area and are working with SID to try to resolve some of the issues. The applicant has done extensive flood and hydrology studies and runoff filtration studies to solve some of the localized problems. A 100 year flood plain was well studied and a hydrology study for existing and proposed conditions to a 10 year storm, as required by the county ordinance. Mr. Grassi noted that in 1980 this property had a designation of 2 to 7 units to the acre which would allow 231 units; in 2002 it was 148 units; and from 2008 until current it is 132 units. He said that they have done a number of other studies such as hydraulics, traffic, cultural and archeological.

With regard to archeological studies, Mr. Grassi stated that recently SID replaced the young lateral which is along the north end of the property. They did archeological reconnaissance and had tribal observers on the property when they dug the area and no human remains were found. Also done were a rock fall and landslide analysis, soils and geotechnical report, and a water

supply assessment that is required by the State and was approved by the SID Board of Directors. Mr. Grassi further depicted on the area map the proposed unit sites, the vineyards, park areas, and utility locations. He spoke about storm drainage and said that they are proposing to put a new culvert under Oakwood Drive and a channel that ties into the SID channel to reroute the flood flow that comes down Oakwood.

With regard to the conditions of approval, Mr. Grassi stated that if the developer opts to go with a homeowner's association (HOA), Section 12 prohibits second dwelling units. They would like to amend that language because they plan on putting in second units due to the large lot sizes. Mr. Grassi also referred to Section 62 and the requirement for 5 foot sidewalks along the smaller streets. He stated that they had not planned on that and wanted to see less concrete in those three cul-de-sacs. He noted that they are going to put a path all the way through the project and are already widening the streets to allow for parking and traffic.

Commissioner Castellblanch said that it appears this is going to be similar to that of a gated community because it seems a bit closed off to the neighbors. Mr. Grassi said that there are no gates on either end of the project. He said that when the developer went through this process three years ago for a smaller project, it was proposed to put a street off of Oakwood Drive but due to neighborhood opposition the street was removed from the plan. Mr. Grassi stated that they are going to widen that area based on the request from county staff so that the development does not have an enclosed look.

Commissioner Castellblanch wanted to know who would be managing the proposed vineyard. Mr. Grassi said that they are still working on that piece but have contacted a reputable vineyard manager and are currently working with them. He said that they have been in discussions with staff because they have the same concern about the standards of performance over the long term, and are looking into the possibility of making the vineyard use subject to a use permit so that the county has control over the operation. He said that they have not worked through how exactly ownership will be handled, whether through a homeowners association or finance district, but it would be a part of the final map process.

Commissioner Castellblanch asked if the grapes will be sold for wine or would be for aesthetic purposes. Mr. Grassi responded that it will be a commercial operation and will consist of 5 acres of vineyards. He said that the vineyards are a major focus of this project and numerous lots will back up to the vineyard with open wire fencing so as to be part of the aesthetics of the project.

Commissioner Castellblanch inquired about affordability of the homes. Mr. Grassi commented that they have been working on this project for many years and not knowing when the project would be built they would not be able to estimate the price of the homes. Mr. Grassi said they believe it will be a viable project with a reasonable cost but the improvements will not be cheap because they will include county, development, sewer connection, and water fees.

Commissioner Walker said that he believed that it would be safe to assume that insofar as affordability and prices, these homes would most likely be in the above moderate income category which is defined at 120% or beyond the average median income. Mr. Grassi agreed that that was probably an accurate statement.

Since there were no further questions or presentations, Chairperson Rhoads-Poston opened the public hearing.

Bruce Gross, 2215 Rockville Road, Fairfield, stated that he is a longtime area resident. He said this project is proposed to be built right across the street from his home. He spoke to his experience with traffic on Rockville Road, the excessive speed of motorists, and the near misses he has experienced when exiting his driveway. He said the traffic on Suisun Valley Road is horrific as well. Mr. Gross stated that Rockville Road is dangerous for bicyclists. He noted that a lot of the open space areas mentioned by county staff is private property and not accessible to the public, such as the case with the proposed vineyards. Mr. Gross noted that there are already an inadequate number of law enforcement officers available to patrol the area so response times will be even slower.

Frank Ascariz, 4091 Suisun Valley Road, Fairfield, said that his property is nearest to the proposed development. He said that he has a beautiful view from his backyard and with this project that view will vanish. He stated that he also purchased the property next door to his residence with the intention of building a home and spoke of his experience with county requirements and having to build a retention pond on the plot. He said the size of the pond was extremely large and yet it was not adequate enough for him to build his home. He questioned the small size of the proposed retention ponds required for the project and did not believe they would be adequate.

Michael McKown, 4147 Oakwood Drive, Fairfield, stated that when he read the general plan it said that development was not to change the nature of the community. He commented that if 66 homes are going to be built that will be a significant change and negatively impact the community. Mr. McKown spoke to the issue of water and said that because of the way the water approaches, during a wet season, water percolates up out of the ground so no matter what is used to try and divert it, there will still be a buildup of water. He said that the way he reads the state law it says the Fairfield-Suisun sewer district is not to service homes outside their boundaries except in a bonafide public emergency. He did not understand how this law can just be ignored.

David Martin, 4064 Suisun Valley Road, Fairfield, stated that just because we have the right to do something does not mean that it is the right thing to do, and in this case it is not the right thing to do. He said that he opposes the rezoning request. He asked the commission to focus on the history of the development. He said there was considerable opposition to the original application, the Board approved the project for a 33 home subdivision on the site and the project was subsequently abandoned by the applicant and the entitlements were surrendered. Mr. Martin speculated that the developer abandoned the project because it was obvious that the conclusion was since the housing market collapsed it was not a good time to proceed, however now that the housing market has substantially improved the applicant is no longer satisfied with 33 homes. Mr. Martin said that the project has doubled in size and is not a good fit for the area. He stated that this is an economic situation to the developer but to the people who live in the area it is a lifetime situation.

Larry Welch, 2266 Rockville Road, Fairfield, spoke with regard to safety. He said the Putah Creek south canal runs underneath the proposed project. He said to allow 66 homes to be built around this canal which is subject to earthquake would be disastrous if the canal should break.

Luke Sortor, 4105 Oakwood Drive, Fairfield, said that he and his wife left the Bay Area to get away from the urban lifestyle. They found a home on Oakwood Drive and fell in love with the property because of the natural beauty surrounding it. Mr. Sortor said that one of his main concerns is with the wall that is going to be built that will essentially block their home. He said that when he looks out into his front yard he has a view of a pasture with horses and cows and with this development he will be gazing at a wall and that is something that is very hard for him to accept. He said there are no sidewalks in the area for which to stroll, and the commercial center consists of a gas station, two small restaurants and a couple of mom/pop stores. He did not consider this much of a commercial center. Mr. Sortor commented that there is a lot of wildlife in the area and the animals use the project site as a thoroughfare to come and go from the park. He said if the county continues on developing these types of areas there will not be anything left and once it is done, it cannot be undone.

Jerry Moore, 4129 Oakwood, Fairfield, said that it appears that a lot of work has gone into designing these plans and they look good, but this is not the place for this project. He stated that water is an issue. He commented that the proposed project needs water, Green Valley needs water, and the housing development the City of Fairfield is building in the area needs water. Mr. Moore stated that farmers have to give up some of their water for these projects.

Judy Barone, 4113 Oakwood Drive, Fairfield, stated that she is a longtime resident. She said that her backyard is adjacent to Rockville Park. She commented that over the many years she has lived on the property she has encountered different kinds of wildlife. Ms. Barone said that she has received a number of mailings from the county over the years and recited a quote from one of those mailings by stating, "...normal and necessary aspect of living in a county with a strong rural character and a healthy agricultural sector...". She said that she took that to mean if one chooses to live in the county's unincorporated area, agriculture is a part of that lifestyle and it is to live in unison with nature. Ms. Barone also noted that there are flooding problems in the area every time it rains.

Roy Pearson, Oakwood Drive, Fairfield, stated that he has been living in the area for almost 50 years. He said that this is a rural area and the county is trying to make it an urban area. He said that no one has mentioned that SID water runs right through the subject property and at one time that property was a lake. He questioned the size of the pipe that runs from the top of the hill through that property and into the SID culvert. Mr. Pearson stated that a rupture to that pipe, possibly by an earthquake will cause incredible flooding and that the county has not addressed that aspect. Mr. Pearson stated that the Woodcreek developer is an unfriendly neighbor and misrepresented the project to area landowners.

Trudy Weins, 4121 Oakwood Drive, Fairfield, stated that it is not right that the developer was allowed 15 minutes to speak on this project, but the neighborhood residents who are affected by the project are only allowed 3 minutes for their testimony. Ms. Weins stated that no one has addressed the fact that there is a medical marijuana dispensary located right down the road from this subdivision. She commented about the sketchy clientele who patronize the dispensary and worried for the children in the area. Ms. Weins agreed to the fact that water is an important issue.

Jim Weins, 4121 Oakwood Drive, Fairfield, spoke about the comment made at the beginning of this meeting that changes were made to the EIR report. He stated that if the commission had an

issue with changes being made at such a late date, then the report is not complete. Mr. Weins spoke to aesthetics stating that diminished value of the views is what is going to happen.

John Silva, 4089 Oakwood Drive, Fairfield, stated that the Tower Mart gas station at Rockville Corners was enlarged several years ago and when that project was excavated by Solano Archeological Services they found numerous human remains. He noted that the Tower Mart is located approximately 100 feet from the Woodcreek site. Mr. Silva commented that the subject of overcrowding of schools has not been addressed. He said the residents of the Woodcreek subdivision would be located within the Nelda Mundy school district and that school is at full capacity. Mr. Silva stated that the county's general plan represents the sentiment of the entire county and the county operates from that plan. He stated that public sentiment has been expressed and the voters have spoken in the way of Measure C, Measure E, Measure L, Measure N, and Measure T. Those measures all limit what can be done around urban limit lines. Those are fixed policies and cannot be changed without voter approval yet the developer is asking for an exception.

Lawrence Herzig, 4094 Oakwood Drive, Fairfield, said that one thing not mentioned is the value of Rockville Park. He said that Rockville Park is the most premiere park in the area. It is open 7 days a week and brings people to Solano County. He said this project in combination with the Green Valley special project occurring on the other side of the park will prohibit the view of a sunrise or sunset from the park. Mr. Herzig read from a publication entitled Solano Living where it stated that Solano County residents retain a rural feel. A voter passed law funnels most of the growth into the county's seven cities. Fairfield has established open space buffers between Vacaville, north and south Benicia and Vallejo. He said it also spoke to the open space such as Rockville Park. Mr. Herzig said that the county's rural areas also provide places for recreation where people can boat and fish in local sloughs, hunt in the Suisun Marsh, and hike Lynch Canyon, Rockville Hills and Lagoon Valley Park. He said that Rockville Park is the jewel of the area.

Duane Kromm, 827 Coventry Lane, Fairfield, spoke on behalf of the Solano County Orderly Growth Committee. He spoke of the committee's accomplishments whereas the committee wrote and passed Proposition A in 1984; wrote and passed the Orderly Growth Initiative Renewal in 1994; and were heavily engaged in the update of the County's General Plan in 2008. He provided the commission, through county staff, with a copy of Measure T which was part of a Tolling Agreement that the Orderly Growth Committee entered into with the county to make sure that the protections of the Orderly Growth Initiative were enforced when the general plan was renewed. Mr. Kromm noted that the Committee also wrote Measure L.

Mr. Kromm stated that what the commission is being asked to do is to put an urban development in Solano County. He said that it violates both the precepts of Measure T and directly violates the provisions of Measure L. With regard to Measure T, Mr. Kromm directed the commission to page 3 where there are 13 bullet points listing the principles of the General Plan of Solano County. He said that 6 of those bullet points are directly opposed to what the commission is being asked to do for Woodcreek66. He stated that there is not one bullet point that says a project like Woodcreek66 is consistent with the county's general plan. He stated that this is what the voters approved for Solano County; non-urban development in the county. Mr. Kromm explained that the courts have already come close to ruling on Measure L. Twice the Solano County Superior Court has taken a look at the Middle Green Valley project that expects

to get water in the exact same fashion that is being proposed for Woodcreek66, and the court said that we have not been asked to rule on the constitutionality, but however the very existence of this measure and its clear restriction against providing basic municipal services beyond city boundaries without voter approval creates significant legal uncertainty as to whether the city can directly or even indirectly supply water to the subject project. Mr. Kromm stated that the recommended language to be included as conditions of approval is abundantly clear this project has to go through the City of Fairfield, through LAFCO, SID, and the Fairfield/Suisun Sewer Treatment District. He urged the commission to recognize that these requirements are necessary.

Esther Pryor, 4089 Oakwood Drive, Fairfield, pointed out that not one speaker other than the developer has supported the acceptance of the Woodcreek project. She noted that she is a small business owner of a bike shop on Rockville Road and also a recreational cyclist. She stated that Suisun Valley and Green Valley Roads are cycling destinations. She believed that the Woodcreek project EIR does not adequately address the issue of traffic and in particular how the increase in traffic is going to impact bicycle safety. She said Suisun Valley Road is a highly used corridor for road biking. She noted that the issue of bicycle safety begins at the end of the city limits across from the college up to Rockville Road, during that stretch there are no shoulders on either side of the road and there are large trucks and recreational vehicles that travel that road regularly. Ms. Pryor stated that the Woodcreek proposal indicates there is going to be an entrance into the development at that point so that is going to increase the number of cars on the road and increase the risk to bicyclists. She noted that Rockville Road is another favorite cycling corridor and is a route that mountain bikers use to access the park. She said the road has a shoulder on each side however the speed limit poses great safety risk, and the proposed entrance along that stretch of road will also cause further problems.

Linda Ellis, 4157 Oakwood Drive, Fairfield, clarified some comments that were made by the applicant in reference to the previous development and opposition because of the plan to have access onto Oakwood Drive. She said the reason for most of that opposition was because there would be no improvements made to Oakwood Drive which is a one lane road. Ms. Ellis said that as a resident on Oakwood Drive she did not want to look out her front door and see a fence. The way it is planned the developer is boxing in the residents who live on that road. Ms. Ellis stated that in the case of an emergency there is only one way into and out of the Oakwood subdivision. She spoke with regard to the SID canal saying that it is a federally protected waterway and if there were to be an earthquake those homes would be devastated.

John Nelson, 68 Willotta Drive, Suisun Valley, stated that his property is located in a flood zone and his property is level with where the development is going to be built. He said the drainage from the development will be flowing into Dan Wilson creek which is 12 feet from his back fence. He said that he has seen the water come up out of the creek and come close to his yard. In reference to the drainage outlets in the neighborhood he said the water comes up out of the drain, it does not go down. He spoke about traffic saying that Willotta Drive is a horseshoe shape road which comes off of Rockville Road. Mr. Nelson said that this area is a county speed trap and there have been numerous occasions when he has been almost broadsided when driving out of his neighborhood. Mr. Nelson spoke of the wildlife that roams the area and how those animals will be negatively impacted. He also spoke to understaffing in the Sheriff's department how adding new residents to the area will reduce emergency response times.



David Marianno, 3915 Denver Road, Suisun, stated he is a lifetime resident of the area and a member of the Orderly Growth Committee. He stated that he was appearing before the commission in support of the residents of Rockville. Mr. Marianno did not believe that the Woodcreek project was a fit for the area. He said that it is a political ploy by the county to go into urban development from pressures from property owners and this is one of the locations, the next will be Middle Green Valley which right now has been developed quite a bit. Mr. Marianno voiced his concern about infrastructure and spoke of the two schools in the area, Suisun Valley and Nelda Mundy, and how the school district does not provide bussing for those children.

Vince Guisande, 2148 Rockville, Road, Fairfield, said that he is a 5 year resident of the area. He grew up in San Francisco but has lived in Fairfield for the past 40 years. He stated that he moved here to this area because it is rural and the proposed development will impact the neighborhood in a negative way. Mr. Guisande stated that safety is a huge concern with regard to cyclists and increased speeds on the road. He stated that quality of life is very important and this project is a threat to his quality of life.

John Alfiers, 4151 Oakwood Drive, Fairfield, stated that this discussion has been about the EIR and how the project will impact the environment, but he suggested looking at how the environment is going to impact the project. Mr. Alfiers noted that this area sits directly on the Green Valley Fault and is a serious safety issue. He stated that he wanted to make sure the commission was aware of the location of the fault and warned that there could be serious consequences in the future. Mr. Alfiers noted that when it rains ponds develop on the land where the project is proposed for development.

Since there were no further speakers, Chairperson Rhoads-Poston closed the public hearing.

Commissioner Castellblanch asked staff to comment on the Statement of Overriding Considerations to help explain the thinking with regard to the environmental, social and economic issues. Mr. Laughlin spoke to the financial aspect saying that a study has not been done on whether the county would be ahead or behind financially because of this project. On the specific issue about the sewer infrastructure and the landscaping infrastructure costs, there will be some type of finance, assessment, or tax district that will make sure the county does not lose money because of those features, but as far as the overall county costs such as sheriff, library, courts, etc., the county has not engaged in that level of study. A public facilities fee is imposed on all new development throughout the county that helps offset those costs.

Chairperson Rhoads-Poston asked about the drainage into the Dan Wilson creek, stating that it was her understanding after reading many of the reports that some of the drainage is going to be improved.

Mr. Leland explained that projects of this scale and magnitude are approved in a sequence of approvals that move from conceptual and general, toward very specific. He stated that drainage was looked at in a conceptual way at this level of review. There was an area wide drainage study done by the applicant's engineer and whatever exists now in the undeveloped state cannot be made worse by the development. That is why there are retention basins and other conveyance means to help moderate the flow of stormwater so it does not increase from what is natural. The developer has also volunteered to examine some of the conditions where the drainage conveyances that currently exist in the neighborhood do not work well and where they

might be able to improve it while they are constructing their subdivision. There is some drainage along the northern boundary of Woodcreek on other property that is problematic and they may be able to address this when they develop their final engineered drainage plans. Those plans would be developed at a later date only if the Board approves the subdivision. Mr. Leland stated that the subdivision is approved in two stages; tentative and final. If the Board approves this project the developer would then start to create improvement plans that would be very detailed and would have to accommodate for potential flooding and identify what mitigation measures will be incorporated.

Mr. Leland mentioned the inconsistency in some documents about second units and wanted to make it clear that the policy plan overlay that the applicant is seeking allows for second units. He asked the commission to direct staff to fix the inconsistency by removing the ban on second units that is embedded in the HOA language.

Commissioner Walker asked if it were correct that within the zoning districts in the unincorporated territory where residential is allowed that second units are also allowed regardless of the specific name for the zoning district. Mr. Leland stated that all single family and agricultural districts that allow single family homes also allow second units.

Commissioner Walker remarked that the secondary units are often used to accommodate the county's state mandated Housing Needs Assessment and noted the success in the last number of years in reaching those needs by having those secondary units, in most cases, by right.

Commissioner Walker commented that the questions he had with regard to this project had been answered in the large volume of reading materials the commission received for this item. He said that he appreciated staff's commentary and response to the many questions that were received from the public and other agencies. He said that he also appreciated the residents who showed up at the hearing and provided comments. Mr. Walker stated that he supports the concept that what is urban shall be municipal, understanding of course that the county did create six areas with this land use designation, particularly in Rockville, Green Valley, Willotta Oaks, and portions of unincorporated islands within the cities of Vallejo and Fairfield that already have suburbanized development at a higher density than the rural residential areas seen in most of the unincorporated county. He said certainly higher density areas are and should be located within the individual cities because that is where the services are. Mr. Walker said that these areas have already been built bigger than most of the agricultural areas throughout the county so this is where what little development we are going to have in the unincorporated county is going to be located.

A motion was made by Commissioner Walker and seconded by Commissioner Cayler to recommend that the Board of Supervisors certify the Final EIR, adopt the proposed CEQA findings, approve the Tentative Map subject to the recommended conditions of approval and waivers of road improvement standards, adopt an Ordinance rezoning the property from R-TC-1AC to R-TC-10, impose a Policy Plan Overlay District, and include County Counsel's recommendation modifying Condition of Approval No. 5 with respect to the commencement of development as incorporated.

Commissioner Castellblanch thanked Duane Kromm on the enlightenment with respect to Measure T, stating that he found it very convincing. He said that in looking at the bullet points

that were referenced he can see a fair number which call for Solano County to protect the natural environment, health and safety, prevent costly and inefficient extension of urban services, and prevent piecemeal amendments to the county's plan to allow development of agricultural and open space lands. He commented that there have been two public hearings with regard to this project and absolutely no one from the public has come forward to support the proposal. Commissioner Castellblanch stated that he will not be supporting the motion.

Chairperson Rhoads-Poston stated that it is the commission's purpose to decide whether or not this project fits within the scope of the county's general plan. She said this area has been zoned specifically for this kind of development for over 25 years. The fact that the developer has not developed it does not take away his rights to develop. She said that it is a real estate agent's job to inform potential buyers that adjacent land can be developed, just as when moving next to a commercial area, it needs to be disclosed that the property can be developed. Ms. Rhoads-Poston commented with regard to the statement that no one from the public has spoken in support of the project. She said that it has been her experience in attending various public meetings that she finds people do not speak up if the issue does not affect them. She said that this property is an infill property. She noted that she has driven the area and commented that .4 miles down the road is the Oakwood subdivision and .8 miles down the road is the Willotta Oaks subdivision. Ms. Rhoads-Poston said that she too grew up in this area and has also hiked Rockville Park. She said she believed the project is well within the scope of the general plan and of the adjacent subdivisions, and it is in conformity with the proposed lot sizes. She stated that she would be supporting the motion.

The motion passed 3-2 with Commissioners Hollingsworth and Castellblanch dissenting.

3. **ANNOUNCEMENTS and REPORTS**

There were no announcements or reports.

4. Since there was no further business, the meeting was **adjourned**.



**E. Adjacent Zoning and Uses:**

**North:** Dry Farm/Grazing

**South:** Dry Farm/Grazing

**East:** Dry Farm/Grazing

**West:** Dry Farm/Grazing

**ANALYSIS:**

**A. Project Description:**

The applicant, Eric Ian Anderson, proposes to reconfigure interior property lines of two (2) adjacent parcels under common ownership. The purpose of the adjustment is to facilitate the transfer of proposed parcel A. As indicated on the lot line adjustment map, the reconfiguration will result in the following lot sizes:

Parcel A = 160.24 acres

Parcel B = 328.12 acres

*Access*

As shown on the map, both proposed parcels A and B would have frontage along Birds Landing Road. Parcel B would also have frontage along Collinsville Road. Parcels A and B would also continue to utilize existing encroachments onto Birds Landing Road.

*Utilities*

Proposed parcel A has been developed with an existing water well and septic system serving the residence on-site. At such time as residential development occurs on proposed parcel B, a potable water source and private septic system would be required.

**B. Land Use Consistency:**

*General Plan and Zoning*

Figure LU-1 of the Solano County General Plan designates the project site Agriculture. In addition, the entire site is located within the Exclusive Agriculture "A-160" Zoning District. As seen on the General Plan/Zoning Consistency table (Table LU-7, General Plan) the Exclusive Agriculture district is consistent with the Agricultural General Plan designation.

Residential development on-site consists of one 1,500 dwelling and barns and sheds located on parcel A. Both parcels are developed with commercial scale wind turbines operated by EnXco Development Corp. Wind Farm Lease and Waiver of (turbine) Setback Requirements has been recorded on each parcel. The agricultural, residential, and energy production uses of the property, along with the proposed parcel configuration is consistent with the A-160 Zoning District.

**C. Subdivision Ordinance Consistency:**

Each lot has been established as legal lots pursuant to the California Subdivision Map Act and Solano County Subdivision Ordinance. Assessor's Parcel No. 0090-070-310 was created via Grant Deed (1782 O.R. 362) recorded October 16, 1972. APN 0090-090-350 was created via Grant Deed (1782 O.R. 365) recorded October 16, 1972.

**D. Land Conservation Contract Consistency:**

On January 29, 1971 both parcels were entered into land conservation contract, Williamson Act Contract No. 747. The Solano County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts stipulates the procedure for processing lot line adjustments for contracted land, outlines specific findings, and establishes minimum parcel sizes.

The Planning Commission is the hearing authority for this application because the lot line adjustment involves parcels under a single land conservation contract and the adjustment would not alter the outer perimeter of the contract. Replacement contracts are not required.

Generally, parcels that are classified as Nonprime Land are required to maintain a minimum parcel size of 40 acres. Both parcels will continue to exceed the minimum lot size at 160.24 and 328.12 acres. Cattle grazing will remain the primary land use on-site.

#### **FINDINGS:**

**1. The adjustment is consistent with applicable building ordinances and no conforming lot will be made nonconforming with applicable zoning requirements, and the adjustment will not reduce the aggregate area of all affected lots which do not meet the minimum area requirements of their zoning designations, pursuant to Section 66412(d) of the Subdivision Map Act.**

No structures are proposed as part of this application and no conforming lot will be made nonconforming in terms of zoning district development standards or minimum parcel size.

**2. Approval of the lot line adjustment will not create a greater number of parcels than originally existed.**

The lot line adjustment reconfigures two (2) existing legal parcels and will not create any new parcels.

**3. A letter signed by the Solano County Tax Collector, stating that there are no liens against the properties or any part thereof for unpaid State, County, municipal or local taxes or special assessments collected as taxes, except taxes or special assessments not yet payable, and stating that security has been filed with the Clerk of the Board of Supervisors for the estimated taxes which are a lien on the property but not yet payable for taxes and special assessments, and stating that security satisfy the requirements of Section 66493 of the Subdivision Map Act will be provided.**

A signed Tax Collector's Certificate shall be obtained from the Tax Collector. This document shall be included with the Certificate of Compliance at the time of recordation.

#### **WILLIAMSON ACT FINDINGS per GOVERNMENT CODE SECTION 5127(a)**

**4. The new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years.**

The terms of the existing contract will remain unchanged. Active contracts remain in effect for a minimum of ten (10) years.

**5. There is no net decrease in the amount of the acreage restricted. In cases where the parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.**

The amount of land under restricted contract will not change.

- 6. At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.**

The entire acreage under contract will remain the same.

- 7. After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use.**

Parcels that are classified as Nonprime Land are required to maintain a minimum parcel size of 40 acres. At 160.24 and 328.12 acres, proposed parcels A and B will exceed the minimum lot size. Cattle grazing will remain the primary land use on-site.

- 8. The lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.**

The existing agricultural land use will remain unchanged and would not compromise the long-term agricultural productivity of the parcels or other agricultural lands.

- 9. The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.**

The lot line adjustment will not affect adjacent agricultural lands.

- 10. The lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan.**

The lot line adjustment will not create a greater number of developable parcels; there are two (2) existing developable parcels. The property and existing land use is consistent with the general plan.

#### **SUGGESTED FINDINGS**

- 11. The proposed lot line adjustment is a ministerial action and is therefore not subject to the provisions of the California Environmental Quality Act pursuant to CEQA Guidelines Section 21080 (b) (1)].**

#### **CONDITIONS OF APPROVAL:**

1. The lot line adjustment shall be in substantial compliance with the map submitted with lot line adjustment application LLA-15-06, dated July 2015 prepared by Bellecci & Associates, Inc. on file with the Planning Services Division.
2. A Certificate of Compliance demonstrating that the subject lot line has been adjusted according to the State of California Subdivision Map Act and County Subdivision Ordinance regulations, shall be recorded with the Solano County Recorder's Office within one (1) year of the tentative approval by the Zoning Administrator. In order to obtain a Certificate of Compliance from the Planning Division, submittal of additional documents is required. To initiate this step, written legal descriptions of the parcels as adjusted, prepared by a registered land surveyor or civil engineer licensed to survey in the State of California, shall be submitted to the Planning Services Division. Each page of the legal description must be signed and sealed by the professional preparing the descriptions. Upon review and approval of the legal descriptions by the Planning Division, a Certificate of Compliance will be prepared and forwarded by the Planning Services Division to the Title Company/Escrow Officer identified on the Lot line Adjustment application, with instruction to the Title Company/Escrow Officer to prepare new grant deeds reflecting the property boundaries as adjusted.

