
1. INTRODUCTION

1.1 OVERVIEW

This document presents responses to comments and minor revisions to the Revised Recirculated Draft Environmental Impact Report (RRDEIR) on the Middle Green Valley Specific Plan (Specific Plan), a proposed mixed-use development on approximately 1,905 acres located along Green Valley Road, in unincorporated Green Valley, near the western boundary of Solano County. The proposed development would include up to 400 new residences, agricultural tourism, local neighborhood retail and community facility uses, and over 1,400 acres of protected agriculture and open space.

An EIR was prepared for the Specific Plan and certified by Solano County in July 2010. A lawsuit challenging the adequacy of the EIR, specifically the water supply analysis, was subsequently filed and the Court ruled in favor of the petitioner. In response to the Court's ruling, the County prepared a revised water supply analysis and a Recirculated DEIR, which was circulated for a 45-day public review and comment period from August 27, 2013 to October 10, 2013. In accordance with the Order, the Recirculated DEIR incorporated more detailed information on the proposed groundwater supply than what had been available during preparation of the original EIR.

In 2013, after further coordination between Solano County, the Solano Irrigation District (SID), which is the water supplier in Green Valley for agricultural and non-potable urban water deliveries, and the City of Fairfield, it was determined that SID water could be treated to potable levels using City of Fairfield facilities, then delivered by SID to the Specific Plan area within SID service boundaries. To evaluate this option, Solano County requested that SID prepare a water supply assessment (WSA) analyzing the availability and reliability of surface water to serve the Middle Green Valley Specific Plan. The SID WSA was approved by the SID Board on August 15, 2013, and the use of SID surface water is now the preferred water supply option (Option C) to serve the Middle Green Valley Specific Plan. However, water supply Options A (Municipal Connection to the City of Fairfield) and B (Onsite Groundwater) are backup plans for the preferred water supply Option C (SID Surface Water). Options B and C are also backup plans for Option A. And, Options A and C, are backup plans for Option B. If the option for which implementation was pursued first turned out to be unable to satisfy the ultimate technical and legal requirements to be implemented, one of the other options would be implemented. And if none of the options could satisfy the ultimate technical and legal requirements to be implemented, none of the water supply options would be implemented, and accordingly (unless some other water supply option were then identified) the Project as described in the Specific Plan would not be built. The findings of the SID WSA were incorporated into a RRDEIR, in addition to the two previously proposed water supply options (Option A, Municipal Connection, and Option B, Onsite Groundwater), and circulated for a 45-day public review and comment period from June 26, 2014 to August 11, 2014.

This document has been prepared by Solano County in accordance with the California Environmental Quality Act (CEQA). In its entirety, the Final EIR will consist of the Middle Green Valley Specific Plan EIR certified in July 2010, the RRDEIR published June 26, 2014, and this document, which includes the comments received on the RRDEIR, responses to those comments, and any associated edits to the RRDEIR text.

1.2 PUBLIC REVIEW AND RESPONSES TO COMMENTS

On June 26, 2014, Solano County distributed a notice of availability of the RRDEIR to public agencies and the general public, submitted the documents with a notice of completion to the Governor's Office of Planning and Research - State Clearinghouse, and published a public notice in the *Daily Republic*. As explained in the notice of availability and newspaper notice, the RRDEIR was also published on the Solano County website: https://admin.solanocounty.com:4433/depts/rm/planning/middle_green_valley_specific_plan.asp. In accordance with the State CEQA Guidelines, a 45-day public review period (July 26, 2014 to August 11, 2014) was established to allow review and comment on the RRDEIR.

Local agencies, organizations, and individuals provided written comments on issues evaluated in the RRDEIR. This document has been prepared to respond to those comments and to make appropriate revisions to the RRDEIR, consistent with Section 15089 and 15132 of the State CEQA Guidelines. Responses to each comment are provided in Chapter 2 of this document. The comments did not result in significant changes to the text of the RRDEIR and none of the comments or responses constitute "significant new information" as defined in Section 15088.5(a) of the State CEQA Guidelines, which would require recirculation of the DEIR. Examples of significant new information include disclosures showing that:

- A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
- The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Copies of this document can be reviewed at the Department of Resource Management, Planning Services Division at Solano County Department of Resource Management, Planning Services Division, 675 Texas Street, Suite 5500, Fairfield, California 94533. Additional copies can be reviewed at the Fairfield Cordelia Library, 5050 Business Center Drive, Fairfield; the Fairfield Civic Center Library, 1150 Kentucky Street, Fairfield; and online at https://admin.solanocounty.com:4433/depts/rm/planning/middle_green_valley_specific_plan.asp.

Lead agencies are required to provide responses to public agency comments a Draft EIR at least 10 days before certification of the Final EIR (Section 15088[b] of the State CEQA Guidelines). Although no public agencies provided comment on the RRDEIR, this document is being released on November 12, 2014.

Solano County intends to hold a public hearing on November 25, 2014 at 2:00 p.m. at 675 Texas Street, Fairfield, in the Board chambers to consider the adequacy of the Final EIR and consider approval of the Specific Plan. If the Final EIR is certified and project approved, it will be forwarded to the Court with request to have the judge lift the writ.

1.2.1 Comments That Require Responses

Section 15088(c) of the State CEQA Guidelines specifies that the focus of the responses to comments shall be on the disposition of significant environmental issues. Responses to comments regarding the merits of the project or on issues unrelated to the project's environmental impacts are not required. Such comments are noted in the responses, and will be reviewed by the County before any action by decision makers.

1.3 EIR CERTIFICATION AND PROJECT DECISION PROCESS

As the decision-making body of the lead agency, the Solano County Board of Supervisors is responsible for certifying that the EIR has been completed in compliance with CEQA, that the information in the Final EIR has been reviewed and considered, and that the EIR reflects the County's independent judgment. For each significant environmental effect identified in the EIR, the County must issue a written finding reaching one or more of three possible conclusions. According to Section 15091 of the State CEQA Guidelines, the three possible findings with respect to each significant effect are:

- Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR;
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency; or
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

If any significant unavoidable impacts would result from the approval of project elements, the County would also be required to state in writing why it proposes to approve the project despite these significant unavoidable impacts. This is termed a Statement of Overriding Considerations, pursuant to Section 15093 of the State CEQA Guidelines.

In addition, if the County approves the project, it would adopt a mitigation monitoring and reporting program—consistent with Section 15097 of the State CEQA Guidelines—that describes how each of the mitigation measures adopted for the project would be implemented and tracked. The County's decision whether to deny or approve the project would be made at the November 25, 2014 public hearing. If the project is approved, a Notice of Determination would be filed within five working days of approval at the Solano County Clerk's office and at the Governor's Office of Planning and Research – State Clearinghouse.

1.4 ORGANIZATION AND FORMAT OF THIS DOCUMENT

This document consists of the following chapters and sections.

“**Errata**” presents various errata noted in the RRDEIR that do not involve changes in impact characterization. Changes are shown in ~