In order to obtain a Certificate of Compliance package that is ready for recordation, the permittee shall submit the following documents to the Planning Division:

- a) Grant Deed(s) that convey the adjustment area(s) between the parcel owners.
- b) Any conveyance documents that may be required for the relocation and/or extensions of existing utilities and easements.
- c) A statement, certificate, or security indicating there are no liens against the properties for any unpaid taxes or special assessments. Property owners shall work with their representative title company and contact the Solano County Assessor's Mapping Department to initiate the 'Tax Certificate' process. Fees are collected by the Assessor's Office to begin this process.

Once all of the necessary documents have been submitted to the Planning Division, a Certificate of Compliance package will be prepared and transmitted to the applicant's title company with instruction for recordation with the Solano County Recorder, thus finalizing the Lot Line Adjustment process.

**ATTACHMENTS:**

- A - Draft Resolution
- B - Assessor's Parcel Maps
- C - Lot Line Adjustment Map



**SOLANO COUNTY PLANNING COMMISSION  
RESOLUTION NO. XX**

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**WHEREAS**, the Solano County Planning Commission has considered Lot Line Adjustment Application No. LLA-15-06 and Certificate of Compliance No. CC-15-09 of **Eric Ian Anderson** for an adjustment of property boundaries located at 5966 Birds Landing Road in an Exclusive Agriculture "A-160" Zoning District, APN's 0090-070-310 and 0090-090-350, and;

**WHEREAS**, the Commission has reviewed the report of the Department of Resource Management and heard testimony relative to the subject application at the duly noticed public hearing held on November 5, 2015, and;

**WHEREAS**, after due consideration, the Planning Commission has made the following findings in regard to said proposal:

1. **The adjustment is consistent with applicable building ordinances and no conforming lot will be made nonconforming with applicable zoning requirements, and the adjustment will not reduce the aggregate area of all affected lots which do not meet the minimum area requirements of their zoning designations, pursuant to Section 66412(d) of the Subdivision Map Act.**

No structures are proposed as part of this application and no conforming lot will be made nonconforming in terms of zoning district development standards or minimum parcel size.

2. **Approval of the lot line adjustment will not create a greater number of parcels than originally existed.**

The lot line adjustment reconfigures two (2) existing legal parcels and will not create any new parcels.

3. **A letter signed by the Solano County Tax Collector, stating that there are no liens against the properties or any part thereof for unpaid State, County, municipal or local taxes or special assessments collected as taxes, except taxes or special assessments not yet payable, and stating that security has been filed with the Clerk of the Board of Supervisors for the estimated taxes which are a lien on the property but not yet payable for taxes and special assessments, and stating that security satisfy the requirements of Section 66493 of the Subdivision Map Act will be provided.**

A signed Tax Collector's Certificate shall be obtained from the Tax Collector. This document shall be included with the Certificate of Compliance at the time of recordation.

**WILLIAMSON ACT FINDINGS per GOVERNMENT CODE SECTION 5127(a)**

4. **The new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years.**

The terms of the existing contract will remain unchanged. Active contracts remain in effect for a minimum of ten (10) years.

5. **There is no net decrease in the amount of the acreage restricted. In cases where the parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.**

The amount of land under restricted contract will not change.

6. **At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.**

The entire acreage under contract will remain the same.

7. **After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use.**

Parcels that are classified as Nonprime Land are required to maintain a minimum parcel size of 40 acres. At 160.24 and 328.12 acres, proposed parcels A and B will exceed the minimum lot size. Cattle grazing will remain the primary land use on-site.

8. **The lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.**

The existing agricultural land use will remain unchanged and would not compromise the long-term agricultural productivity of the parcels or other agricultural lands.

9. **The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.**

The lot line adjustment will not affect adjacent agricultural lands.

10. **The lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan.**

The lot line adjustment will not create a greater number of developable parcels; there are two (2) existing developable parcels. The property and existing land use is consistent with the general plan.

## **SUGGESTED FINDINGS**

11. **The proposed lot line adjustment is a ministerial action and is therefore not subject to the provisions of the California Environmental Quality Act pursuant to CEQA Guidelines Section 21080 (b) (1)].**

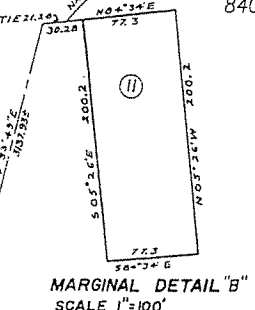
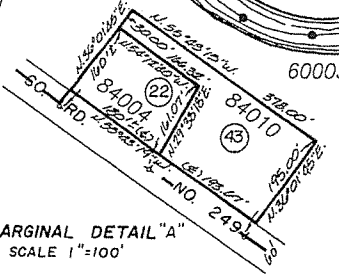
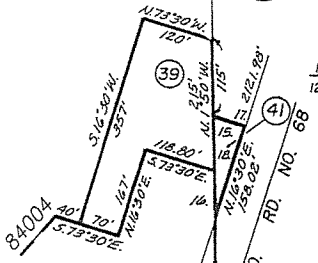
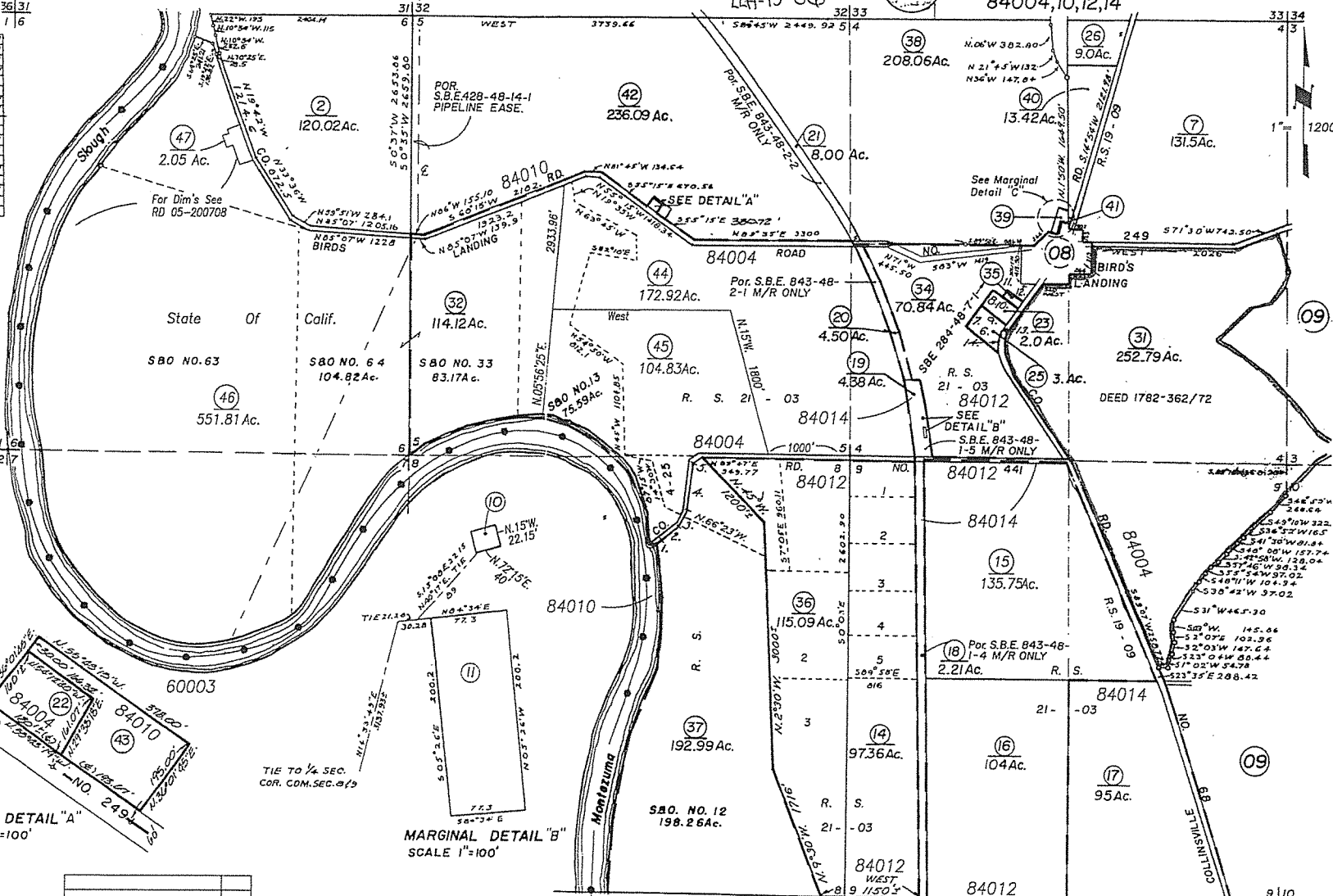
**BE IT, THEREFORE, RESOLVED**, that the Planning Commission of the County of Solano does hereby **APPROVE** Lot Line Adjustment Application No. LLA-15-06 subject to the following recommended conditions of approval:

1. The lot line adjustment shall be in substantial compliance with the map submitted with lot line adjustment application LLA-15-06, dated July 2015 prepared by Bellecci & Associates, Inc. on file with the Planning Services Division.



T. 4 N. 36 31  
T. 3 N. 1 16

1. N. 30° 11' E.	235.63'
2. N. 42° 25' 30" E.	222.23'
3. N. 42° 30' E.	129.50'
4. N. 12° 47' 30" E.	144.00'
5. N. 41° 11' E.	71.21'
6. S. 31° 30' E.	257.20'
7. N. 36° 30' E.	342.00'
8. N. 36° 30' E.	270.00'
9. N. 33° 30' N.	340.12'
10. N. 33° 30' W.	340.12'
11. N. 36° 30' E.	100.00'
12. S. 33° 10' E.	270.00'
13. N. 36° 30' E.	172.38'
14. R. 340'	742.50'
15. N. 1° 50' W.	125.33'
16. N. 1° 50' W.	25.33'
17. S. 73° 30' E.	25.33'
18. N. 1° 50' W.	120'



070-46,47 (Dd)	12-30-05	CR
070-15 Chg. Dd.	5-8-98	BW
070-44&45	7-24-97	DJ
REVISION	DATE	BY

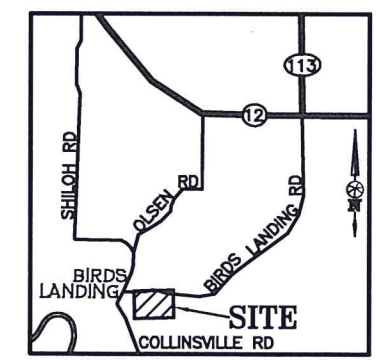
NOTE: This map is for assessment purposes only and is not for the intent of interpreting legal boundary rights, zoning regulations and/or legality of land division laws.

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NOTE: Assessor's Block Numbers Shown in Ellipses  
Assessor's Parcel Numbers Shown in Circles







VICINITY MAP  
NO SCALE

NOTE:  
THE BEARINGS SHOWN WITHIN THE ABOVE PLAT ARE BASED ON THE MONUMENT POSITIONS FOUND WITHIN THE CENTER LINE OF "BIRDS LANDING ROAD" AS SHOWN ON THAT CREWMAN RECORD OF SURVEY FILED MAY 29, 2007 IN BOOK 28 OF SURVEYS, AT PAGE 4, SOLANO COUNTY RECORDER RECORDS.

FILE COPY  
LLA-15-06

**Bellecci & Associates, inc.**  
Civil Engineering • Land Surveying  
2290 Diamond Boulevard, Suite 100 Concord, CA 94520  
Phone (925) 685-4569 Fax (925) 685-4838

AREA SUMMARY TABLE		
LOT	AREA BEFORE	AREA AFTER
Original Parcel A (1782 OR 362)	256.75 Acres, +/-	160.24 Acres, +/-
Original Parcel B (1782 OR 365)	231.61 Acres, +/-	328.12 Acres, +/-
<b>TOTAL AREA</b>	<b>488.36 Acres, +/-</b>	<b>488.36 Acres, +/-</b>

LOT LINE ADJUSTMENT MAP			
REAL PROPERTY SITUATE IN THE UNINCORPORATED COUNTY OF SOLANO, STATE OF CALIFORNIA AND ALSO BEING THE PROPERTY DESCRIBED WITHIN GRANT DEEDS (1782 OR 362) AND (1782 OR 365), SCR.			
FOR:	IAN ANDERSON		
DRAWN BY:	CHARLES CAPP PLS 0825		
DATE:	JULY 2015	SCALE:	1"=400'
PLANNING DIRECTOR	DATE	PUBLIC WORKS DIRECTOR	DATE





2. Deny the use permit, or
3. Continue the hearing in order to obtain additional information.

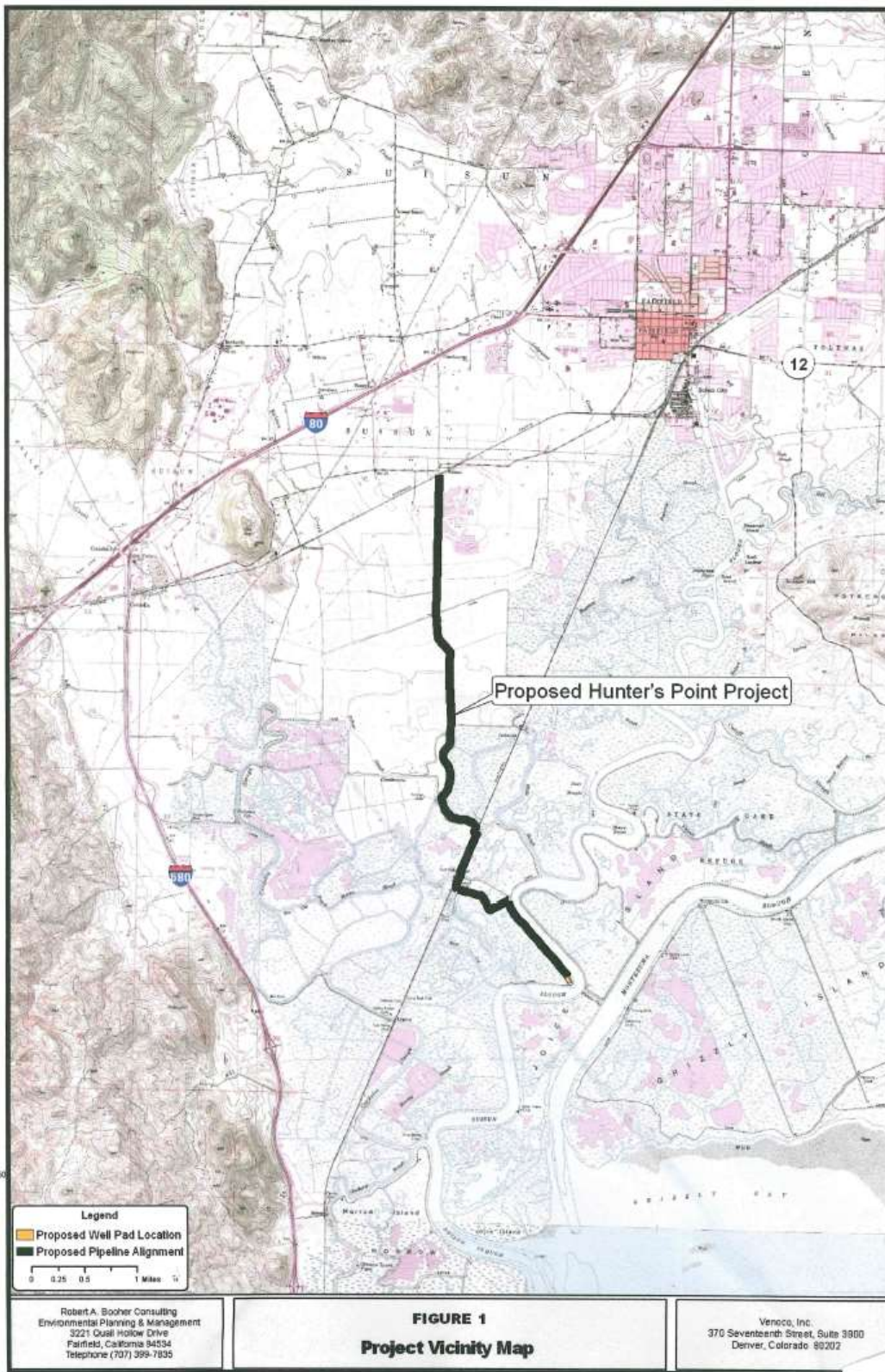
**ENVIRONMENTAL ANALYSIS:**

The Department of Resource Management's Development Review Committee along with reviewing agencies evaluated the project to determine if there is a possibility of the project to have significant effects on the environment. An initial study was completed which resulted in the preparation of a mitigated negative declaration that was circulated for a thirty day public review period ending June 9, 2015 (State Clearinghouse No. 2015052034).

The negative declaration indicates that the following environmental resources were considered and the potential for significant impacts were reduced to less than significant due to mitigation measures incorporated into the project: Biological Resources, Mandatory Findings of Significance. As described in the Initial Study and Negative Declaration, effects of the project on all additional environmental resources are less than significant or findings of no impact.

**PROJECT LOCATION MAP:**





**BACKGROUND:**

- A. **Prior approvals:** Williamson Act contracts: 457, 491, 492, 494, 647
- B. **Applicant/Owner:** Venoco, Inc.
- C. **General Plan Land Use Designation/Zoning:** Marsh, Agriculture/MP, ASM-80
- D. **Existing Use:** Wetlands, hunting clubs
- E. **Adjacent Zoning and Uses:**
  - North:** Wetlands, railroad, hunting clubs
  - South:** Wetlands, hunting clubs
  - East:** Suisun Slough, wildlife area, sewage treatment facility, grazing
  - West:** Grazing, wetlands, hunting clubs

## **ANALYSIS:**

### **A. Environmental Setting:**

The project is generally located within southern Solano County, south of the City of Fairfield, near Grizzly Bay. The proposed 1.5 acre well site is situated four (4) miles southeast of the City of Fairfield, five (5) miles southwest of the City of Suisun City, and ten (10) miles northwest of the community of Birds Landing. The well pad is located west of Suisun Slough adjacent to "Hunter Cut" on Assessor's Parcel Number (APN) 0046-080-030. The Joice Island Wildlife Refuge is located to the east of the well site, east of Suisun Slough. The project area includes wetlands, levees, waterways, and other upland areas. Grizzly, Hammond, Wheeler, Simmons, Van Sickle, Joice, Chipps, and Dutton Islands are within the general vicinity of the project site. The project is located within portions of both the Primary and Secondary Management Areas of the Suisun Marsh, the largest estuarine marsh in the United States.

The topography throughout the proposed project area is flat, exhibiting slopes of less than six percent (6%). The area generally drains south towards Suisun Bay. Unnamed drainage ditches utilized for water management by surrounding duck clubs and agricultural purposes are located throughout the project area. The project site, as well as the surrounding properties, is utilized mainly for seasonal outdoor recreation purposes, including boating, duck hunting, fishing, hiking, wildlife viewing as well as cattle grazing. Numerous duck hunting clubs exist in the vicinity of the project.

As part of the environmental planning process, the applicant has conducted a delineation of wetlands and waters of the United States for the proposed project. In summary, saline emergent wetland vegetative community were observed within portions of the proposed well site and pipeline alignment, as well as portions of the buffer areas. Specifically, managed coastal brackish marsh was observed within these areas.

The applicant has also submitted the results of a biological survey and assessment for the project and areas adjacent to the proposal to identify special-status plant and wildlife species and sensitive habitats that could potentially be impacted during implementation of the project. In summary, special-status species and their habitat have been documented within the project buffer area and in the general vicinity of the proposed project. The environmental document (Attachment D) identifies the recommended avoidance and minimization measures to be implemented as mitigation measures and conditions of approval of the project.

### **B. Project Description:**

Venoco, Inc. (Venoco) proposes to construct the Hunter's Point well site and drill three (3) exploratory natural gas wells from the site over a three (3) year period. If economical quantities of natural gas are discovered production facilities would be installed. A new natural gas pipeline would then be constructed to connect the Hunter's Point site to an existing gas pipeline located at the southeast corner of the intersection of Chadbourne Road and Cordelia Road in the City of Fairfield, approximately five (5) miles to the northwest. The proposed 5.8 mile pipeline route is located primarily within unincorporated Solano County. A 0.8 mile portion

would be located within the City of Fairfield. The pipeline alignment generally runs in a south-north direction travelling from the well site to the tie in location near the Fairfield Wastewater Treatment Facility. The majority of the pipeline route would be installed within existing Chadbourne Road right-of-way, as well as within existing private dirt road and within a 139 foot stretch of proposed private access. In these sections, the pipeline would be installed using traditional open-cut trench methods. Boring, utilizing a 'trench and push' construction method would be implemented to install proposed pipeline under the Union Pacific Railroad / Chadbourne Road crossing and under Chadbourne Slough.

### **Site Selection Process**

Venoco is requesting a permit to drill three (3) wells from one location versus drilling from three (3) individual locations. Venoco's optimal drilling location for each well would be a straight hole location, not a directional well. Likewise each individual drill site would typically encompass an area of approximately 1.5 acres in size. Accordingly, three (3) new wells would require 4.5 acres for drilling activities. Additionally, each drill site would require an access and each successful well would require a pipeline resulting in additional disturbance. The applicant notes that optimal locations for the wells would result in greater impacts to wetland areas and grassland habitat. In order to minimize impacts to sensitive resources including wetlands, Venoco has elected to drill three (3) wells from one location even though directional drilling is significantly more expensive than drilling a straight hole.

The proposed well site was selected in an area that includes both upland and wetland areas to reduce impacts to wetland areas. The selected site would encompass an area of 200 feet by 325 feet for the well pad (1.5 acres). Approximately 1.3 acres of wetland and 0.2 acres of upland would be impacted. The proposed project site was also selected because it is near an existing private gravel road, and would require a 139 linear foot section of new access road to be constructed, minimizing disturbance to wetland and upland areas. Approximately 4.5 acres of wetlands would have been impacted by well site construction, if Venoco had pursued an optimal approach for developing natural gas resources and constructed three (3) well sites versus the one (1) site proposed.

The project includes installation of an access road that will permanently disturb 0.03 acres of upland, and installation of the proposed pipeline would temporarily disturb approximately 1.9 acres of wetlands. Under the optimal approach, access roads would be needed for each individual well pad.

Based on the Wetland Delineation and Assessment report for the project, the overall disturbance of upland and wetland habitats associated with the project is significantly less than the disturbance that would result from the optimal drilling approach. Additionally, Venoco's proposed project would have less impact on protected plant and animal species. Venoco has spent a considerable amount of time and effort to identify a site that not only minimizes impacts to wetlands, but minimizes total surface disturbance and potential environmental impact, even though there is added financial burden associated with directional drilling.

The proposed project includes the following three (3) phases: site preparation, drilling and testing, and production. A detailed description of each phase is provided below:

### **Site Preparation Phase**

Prior to initiating site preparation activities, all workers will be given an environmental orientation to ensure that those working in the project area understand the sensitivity of the areas adjacent to the well site and proposed access road, and the necessity of avoiding disturbance to these areas. The environmental orientation will also discuss emergency response guidelines and conservation and mitigation measures designed to avoid or minimize potential environmental impacts.

Project area boundaries will be clearly delineated by project biologists to ensure all activities are confined to

the approved work area and avoid wetland areas outside of the proposed well site and proposed access road as previously delineated by wetland biologists. Project biologists would oversee removal of vegetation from the proposed well site and proposed access road. Any vegetation removed would be transported to an off-site waste disposal facility. After the proposed well site and proposed access road are cleared of vegetation, a layer of filter fabric would be placed over the surface of the wetland area to protect wetland soils from commingling with fill materials. Fill materials would be placed on the proposed well site and proposed access road to raise the elevation. Fill materials would consist of sand and/or base rock.

Venoco proposes to use a closed loop system; accordingly no sump would be constructed as part of the project. All drilling mud and cuttings would be contained in above ground tanks and transported offsite for disposal. Equipment used for site preparation activities is presented below in Table 1.

**Table 1. Equipment Used During Site Preparation Phase**

On Site Equipment	Number of Equipment	Horse Power	Days of Operation	Total Hours/Day
Grader	1	270	10	10
Track Hoe/Loader	1	180	10	10
Roller/Compactor	1	130	10	10
Mobile Sources	Number	Round Trip Distance (Miles)	Duration (Days)	Total Miles Driven
Water Truck	2	65* miles/day	10	1,300
Passenger Car/Pickup Truck Round Trips	4	65* miles/day	10	2,600
Heavy Truck/Semi	16	65* miles/day	10	10,400

\*Round Trip Distance is calculated from Rio Vista, California

Existing gravel roads will be used to provide access from Chadbourne Road to the proposed project area. A new access road would be constructed from the existing gravel road to the proposed well site; the new access road would encompass approximately 10 feet by 140 feet. The project proponent estimates that approximately ten (10) days would be needed to construct the well site and access road. The site preparation phase, including pad and access road construction, will require approximately 220 total truck trips.

### Drilling and Testing Phase

The drilling phase of the proposed project would last approximately forty-two (42) days and the testing would last approximately fourteen (14) days. The drilling includes two (2) days for mobilization and demobilization of the drill rig, thirty (30) days for drilling, and ten (10) days for various associated tasks including installation of blowout prevention equipment, cementing, mud-logging; occurring during the ten (10) days while drill rig motors are idling. During the testing portion, a flare would be located on site and would be operational once a productive zone is completed.

Drilling equipment would be mobilized to the site and rigged up. The project would use a triple rig and the drill rig would be registered in the California Portable Emission Registration Program. Temporary facilities, equipment and materials necessary for the drilling operation would be set up and stored on the proposed well site (i.e., drilling mud supplies, water, drilling materials and casing, crew support trailers, pumps and piping, portable generators, fuels and lubricants). Equipment required during the drilling phase is included in Table 2.

**Table 2. Equipment Used During Site Preparation Phase**

<b>On Site Equipment</b>	<b>Number</b>	<b>Horse Power</b>	<b>Days</b>	<b>Total Hours/Day</b>
Backhoe	1	400	10	4
Crane	2	375	2	8
Drill Rig Motor #1 (Internal Combustion Engine)	1	1,400	20	24
Drill Rig Motor #1 (Internal Combustion Engine)	1	1,400	10	12
Drill Rig Motor #1 (Idle Internal Combustion Engine)	1	1,400	10	24(No External Load)
Drill Rig Motor #2 (Internal Combustion Engine)	1	1,400	20	24
Drill Rig Motor #2 (Internal Combustion Engine)	1	1,400	10	12
Drill Rig Motor #2 (Idle Internal Combustion Engine)	1	1,400	10	24(No External Load)
Backup Drill Rig Motor #3 (Internal Combustion Engine)	1	1,400	42	1 (Back-Up Unit Only No External Load)
Mud Pumps	2	1,000	10	4
External Combustion Testing Flare (Maximum heat output of less than/or equal to 5 mmbtu/day, natural gas fired)	1	n/a	14	12
<b>Mobile Sources</b>	<b>Number</b>	<b>Round Trip Distance (Miles)</b>	<b>Duration (Days)</b>	<b>Total Miles Driven</b>
Water Truck (Heavy Duty)	1	65* miles/day	42	2,730
Passenger Car/Pickup Trucks (Light Duty)	3	65* miles/day	56	10,920
Heavy Duty Trucks	4	65* miles/day	42	10,920

\*Round Trip Distance is calculated from Rio Vista, California

Night lighting would be required and available only during the drilling phase. However, to the greatest extent possible night lighting would be directed inward and down to minimize offsite light spillage without compromising safety.

Hazardous materials would be used and stored on site according to applicable federal, state and local regulations. Venoco proposes to use a closed loop system; accordingly no sump will be constructed as part of this project. All drilling mud and cuttings would be contained in above ground tanks transported offsite for disposal. All fluids will be disposed of in accordance with the requirements of the Regional Water Quality Control Board.

Surface casing will be set, cemented, and blowout prevention equipment installed at each wellhead and tested. The amount of surface casing used depends upon factors such as expected well pressures, the depth of fresh water, and the competence of the strata in which the well casing will be cemented. Blowout prevention equipment would be bolted to the surface casing. All successive drilling occurs through the blowout prevention equipment, which can be operated to control well pressures at any time. Blowout prevention equipment would be regulated by the California Division of Oil, Gas and Geothermal Resources (DOGGR). DOGGR engineers will be notified for required tests and other operations (blowout prevention, surface casing integrity). Sufficient

weighted drilling fluid will be used to prevent any uncontrolled flow from each well and additional quantities of drilling fluid would be available at the well site.

Well casing is designed to protect underground and surface waters suitable for irrigation or domestic purposes. DOGGR's well construction standards have the fundamental purpose to ensure zonal isolation. Zonal isolation means that natural gas coming up the well from the productive, underground geologic zone would not escape the well and migrate into other geologic zones, including zones that might contain fresh water. Zonal isolation also means that the fluids that are put down the well for any purpose will stay in that zone and not migrate to another zone. To achieve zonal isolation, DOGGR regulations require that a cement barrier be placed between the well and surrounding geologic strata or stratum. The cement bonds to the surrounding rock and well casing and forms a barrier against fluid migration. Cement barriers must meet certain standards for strength and integrity. If these cement barriers do not meet the standards, DOGGR requires the natural gas operator to remediate the cement barrier. Metal casings, which can be several layers depending on the depth of the well, also separate the fluids going up and down the well bore from the surrounding geology. If the integrity of the well is compromised by ground movement or other mechanisms, the well operator must remediate the well to ensure zonal isolation. Well casing standards are prescribed in Title 14 CCR, Division 2, Chapter 4, Subchapter 1, Article 3, Sections 1722.2 - 1722.4. DOGGR engineers will be present for the required tests and other operations.

Drilling would continue for each well until target depth is reached. Once target depth is reached, the proposed wells would be fully tested and evaluated. The proposed wells would be tested with a flow line running to a portable test separator. Any produced gas would be flared and liquids would be stored in a portable tank for transportation to an off-site facility.

Equipment, personnel and supply deliveries would continue through the course of the drilling program. Drilling activities would operate 24 hours per day, and each well may require approximately 20 to 30 days to drill. Approximately 12 to 15 personnel would be on site at any given time during drilling operations. Night lighting would be required and available only during the drilling phase. However, to the greatest extent possible night lighting would be directed inward and down to minimize off-site light spillage without compromising safety.

Should the proposed wells be found to have insufficient commercial natural gas potential, each well would be plugged and abandoned per DOGGR regulations and specification, in accordance with Title 14 CCR, Division 2, Chapter 4, Subchapter 1, Article 3, Sections 1723 - 1723.8 and the proposed well site restored for agricultural activities.

After the well is drilled and the well is either completed or abandoned, the drilling rig and related equipment would be removed from the well site or would be positioned to drill the next of three (3) total wells. The above activities would be completed for each of the three proposed exploratory wells.

The drilling and testing phase for each exploratory well would require approximately 420 total vehicle trips.

### Production Phase

If economic quantities of natural gas are discovered, the well(s) will be completed and production facilities will be installed. Production facilities include well heads, a gas meter, a heater/separator, dehydrator, production water and condensate storage tanks. Venoco estimates that approximately forty (40) days would be required to install the necessary production equipment and pipeline. Equipment used during the installation of production equipment and pipeline is listed in Table 3 and equipment used during the production phase is listed in Table 4.

**Table 3. Equipment Used During Installation of Production Equipment and Pipeline Phase**

On Site Equipment	Number	Horse Power	Days	Total Hours/Day
Backhoe/Trencher	1	170	40	8

Welding Truck	2	250	40	8
Side Boom Crane	1	485	10	8
Directional Drill	1	300	2	8
Mud Pump	1	185	2	8
<b>Mobile Sources</b>	<b>Number</b>	<b>Round Trip Distance (Miles)</b>	<b>Duration (Days)</b>	<b>Total Miles Driven</b>
Passenger Car/Pickup Trucks (Light Duty)	5	65* miles/day	40	13,000
Heavy Duty Trucks	5	65* miles/day	40	13,000
Utility Truck (directional drill)	1	65* miles/day	2	130
Pickup Truck (directional drill)	1	65* miles/day	2	130

\*Round Trip Distance is calculated from Rio Vista, California

**Table 4. Equipment Usage for Production Phase**

Equipment	Number	Horse Power	Days of Operation	Total Hours/Day
5,000 Gallon Produced Water Tank	1	n/a	365	24
Well Head	1	n/a	365	24
Gas Meter	1	40	365	24
Heater/separator	1	n/a	365	24
Dehydrator with 500 gallon condensate storage tank	1	n/a	365	24
<b>Mobile Sources</b>	<b>Number</b>	<b>Round Trip Distance (Miles)</b>	<b>Duration (Days)</b>	<b>Total Miles Driven</b>
Pickup Truck	1	65* miles/day	365	23,725
Heavy Duty (Produced water and condensate transportation)	1/week	65* miles/day	365	3,389

\*Round Trip Distance is calculated from Rio Vista, California

A six (6)-inch natural gas pipeline collection system would also be installed during this phase of the project. Survey crews will be employed to set centerline stakes for the pipeline trenches and to delineate work areas prior to commencing pipeline installation activities.

Clearing of wetland and grassland habitat would be required along the portion of pipeline that is adjacent to the existing Suisun Slough levee. Additionally, clearing of ruderal vegetation is required along the eastern edge of Chadbourne Road. No disturbance or removal of any other vegetative community types would occur.

### Open-Cut Trench Methods (Trenching)

Trenching requires the use of a trencher or backhoe to establish an open trench of approximately four (4) to six (6) feet deep and approximately two (2) feet wide. Approximately 0.9 miles of the proposed pipeline would be installed adjacent to the existing Suisun Slough levee within wetland and grassland habitat. In wetland areas, the top twelve (12) inches of native soil would be stockpiled separately to maintain the integrity of the



wetland seed bank. Pipe would be placed beside the trench by the stringing crew in wetland areas. Pipe joints would be bonded together and all joint connections would be inspected and tested prior to laying the pipe into the trench within wetland areas. The pipeline would then be lowered into the trench by a small side-boom crane. The pipe would then be covered with wetland soils that were excavated during the trenching operation and the ground compacted above the pipe. The top twelve (12) inches of wetland soil that was stockpiled separately would be placed last within the trench.

The remaining 4.9 miles of the proposed pipeline would be installed within the existing and proposed private roads and within the Chadbourne Road right-of-way (ROW). In these areas, trenching would also require the use of a trencher or backhoe to establish an open trench of approximately four (4) to six (6) feet deep and approximately two (2) feet wide. Line pipe would be transported to the remaining 4.9 miles of the proposed pipeline route by pipe trucks. A sideboom tractor would unload the joints of pipe from the trucks, and would string them end to end along the trench. Where required, the pipe would bend by a portable bending machine to fit the horizontal and vertical contour of the trench. Construction conditions may require pipe bends for which field bending would not be practical. Pipe joints will be welded together and all joint connections will be inspected prior to laying the pipe into the trench. The pipeline would then be lowered into the trench by a small side-boom crane. The pipe would then be covered with soils that were excavated during the trenching operation and the ground compacted above the pipe. At the time of backfilling, a colored warning tape would be buried approximately eighteen (18) inches above the pipeline to indicate the presence of a buried pipeline to future third party excavators. In roadways, the backfilled soil will be compacted using a roller or hydraulic compactor prior to placement of gravel or pavement. The surface of the road or area adjacent to the road would be returned to its condition prior to installation of this section of the proposed pipeline. After the pipeline is buried, the construction corridor would be re-contoured to approximately the same grade or slope that existed prior to pipeline installation. It should be noted that an exception to mechanical excavation would be hand digging to locate buried utilities, such as other pipelines, cables, and waterlines. Water trucks would be used for dust control along the ROW as required.

### **Horizontal Direction Drill (HDD) Boring**

Prior to beginning HDD boring, the pipeline contractor will mobilize construction equipment and materials to the bore entrance and exit locations. The pipeline crossing of the Union Pacific Railroad crossing at Chadbourne Road would be installed using HDD boring. The bore entry point would be located within the private road on the Arnold Ranch, Inc. duck club property and the bore exit point would be located within the Chadbourne Road ROW on the west side of the Union Pacific Railroad crossing. The pipeline crossing of Chadbourne Slough would also be installed using HDD boring. The bore entry and exit points would be staked prior to construction activities to ensure activities are restricted to the temporary workspaces.

Once boring equipment is mobilized, it would be positioned for drilling. A pilot hole would be bored for the drill pipe. A steering tool is located as close to the bit as possible to provide the best real-time data. As the pilot hole proceeds, the telemetry of the steering tool would be transmitted to a surface computer via the wire line data link. The surface computer then would calculate the 'as-built' location of the bit and plot the data in a profile drawing for comparison and course correction as needed. If the bit deviates too far from the proposed drill path, the drill string would be pulled back and that portion of the hole would be re-drilled to the correct course. Bentonite drill fluid would be pumped through the drill pipe to provide hole cleaning and lubrication.

The pipe string would be fabricated and inspected concurrent with the pilot hole and reaming operations. When the bore hole is ready, the pull assembly can be attached to the pipe string. This assembly consists of a joint of heavy weight drill pipe, a barrel reamer, and a swivel. The swivel prevents any torsional forces from being transmitted to the gas pipeline. The barrel reamer would ensure the bore hole remains open as the pipeline is installed. During the pullback operation, the bentonite drill fluid would be pumped through the drill pipe to the barrel reamer to lubricate the hole. After the pipeline is installed, the HDD equipment would be demobilized from the bore drill site.



A closed loop mud system will be maintained, where feasible, with the aid of a mud return line and/or vacuum trucks. All mud from the bore exit site would be re-used. Excess mud would be contained in storage tanks for proper disposal offsite at an approved facility.

Venoco estimates that the proposed pipeline would be completed within forty (40) days. Pipeline installation activities would operate 12 hours per day. Production activities would operate 24 hours per day. The installation of the production equipment and proposed pipeline for the first well would require approximately 200 total truck vehicle trips and 200 total auto/pickup vehicle trips. Each additional well that goes into production would require an additional 10 total truck vehicle trips and 10 total auto/pickup vehicle trips (see Tables 5, 6, and 7).

Natural gas will be metered for customer sales at the Hunter’s Point site. The Hunter’s Point site will be inspected on a daily basis. By-products from natural gas production including production water and condensates will be stored temporarily on site. By-products will be periodically transported from the project site by truck for off-site disposal and/or recycling at an applicable facility. During the producing life of a well, a workover service rig (a small mobile drilling rig) may be occasionally required to improve production.

At the conclusion of the well(s) economic life (production), the wells will be abandoned and plugged in accordance with CCR Section 1723 - 1723.8. In this case, a Notice of Intention to abandon the well(s) would be submitted to DOGGR for review and approval. During a typical well abandonment, recoverable casing would be salvaged from the well and the hole would be plugged with cement. The wellhead (and any other equipment) would be removed, the casing cut off six (6) feet below ground surface, capped with a welded plate and the cellar backfilled. Once all wells are abandoned and plugged, surface equipment would be removed from the site. Any sand and/or gravel used to build up the site and access road would then be removed. Contours would be re-established to near grade conditions present at the time of project initiation. After all equipment is removed, the proposed well site and access road would be restored to wetland and upland habitat.

**Table 5. Truck and Vehicle Trips (1st well)**

	<b>Trucks</b>	<b>Auto/Pickups</b>
Site preparation (pad and road construction)	180	40
Drilling and testing	210	168
Install of production equipment	20	20
Install of pipeline	182	182
<b>Total</b>	<b>592</b>	<b>410</b>

**Table 6. Truck and Vehicle Trips (2nd well)**

	<b>Trucks</b>	<b>Auto/Pickups</b>
Drilling and testing	210	168
Install of production equipment	10	10
<b>Total</b>	<b>220</b>	<b>178</b>

**Table 7. Truck and Vehicle Trips (3rd well)**

<b>Trucks</b>	<b>Auto/Pickups</b>	
Drilling and testing	210	168

Install of production equipment	10	10
<b>Total</b>	<b>220</b>	<b>178</b>

**Table 8. Total Truck and Vehicle Trips (All 3 wells combined)**

	<b>Trucks</b>	<b>Auto/Pickups</b>
Total Well 1	592	410
Total Well 2	220	178
Total Well 3	220	178
<b>Total</b>	<b>1,032</b>	<b>766</b>

**Note:** Total truck and vehicle trips numbers assume all three (3) wells are drilled. Site preparation vehicle trips are based upon survey calculation that approximately 2,000 cubic yards of fill material will be required.

**C. General Plan Consistency:**

The well site portion of the project is designated Marsh by the Solano County General Plan Land Use Diagram. A majority of the pipeline route is designated Agriculture. General Plan Policy RS.P-55 allows for the responsible extraction, storage, and transportation of natural gas resources that minimize the impact on the natural environment. Natural gas exploration and production are consistent with the General Plan’s goals and policies within the Suisun Marsh.

**D. Zoning Consistency:**

Natural gas wells are a permitted land use within the Marsh Preservation ‘MP’ and Suisun Marsh Agriculture ‘ASM-160’ Zoning Districts pursuant to Section 28.22 of the County Zoning Regulations. Drilling operations will conform to DOGGR regulations designed to prevent damage to natural resources and the well pad and pipeline would be confined to as small an area as practical and will not cause irreversible damage to unique vegetation or fish and wildlife habitats. There are a total of three (3) wells proposed to be drilled from one (1) well pad. This design element limits potential impacts when compared to an ‘optimal’ approach of drilling each well from individual locations

**E. Suisun Marsh Management Area:**

The County’s Policies and Regulations Governing the Suisun Marsh consolidate all of the policies and regulation contained in the County’s Local Component of the Suisun Marsh Local Protection Program as certified by BCDC. The local marsh protection policies set forth provisions for natural gas exploration within the Marsh, and establish policies to provide safeguards for gas exploration drilling and production gas wells. These policies are designed to minimize any potential disturbance to the sensitive habitat of the Suisun Marsh. Utilization of existing pipeline infrastructure, pipeline design, construction methods, and time periods for construction are established in the SMPP that accomplish this goal.

There are many aspects of the proposal that are influenced by these Policies which have been incorporated into the project either by design or through mitigation measures and re-enforced through appropriate conditions of approval. For example, the project is consistent with Chapter II - Natural Gas policy 1(f) in that a qualified biologist will be involved in many aspects of the proposal, including: conducting pre-construction surveys for special status species, providing environmental awareness training for construction personnel, and providing environmental monitoring throughout the construction process of the proposed well pad, access roadway, and installation of the natural gas pipeline and related components. Throughout these activities the biological monitor will ensure that conservation, avoidance, minimization, and mitigation measures are adhered to. Implementation of project buffer(s) to special status species and/or habitat, proper installation of barrier fencing, and consultation with the CA Department of Fish & Wildlife are examples of how the biological

monitor will ensure impact minimization remains consistent with Suisun Marsh policies and a less than significant environmental impact is achieved. In addition, drilling operations will conform to DOGGR regulations designed to prevent damage to natural resources. In addition, the project is consistent with Chapter II - Natural Gas, Policy 3 of the SMPP which limits construction and drilling activities to April 15 through October 15 each year. Mitigation Measure 2.4.8 (N) underscores this Policy and limits the proposal to this time period. The project is also consistent with Policy 2(b) in that the drilling operation is being confined to as small an area as possible by potentially drilling three (3) natural gas wells from a single 1.5 acre well pad.

#### **F. Williamson Act**

The proposed project is located on properties that have active land conservation contracts, under the Williamson Act. Oil and gas wells are considered a compatible land use within an agricultural preserve pursuant to Table A of Solano County Uniform Rules and Procedures Governing Agricultural Preserves and Land Conservation Contracts.

#### **G. Agency Coordination and Review:**

The project was reviewed at the Department of Resource Management's Development Review Committee meetings of May, 7, 2014 and August 29, 2014. County Departments as well as Local, Regional, State, and Federal Agencies were asked to comment on the project based on the perspective of that agency's jurisdiction, area of expertise, or interest. Any comments received recommending conditions of approval have been incorporated into the permit resolution.

In addition, the environmental document prepared for the project was routed to the Office of Planning and Research State Clearinghouse for a thirty day public review period from May 11, 2015 through June 9, 2015. The following is a listing of reviewing agencies, those highlighted in bold have submitted comments on the environmental document and are found in Attachment E:

##### **Suisun Resource Conservation District**

Department of Conservation

Department of Fish and Wildlife - Region 3

Department of Parks and Recreation

##### **San Francisco Bay Conservation and Development Commission**

Office of Emergency Services

Caltrans - District 4

Air Resources Board

Regional Water Quality Control Board - Region 2

California Energy Commission

Native American Heritage Commission

Public Utilities Commission

##### **State Lands Commission**

#### **FINDINGS:**

#### **1. The establishment, maintenance or operation of the proposed use is in conformity with the County General Plan with regard to traffic circulation, population densities and distribution, and other aspects of the General Plan.**

The site preparation, construction, and operation phases are consistent with the intent of the Marsh designation of the Solano County General Plan which allows for uses that do not adversely impact the potentially sensitive habitat of the Suisun Marsh. The project is also consistent with the Resources Chapter which provides for natural gas extraction.

#### **2. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.**

Access to the site is from Chadbourne Road. A Marsh Development permit from the San Francisco Bay Conservation and Development Commission (BCDC) will be required for the additional fill associated with the construction of the production pad and associated road access. Potable water and temporary chemical toilets will

be brought on site for use during the temporary drilling and construction phases.

- 3. The subject use will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.**

The project has been processed in accordance with the California Environmental Quality Act (CEQA) and County EIR Guidelines. An Initial Study was prepared and a Mitigated Negative Declaration was published for a thirty (30) day public review period through the State Clearinghouse. The Planning Commission has considered the environmental document and public comments thereon prior to acting on the project and finds that the Mitigated Negative Declaration is adequate and environmental impacts have been determined to be less than significant with mitigation measures.

#### **CONDITIONS OF APPROVAL:**

##### *Administration:*

1. The use shall be established in accord with the plans and information submitted with Use Permit Application No. U-14-01 and as approved by the Solano County Planning Commission.
2. Any change of use or intensification will require a new or revised use permit and further environmental review. Any deviation from the project description or requirements of the Planning Commission will subject the use permit to review and possible revocation.
3. The permittee shall obtain approval/permitting from the San Francisco Bay Conservation and Development Commission (BCDC), as may be required, for any development proposed within the Primary Management Area of the Suisun Marsh prior to issuance of a grading permit by the County for work within this area.
4. The permittee shall obtain permits or other clearances from any agency having jurisdiction over the proposed project, including but not limited to: the San Francisco Bay Conservation and Development Commission, US Army Corps of Engineers, California Department of Fish and Wildlife, and the San Francisco Regional Water Quality Control Board. The permittee shall comply with all requirements of Solano County including the Policies and Regulations Governing the Suisun Marsh.
5. This permit shall be subject to periodic renewal every five (5) years. A renewal may be granted if said request is received prior to the expiration date of November 5, 2020 and the use is found to be in compliance with the permit terms and conditions at that time. Prior to permit expiration, the applicant shall submit an application for renewal along with applicable renewal fees as may be set by the County Board of Supervisors.

##### *Public Works Engineering*

6. Security satisfactory to the Director of Resource Management shall be posted as security for payment of repairs to County roads and highways damaged by well-drilling activities, including transportation of equipment to and from the site.
7. The applicant shall apply for and secure an appropriate grading permit from Public Works Engineering for the construction of the drilling pad and associated access improvements.
8. Applicant shall apply for and secure an encroachment permit for any and all work within the right of way of Chadbourne Road (Co. Rd. No. 2370).

##### *Building and Safety Division*

9. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per the 2013 California Building Code, or the most current edition of the code enforced at the time of building permit application. "Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause

any such work to be done, shall first make application to the building official and obtain the required permit.”

10. A geotechnical/Soils Report will be required for the grading and construction of any buildings or structures.
11. The building permit plans shall include a code analysis as listed below and the design shall be under the 2010 California Codes and all current rules, regulations, laws and ordinances of the local, state and federal requirements. Upon building permit submittal, the licensed architect shall provide a code analysis for each building or structure such as:
  - A) Occupancy Classification
  - B) Type of Construction
  - C) Seismic Zone
  - D) Location on Property
  - E) Height of all buildings and structures
  - F) Square footage
  - G) Occupant Load
  - H) Allowable Floor Area
  - I) Height and Number of Stories
12. The fire district will reassess the site for fire life and safety requirements.
13. Any electrical generator system will require a permit from Solano County.

*Environmental Health Division*

14. The applicant shall provide contract with a licensed sanitation company to install and maintain a portable chemical toilet for the duration of the construction period.
15. If hazardous materials and/or hazardous waste are stored on site, the applicant shall maintain a Hazardous Materials Business Plan under California Health and Safety and Code of Regulation guidelines.

*City of Fairfield*

16. A Franchise Agreement between the City and the applicant must be signed and completed prior to any work commencing within the city right-of-way. The applicant shall submit a copy of the agreement to the Department of Resource Management prior to construction of the pipeline.

*Operation and Maintenance*

17. Drilling operations shall conform to the regulations of the California Division of Oil and Gas designed to prevent damage to natural resources.
18. Drilling operations shall be confined to as small an area as practical and shall not cause irreversible damage to unique vegetation or fish and wildlife habitats.
19. After drilling is complete, all drilling muds, soil wastes, waste water and other fluids shall be removed from the site and disposed of in a manner that does not adversely affect other areas.
20. Measures shall be taken to prevent significant pollution of groundwater, surface water or watercourses.
21. Derricks shall be removed when wells are brought into production.
22. If any well is abandoned, it shall be sealed in accordance with Division of Oil and Gas regulations, and the drilling or production facilities shall be removed in a timely manner at the discretion of the Director of the Department of Resource Management.
23. Necessary measures shall be taken to prevent dust, noise, light, glare, odor, and other objectionable elements from adversely affecting the surrounding area beyond acceptable limits.

24. Chain link, barbed wire, or other adequate fencing shall be installed around the construction site to prevent unauthorized access. Fencing may be scaled back if the well is brought into production.
25. All liquid storage tanks shall have a method of control of spilled fluid; this may be accomplished by one or more of the following methods:
  - a) Drainage system for safe disposal.
  - b) Division walls to direct fluids to a preferred point.
  - c) Dikes or fire walls capable of containing the volume of the largest tank.
26. All vehicles traveling to and from the job site must be equipped with spark arrestors.

*Suisun Marsh Management Area policies*

27. Existing pipeline systems shall be utilized to the maximum extent feasible.
28. The pipeline design shall meet all applicable safety standards of the Office of Pipeline Safety Operations (OPSO) and other regulatory agencies.
29. The pipeline route avoids tidal marshes and managed wetlands wherever possible and, if that is not possible, the route crosses as little marsh or managed wetland as possible.
30. Wide track or amphibious construction equipment shall be used in tidal marsh or managed wetland areas. Pads or mats shall be used as needed to prevent any construction equipment from sinking into the soft marsh muds and damaging the marsh plants.
31. The trench and push construction method shall be used in all tidal marsh and managed wetland areas where feasible, so that the construction zone is kept as small as possible and the minimum amount of heavy equipment passes through the marsh or wetland area.
32. Prior to any pipeline construction or related activities in the Marsh, the contractors consult with the State Department of Fish and Wildlife to determine at what time such construction or related activities should be conducted so as to create the least possible adverse impact on breeding, migration, or other fish and wildlife activities.
33. Prior to any underground pipeline construction in the Marsh, the contractors consult with the Solano County Mosquito Abatement District to ensure existing re-circulation water ditches are not blocked and levees are adequately repaired after pipeline construction, or that effective mosquito control measures are maintained.
34. At slough, mudflat and bay crossings of gas pipelines, the trench is dredged in a manner that minimizes turbidity and prevents interference of the dredging operation with fish or wildlife.
35. A regular surface and aerial inspection of the pipeline route is carried out as required by OPSO.
36. Construction and drilling in tidal marsh and managed wetland areas shall occur only during the dry months of the years (generally April 15 through October 15) when these activities would not disturb wintering waterfowl.
37. The pipeline routes within the primary and secondary management areas of the Suisun Marsh shall be revegetated by the Permittee with native plants appropriate for the site, based on the recommendations of a qualified biologist. At the end of the project life, all unnecessary fill shall be removed and revegetated with native plants.

*Environmental Mitigation Measures:*

38. The permittee shall utilize a qualified biologist or botanist during the monitoring of environmental mitigation measures as described herein. As recommended by the California State Lands Commission, the qualified biologist or botanist shall be approved by the California State Department of Fish and Wildlife.
39. A qualified biologist shall provide environmental awareness training of construction and drilling personnel during

project implementation.

A qualified biologist shall conduct an employee environmental awareness training program for all construction and drilling personnel working on the proposed project. The environmental training program shall include the occurrence and distribution of listed species and other sensitive resources in the project area, measures being implemented to protect these sensitive resources during project actions, and applicable definitions and prohibitions under state and federal ESAs. Sign-in sheets shall be maintained to document that project personnel have completed environmental training.

40. The permittee shall provide environmental monitoring of project activities.

A qualified biologist shall be present during the construction of the proposed well pad, access roadway, and installation of the natural gas pipeline and related components. The biological monitor will be responsible for ensuring that construction and drilling personnel follow the conservation measures outlined in this document, as well as all conditions set forth in any environmental and use permits issued for the project and project best management practices. Results of the monitoring effort shall be documented in monitoring notes and summarized in a final report. The final report shall be submitted to all regulatory agencies issuing permits or clearances for the project.

Verification: The applicant shall submit the biologist's final report to the Solano County Department of Resource Management Planning Services Division.

41. The permittee shall conduct pre-construction surveys for special-status plant species.

A qualified botanist will conduct pre-construction field surveys to identify any populations of threatened, endangered, rare, and other special status plants located within the proposed disturbance areas. These surveys shall be conducted prior to the initiation of any construction activities and coincide with the appropriate flowering period of the special status plant species with the potential to occur in the area. If any special-status plant species populations are identified within or adjacent to the proposed disturbance area, Venoco shall implement the following measures:

If any population(s) of special-status plant species is identified directly adjacent to the proposed project site, a qualified biologist retained by Venoco will clearly delineate the location of the plant population to ensure that the plant population is adequately protected.

If a special-status plant population is identified within the proposed disturbance zone, Venoco will consult with CDFG and USFWS to determine the appropriate measures to avoid or mitigate for impacts to the species or population. Venoco will adjust the boundaries of the disturbance zone, where feasible, to avoid impacts to the plant species/population. Where avoidance is not feasible, Venoco will implement one or more of the following measures: (1) transplant potentially affected plants to areas not planned for disturbance. If a plant is transplanted, two more plants shall be planted. Plantings shall be managed and monitored by the applicant and shall survive to 5 years after planting; (2) seed or purchase plants and place them in an area adjacent to the disturbance zone; (3) purchase credits at an approved mitigation bank at a ratio of 1:1 or greater, as approved by CDFG, USFWS and Venoco, Inc.

Verification: The applicant shall submit documentation from its botanist stating the results of the pre-construction field survey. If special-status plant populations are identified within the project disturbance zone, documentation shall be submitted by Venoco's botanist clarifying whether or not the proposed mitigation measures have been properly implemented. A letter from the approved mitigation bank shall be submitted if the purchase of credits becomes necessary.

42. The permittee shall conduct pre-construction surveys for nesting special-status avian species. Establish exclusion buffer areas around special-status avian species nest sites.

Pre-construction nesting surveys shall be conducted for nesting special-status avian species (tri-colored blackbird, short-eared owl, western burrowing owl, Swainson's hawk, northern harrier hawk, white-tailed kite, saltmarsh common yellowthroat, California black rail, Suisun song sparrow, California clapper rail, migratory song birds, swallows, herons, egrets, waterfowl and shorebirds) in the project disturbance zone and buffer area. Pre-construction surveys will occur prior to the implementation of the proposed project. A qualified biologist will survey

suitable habitat for the presence of these species.

If a special-status bird species is observed and suspected to be nesting, a buffer area will be established to avoid impacts on the active nest. If no nesting special-status avian species are found, project activities may proceed and no further mitigation measures will be required. If active nesting sites are found, the following exclusion buffers will be established, and no project activities will occur within these buffer zones until young birds have fledged:

#### Tri-Colored Blackbird

Tri-colored blackbird typically nests and rears young from mid-April through late July. In order to avoid and minimize impacts on nesting tri-colored blackbirds, a 250 foot buffer will be established around active nests. No project-related activities will be allowed to occur within this buffer until young have fledged or the species is no longer attempting to nest. The buffer area can be removed prior to July if a qualified biologist determines that all juveniles have fledged from occupied nests.

#### Short-Eared Owl

Short-eared owls typically nests and rears young from early March through late June. If this species is found to be nesting during the drilling season, impacts will be avoided and minimized by establishing a 250 foot buffer around active nests. No project related activities would be allowed to occur within this buffer until young have fledged or the species are no longer attempting to nest. The buffer area can be removed prior to June if a qualified biologist determines that all juveniles have fledged from occupied nests.

#### Western Burrowing Owl

If burrowing owls are located or become established within the project site or within 250 feet of the project at the time of the final pre-activity biological survey and are using burrows, Venoco will consult with CDFW; the following measures shall be implemented:

- (a) On-site passive relocation of burrowing owls should be implemented if owls are using the burrows after August 31. The burrowing owl nesting season begins as early as February 1 and continues through August 31. Passive relocation is defined as encouraging owls to move from occupied burrows to alternate natural or artificial burrows that are beyond 250 feet from the impact zone and that are within or contiguous to a minimum of 6.5 acres of foraging habitat for each pair of relocated owls. Relocation of owls should only be implemented during the non-breeding season.
- (b) Owls should be excluded from burrows in the immediate impact zone and within a 250 feet buffer zone by installing one-way doors in burrow entrances. One-way doors should be left in place 48 hours to insure owls have left the burrow before excavation. One alternate natural or artificial burrow should be provided for each burrow that will be excavated in the project impact zone. The project area should be monitored daily for one week to confirm owl use of alternate burrows before excavating burrows in the immediate impact zone.
- (c) Whenever possible, burrows should be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible plastic pipe or burlap bags should be inserted into burrow tunnels to prevent tunnel collapse while soil is excavated around that portion of a tunnel.

#### Swainson's Hawk

Swainson's hawk typically nests and rears young from March through August. In order to avoid and minimize impacts on nesting Swainson's hawks, a 1,320-foot buffer will be established around active nesting sites. No project related activities would be allowed to occur within this zone. The project's biological monitor will monitor the nest site on a regular schedule to ensure no impacts are occurring to nesting Swainson's hawks. Monitoring protocol shall be determined in consultation with CDFW. The buffer area can be removed prior to August if a qualified biologist determines that all juveniles have fledged from occupied nests.

#### White-Tailed Kite

White-tailed kites typically nest and rear young from mid-February through June. In order to avoid and minimize impacts on white-tailed kites, a 250-foot buffer will be established around active nests. No project related activities will be allowed to occur within this buffer until young have fledged or the species are no longer attempting to nest. The buffer area can be removed prior to June if a qualified biologist determines that all juveniles have fledged from occupied nests.



#### Northern Harrier Hawk

Northern harrier hawks typically nests and rear young from early April through August. If these species are found to be nesting, impacts will be avoided and minimized by establishing a 250-foot buffer around active nests. No project related activities would be allowed to occur within this buffer until young have fledged or the species are no longer attempting to nest. The buffer area can be removed prior to August if a qualified biologist determines that all juveniles have fledged from occupied nests.

#### Salt Marsh Common Yellowthroat

Salt marsh common yellowthroat typically nests and rears young from April through August. In order to avoid and minimize impacts on nesting salt marsh common yellowthroat, a 250-foot buffer will be established around active nests. No project-related activities would be allowed to occur within this buffer until young have fledged or the species are no longer attempting to nest. The buffer area can be removed prior to August if a qualified biologist determines that all juveniles have fledged from occupied nests.

#### Suisun Song Sparrow

Suisun song sparrow typically nests and rears young from April through August. In order to avoid and minimize impacts on nesting song sparrows, a 250-foot buffer will be established around active nests. No project related activities would be allowed to occur within this buffer until young have fledged or the species are no longer attempting to nest. The buffer area can be removed prior to August if a qualified biologist determines that all juveniles have fledged from occupied nests.

#### California Black Rail

California black rail typically nests and rears young from early August through late February. In order to avoid and minimize impacts on nesting California black rails, a 250-foot buffer will be established around active nests. No project related activities will be allowed to occur within this buffer until young have fledged or the species are no longer attempting to nest. The buffer area can be removed prior to June if a qualified biologist determines that all juveniles have fledged from occupied nests.

#### California Clapper Rail

California clapper rail typically nests and rears young from mid-March through late July. In order to avoid and minimize impacts on nesting California clapper rails, a 700-foot buffer will be established around active nests. No project related activities will be allowed to occur within this buffer until young have fledged or the species are no longer attempting to nest. The buffer area can be removed prior to June if a qualified biologist determines that all juveniles have fledged from occupied nests.

#### Migratory Song Birds

Migratory bird species typically nest and rear young from February through August. In order to avoid and minimize impacts on migratory bird species, a 250-foot buffer will be established around active nesting sites when construction activities will occur during their active nesting period. No project-related activities will occur within this zone. The buffer area can be removed prior to August if a qualified biologist determines that all juveniles have fledged from occupied nests.

#### Swallow Species

Swallows typically nest and rear their young from May through July. If this species is found to be nesting in the project area, impacts will be avoided and minimized by establishing a 250-foot buffer around active nests. No project related activities would be allowed to occur within this buffer until young have fledged or the species are no longer attempting to nest. The buffer area can be removed prior to July if a qualified biologist determines that all juveniles have fledged from occupied nests.

#### Hérons and Egrets

Nesting herons and egrets typically nest and rear young from late February through August. In order to avoid and minimize impacts on nesting herons and egrets, a 400-foot buffer will be established around active nesting sites when project activities will occur during their breeding period. No project activities will be allowed to occur within this zone. The buffer area can be removed prior to August if a qualified biologist determines that all juveniles have fledged from occupied nests.

#### Raptor Species

Raptor species typically nests and rear young from early April through August. If these species are found to be

nesting, impacts will be avoided and minimized by establishing a 250-foot buffer around active nests. No project related activities would be allowed to occur within this buffer until young have fledged or the species are no longer attempting to nest. The buffer area can be removed prior to August if a qualified biologist determines that all juveniles have fledged from occupied nests.

**Verification:** The applicant shall submit a letter from its biologist stating the results of the pre-construction survey. If species specific measures are required, Venoco's biologist shall submit documentation that verifies that the necessary mitigation measure(s) has/have been properly implemented.

**43. Implement measures to protect Salt Marsh Harvest Mouse**

Venoco shall implement the following conservation measures to protect individual and small populations of SMHM potentially present in the project disturbance zone:

- A. During the construction of the well pad and access road to the well site, a qualified biologist will assist the construction crew in establishing a rodent proof barrier (exclusion fencing) around the entire perimeter of these areas. Exclusion fencing will be installed using 36-inch tall aluminum flashing or other suitable material that will be erected in a trench dug approximately 12 inches deep. The trench will be dug by hand. Prior to trenching a qualified biologist will survey the proposed trench line for nests, sign of SMHM, as well as individual SMHM. Vegetation along the edges (inside and outside) of the flashing will be removed by hand trimming so that SMHM will not use vegetation to access the site (i.e., by climbing, etc.). Flashing will be supported by wooden lath stakes (or other suitable material - i.e., steel rebar, etc.) placed on alternating sides of the flashing approximately every 5 to 6 feet as needed. Any unions of lengths of flashing will be joined using pop rivets. An entrance gate will be constructed for the disturbance area. The gate will be approximately 20 feet wide and constructed of aluminum flashing supported by metal framing. The gate will be held in place by the metal frame to keep it in contact with the exclusion fencing. In addition, the entrance will be "carpeted" with sheet steel or similarly functional material to prevent vehicles from producing ruts under the gate that might allow SMHM to enter the construction area in ruts underneath the gate. The gate will be open only at times when vehicles need to enter or exit the well site. No vehicle access will be allowed into the exclusion zone until the following measures are implemented. The gate will be left open till all vegetation is cleared from the disturbance zone (see below).
- B. After exclusion fencing has been established at the project site, a qualified and agency permitted biologist will work with the construction crew to remove all vegetation in the disturbance area by hand methods.
- C. If SMHM are observed, they will be allowed to leave the disturbance zone on their own. No handling of individual mice will take place. This method was recently used on the Venoco Roaring River Project, and was approved by both CDFG and USFWS.
- D. Once all vegetation is removed from the disturbance zone, construction of the well pad and access road will begin. As stated previously, the gate providing access to the disturbance zone will be kept closed at all times, except when vehicles must enter or exit the disturbance zone. If at any time a SMHM is observed within the disturbance zone during construction activities, all work will cease immediately, and the mouse will be allowed to leave the site under its own volition. CDFG and USFWS will be contacted for guidance if the mouse will not willingly leave the area.
- E. Exclusion zone flashing will remain up and in place throughout the site preparation, construction, and drilling phases of the project.

During the installation of the pipeline, the alignment will be divided into segments, and individual segments will be constructed as work progresses along the alignment. Each segment will be readied for construction according to the methods described above.
- F. An environmental monitor will be present throughout the site preparation, construction, and drilling phases of the project to ensure compliance with the above measures.
- G. In addition to the above conservation measures, Venoco will provide one of the following forms of

compensation for loss of Suisun Marsh Harvest Mouse habitat:

- Venoco will purchase SMHM compensation credits from one or more USFWS and/or CDFW-approved conservation banks that include the Project site within their service area; or
- Venoco will provide acreage at the Lang Tule conservation easement (once established), prior to ground disturbance or grading activities associated with the project.

**44. Conduct Pre-Construction Surveys for Northwestern Pond Turtle. Relocate Northwestern Pond Turtles from Project Disturbance Zone to Adjacent Habitat Areas.**

Venoco will implement the following conservation measures to avoid impacts to northwestern pond turtle during project implementation:

A qualified biologist will conduct pre-construction surveys for northwestern pond turtles within the project area. If northwestern pond turtles are not found within the project disturbance zone, project activities may proceed without any further actions. If juvenile or adult turtles are found within the project disturbance zone, the individual turtles shall be moved out of the project disturbance zone by a qualified biologist.

If this species is observed within the project disturbance zone at any time during construction activities, construction work shall cease within 150 feet of the area until the turtle(s) can be moved by a biological monitor to a safe location consistent with CDFG regulations.

Verification: The applicant shall submit a letter from its biologist stating the results of the pre-construction field survey. If northwestern pond turtle is identified within the project disturbance zone, a letter shall be submitted by Venoco's biologist clarifying whether or not the proposed mitigation measures have been properly implemented.

**45. Minimize physical disturbance in wetland habitat. Where wetland habitat is disturbed, restore disturbed wetland habitat and provide wetland mitigation to offset impacts.**

Venoco will minimize disturbance to wetland habitat to the smallest amount feasible when working in this habitat type. Where wetland impacts are temporary in nature, Venoco will restore disturbed wetlands to pre-disturbance conditions after temporary project activities are complete. Where wetland impacts are permanent, Venoco will provide compensatory mitigation pursuant to United States Army Corps of Engineers Compensatory Mitigation Rules, USACE approval, and through one of the following methods:

- 1) Mitigation Bank(s): the permittee may obtain credits from a mitigation bank. A mitigation bank is a wetland, stream or other aquatic resource area that has been restored, established, enhanced, or preserved. The resource area is then set aside to compensate for future impacts to aquatic resources resulting from permitted activities. The value of a bank is determined by quantifying the aquatic resource functions restored, established, enhanced, and/or preserved in terms of "credits". The permittee, upon approval by USACE, may acquire credits to meet their compensatory mitigation requirements.
- 2) In-Lieu Mitigation: the permittee may make a payment to an in-lieu fee program that will conduct wetland, stream or other aquatic resource restoration, creation, enhancement, or preservation activities. In-lieu fee programs are generally administered by government agencies or non-profit organizations that have established an agreement with the regulatory agencies to use in-lieu fee payments collected from permit applicants.
- 3) Permittee-Responsible Mitigation: the permittee may be required to provide compensatory mitigation through an aquatic resource restoration, establishment, enhancement and/or preservation activity. This compensatory mitigation may be provided at or adjacent the impact site (i.e., on-site mitigation) or at another location, usually within the same watershed as the permitted impact (i.e., off-site mitigation). The permittee retains responsibility for the implementation and success of the mitigation project.

Verification: The permittee shall submit documentation from the U.S. Army Corps of Engineers that verifies that the permittee has obtained the authorization(s) discussed above prior to grading permit issuance and/or commencement of development.

46. Implement best management practices during implementation of the proposed project

Venoco shall implement the following best management practices during project implementation to minimize adverse effects to special status wildlife species and sensitive habitats.

- A. Hazardous materials, fuels, lubricants or solvents that may accidentally spill during well drilling activities shall be cleaned up and disposed of according to applicable federal, state, and local regulations.
- B. If hazardous materials are stored on-site, the applicant shall meet the requirements of Solano County Environmental Health, Hazardous Materials Section, and shall secure any necessary permits for the construction and operation of the gas wells and equipment.
- C. On-site water tanks shall accommodate the largest volume of water possible to reduce the number of trips required to remove water from the site.
- D. The speed of project-related vehicular traffic should be limited to 15 miles per hour once vehicles have left paved roadways and are traveling along unpaved dirt roadways to and from the project site.
- E. All equipment storage during site development and operation should be confined to the project area or to previously disturbed off site areas that are not habitat for sensitive species. Staging areas should be approved by a qualified biologist prior to use for staging activities.
- F. Sediment-control devices (e.g., weed-free straw wattles, silt fence, straw bales, etc.) should be installed around construction work zones to prevent runoff to adjacent wetlands and sensitive wildlife habitats not proposed for disturbance.
- G. To prevent entrapment of wildlife species during the implementation of the project, all pipes, culverts, or similar structures that are stored at the project site overnight shall be thoroughly inspected for trapped animals before the structure is buried, capped, or otherwise used or moved. Pipes laid in trenches overnight shall be capped. If an animal is discovered inside a pipe, that section of pipe should not be capped or buried until the animal has escaped.
- H. All construction pipes, culverts, or similar structures that are stored at a construction site overnight should be thoroughly inspected for trapped animals before the pipe is buried, capped, or otherwise used or moved. Pipes laid in trenches overnight should be capped. If an animal is discovered inside a pipe, that section of pipe should not be capped or buried until the animal has escaped.
- I. All trash items such as wrappers, cans, bottles, and food scraps generated both during construction and subsequent operation should be disposed of in closed containers only and regularly removed from the site. Food items may attract animals onto a project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife should be allowed.
- J. To prevent harassment, mortality, or unauthorized "take" of sensitive species and/or their habitat by domestic dogs and cats, no pets should be permitted onsite.
- K. Night lighting may have an adverse effect on sensitive habitats and wildlife species near the project site. If night lighting is required, the lighting should be directed at the facilities and not at adjacent areas.
- L. Impacts associated with wild fires can be minimized by maintaining firefighting equipment on site during project related activities. The use of shields, protective mats or use of other fire preventive methods during grinding and welding activities will prevent or minimize the potential for fire. Personnel should be trained regarding fire hazard for wildlife and their habitats.
- M. Any take (harming, harassment, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collecting, or any attempt to conduct the previous), injury or illness of species of special concern, threatened, or endangered species shall be reported promptly to the Planning Services Division of Resource Management, USFWS, and CDFW.

N. Project activities, including site preparation, fill placement, drilling, and establishment of production equipment is restricted to the period of April 15 through October 15 (but no later than two weeks prior to the opening of duck hunting season). Ongoing reworking of existing production wells shall occur during the same yearly timeframe, but may occur as long as the production wells are in existence.

**ATTACHMENTS:**

A - Draft Resolution

B - Assessor's Parcel Maps

C - Site Plans

D - Environmental Document - Can be found at:

[http://www.solanocounty.com/depts/rm/documents/eir/u\\_14\\_01\\_venoco\\_hunters\\_point\\_natural\\_gas\\_exploraiton\\_project.asp](http://www.solanocounty.com/depts/rm/documents/eir/u_14_01_venoco_hunters_point_natural_gas_exploraiton_project.asp)

F - Comment Letters

**SOLANO COUNTY PLANNING COMMISSION  
RESOLUTION NO. XX**

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**WHEREAS**, the Solano County Planning Commission has considered Use Permit Application No. U-14-01 of **Venoco, Inc.** to drill three natural gas wells, and if successful, install production equipment including a 5.8 mile gas pipeline connecting the well site(s) to an existing pipeline located at the southeast corner of the intersection of Chadbourne Road and Cordelia Road within the City of Fairfield, APN's: 0046-080-030; 0046-060-140, 030, 060; 0046-010-110, 120, 160, and;

**WHEREAS**, the Commission has reviewed the report of the Department of Resource Management and heard testimony relative to the subject application at the duly noticed public hearing held on November 5, 2015, and;

**WHEREAS**, after due consideration, the Planning Commission has made the following findings in regard to said proposal:

1. **The establishment, maintenance or operation of the proposed use is in conformity with the County General Plan with regard to traffic circulation, population densities and distribution, and other aspects of the General Plan.**

The site preparation, construction, and operation phases are consistent with the intent of the Marsh designation of the Solano County General Plan which allows for uses that do not adversely impact the potentially sensitive habitat of the Suisun Marsh. The project is also consistent with the Resources Chapter which provides for natural gas extraction.

2. **Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.**

Access to the site is from Chadbourne Road. A Marsh Development permit from the San Francisco Bay Conservation and Development Commission (BCDC) will be required for the additional fill associated with the construction of the production pad and associated road access. Potable water and temporary chemical toilets will be brought on site for use during the temporary drilling and construction phases.

3. **The subject use will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.**

The project has been processed in accordance with the California Environmental Quality Act (CEQA) and County EIR Guidelines. An Initial Study was prepared and a Mitigated Negative Declaration was published for a thirty (30) day public review period through the State Clearinghouse. The Planning Commission has considered the environmental document and public comments thereon prior to acting on the project and finds that the Mitigated Negative Declaration is adequate and environmental impacts have been determined to be less than significant with mitigation measures.

**BE IT, THEREFORE, RESOLVED**, that the Planning Commission of the County of Solano does hereby adopt the Mitigated Negative Declaration and approve Use Permit Application No. U-14-01 subject to the following recommended conditions of approval:

*Administration:*

1. The use shall be established in accord with the plans and information submitted with Use Permit Application No. U-14-01 and as approved by the Solano County Planning Commission.
2. Any change of use or intensification will require a new or revised use permit and further environmental review. Any deviation from the project description or requirements of the Planning Commission will subject the use permit to review and possible revocation.
3. The permittee shall obtain approval/permitting from the San Francisco Bay Conservation and Development Commission (BCDC), as may be required, for any development proposed within the Primary Management Area of the Suisun Marsh prior to issuance of a grading permit by the County for work within this area.
4. The permittee shall obtain permits or other clearances from any agency having jurisdiction over the proposed project, including but not limited to: the San Francisco Bay Conservation and Development Commission, US Army Corps of Engineers, California Department of Fish and Wildlife, and the San Francisco Regional Water Quality Control Board. The permittee shall comply with all requirements of Solano County including the Policies and Regulations Governing the Suisun Marsh.
5. This permit shall be subject to periodic renewal every five (5) years. A renewal may be granted if said request is received prior to the expiration date of November 5, 2020 and the use is found to be in compliance with the permit terms and conditions at that time. Prior to permit expiration, the applicant shall submit an application for renewal along with applicable renewal fees as may be set by the County Board of Supervisors.

*Public Works Engineering*

6. Security satisfactory to the Director of Resource Management shall be posted as security for payment of repairs to County roads and highways damaged by well-drilling activities, including transportation of equipment to and from the site.
7. The applicant shall apply for and secure an appropriate grading permit from Public Works Engineering for the construction of the drilling pad and associated access improvements.
8. Applicant shall apply for and secure an encroachment permit for any and all work within the right of way of Chadbourne Road (Co. Rd. No. 2370).

*Building and Safety Division*

9. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per the 2013 California Building Code, or the most current edition of the code enforced at the time of building permit application. "Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit."
10. A geotechnical/Soils Report will be required for the grading and construction of any buildings or structures.

**11.** The building permit plans shall include a code analysis as listed below and the design shall be under the 2010 California Codes and all current rules, regulations, laws and ordinances of the local, state and federal requirements. Upon building permit submittal, the licensed architect shall provide a code analysis for each building or structure such as:

- A) Occupancy Classification
- B) Type of Construction
- C) Seismic Zone
- D) Location on Property
- E) Height of all buildings and structures
- F) Square footage
- G) Occupant Load
- H) Allowable Floor Area
- I) Height and Number of Stories

**12.** The fire district will reassess the site for fire life and safety requirements.

**13.** Any electrical generator system will require a permit from Solano County.

*Environmental Health Division*

**14.** The applicant shall provide contract with a licensed sanitation company to install and maintain a portable chemical toilet for the duration of the construction period.

**15.** If hazardous materials and/or hazardous waste are stored on site, the applicant shall maintain a Hazardous Materials Business Plan under California Health and Safety and Code of Regulation guidelines.

*City of Fairfield*

**16.** A Franchise Agreement between the City and the applicant must be signed and completed prior to any work commencing within the city right-of-way. The applicant shall submit a copy of the agreement to the Department of Resource Management prior to construction of the pipeline.

*Operation and Maintenance*

**17.** Drilling operations shall conform to the regulations of the California Division of Oil and Gas designed to prevent damage to natural resources.

**18.** Drilling operations shall be confined to as small an area as practical and shall not cause irreversible damage to unique vegetation or fish and wildlife habitats.

**19.** After drilling is complete, all drilling muds, soil wastes, waste water and other fluids shall be removed from the site and disposed of in a manner that does not adversely affect other areas.

**20.** Measures shall be taken to prevent significant pollution of groundwater, surface water or watercourses.

**21.** Derricks shall be removed when wells are brought into production.

**22.** If any well is abandoned, it shall be sealed in accordance with Division of Oil and Gas regulations, and the drilling or production facilities shall be removed in a timely manner at the discretion of the Director of the Department of Resource Management.



23. Necessary measures shall be taken to prevent dust, noise, light, glare, odor, and other objectionable elements from adversely affecting the surrounding area beyond acceptable limits.
24. Chain link, barbed wire, or other adequate fencing shall be installed around the construction site to prevent unauthorized access. Fencing may be scaled back if the well is brought into production.
25. All liquid storage tanks shall have a method of control of spilled fluid; this may be accomplished by one or more of the following methods:
  - a) Drainage system for safe disposal.
  - b) Division walls to direct fluids to a preferred point.
  - c) Dikes or fire walls capable of containing the volume of the largest tank.
26. All vehicles traveling to and from the job site must be equipped with spark arrestors.

*Suisun Marsh Management Area policies*

27. Existing pipeline systems shall be utilized to the maximum extent feasible.
28. The pipeline design shall meet all applicable safety standards of the Office of Pipeline Safety Operations (OPSO) and other regulatory agencies.
29. The pipeline route avoids tidal marshes and managed wetlands wherever possible and, if that is not possible, the route crosses as little marsh or managed wetland as possible.
30. Wide track or amphibious construction equipment shall be used in tidal marsh or managed wetland areas. Pads or mats shall be used as needed to prevent any construction equipment from sinking into the soft marsh muds and damaging the marsh plants.
31. The trench and push construction method shall be used in all tidal marsh and managed wetland areas where feasible, so that the construction zone is kept as small as possible and the minimum amount of heavy equipment passes through the marsh or wetland area.
32. Prior to any pipeline construction or related activities in the Marsh, the contractors consult with the State Department of Fish and Wildlife to determine at what time such construction or related activities should be conducted so as to create the least possible adverse impact on breeding, migration, or other fish and wildlife activities.
33. Prior to any underground pipeline construction in the Marsh, the contractors consult with the Solano County Mosquito Abatement District to ensure existing re-circulation water ditches are not blocked and levees are adequately repaired after pipeline construction, or that effective mosquito control measures are maintained.
34. At slough, mudflat and bay crossings of gas pipelines, the trench is dredged in a manner that minimizes turbidity and prevents interference of the dredging operation with fish or wildlife.
35. A regular surface and aerial inspection of the pipeline route is carried out as required by OPSO.

36. Construction and drilling in tidal marsh and managed wetland areas shall occur only during the dry months of the years (generally April 15 through October 15) when these activities would not disturb wintering waterfowl.
37. The pipeline routes within the primary and secondary management areas of the Suisun Marsh shall be revegetated by the Permittee with native plants appropriate for the site, based on the recommendations of a qualified biologist. At the end of the project life, all unnecessary fill shall be removed and revegetated with native plants.

*Environmental Mitigation Measures:*

38. The permittee shall utilize a qualified biologist or botanist during the monitoring of environmental mitigation measures as described herein. As recommended by the California State Lands Commission, the qualified biologist or botanist shall be approved by the California State Department of Fish and Wildlife.
39. A qualified biologist shall provide environmental awareness training of construction and drilling personnel during project implementation.

A qualified biologist shall conduct an employee environmental awareness training program for all construction and drilling personnel working on the proposed project. The environmental training program shall include the occurrence and distribution of listed species and other sensitive resources in the project area, measures being implemented to protect these sensitive resources during project actions, and applicable definitions and prohibitions under state and federal ESAs. Sign-in sheets shall be maintained to document that project personnel have completed environmental training.

40. The permittee shall provide environmental monitoring of project activities.

A qualified biologist shall be present during the construction of the proposed well pad, access roadway, and installation of the natural gas pipeline and related components. The biological monitor will be responsible for ensuring that construction and drilling personnel follow the conservation measures outlined in this document, as well as all conditions set forth in any environmental and use permits issued for the project and project best management practices. Results of the monitoring effort shall be documented in monitoring notes and summarized in a final report. The final report shall be submitted to all regulatory agencies issuing permits or clearances for the project.

Verification: The applicant shall submit the biologist's final report to the Solano County Department of Resource Management Planning Services Division.

41. The permittee shall conduct pre-construction surveys for special-status plant species.

A qualified botanist will conduct pre-construction field surveys to identify any populations of threatened, endangered, rare, and other special status plants located within the proposed disturbance areas. These surveys shall be conducted prior to the initiation of any construction activities and coincide with the appropriate flowering period of the special status plant species with the potential to occur in the area. If any special-status plant species populations are identified within or adjacent to the proposed disturbance area, Venoco shall implement the following measures:

If any population(s) of special-status plant species is identified directly adjacent to the proposed project site, a qualified biologist retained by Venoco will clearly delineate the location of the plant population to ensure that the plant population is adequately protected.

If a special-status plant population is identified within the proposed disturbance zone, Venoco will consult with CDFG and USFWS to determine the appropriate measures to avoid or mitigate for impacts to the species or population. Venoco will adjust the boundaries of the disturbance zone, where feasible, to avoid impacts to the plant species/population. Where avoidance is not feasible, Venoco will implement one or more of the following measures: (1) transplant potentially affected plants to areas not planned for disturbance. If a plant is transplanted, two more plants shall be planted. Plantings shall be managed and monitored by the applicant and shall survive to 5 years after planting; (2) seed or purchase plants and place them in an area adjacent to the disturbance zone; (3) purchase credits at an approved mitigation bank at a ratio of 1:1 or greater, as approved by CDFG, USFWS and Venoco, Inc.

Verification: The applicant shall submit documentation from its botanist stating the results of the pre-construction field survey. If special-status plant populations are identified within the project disturbance zone, documentation shall be submitted by Venoco's botanist clarifying whether or not the proposed mitigation measures have been properly implemented. A letter from the approved mitigation bank shall be submitted if the purchase of credits becomes necessary.

- 42.** The permittee shall conduct pre-construction surveys for nesting special-status avian species. Establish exclusion buffer areas around special-status avian species nest sites.

Pre-construction nesting surveys shall be conducted for nesting special-status avian species (tri-colored blackbird, short-eared owl, western burrowing owl, Swainson's hawk, northern harrier hawk, white-tailed kite, saltmarsh common yellowthroat, California black rail, Suisun song sparrow, California clapper rail, migratory song birds, swallows, herons, egrets, waterfowl and shorebirds) in the project disturbance zone and buffer area. Pre-construction surveys will occur prior to the implementation of the proposed project. A qualified biologist will survey suitable habitat for the presence of these species.

If a special-status bird species is observed and suspected to be nesting, a buffer area will be established to avoid impacts on the active nest. If no nesting special-status avian species are found, project activities may proceed and no further mitigation measures will be required. If active nesting sites are found, the following exclusion buffers will be established, and no project activities will occur within these buffer zones until young birds have fledged:

Tri-Colored Blackbird

Tri-colored blackbird typically nests and rears young from mid-April through late July. In order to avoid and minimize impacts on nesting tri-colored blackbirds, a 250 foot buffer will be established around active nests. No project-related activities will be allowed to occur within this buffer until young have fledged or the species is no longer attempting to nest. The buffer area can be removed prior to July if a qualified biologist determines that all juveniles have fledged from occupied nests.

Short-Eared Owl

Short-eared owls typically nests and rears young from early March through late June. If this species is found to be nesting during the drilling season, impacts will be avoided and minimized by establishing a 250 foot buffer around active nests. No project related activities would be allowed to occur within this buffer until young have fledged or the species are no

longer attempting to nest. The buffer area can be removed prior to June if a qualified biologist determines that all juveniles have fledged from occupied nests.

#### Western Burrowing Owl

If burrowing owls are located or become established within the project site or within 250 feet of the project at the time of the final pre-activity biological survey and are using burrows, Venoco will consult with CDFW; the following measures shall be implemented:

- (a) On-site passive relocation of burrowing owls should be implemented if owls are using the burrows after August 31. The burrowing owl nesting season begins as early as February 1 and continues through August 31. Passive relocation is defined as encouraging owls to move from occupied burrows to alternate natural or artificial burrows that are beyond 250 feet from the impact zone and that are within or contiguous to a minimum of 6.5 acres of foraging habitat for each pair of relocated owls. Relocation of owls should only be implemented during the non-breeding season.
- (b) Owls should be excluded from burrows in the immediate impact zone and within a 250 feet buffer zone by installing one-way doors in burrow entrances. One-way doors should be left in place 48 hours to insure owls have left the burrow before excavation. One alternate natural or artificial burrow should be provided for each burrow that will be excavated in the project impact zone. The project area should be monitored daily for one week to confirm owl use of alternate burrows before excavating burrows in the immediate impact zone.
- (c) Whenever possible, burrows should be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible plastic pipe or burlap bags should be inserted into burrow tunnels to prevent tunnel collapse while soil is excavated around that portion of a tunnel.

#### Swainson's Hawk

Swainson's hawk typically nests and rears young from March through August. In order to avoid and minimize impacts on nesting Swainson's hawks, a 1,320-foot buffer will be established around active nesting sites. No project related activities would be allowed to occur within this zone. The project's biological monitor will monitor the nest site on a regular schedule to ensure no impacts are occurring to nesting Swainson's hawks. Monitoring protocol shall be determined in consultation with CDFW. The buffer area can be removed prior to August if a qualified biologist determines that all juveniles have fledged from occupied nests.

#### White-Tailed Kite

White-tailed kites typically nest and rear young from mid-February through June. In order to avoid and minimize impacts on white-tailed kites, a 250-foot buffer will be established around active nests. No project related activities will be allowed to occur within this buffer until young have fledged or the species are no longer attempting to nest. The buffer area can be removed prior to June if a qualified biologist determines that all juveniles have fledged from occupied nests.

#### Northern Harrier Hawk

Northern harrier hawks typically nests and rear young from early April through August. If these species are found to be nesting, impacts will be avoided and minimized by

establishing a 250-foot buffer around active nests. No project related activities would be allowed to occur within this buffer until young have fledged or the species are no longer attempting to nest. The buffer area can be removed prior to August if a qualified biologist determines that all juveniles have fledged from occupied nests.

#### Salt Marsh Common Yellowthroat

Salt marsh common yellowthroat typically nests and rears young from April through August. In order to avoid and minimize impacts on nesting salt marsh common yellowthroat, a 250-foot buffer will be established around active nests. No project-related activities would be allowed to occur within this buffer until young have fledged or the species are no longer attempting to nest. The buffer area can be removed prior to August if a qualified biologist determines that all juveniles have fledged from occupied nests.

#### Suisun Song Sparrow

Suisun song sparrow typically nests and rears young from April through August. In order to avoid and minimize impacts on nesting song sparrows, a 250-foot buffer will be established around active nests. No project related activities would be allowed to occur within this buffer until young have fledged or the species are no longer attempting to nest. The buffer area can be removed prior to August if a qualified biologist determines that all juveniles have fledged from occupied nests.

#### California Black Rail

California black rail typically nests and rears young from early August through late February. In order to avoid and minimize impacts on nesting California black rails, a 250-foot buffer will be established around active nests. No project related activities will be allowed to occur within this buffer until young have fledged or the species are no longer attempting to nest. The buffer area can be removed prior to June if a qualified biologist determines that all juveniles have fledged from occupied nests.

#### California Clapper Rail

California clapper rail typically nests and rears young from mid-March through late July. In order to avoid and minimize impacts on nesting California clapper rails, a 700-foot buffer will be established around active nests. No project related activities will be allowed to occur within this buffer until young have fledged or the species are no longer attempting to nest. The buffer area can be removed prior to June if a qualified biologist determines that all juveniles have fledged from occupied nests.

#### Migratory Song Birds

Migratory bird species typically nest and rear young from February through August. In order to avoid and minimize impacts on migratory bird species, a 250-foot buffer will be established around active nesting sites when construction activities will occur during their active nesting period. No project-related activities will occur within this zone. The buffer area can be removed prior to August if a qualified biologist determines that all juveniles have fledged from occupied nests.

#### Swallow Species

Swallows typically nest and rear their young from May through July. If this species is found to be nesting in the project area, impacts will be avoided and minimized by establishing a 250-foot buffer around active nests. No project related activities would be allowed to occur within this buffer until young have fledged or the species are no longer attempting to nest. The buffer area can be removed prior to July if a qualified biologist determines that all juveniles have fledged from occupied nests.

### Herons and Egrets

Nesting herons and egrets typically nest and rear young from late February through August. In order to avoid and minimize impacts on nesting herons and egrets, a 400-foot buffer will be established around active nesting sites when project activities will occur during their breeding period. No project activities will be allowed to occur within this zone. The buffer area can be removed prior to August if a qualified biologist determines that all juveniles have fledged from occupied nests.

### Raptor Species

Raptor species typically nests and rear young from early April through August. If these species are found to be nesting, impacts will be avoided and minimized by establishing a 250-foot buffer around active nests. No project related activities would be allowed to occur within this buffer until young have fledged or the species are no longer attempting to nest. The buffer area can be removed prior to August if a qualified biologist determines that all juveniles have fledged from occupied nests.

Verification: The applicant shall submit a letter from its biologist stating the results of the pre-construction survey. If species specific measures are required, Venoco's biologist shall submit documentation that verifies that the necessary mitigation measure(s) has/have been properly implemented.

## **43. Implement measures to protect Salt Marsh Harvest Mouse**

Venoco shall implement the following conservation measures to protect individual and small populations of SMHM potentially present in the project disturbance zone:

- A. During the construction of the well pad and access road to the well site, a qualified biologist will assist the construction crew in establishing a rodent proof barrier (exclusion fencing) around the entire perimeter of these areas. Exclusion fencing will be installed using 36-inch tall aluminum flashing or other suitable material that will be erected in a trench dug approximately 12 inches deep. The trench will be dug by hand. Prior to trenching a qualified biologist will survey the proposed trench line for nests, sign of SMHM, as well as individual SMHM. Vegetation along the edges (inside and outside) of the flashing will be removed by hand trimming so that SMHM will not use vegetation to access the site (i.e., by climbing, etc.). Flashing will be supported by wooden lath stakes (or other suitable material – i.e., steel rebar, etc.) placed on alternating sides of the flashing approximately every 5 to 6 feet as needed. Any unions of lengths of flashing will be joined using pop rivets. An entrance gate will be constructed for the disturbance area. The gate will be approximately 20 feet wide and constructed of aluminum flashing supported by metal framing. The gate will be held in place by the metal frame to keep it in contact with the exclusion fencing. In addition, the entrance will be “carpeted” with sheet steel or similarly functional material to prevent vehicles from producing ruts under the gate that might allow SMHM to enter the construction area in ruts underneath the gate. The gate will be open only at times when vehicles need to enter or exit the well site. No vehicle access will be allowed into the exclusion zone until the following measures are implemented. The gate will be left open till all vegetation is cleared from the disturbance zone (see below).
- B. After exclusion fencing has been established at the project site, a qualified and agency permitted biologist will work with the construction crew to remove all vegetation in the disturbance area by hand methods.

- C. If SMHM are observed, they will be allowed to leave the disturbance zone on their own. No handling of individual mice will take place. This method was recently used on the Venoco Roaring River Project, and was approved by both CDFG and USFWS.
- D. Once all vegetation is removed from the disturbance zone, construction of the well pad and access road will begin. As stated previously, the gate providing access to the disturbance zone will be kept closed at all times, except when vehicles must enter or exit the disturbance zone. If at any time a SMHM is observed within the disturbance zone during construction activities, all work will cease immediately, and the mouse will be allowed to leave the site under its own volition. CDFG and USFWS will be contacted for guidance if the mouse will not willingly leave the area.
- E. Exclusion zone flashing will remain up and in place throughout the site preparation, construction, and drilling phases of the project.

During the installation of the pipeline, the alignment will be divided into segments, and individual segments will be constructed as work progresses along the alignment. Each segment will be readied for construction according to the methods described above.

- F. An environmental monitor will be present throughout the site preparation, construction, and drilling phases of the project to ensure compliance with the above measures.
- G. In addition to the above conservation measures, Venoco will provide one of the following forms of compensation for loss of Suisun Marsh Harvest Mouse habitat:
  - Venoco will purchase SMHM compensation credits from one or more USFWS and/or CDFW-approved conservation banks that include the Project site within their service area; or
  - Venoco will provide acreage at the Lang Tule conservation easement (once established), prior to ground disturbance or grading activities associated with the project.

**44. Conduct Pre-Construction Surveys for Northwestern Pond Turtle. Relocate Northwestern Pond Turtles from Project Disturbance Zone to Adjacent Habitat Areas.**

Venoco will implement the following conservation measures to avoid impacts to northwestern pond turtle during project implementation:

A qualified biologist will conduct pre-construction surveys for northwestern pond turtles within the project area. If northwestern pond turtles are not found within the project disturbance zone, project activities may proceed without any further actions. If juvenile or adult turtles are found within the project disturbance zone, the individual turtles shall be moved out of the project disturbance zone by a qualified biologist.

If this species is observed within the project disturbance zone at any time during construction activities, construction work shall cease within 150 feet of the area until the turtle(s) can be moved by a biological monitor to a safe location consistent with CDFG regulations.

Verification: The applicant shall submit a letter from its biologist stating the results of the pre-construction field survey. If northwestern pond turtle is identified within the project disturbance zone, a letter shall be submitted by Venoco's biologist clarifying whether or not the proposed mitigation measures have been properly implemented.

- 45.** Minimize physical disturbance in wetland habitat. Where wetland habitat is disturbed, restore disturbed wetland habitat and provide wetland mitigation to offset impacts.

Venoco will minimize disturbance to wetland habitat to the smallest amount feasible when working in this habitat type. Where wetland impacts are temporary in nature, Venoco will restore disturbed wetlands to pre-disturbance conditions after temporary project activities are complete. Where wetland impacts are permanent, Venoco will provide compensatory mitigation pursuant to United States Army Corps of Engineers Compensatory Mitigation Rules, USACE approval, and through one of the following methods:

- 1) Mitigation Bank(s): the permittee may obtain credits from a mitigation bank. A mitigation bank is a wetland, stream or other aquatic resource area that has been restored, established, enhanced, or preserved. The resource area is then set aside to compensate for future impacts to aquatic resources resulting from permitted activities. The value of a bank is determined by quantifying the aquatic resource functions restored, established, enhanced, and/or preserved in terms of "credits". The permittee, upon approval by USACE, may acquire credits to meet their compensatory mitigation requirements.
- 2) In-Lieu Mitigation: the permittee may make a payment to an in-lieu fee program that will conduct wetland, stream or other aquatic resource restoration, creation, enhancement, or preservation activities. In-lieu fee programs are generally administered by government agencies or non-profit organizations that have established an agreement with the regulatory agencies to use in-lieu fee payments collected from permit applicants.
- 3) Permittee-Responsible Mitigation: the permittee may be required to provide compensatory mitigation through an aquatic resource restoration, establishment, enhancement and/or preservation activity. This compensatory mitigation may be provided at or adjacent the impact site (i.e., on-site mitigation) or at another location, usually within the same watershed as the permitted impact (i.e., off-site mitigation). The permittee retains responsibility for the implementation and success of the mitigation project.

Verification: The permittee shall submit documentation from the U.S. Army Corps of Engineers that verifies that the permittee has obtained the authorization(s) discussed above prior to grading permit issuance and/or commencement of development.

- 46.** Implement best management practices during implementation of the proposed project

Venoco shall implement the following best management practices during project implementation to minimize adverse effects to special status wildlife species and sensitive habitats.

- A. Hazardous materials, fuels, lubricants or solvents that may accidentally spill during well drilling activities shall be cleaned up and disposed of according to applicable federal, state, and local regulations.



- B. If hazardous materials are stored on-site, the applicant shall meet the requirements of Solano County Environmental Health, Hazardous Materials Section, and shall secure any necessary permits for the construction and operation of the gas wells and equipment.
- C. On-site water tanks shall accommodate the largest volume of water possible to reduce the number of trips required to remove water from the site.
- D. The speed of project-related vehicular traffic should be limited to 15 miles per hour once vehicles have left paved roadways and are traveling along unpaved dirt roadways to and from the project site.
- E. All equipment storage during site development and operation should be confined to the project area or to previously disturbed off site areas that are not habitat for sensitive species. Staging areas should be approved by a qualified biologist prior to use for staging activities.
- F. Sediment-control devices (e.g., weed-free straw wattles, silt fence, straw bales, etc.) should be installed around construction work zones to prevent runoff to adjacent wetlands and sensitive wildlife habitats not proposed for disturbance.
- G. To prevent entrapment of wildlife species during the implementation of the project, all pipes, culverts, or similar structures that are stored at the project site overnight shall be thoroughly inspected for trapped animals before the structure is buried, capped, or otherwise used or moved. Pipes laid in trenches overnight shall be capped. If an animal is discovered inside a pipe, that section of pipe should not be capped or buried until the animal has escaped.
- H. All construction pipes, culverts, or similar structures that are stored at a construction site overnight should be thoroughly inspected for trapped animals before the pipe is buried, capped, or otherwise used or moved. Pipes laid in trenches overnight should be capped. If an animal is discovered inside a pipe, that section of pipe should not be capped or buried until the animal has escaped.
- I. All trash items such as wrappers, cans, bottles, and food scraps generated both during construction and subsequent operation should be disposed of in closed containers only and regularly removed from the site. Food items may attract animals onto a project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife should be allowed.
- J. To prevent harassment, mortality, or unauthorized "take" of sensitive species and/or their habitat by domestic dogs and cats, no pets should be permitted onsite.
- K. Night lighting may have an adverse effect on sensitive habitats and wildlife species near the project site. If night lighting is required, the lighting should be directed at the facilities and not at adjacent areas.
- L. Impacts associated with wild fires can be minimized by maintaining firefighting equipment on site during project related activities. The use of shields, protective mats or use of other fire preventive methods during grinding and welding activities will prevent or minimize the potential for fire. Personnel should be trained regarding fire hazard for wildlife and their habitats.

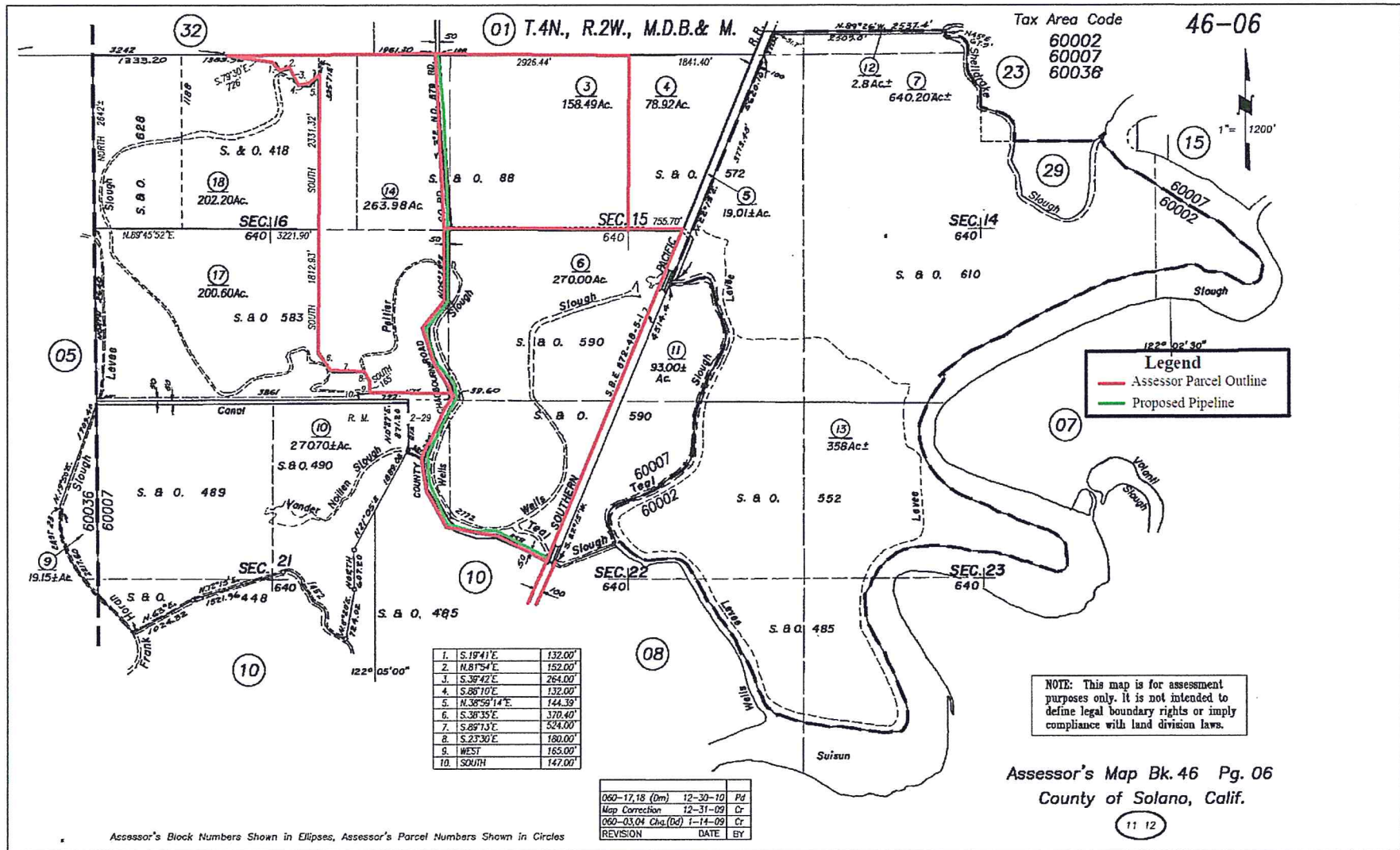
- M. Any take (harming, harassment, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collecting, or any attempt to conduct the previous), injury or illness of species of special concern, threatened, or endangered species shall be reported promptly to the Planning Services Division of Resource Management, USFWS, and CDFW.
  
- N. Project activities, including site preparation, fill placement, drilling, and establishment of production equipment is restricted to the period of April 15 through October 15 (but no later than two weeks prior to the opening of duck hunting season). Ongoing reworking of existing production wells shall occur during the same yearly timeframe, but may occur as long as the production wells are in existence.

\*\*\*\*\*

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on November 5, 2015, by the following vote:

AYES:	Commissioners	_____
		_____
NOES:	Commissioners	_____
EXCUSED:	Commissioners	_____

By: \_\_\_\_\_  
Bill Emlen, Secretary



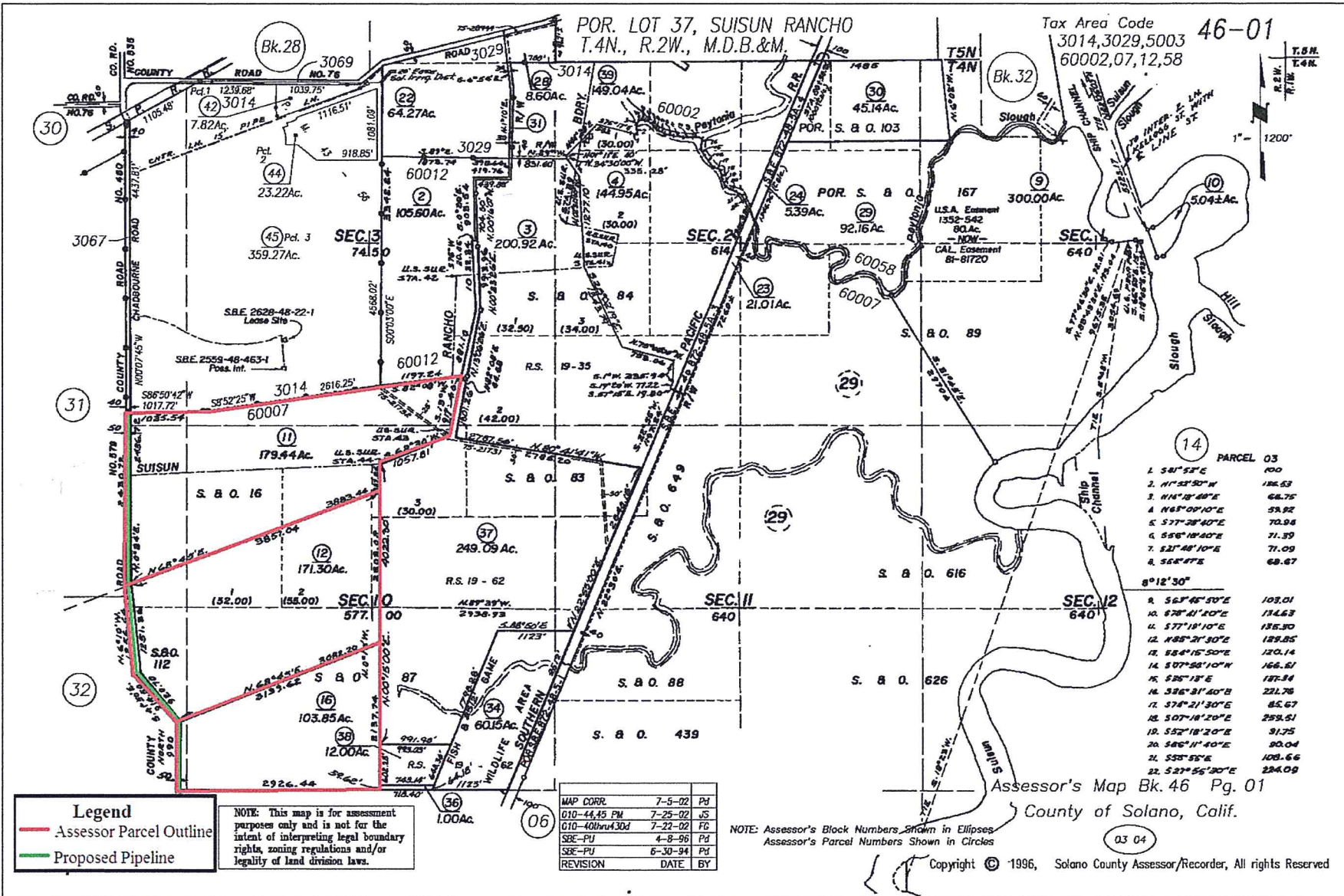
**Robert A. Booher Consulting**  
Environmental Planning & Management  
3221 Quail Hollow Drive  
Fairfield, CA 94534  
(707) 399-7835

**Venoco, Inc.**  
Assessor's Parcel Map  
Page 2

**Venoco, Inc.**  
370 Seventeenth Street, Suite 3900  
Denver, Colorado 80202  
(303) 600-2849

POR. LOT 37, SUISUN RANCHO  
T.4N., R.2W., M.D.B.&M.

Tax Area Code 46-01  
3014,3029,5003  
60002,07,12,58



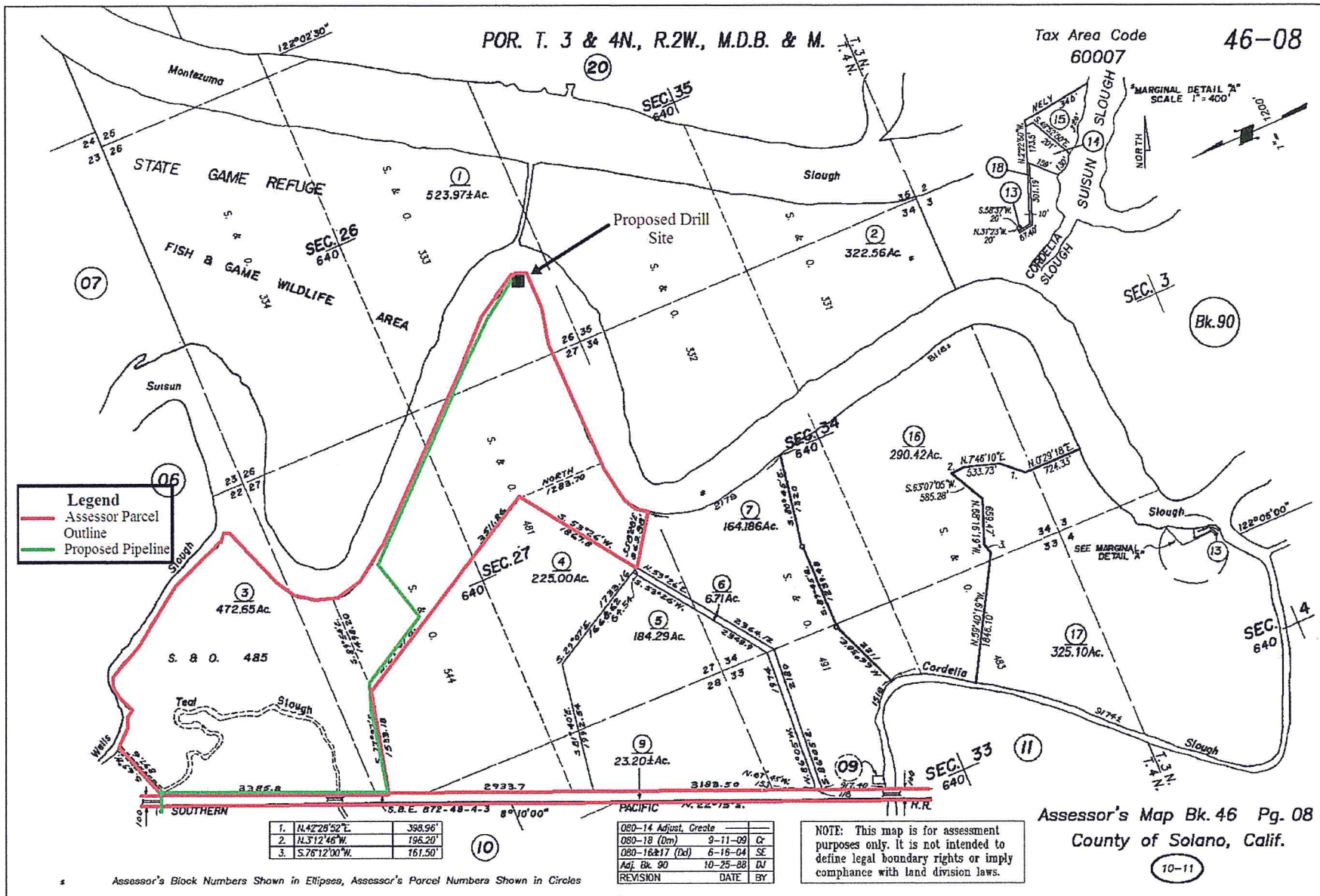
**Robert A. Booher Consulting**  
 Environmental Planning & Management  
 3221 Quail Hollow Drive  
 Fairfield, CA 94534  
 (707) 399-7835

**Venoco, Inc.**  
 Assessor's Parcel Map  
 Page 3

**Venoco, Inc.**  
 370 Seventeenth Street, Suite 3900  
 Denver, Colorado 80202  
 (303) 600-2849

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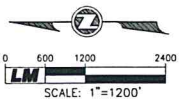
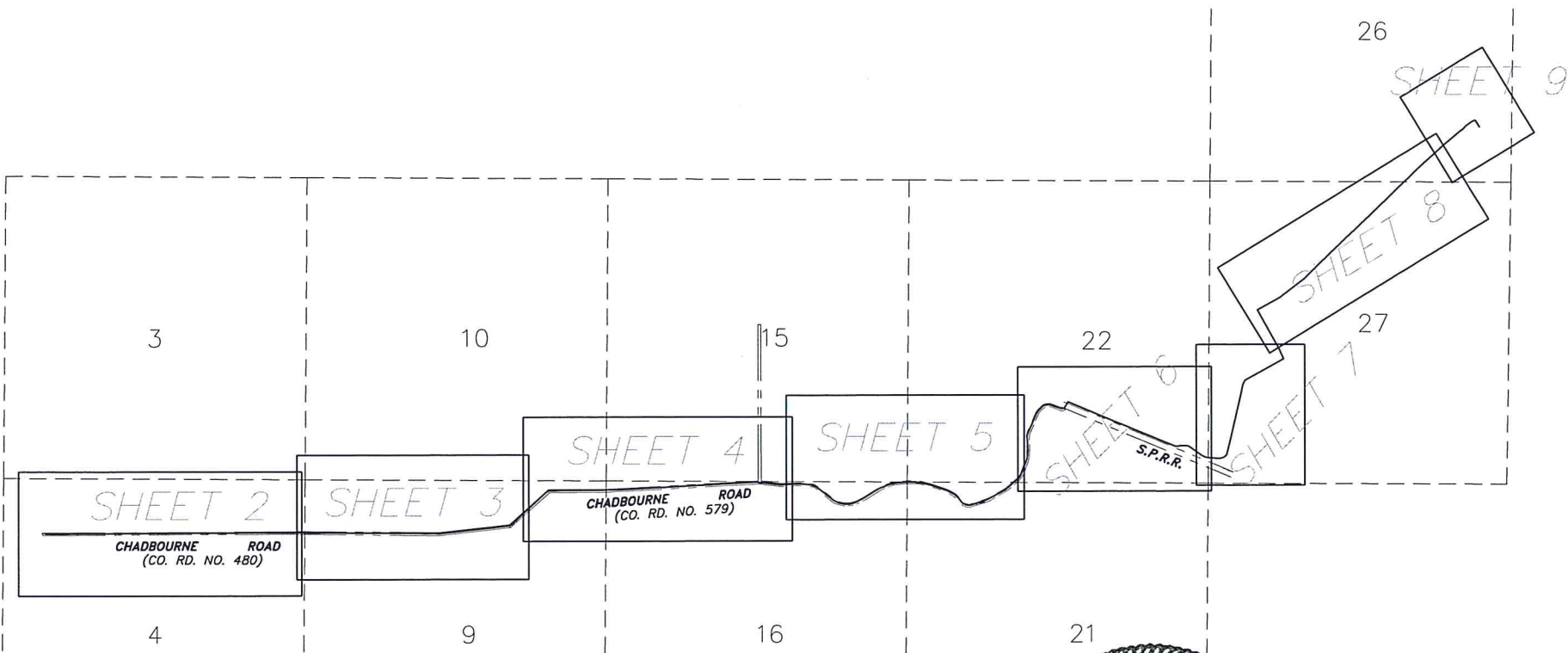




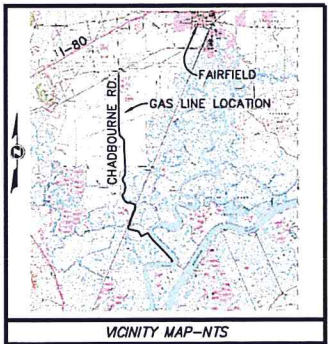
**Robert A. Booher Consulting**  
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 3221 Quail Hollow Drive  
 Fairfield, CA 94534  
 (707) 399-7835

**Venoco, Inc.**  
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 Page 1

**Venoco, Inc.**  
 370 Seventeenth Street, Suite 3900  
 Denver, Colorado 80202  
 (303) 600-2849



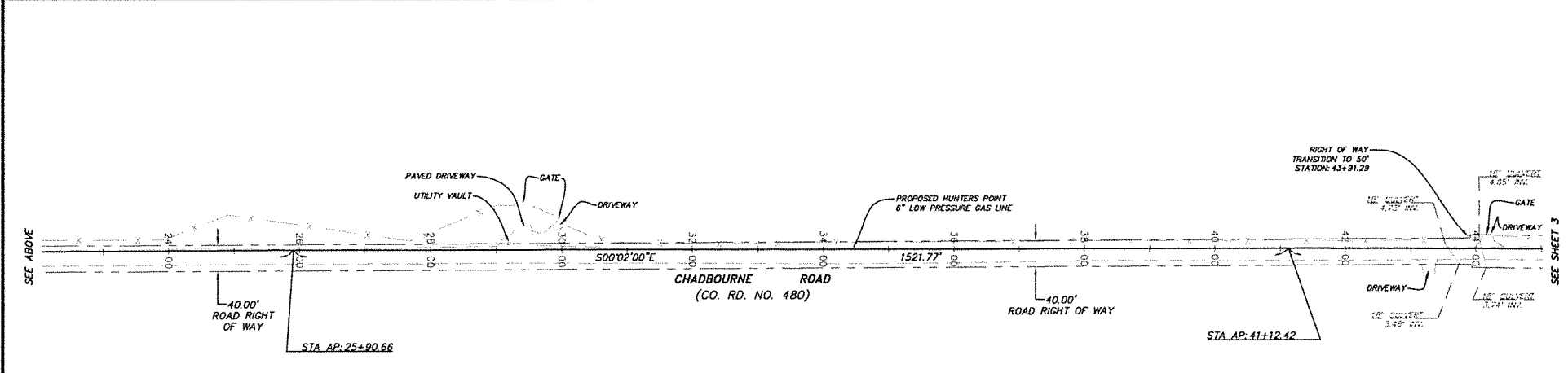
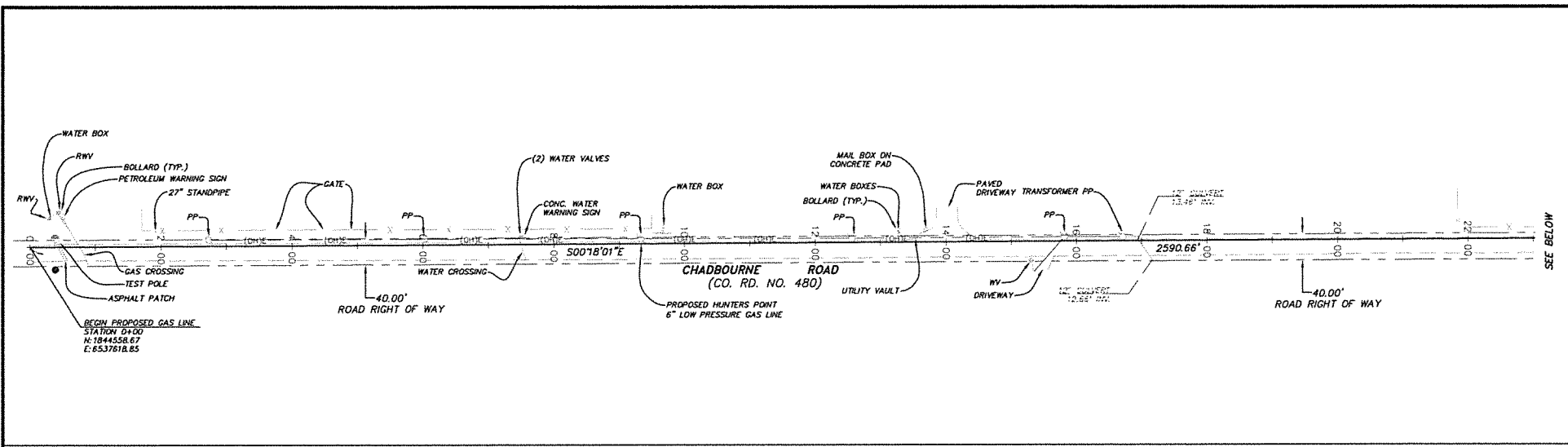
- NOTES:**
- 1) TOTAL LENGTH OF PROPOSED GAS LINE= 30,786±
  - 2) GRID BEARINGS & COORDINATES SHOWN HEREON ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 2
  - 3) THE UTILITIES SHOWN HEREON ARE SURFACE LOCATION ONLY. UNDERGROUND UTILITIES WERE NOT LOCATED BY THIS SURVEY.



CHRISTOPHER W. LERCH  
 \_\_\_\_\_  
 DATE

HUNTER'S POINT GAS LINE  
 FOR  
 VENOCO INC.  
 PROPOSED LOCATION OF 6" HUNTER'S POINT GAS LINE,  
 LOCATED IN A PORTION OF SECTIONS 4, 9, 15,  
 16, 21, 22, 26, & 27  
 MOUNT DIABLO BASE AND MERIDIAN,  
 SOLANO COUNTY, CALIFORNIA

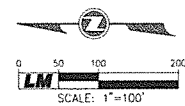
**LM LAUGENOUR AND MEIKLE**  
 CIVIL ENGINEERING - LAND SURVEYING - PLANNING  
 608 COURT STREET, WOODLAND, CALIFORNIA 95695 - PHONE: (530) 862-1755  
 P.O. BOX 828, WOODLAND, CALIFORNIA 95776 - FAX: (530) 862-4022



**LEGEND OF SYMBOLS:**

- PP - INDICATES POWER POLE
- JP - INDICATES JOINT POLE
- TELE - INDICATES TELEPHONE
- TP - INDICATES TELEPHONE POLE
- TYP. - INDICATES TYPICAL
- RWV - INDICATES RECLAIMED WATER VALVE
- - - - - INDICATES FENCE LINE

- NOTES:**
- 1) TOTAL LENGTH OF PROPOSED GAS LINE= 30,786'±
  - 2) GRID BEARINGS & COORDINATES SHOWN HEREON ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 2
  - 3) ELEVATIONS SHOWN ARE N.A.V.D. 88



**HUNTER'S POINT GAS LINE  
FOR  
VENOCO INC.**

PROPOSED LOCATION OF 6" HUNTER'S POINT GAS LINE,  
LOCATED IN A PORTION OF SECTIONS 4, 9, 15,  
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MOUNT DIABLO BASE AND MERIDIAN,  
SOLANO COUNTY, CALIFORNIA

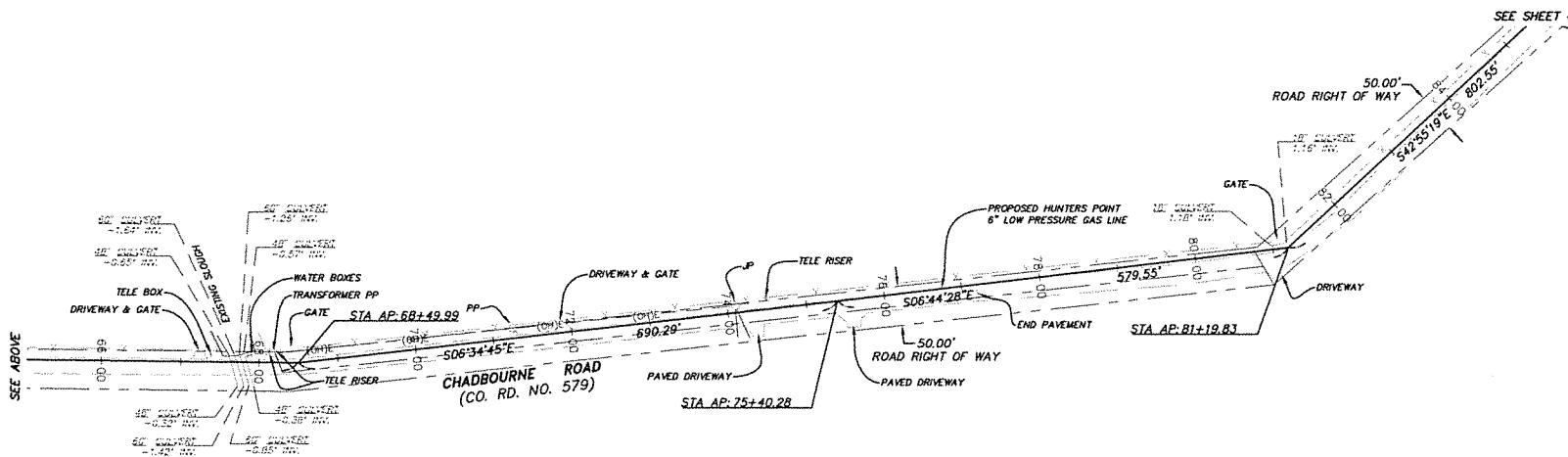
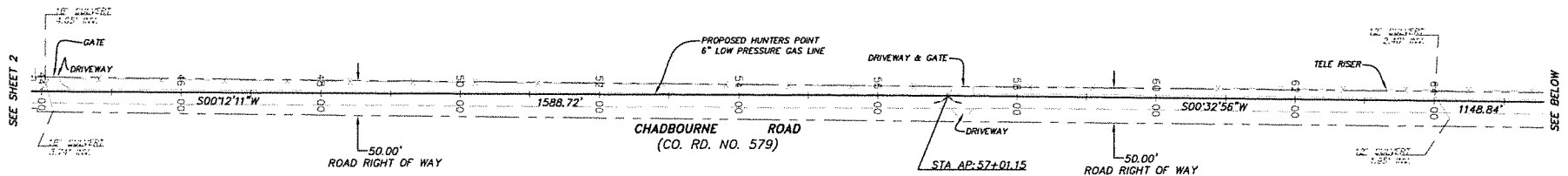
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400 COURT STREET, WOODLAND, CALIFORNIA 95693 · PHONE: (530) 852-1755  
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SEE BELOW

SEE ABOVE

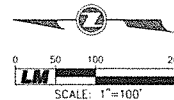
SEE SHEET 3

47360-206-1



**LEGEND OF SYMBOLS:**

- PP - INDICATES POWER POLE
- JP - INDICATES JOINT POLE
- TELE - INDICATES TELEPHONE
- TP - INDICATES TELEPHONE POLE
- TYP. - INDICATES TYPICAL
- x ----- INDICATES FENCE LINE
- (OH)E--- INDICATES OVERHEAD UTILITY LINE



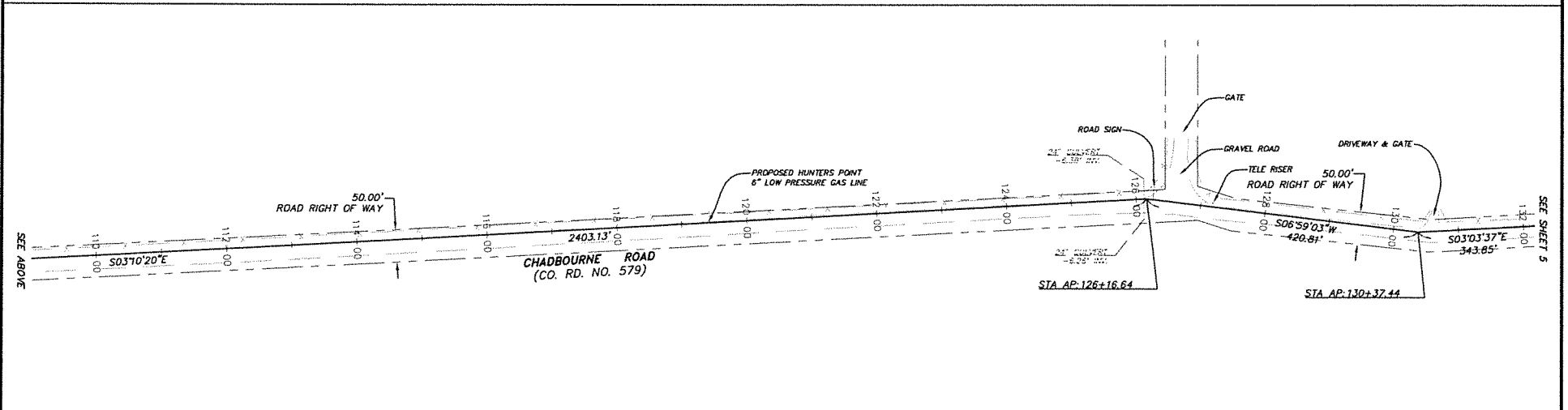
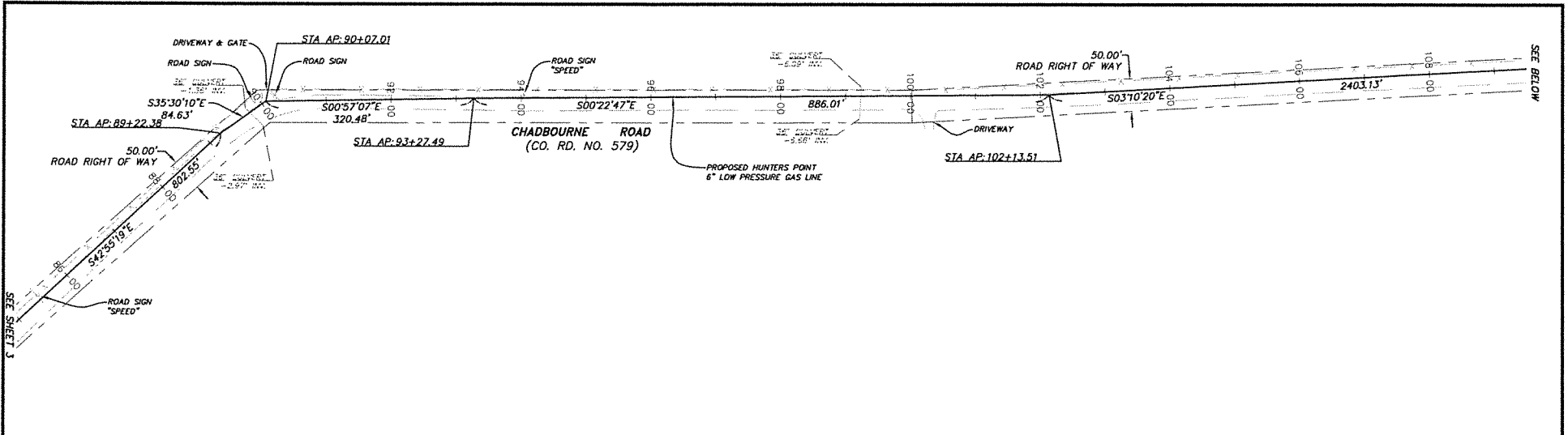
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MOUNT DIABLO BASE AND MERIDIAN,  
SOLANO COUNTY, CALIFORNIA

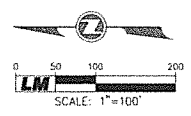
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608 COURT STREET, WOODLAND, CALIFORNIA 95695 · PHONE: (530) 862-1255  
P.O. BOX 828, WOODLAND, CALIFORNIA 95776 · FAX: (530) 862-4602





- LEGEND OF SYMBOLS:**
- PP - INDICATES POWER POLE
  - JP - INDICATES JOINT POLE
  - TELE - INDICATES TELEPHONE
  - TP - INDICATES TELEPHONE POLE
  - TYP. - INDICATES TYPICAL
  - x ----- - INDICATES FENCE LINE

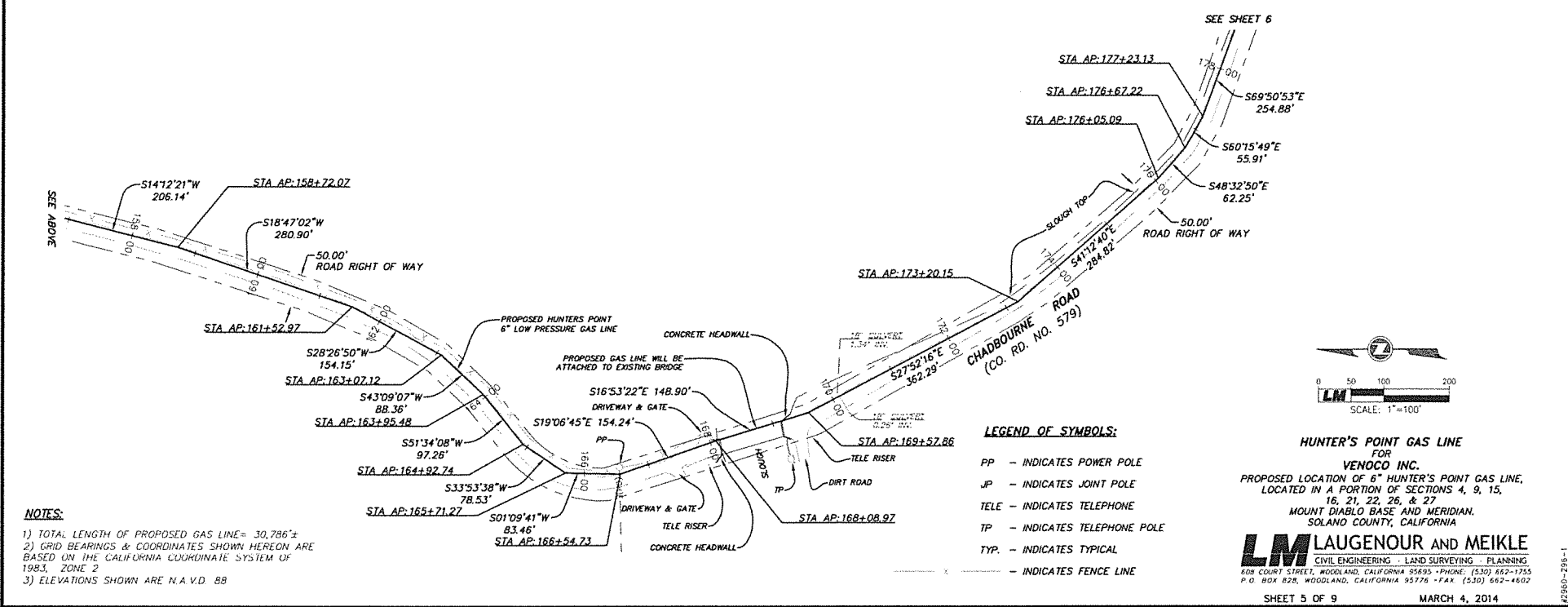
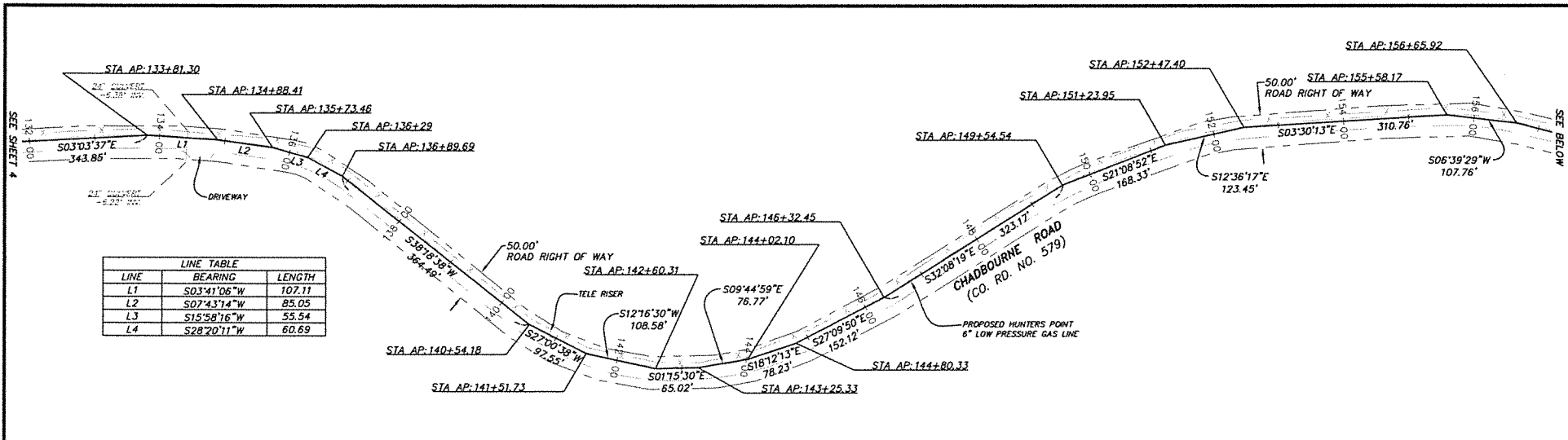
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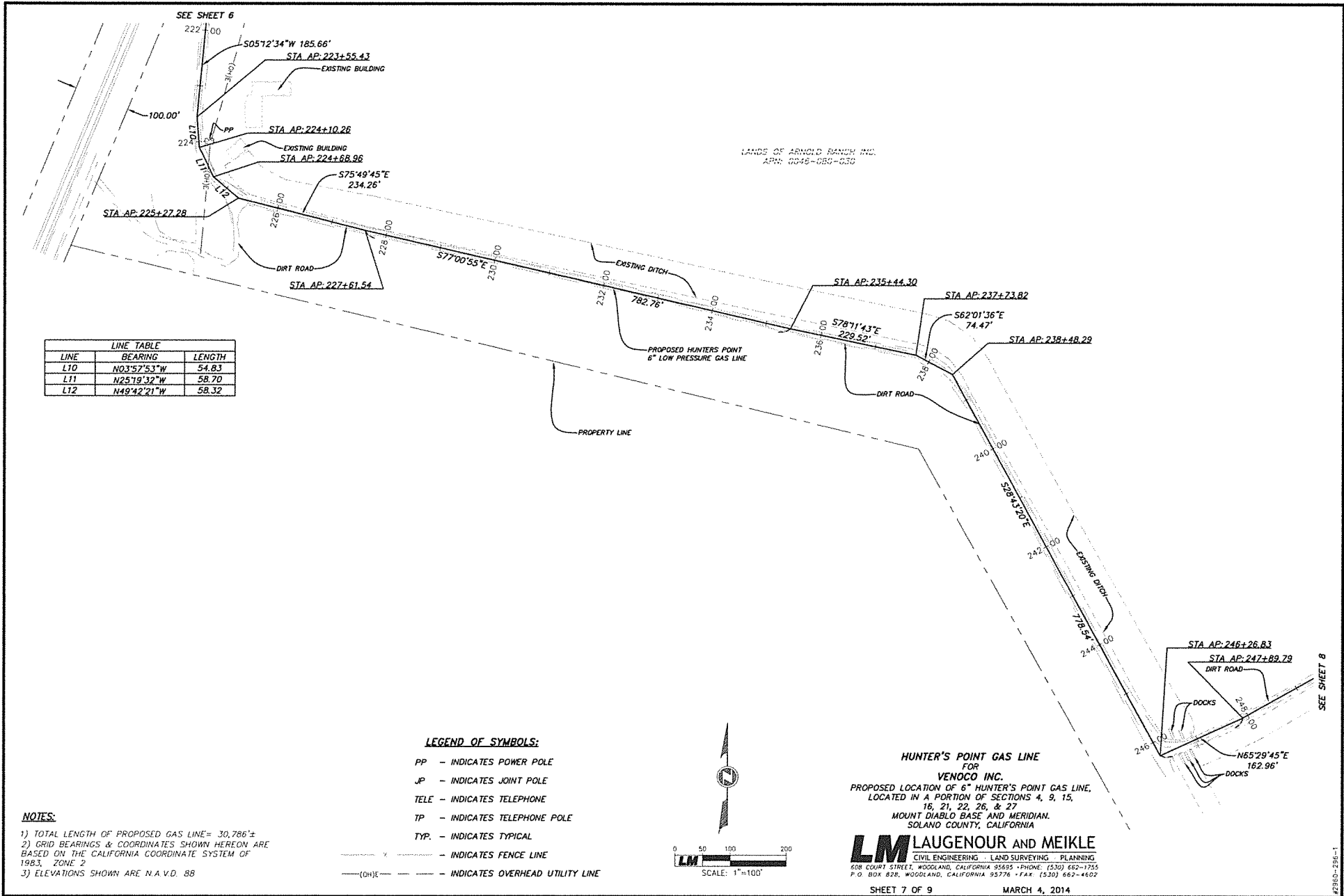
HUNTER'S POINT GAS LINE  
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MOUNT DIABLO BASE AND MERIDIAN,  
SOLANO COUNTY, CALIFORNIA

**LM LAUGENOUR AND MEIKLE**  
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P.O. BOX 828, WOODLAND, CALIFORNIA 95776 · FAX: (530) 862-4602

#2050-286-1





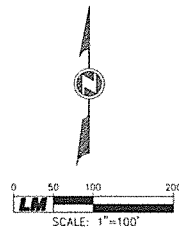


LINE TABLE		
LINE	BEARING	LENGTH
L10	N03°57'53\"W	54.83
L11	N25°19'32\"W	58.70
L12	N49°42'21\"W	58.32

- NOTES:**
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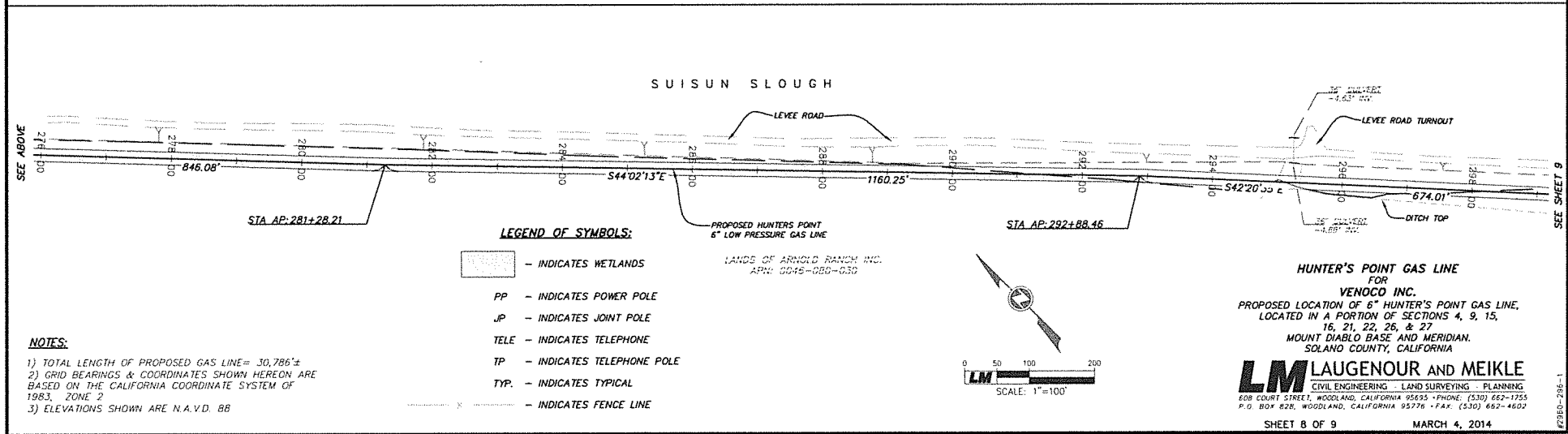
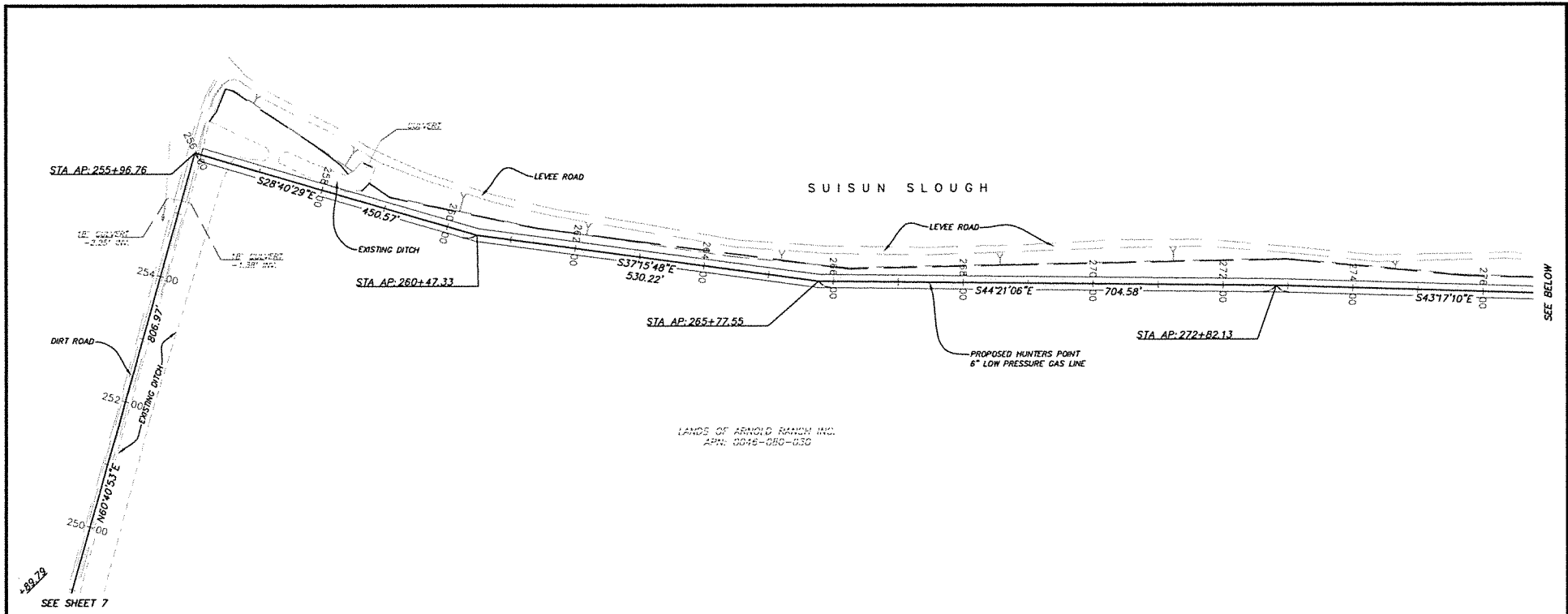
**LEGEND OF SYMBOLS:**

- PP - INDICATES POWER POLE
- JP - INDICATES JOINT POLE
- TELE - INDICATES TELEPHONE
- TP - INDICATES TELEPHONE POLE
- TYP. - INDICATES TYPICAL
- |--- - INDICATES FENCE LINE
- (OH)E--- - INDICATES OVERHEAD UTILITY LINE



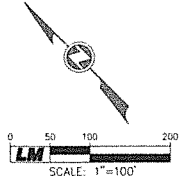
HUNTER'S POINT GAS LINE  
FOR  
VENOCO INC.  
PROPOSED LOCATION OF 6" HUNTER'S POINT GAS LINE,  
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16, 21, 22, 26, & 27  
MOUNT DIABLO BASE AND MERIDIAN,  
SOLANO COUNTY, CALIFORNIA

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608 COURT STREET, WOODLAND, CALIFORNIA 95695 · PHONE: (209) 662-1755  
P.O. BOX 822, WOODLAND, CALIFORNIA 95776 · FAX: (530) 662-4602



- NOTES:**
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  - 3) ELEVATIONS SHOWN ARE N.A.V.D. 88

- LEGEND OF SYMBOLS:**
- INDICATES WETLANDS
  - PP - INDICATES POWER POLE
  - JP - INDICATES JOINT POLE
  - TELE - INDICATES TELEPHONE
  - TP - INDICATES TELEPHONE POLE
  - TYP. - INDICATES TYPICAL
  - INDICATES FENCE LINE



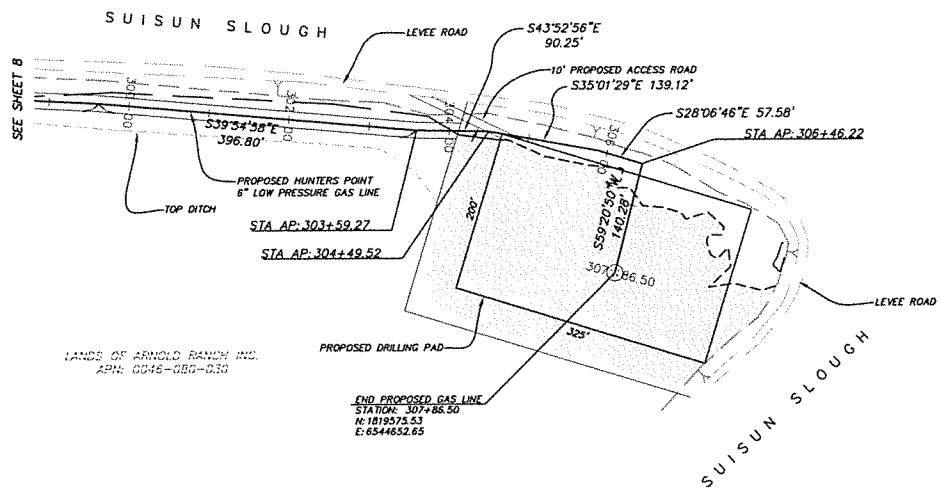
**HUNTER'S POINT GAS LINE**  
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 PROPOSED LOCATION OF 6" HUNTER'S POINT GAS LINE,  
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 16, 21, 22, 26, & 27  
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 808 COURT STREET, WOODLAND, CALIFORNIA 95693 · PHONE: (530) 662-1755  
 P.O. BOX 826, WOODLAND, CALIFORNIA 95776 · FAX: (530) 662-4600

SEE BELOW

SEE SHEET 9



472960-286-1



SEE SHEET B

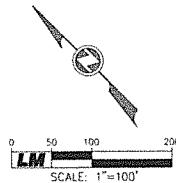
LANDS OF ARNOLD RANCH INC.  
APN: 0046-020-030

**LEGEND OF SYMBOLS:**

-  - INDICATES WETLANDS
- PP - INDICATES POWER POLE
- JP - INDICATES JOINT POLE
- TELE - INDICATES TELEPHONE
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- TYP. - INDICATES TYPICAL
-  - INDICATES FENCE LINE

**NOTES:**

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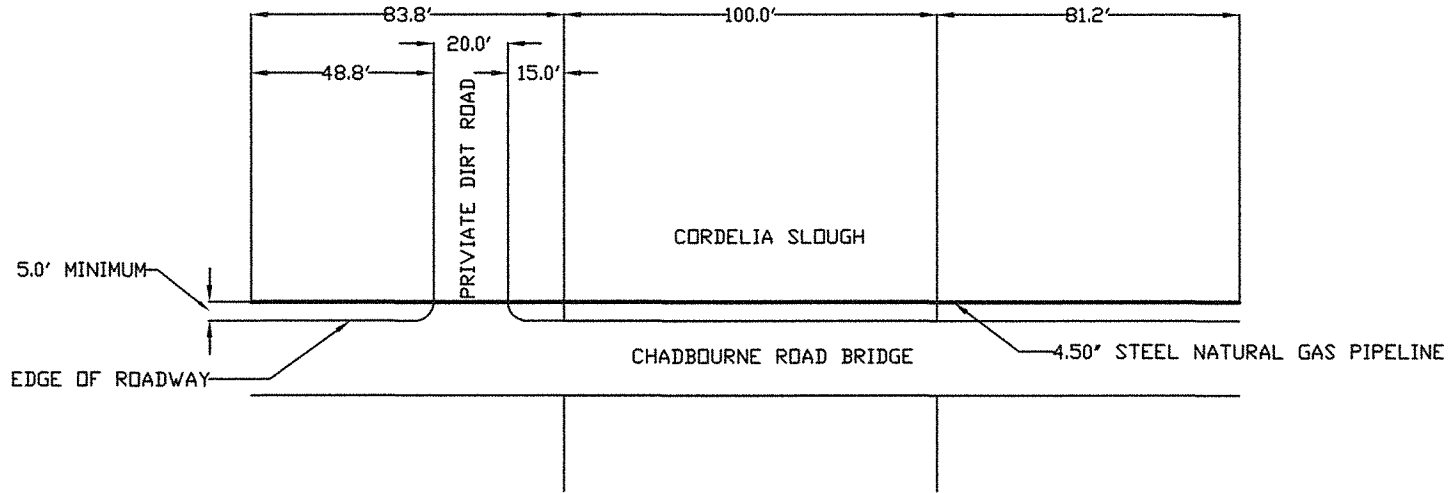
HUNTER'S POINT GAS LINE  
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PROPOSED LOCATION OF 6" HUNTER'S POINT GAS LINE,  
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SOLANO COUNTY, CALIFORNIA

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P.O. BOX 828, WOODLAND, CALIFORNIA 95776 · FAX: (530) 662-4602  
SHEET 9 OF 9 MARCH 4, 2014

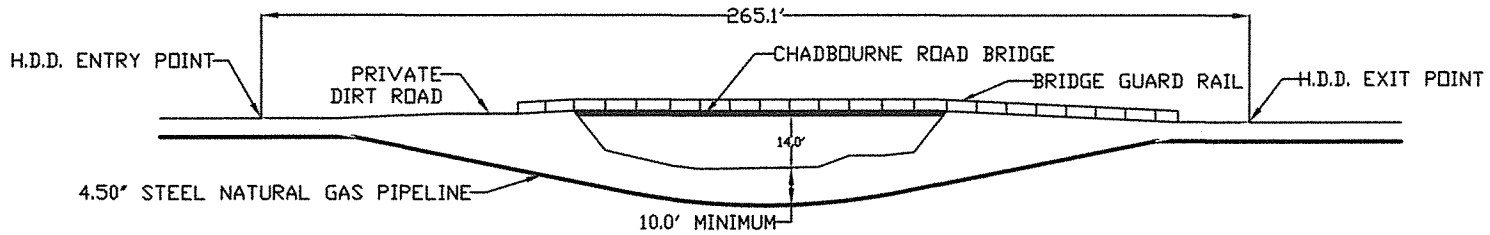
APR 2014



REVISIONS				
ZONE	REV	DESCRIPTION	DATE	APPROVED



PLAN VIEW



CROSS SECTION

NOTES:  
 1. CROSSING WILL BE INSTALLED BY HORIZONTAL DIRECTIONAL DRILLING (H.D.D.).

<b>AA PRODUCTION SERVICES, INC.</b> 433 Second St. Suite 103 Woodland, CA 95695		
CLIENT		
<b>VENOCO, INC</b>		
SIZE	DRAWING NAME	REV
	CHADBOURNE ROAD BRIDGE HUNTERS POINT PIPELINE PROJECT	
SCALE	DRAWN BY:	SHEET
1"=50'	J. HINKLE	1 OF 1





## **Attachment D**

Initial Study and Mitigated Negative Declaration

Available at:

[http://www.solanocounty.com/depts/rm/documents/eir/u\\_14\\_01\\_venoco\\_hunters\\_point\\_natural\\_gas\\_exploraition\\_project.asp](http://www.solanocounty.com/depts/rm/documents/eir/u_14_01_venoco_hunters_point_natural_gas_exploraition_project.asp)



Edmund G. Brown Jr.  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Ken Alex  
Director

June 10, 2015

Eric Wilberg  
Solano County  
675 Texas Street, Suite 5500  
Fairfield, CA 94533

Subject: Venoco, Inc. Hunter's Point Project  
SCH#: 2015052034

Dear Eric Wilberg:

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 9, 2015, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2015052034  
**Project Title** Venoco, Inc. Hunter's Point Project  
**Lead Agency** Solano County

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**Type** Neg Negative Declaration  
**Description** To drill three exploratory natural gas wells from the proposed Hunter's Point Drill Site. If economical quantities of natural gas are discovered, a 5.8 mile pipeline would be installed underground, generally following Chadbourne Road, to transport the natural gas from the production facility to an existing pipeline near the Fairfield Wastewater Treatment Facility.

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**Lead Agency Contact**

**Name** Eric Wilberg  
**Agency** Solano County  
**Phone** (707) 784-3173 **Fax**  
**email**  
**Address** 675 Texas Street, Suite 5500  
**City** Fairfield **State** CA **Zip** 94533

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**Project Location**

**County** Solano  
**City** Unincorporated  
**Region**  
**Lat / Long**  
**Cross Streets** Chadbourne Road  
**Parcel No.**  

<b>Township</b>	<b>Range</b>	<b>Section</b>	<b>Base</b>
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**Proximity to:**

**Highways**  
**Airports**  
**Railways**  
**Waterways** Suisun Slough  
**Schools**  
**Land Use** GP: Marsh  
Z: Marsh Preservation  
Use: Recreational hunting, natural gas production

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**Project Issues** Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Water Quality; Wetland/Riparian; Wildlife; Landuse

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**Reviewing Agencies** Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 3; Department of Parks and Recreation; San Francisco Bay Conservation and Development Commission; Office of Emergency Services, California; Caltrans, District 4; Air Resources Board, Major Industrial Projects; Regional Water Quality Control Board, Region 2; California Energy Commission; Native American Heritage Commission; Public Utilities Commission; State Lands Commission

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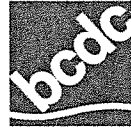
**Date Received** 05/11/2015 **Start of Review** 05/11/2015 **End of Review** 06/09/2015

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RECEIVED

MAY 27 2014

COUNTY OF SOLANO  
RESOURCE MANAGEMENT



Making San Francisco Bay Better

May 22, 2014

Mr. Robert A. Booher  
Robert Booher Consulting  
3221 Quail Hollow Drive  
Fairfield, CA 94534

**SUBJECT:** Hunter's Point Natural Gas Well and Pipeline Project  
(Re-submitted Application for BCDC Permit No. 2011.003.00md)

Dear Mr. Booher:

Thank you for your application dated April 16, 2014 and received in this office on April 28, 2014, to drill three natural gas wells from the Hunter's Point Well Site located on the west side of the Suisun Slough adjacent to "Hunter Cut" in the primary management area of the Suisun Marsh, Solano County, and construct an approximately 5.8-mile-long pipeline from the proposed drill site to an existing natural gas pipeline located approximately 5.0 miles northwest of the proposed well site at the southeast corner of the intersection of Chadbourne Road and Cordelia Road in the City of Fairfield. Our review of the application has determined that the application is incomplete pending the submittal of the following items:

1. **Authorization of Representative and Certification of Accuracy.** In the past, Craig Blancett, has been the signatory for Venoco, Inc. In your current application, it appears that Thomas E. Clark has signed. Please provide the authorization by Venoco, Inc. that the signatory has the legal authority to sign the application and permit on behalf of Venoco.
2. **Local Government Approval.** You have indicated that a local discretionary use permit is required from Solano County for the project and is expected in June 2014. Please submit all relevant documentation that clearly indicates that all local discretionary approvals have been received for the project when these are available.
3. **Processing Fee.** Our permit fees for a major permit with a total project cost of \$1,550,000, which you have indicated, is \$3,100. You previously submitted a permit fee in the amount of \$3,000 for BCDC Permit Application No. 3-11(M) and have asked whether we could apply this amount to the new resubmitted application. Unfortunately, upon review of the permit file, it appears that we never deposited the check. Given the length of time that has transpired since the check was first issued, we have gone ahead and "voided" the check and have attached it to this letter. We apologize for not notifying you sooner. Please submit a new check in the amount of \$3,100 to cover processing of the resubmitted application.

4. **Project Description.** Based on your application, it appears that the following would occur over the three-year exploratory period: construction of a 1.5-acre well pad (approximately 200 feet by 325 feet) to accommodate the drilling of three wells that would permanently impact approximately 1.3 acres of wetland habitat and 0.2 acres of upland habitat; and construction of a 10-foot-wide by 120-foot-long new access road that would permanently impact approximately 0.03 acres of upland habitat. If exploratory drilling proves successful, the applicant would install production equipment at the site and construct an approximately 5.8-mile-long pipeline, approximately five miles located within unincorporated areas of Solano County in both the primary and secondary management areas of the Suisun Marsh, and approximately 0.8 miles located within the City of Fairfield. Approximately 0.9 miles of the proposed pipeline would be installed adjacent to the existing Suisun Slough levee within wetland and grassland habitat and would result in temporary impacts to 1.9 acres of wetland habitat. The remaining 4.9 miles of the proposed pipeline would be installed within existing and proposed private roads and within the Chadbourne Road right-of-way.

Overall, if the drilling proves successful, approximately 1.9 acres of wetland habitat would be temporarily disturbed, 1.3 acres of wetland habitat would be permanently disturbed, and 0.23 acres of upland habitat would be permanently disturbed. Please clarify if any of the information listed above is incorrect.

In order to satisfy our laws and policies, please explain why the fill for this project is the minimum amount necessary and if an upland alternative exists. In addition, I have attached the Commission's policies on Natural Gas Resources and Utilities, Facilities and Transportation from the Suisun Marsh Protection Plan. Please review these policies and explain how this project complies with them.

5. **Project Plans.** Thank you for providing a set of maps showing the vicinity and the proposed location of the drill pad and the pipeline. Please also provide plans showing the proposed drilling and production site, drilling pad exhibit, and production exhibit. The site plan should clearly label all proposed roads, driveway modifications, equipment and connections to existing roadway and pipeline infrastructures for both the drilling and production phases. Additional information may be needed on the plans depending upon the scope of the proposed project.
6. **Water Quality Certification or Waiver.** You have indicated that a water quality certification from the Regional Water Quality Control Board is required for the project. Please provide a copy of this certification when it has been obtained. Our regulations prohibit us from filing an application prior to the applicant submitting such documentation.
7. **Mitigation.** In similar permits issued to Venoco for exploratory drilling, the U.S. Fish and Wildlife Service and the U.S. Army Corps of Engineers have required mitigation to offset impacts of the project on listed species and habitat. Please let

Mr. Robert Booher  
BCDC Permit Application No. 2011.003.00md  
May 22, 2014  
Page 3

us know if you are planning to mitigate for the temporary and permanent wetland and upland habitat areas and if you have identified a suitable mitigation site.

8. **Environmental Documentation.** Our files indicate a negative declaration was prepared for the previous project, reviewed in 2011. We presume that this document will need to be updated based on the changed project description and the elapsed time. Please provide a copy of the certified environmental document for the proposed project when it is available, as required under the California Environmental Quality Act (CEQA).
9. **Public Notice.** Please find enclosed the completed "Notice of Application" which the Commission's regulations require to be posted at or near the project site in a prominent location before a permit application can be filed. Please post the Notice so that it will be visible to the members of the public, complete the form that certifies that you have posted the Notice, and return the form to the Commission's office.

Until the above-mentioned information is submitted and reviewed for adequacy, your application will be held as incomplete. If you have any questions, please do not hesitate to contact me at (415) 352-3616 or mingy@bcdca.gov.

Sincerely,



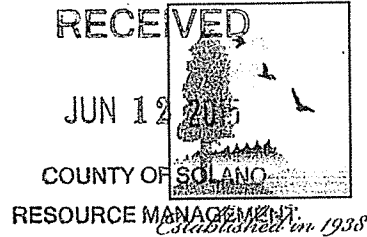
MING YEUNG  
Coastal Planning Analyst

MY/ra

Enc.

cc: Thomas E. Clark, Venoco, Inc.  
Eric Wilberg, Solano County

CALIFORNIA STATE LANDS COMMISSION  
100 Howe Avenue, Suite 100-South  
Sacramento, CA 95825-8202



JENNIFER LUCCHESI, Executive Officer  
(916) 574-1800 Fax (916) 574-1810  
California Relay Service TDD Phone 1-800-735-2929  
from Voice Phone 1-800-735-2922

Contact Phone: (916) 574-1890  
Contact FAX: (916) 574-1885

June 9, 2015

File Ref: SCH #2015052034

Solano County  
Attn: Eric Wilberg  
675 Texas Street, Suite 5500  
Fairfield, CA 94533

**Subject: Mitigated Negative Declaration (MND) for Hunter's Point Project, Suisun Slough, Solano County**

Dear Mr. Wilberg:

The California State Lands Commission (CSLC) staff has reviewed the subject MND for the Hunter's Point Project (Project), which is being prepared by Solano County (County) as the lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq. The CSLC is a trustee agency for projects that could directly or indirectly affect sovereign lands and their accompanying Public Trust resources or uses. Additionally, because the Project involves work on sovereign lands, the CSLC will act as a responsible agency.

#### CSLC Jurisdiction and Public Trust Lands

The CSLC has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable lakes and waterways. The CSLC also has certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions (Pub. Resources Code, §§ 6301, 6306). All tidelands and submerged lands, granted or ungranted, as well as navigable lakes and waterways, are subject to the protections of the Common Law Public Trust.

As general background, the State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable lakes and waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all people of the State for statewide Public Trust purposes, which include but are not limited to waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. On tidal waterways, the State's sovereign fee ownership extends landward to the mean high tide line, except for areas of fill or artificial accretion or where the boundary has been fixed by agreement or a court. On navigable non-tidal waterways, including lakes, the State holds fee ownership of the bed of the waterway

landward to the ordinary low water mark and a Public Trust easement landward to the ordinary high water mark, except where the boundary has been fixed by agreement or a court. Such boundaries may not be readily apparent from present day site inspections.

After reviewing the information contained in the MND, CSLC staff has determined the Project will be located along areas of the natural bed of Wells Slough on State-owned sovereign land under the jurisdiction of the CSLC. Therefore, a lease from the CSLC will be required for the Project to be constructed. Please contact Wendy Hall (see contact information below) for additional information about the extent of the CSLC's sovereign ownership and leasing requirements.

### **Project Description**

From the Project Description, CSLC staff understands that the Project would include the following components.

- Construction of an access road to the well site;
- Construction of a well pad on 1.5 acres;
- Directional drilling of three exploratory natural gas wells from one location in order to reduce impacts to wetlands over a 3-year period; and
- If economical quantities of natural gas are discovered, installation of 5.8 miles of new gas pipeline to connect to an existing gas pipeline about 5 miles to the northwest, via the following methods:
  - 0.9 mile of gas pipeline would be installed by trenching adjacent to the existing Suisun Slough levee within wetland and grassland habitat; and
  - 4.9 miles of gas pipeline would also be installed by trenching within the existing and proposed private roads and within the Chadbourne Road right-of-way.

### **Environmental Review**

CSLC staff requests that the County consider the following comments on the Project's MND.

#### **General Comments**

1. Document Title: The MND refers to the Project using different titles in various places of the document, which may be confusing to the lay reader. For example, on page 1 the Project is referred to as "Use Permit U-14-01, Venoco, Inc. Hunter's Point Natural Gas Exploration Project." The header on pages 2 through 10 of the MND refer to the Project title as "Negative Declaration of Environmental Impact U-14-01, Venoco, Inc. Hunter's Point Natural Gas Well Project." However, the later portions of the document header list the Project title as "Initial Study and Mitigated Negative Declaration Venoco, Inc. Hunter's Point Natural Gas Exploration project." CSLC staff recommends that the Final MND strive for consistency throughout the document and all related attachments.



2. CSLC Jurisdiction: The MND on page 16 does not list CSLC as an agency with jurisdiction over the Project or needing to approve a lease for the Project. CSLC staff requests that CSLC be included in the Final MND because of its jurisdictional authority over the Project as explained earlier under "CSLC Jurisdiction and Public Trust Lands" discussion.
3. "Less Than Significant Impact With Mitigation" Box: The Aesthetics resource analysis on page 18 of the MND does not mark "Less Than Significant Impact With Mitigation" even though the MND includes a mitigation measure requiring all permanent equipment be painted in a camouflage, earthen tone in order for the production facility to blend in with the surround environs and prevent glare. CSLC staff requests that the County clearly mark the correct impact level for each environmental resource section, and clearly designate all measures identified to reduce or avoid impacts as mitigation measures rather than simply best management practices or other labels that may create confusion to the reader.
4. Mitigation Monitoring Program: CSLC staff recommends addition of an organized Mitigation Monitoring Program table that identifies potential impacts, mitigation measures, locations of impacts, monitoring/reporting actions, timing, responsible party, and effectiveness criteria for all environmental resource sections.
5. Environmental Settings: The MND does not appear to include environmental setting discussions for many of the environmental resource categories, and in other instances, the environmental setting is not complete. Characterization of the environmental setting is important, as it helps the lead agency logically explain to the reader what the current environmental conditions are, and how they will or will not be impacted by the proposed Project-related activities. For example, the environmental setting for Biological Resources section (page 21) does not provide sufficient information for a reader to understand the current environmental conditions, which in turn does not allow a reader to independently analyze how these environmental resources will be impacted and how the impacts may be reduced to less than significant by implementation of the proposed mitigation measures. Therefore, CSLC staff requests that the full suite of environmental setting discussions be provided in the Final MND.

#### Biological Resources

6. Consultations with Agency Staff: It is not clear based on the discussions on pages 21 and 23 if the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife (USFWS) staff were consulted in addition to database searches and onsite biological surveys completed on October 2, 2011 and October 20, 2014. Understanding whether consultations are in process help the reader to understand whether or not the proposed mitigation measures (e.g., the measures on pages 23 through 31) are adequate. CSLC staff requests that a summary of consultations with agency staffs be included in the Final MND.
7. Noise Impacts to Bats: On page 22, the MND states that noise from Project-related activities could temporarily disturb bats using roosting/maternity sites within the

Project buffer area if they are present during Project implementation. The analysis additionally concludes that impacts to "... western red bats roosting/maternity sites would be considered significant." However, the MND does not subsequently discuss how these significant impacts would be reduced to less than significant. CSLC staff requests that the Final MND logically explain how these significant impacts would be reduced to less than significant.

8. Spill Prevention and Contingency Plan: Page 22 explains that impacts to special-status fish species would be reduced because the gas pipeline under the Chadbourne Slough would be installed by horizontal directional drilling (HDD) techniques. However, it does not explain what spill containment equipment would be stored at the boring site to contain an accidental release of boring materials during Project operations. CSLC staff requests the County add this plan to the mitigation measures for the Project, and share a copy with the CSLC staff before starting the HDD activities.
9. Qualified Biologist and Botanist: Pages 23 and 24 do not specify what criteria will be used to identify a "qualified" biologist or a botanist. CSLC staff believes it is important that these individuals be approved by CDFW because of the tasks that they will be carrying out (as explained on pages 15 and 24). CSLC staff requests that the Final MND include more information about qualifications of these individuals and the timeframe of when the verification documents would need to be submitted to the County.
10. Timing of Pre-Construction Surveys: From the discussion provided on page 24, it is not clear when the pre-construction surveys would be conducted for the nesting special-status avian species. Given that the different birds nest and rear their young at slightly different times during the breeding seasons the MND discussion would benefit from identifying when exactly such surveys would be conducted before starting proposed Project-related activities.
11. Invasive Species: The MND does not appear to include a discussion of aquatic invasive species (AIS) in the MND, even though the Project is located in an area that is highly impacted by this issue. The MND should consider the Project's potential to encourage the establishment or proliferation of AIS such as the quagga mussel, or other nonindigenous, invasive species including aquatic and terrestrial plants. The CDFW's Invasive Species Program (information at [www.dfg.ca.gov/invasives/](http://www.dfg.ca.gov/invasives/)) could assist with this analysis as well as with the development of appropriate mitigation. CSLC recommends that invasive species be discussed in the Final MND.
12. Best Management Practices (BMPs): The BMPs listed on page 30 of the MND should be presented as mitigation measures for the appropriate environmental resource sections and subsequently included in the MMP required as part of project approval by the County. Listing some measures that would need to be implemented to reduce impacts to less than significant as BMPs, and others as mitigation measures, presents a source of inconsistency and confusion, and may therefore compromise compliance during Project implementation.

### Cultural Resources

13. Submerged Resources: From discussions on pages 31 and 32, it is not clear if the CSLC-maintained shipwreck database was searched. CSLC staff requests that the County contact Assistant Chief Counsel Pam Griggs (see contact information below) to obtain shipwrecks data from the database and CSLC records for the Project site. The database includes known and potential vessels located on the State's tide and submerged lands; however, the locations of many shipwrecks remain unknown. Please note that any submerged archaeological site or submerged historic resource that has remained in State waters for more than 50 years is presumed to be significant. CSLC requests that the proposed measure on page 32 be included in the Mitigation Monitoring Program (see "Mitigation Monitoring Program" comment) in the Final MND.
14. Title to Resources: The Final MND on page 32 should also mention that the title to all abandoned shipwrecks, archaeological sites, and historic or cultural resources on or in the tide and submerged lands of California is vested in the State and under the jurisdiction of the CSLC (Pub. Resources Code, § 6313). CSLC staff requests that the County consult with Assistant Chief Counsel Pam Griggs (see contact information below) should any cultural resources on state lands be discovered during construction of the proposed Project. In addition, CSLC Staff requests that the following statement be included in Mitigation and Monitoring Plan:

"The final disposition of archaeological, historical, and paleontological resources recovered on State lands under the jurisdiction of the California State Lands Commission must be approved by the Commission."

### Climate Change

15. Greenhouse Gases: CSLC staff recommends that the greenhouse gas (GHG) section on pages 33 and 34 briefly explain why 691.08 tons of carbon dioxide emissions are below threshold as explained on page 4 of Appendix 6.5 to help the reader understand how the GHG impacts would be less than significant.
16. Sea-Level Rise: Page 36 states that proposed Project is located within an area subject to tidal inundation and a 100-year flood plain. However, there is no discussion of how sea-level rise will affect the Project. A tremendous amount of State-owned lands and resources under the Commission's jurisdiction will be impacted by rising sea levels. With this in mind, the County should consider discussing in the Final MND the effects of sea-level rise on all resource categories potentially affected by the proposed Project. Because of their nature and location, these lands and resources are already vulnerable to a range of natural events, such as storms and extreme high tides. Note that the State of California released the final "Safeguarding California: Reducing Climate Risk, an Update to the 2009 California Climate Adaptation Strategy" (Safeguarding Plan) on July 31, 2014, to provide policy guidance for state decision-makers as part of continuing efforts to prepare for climate risks. The Safeguarding Plan sets forth "actions needed" to safeguard ocean and coastal ecosystems and resources as part of its policy recommendations for state decision-makers.

In addition, at its meeting on December 17, 2009, the CSLC approved the recommendations made in a previously requested staff report, "A Report on Sea Level Rise Preparedness" (Report), which assessed the degree to which the CSLC's grantees and lessees have considered the eventual effects of sea-level rise on facilities located within the CSLC's jurisdiction. (The Report can be found on the CSLC's website, [www.slc.ca.gov](http://www.slc.ca.gov).) One of the Report's recommendations directs CSLC staff to consider the effects of sea-level rise on hydrology, soils, geology, transportation, recreation, and other resource categories in all environmental determinations associated with CSLC leases. When considering lease applications, CSLC staff will (1) request information from applicants concerning the potential effects of sea-level rise on their proposed projects, (2) if applicable, require applicants to indicate how they plan to address sea-level rise and what adaptation strategies are planned during the projected life of their projects, and (3) where appropriate, recommend project modifications that would eliminate or reduce potentially adverse impacts from sea-level rise, including adverse impacts on public access.

### Mineral Resources

17. Mineral Extraction Impacts: Page 37 explains that the Project will extract natural gas which is considered a mineral resource. However, the checklist and the conclusion of this discussion states that there would be "No Impact." CSLC staff requests that this discussion be expanded in the Final MND to include the level of impact that will take place by extracting mineral resources through the proposed Project-related activities.

### Noise

18. Deferred Mitigation: The discussion on page 38 states the well pressure is not known at this time. Therefore, it is not clear if an air compressor would be used for long-term portion of the Project as explained below:

*The primary source of Noise associated with operating production equipment is from the compressor including its engine and cooling fan....A well that does not require compression early in its life cycle may require compression at some later point in time. Noise from un-muffled equipment associated with long-term production operations has been measured at 70 dBA at a distance of 50 feet.*

It is not clear from the above excerpt if the 70 dBA includes the noise from the potential compressor that may be required at some point in the Project's life. CSLC staff requests that the possible noise impacts from this compressor be included in the Final MND. If impacts are expected to be significant, then appropriate mitigation measures should be proposed to reduce these impacts to less than significant. In order to avoid the improper deferral of mitigation, mitigation measures should either be presented as specific, feasible, enforceable obligations, or should be presented as formulas containing "performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way" (State CEQA Guidelines, §15126.4, subd. (b)).

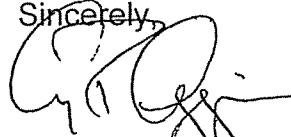
Recreation

19. Recreational Impacts: The discussion on page 40 does not include possible impacts to recreational opportunities like seasonal duck hunting, boating, fishing, hiking, and bird watching during testing, or equipment installation stages of the proposed Project. This information is necessary to assess possible recreational impacts from carrying out the proposed Project-related activities. CSLC requests that the Final MND include the level of impacts to recreational activities during all phases of the Project. If impacts are expected to be significant, then appropriate mitigation measures (see "Deferred Mitigation" comment) should be proposed to reduce these impacts to less than significant. Posting construction signs (in advance) on and around the Project site notifying the public of possibly impeding public access to recreational activities might be an appropriate mitigation measure.

Thank you for the opportunity to comment on the MND for the Project. As a responsible and trustee agency, the CSLC will need to rely on the Final MND for the issuance of any new lease as specified above and, therefore, we request that you consider our comments prior to adoption of the MND.

Please send copies of future Project-related documents, including electronic copies of the Final MND, Mitigation Monitoring and Reporting Program (MMRP), and Notice of Determination (NOD) when they become available, and refer questions concerning environmental review to Afifa Awan, Environmental Scientist, at (916) 574-1891 or via e-mail at [Afifa.Awan@slc.ca.gov](mailto:Afifa.Awan@slc.ca.gov). For questions concerning archaeological or historic resources under CSLC jurisdiction, please contact Assistant Chief Counsel Pam Griggs at (916) 574-1854 or via email at [Pamela.Griggs@slc.ca.gov](mailto:Pamela.Griggs@slc.ca.gov). For questions concerning CSLC leasing jurisdiction, please contact Wendy Hall, (Public Land Management Specialist), at (916) 574-0994, or via email at [Wendy.Hall@slc.ca.gov](mailto:Wendy.Hall@slc.ca.gov).

Sincerely,



Cy R. Oggins, Chief  
Division of Environmental Planning  
and Management

cc: Office of Planning and Research  
A. Awan, CSLC  
S. Blackmon, CSLC  
J. DeLeon, CSLC  
P. Griggs, CSLC  
W. Hall, CSLC





May 20, 2015

RECEIVED

MAY 22 2015

Mr. Eric Wilberg  
Project Planner  
Solano County Department of Resource Management  
675 Texas Street, Suite 5500  
Fairfield, CA 94533-6342

COUNTY OF SOLANO  
RESOURCE MANAGEMENT

RE: Venoco, Inc. Use Permit Application U-14-01

Dear Mr. Wilberg,

The Suisun Resource Conservation District (SRCD) recently received Notice of Submittal of a Project Application from Venoco, Inc. to drill three exploratory natural gas wells within the Primary Management Area of the Suisun Marsh on property owned by Larry Petrie, et al.

SRCD has concerns over the impact of this project on the Marsh and existing land use. SRCD recommends that the following conditions be placed in the permit:

1. Existing disturbed sites and previously established well sites should be used whenever possible to minimize wetland impacts.
2. All construction activity should be limited to the period between July 1<sup>st</sup> and October 1<sup>st</sup>.
3. The drilling and production pad fill must comply with Regional Water Quality Control Board standards for fill imported into the Marsh.
4. A qualified biologist should be on site during filling and drilling to ensure compliance with all required wetland protection measures.
5. If the site goes into production:
  - a. All equipment should be painted with earth tone colors.
  - b. Excess fill should be removed and the area should be re-vegetated.
  - c. Venoco should pay for any extra costs for water control structure repair and levee maintenance due to Venoco's activities.
  - d. Venoco should provide a long-term Operation and Maintenance Plan for production that states which activities will be conducted and the timing of those activities.
  - e. To reduce truck traffic and well site visitation, Venoco should:

**Directors**

Tony Vaccarella, President  
Terry Connolly  
Arnold Lenk  
Mike Lewis  
Jim Waters

**Associate Directors**

Dennis Becker  
Kurt Black  
Bill Brush  
H. Kent Hansen

**Directors Emeritus**

James Bancroft  
Dr. William Coon  
Paul Crapuchettes  
Timothy Egan  
Leland Lehman  
Ray Lewis  
Gregory Palamountain

**Staff**

Steven Chappell  
Executive Director  
Bruce Wickland  
Operations Manager  
Kelli Perez  
Office Supervisor  
Tim Edmunds  
Water Manager/Biologist  
Jeff Taylor  
Water Manager/Biologist  
Dean Podolsky  
Water Manager/Biologist  
Steve Witherspoon  
LJI Resident Caretaker

**SUISUN RESOURCE  
CONSERVATION DISTRICT**

2544 Grizzly Island Road  
Suisun, CA 94585-9539  
(707) 425-9302  
(707) 425-4402 FAX  
srcd@suisunrcd.org  
www.suisunrcd.org



- aa. Conduct remote monitoring of brine tank levels and other equipment.
    - bb. Use larger capacity brine tanks or develop an off-site collection location.
  - a. Conduct site visits only on Monday and Thursday during waterfowl hunting season (October 1 through February 10).
  - b. Use the best available muffler and silencer technology for installation on compressors and other equipment that generates noise.
  - h. No on-site night lighting.
6. If the site is to be abandoned:
- a. All equipment and fill should be removed within sixty days of abandonment.
  - b. The San Francisco Bay Conservation and Development Commission (BCDC) should approve the restoration and re-vegetation plan. A restoration plan should include monitoring to assure restoration success.

Thank you for working with the SRCD to protect the Suisun Marsh. If you have any questions please call me at 707-425-9302.

Sincerely,



Steven Chappell  
Executive Director

BW/bw

cc: L. Petrie, Arnold Ranch  
M. Levenson, BCDC  
L. Wyckoff, DFW



**BILL EMLÉN**  
Director  
(707) 784-6765

**TERRY SCHMIDTBAUER**  
Assistant Director  
(707) 784-6765

**JAGJINDER SAHOTA**  
Environmental Health Manager  
(707) 784-6765

**DEPARTMENT OF RESOURCE MANAGEMENT**



**SOLANO  
COUNTY**

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Environmental Health Division

**Memorandum**

**DATE:** May 26, 2015

**TO:** Eric Wilberg, Project Planner

**FROM:** Max Clark, Senior Hazardous Materials Specialist

**COPY:** Jeffrey Bell, Sr. Environmental Health Specialist  
Matthew Geisert, Supervisor Hazardous Materials

**RE:** Use Permit Application U-14-01 Venoco/Hunters Point  
Southeast corner of the intersection of Chadbourne and Cordelia Roads  
Fairfield, CA

**Project Description:**

The applicant proposes the construction of up to three exploratory natural gas wells over a three year period, and, if successful, install the required production equipment including a natural gas pipeline.

**Discussion:**

The parcels in combination are approximately 1356.26 acres in size. The property is located approximately 5.0 miles northwest of the proposed well site at the southeast corner of the intersection of Chadbourne and Cordelia Roads Fairfield, CA APN's: 0046-080-030; 0046-060-30; 0046-060-060; 0046-010-110; 0046-010-120; and 0046-010-160.

**Recommendation:**

Solano County CUPA does not have any objection to the approval of the application , with the following recommendations:

1. The applicant shall provide contract with a licensed sanitation company to install and maintain a portable chemical toilet for the duration of the construction period.
2. If hazardous materials and/or hazardous waste are stored on site, the applicant shall maintain a Hazardous Materials Business Plan under California Health and Safety and Code of Regulation guidelines.
3. The applicant shall secure all necessary permits from the California Department of Conservation, Division of Oil, Gas and Geothermal Resources for the construction of gas wells and operation of equipment.

**VACANT**  
Building Official  
Building & Safety

**MIKE YANKOVICH**  
Program Manager  
Planning Services

**JAGJINDER SAHOTA**  
Manager  
Environmental Health

**SUGANTHI KRISHNAN**  
Senior Staff Analyst  
Administrative Services

**MATT TUGGLE**  
Engineering Manager  
Public Works  
Engineering

**WAYNE SPENCER**  
Operations Manager  
Public Works  
Operations

**VACANT**  
Parks Services  
Manager  
Parks

## Wilberg, Eric J.

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**From:** Paluck, James <JPALUCK@fairfield.ca.gov>  
**Sent:** Tuesday, August 19, 2014 10:26 AM  
**To:** Wilberg, Eric J.  
**Cc:** Letterman, Kristine; Berryhill, Kevin L.; Beavers, Erin L; Miller, Brian; Paluck, James; Hicks, George  
**Subject:** RE: Solano County Project Notification - U-14-01 (Venoco-Hunters Point)

Mr. Wilberg

The City of Fairfield has been working with various representatives of Venoco during the past two years on this proposed pipeline through both the City and the County. The City has informed Venoco that a Franchise Agreement with the City will be required for this proposed pipeline.

The most recent correspondence was back on March 20, 2014, in which an e-mail was sent to Mr. Samuel Sheehan of Venoco, with a copy of the draft Franchise Agreement attached for their review. I have not had any correspondence from any representatives of Venoco since that date.

A Franchise Agreement between the City and the applicant must be signed and completed prior to any work commencing within the city right-of-way. I would suggest that no work be permitted within the county until this Franchise Agreement with the City is completed, unless the proposed location of the pipeline changes such that it avoids having to cross/be located within any city right-of-way.

Please let me know if you have any questions, comments or concerns.

*James J. Paluck*

Senior Civil Engineer  
City of Fairfield Dept. of Public Works  
(707) 428-7479

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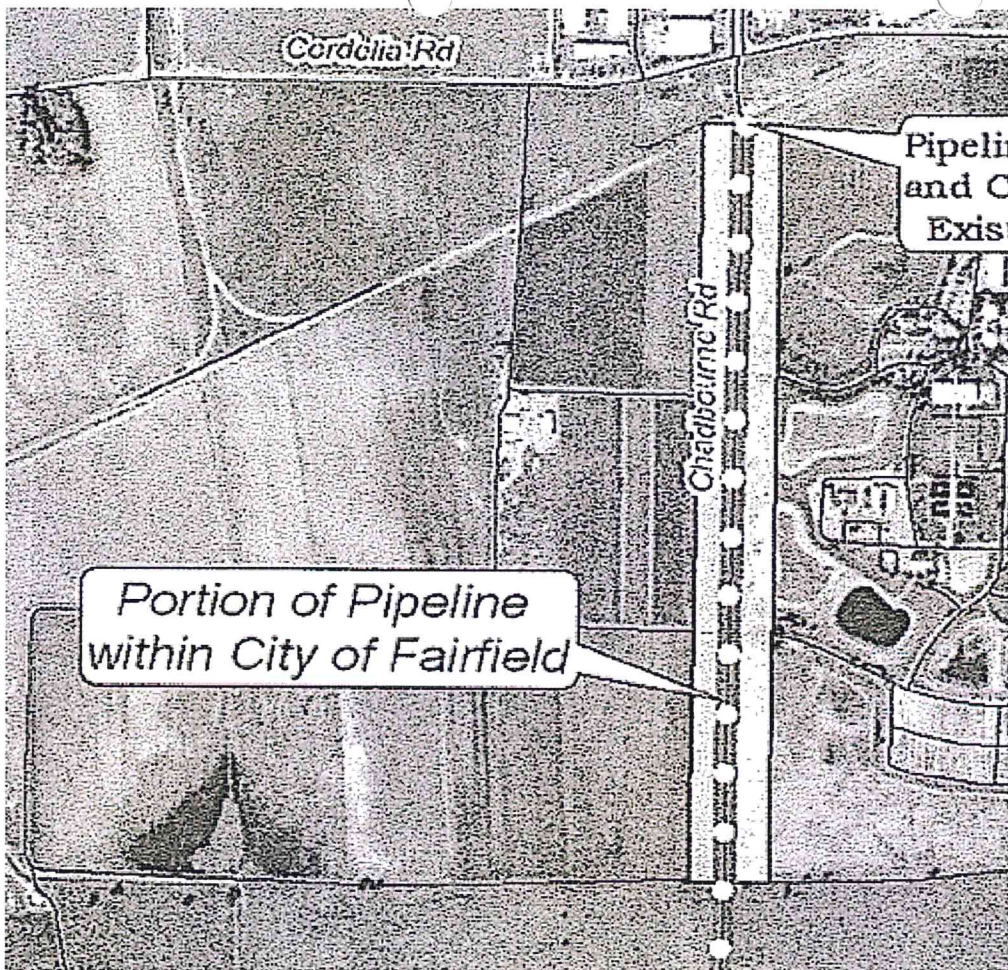
**From:** Miller, Brian  
**Sent:** Monday, August 18, 2014 4:57 PM  
**To:** Hicks, George; Berryhill, Kevin L.  
**Subject:** FW: Solano County Project Notification - U-14-01 (Venoco-Hunters Point)

Kevin, George:

This gas pipeline project potentially involves construction within the Chadbourne Road r-o-w within the City Limits south of Cordelia Road (next to the sewer plant, basically).

Do you wish to make a formal comment to the County?





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**From:** Beavers, Erin L  
**Sent:** Monday, August 18, 2014 7:22 AM  
**To:** Miller, Brian; Feinstein, David M  
**Subject:** FW: Solano County Project Notification - U-14-01 (Venoco-Hunters Point)

Fyi please check route of pipeline and determine if they would be in any City roads.

Erin L. Beavers  
Director of Community Development  
Director Community Resources  
(707) 428-7649

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**From:** Letterman, Kristine [<mailto:KLetterman@SolanoCounty.com>]  
**Sent:** Thursday, August 14, 2014 3:58 PM  
**To:** Beavers, Erin L; Allan, Jim D.; Army Corps of Eng-Lauri Monarres; BCDC; Crystal Spurr ([crystal.spurr@wildlife.ca.gov](mailto:crystal.spurr@wildlife.ca.gov)); Dept of Water Resources; Schindler, Dan (external); Mosquito Abatement-John Blegen; Graham, Patrick (External); RWQCB-S. F. ; State Lands Commission - Cy Oggins; Suisun Fire-Stephen Johnson; SuisunRCD1 (external); U.S. Fish & Wildlife-Ryan Olah  
**Subject:** Solano County Project Notification - U-14-01 (Venoco-Hunters Point)

Hi, attached please find the application materials submitted for Use Permit Application No. U-14-01. We are required to determine if the project is complete within 30 days of submittal. Please review the

**Wilberg, Eric J.**

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**From:** Stephen Johnson <sj33i1@sbcglobal.net>  
**Sent:** Wednesday, August 27, 2014 11:34 AM  
**To:** Wilberg, Eric J.  
**Subject:** U-14-01 Venco-Hunters Point

No comments for this project.

Stephen J. Johnson, Fire Marshal  
Suisun Fire Protection District



**SOLANO COUNTY**  
**Department of Resource Management**

Public Works Engineering  
675 Texas Street, Suite 5500  
Fairfield, CA 94533  
www.solanocounty.com

Telephone No.: (707) 784-6765  
Fax No.: (707) 784-2894

Bill Emlen, Director  
Clifford K. Covey, Assistant Director

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**MEMORANDUM**

**DATE:** April 29, 2014  
**TO:** Eric Wilberg, Project Planner  
**FROM:** Stanley J. Schram, County Surveyor  
**SUBJECT:** U-11-03, Venoco (Hunters Point)

Public Works Engineering has reviewed the permit processing package from Venoco Inc. for an expired Use permit to drill three gas wells on A.P.N. 0046-080-030. The parcel is located southerly of the southerly terminus of Chadbourne Road (Co. Rd. No. 2370) a partially paved road that connects to Cordelia Road in the City of Fairfield. Should the proposed wells produce significant amounts of natural gas applicant proposes to construct a 6 inch gas pipeline along Chadbourne Road from the production site to the connection point with Cordelia Road. The current primary use of the property is for a recreational duck hunting club.

Public Works Engineering requests the following conditions be required for any approval of this use:

1. Applicant will need to apply for an Oil and Gas Drilling Security through Public Works Engineering.
2. The applicant shall apply for and secure an appropriate grading permit from Public Works Engineering for the construction of the drilling pad and associated access improvements.
3. Applicant shall apply for and secure an encroachment permit for any and all work within the right of way of Chadbourne Road (Co. Rd. No. 2370).

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Building & Safety David Cliche, Chief Building Official	Planning Services Mike Yankovich Program Manager	Environmental Health Terry Schmidtbauer Program Manager	Administrative Services Suganthi Krishnan Sr. Staff Analyst	Public Works- Engineering Matt Tuggle Engineering Manager	Public Works- Operations Wayne Spencer Operations Manager
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This response addresses concerns of Public Works Engineering for roads mapping and grading.

Please feel free to call me at 784-6069 if you have any questions.

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**SOLANO COUNTY**  
**Department of Resource Management**

675 Texas Street, Suite 5500  
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Fax: (707) 784-4805

Bill Emlen, Director  
Clifford Covey, Assistant Director

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**MEMORANDUM**

**DATE:** April 29, 2014  
**TO:** Eric Wilberg, Planning Technician  
**FROM:** David Cliché, Department of Resource Management Building Official  
**SUBJECT:** U-11-03?

The information provided here is the same information provided during the March 14, 2011 plan review for this same project. It is understood that Venoco is proposing to combine this project with the one for the extension of a (6) inch natural gas pipeline 4.3 miles from a tie in point located on the Arnold Ranch, Inc. duck club to a tie in point located at the southeast corner of the intersection of Chadbourne Road and Cordelia Road in the City of Fairfield. The Building Division has reviewed the information packet for the proposed USE Permit application No. U-11-03? for the purpose of drilling three exploratory natural gas wells over a three-year period. If economical quantities of natural gas are found, the applicant will install the necessary production equipment including a natural gas pipeline. The property is located at 2983 Chadbourne Road, Fairfield, CA, APN: 0046-080-030.

While the following comments are not all inclusive, they will act as a guideline for the requirements for the construction of any buildings or structures on the site now and in the future. These comments are not required on the application plan for the Use Permit, but (4) sets of plans will be required to be submitted to reflect all of the requirements in the latest edition of the codes adopted by the State of California and Solano County at the time of a construction permit application. These requirements, as well as all other required code requirements, shall be reflected on all construction drawings submitted for permit through Solano County Building Division.

1. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per the 2013 California Building Code, or the most current edition of the code enforced at the time of building permit application. **“Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.”**

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Building & Safety  
David Cliche  
Building Official

Planning Services  
Mike Yankovich  
Program Manager

Environmental  
Health  
Terry Schmidbauer  
Program Manager

Administrative  
Services  
Su Krishnan  
Senior Staff  
Analyst

Public Works-  
Engineering  
Mathew Tuggle  
Engineering Manager

Public Works-  
Operations  
Wayne Spencer  
Operations Manager



2. A separate permit will be required for any site improvements including but not limited to any grading.
3. A geotechnical/Soils Report will be required for the grading and construction of any buildings or structures.
4. The building permit plans shall include a code analysis as listed below and the design shall be under the 2010 California Codes and all current rules, regulations, laws and ordinances of the local, state and federal requirements. Upon building permit submittal, the licensed architect shall provide a code analysis for each building or structure such as:
  - A) Occupancy Classification
  - B) Type of Construction
  - C) Seismic Zone
  - D) Location on Property
  - E) Height of all buildings and structures
  - F) Square footage
  - G) Occupant Load
  - H) Allowable Floor Area
  - I) Height and Number of Stories
5. Plans and Specifications shall meet the requirements as per the 2013 California Building Code, or the most current edition of the code enforced at the time of building permit application. **“Construction documents, statement of special inspections and other data shall be submitted in one or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.”** Also **“Construction documents shall be dimensioned and drawn upon substantial material. Electronic media documents are permitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.”**
6. The fire district will reassess the site for fire life and safety requirements.
7. Any electrical generator system will require a permit from Solano County.

This is not an exhaustive or complete review list, but based on the lack of information provided, these or additional comments during the plan review process after building permit application submittal could take place.

Should you have any questions, please contact me at (707) 784-4705.

Sincerely,

*David Cliche*

David Cliche  
Building Official

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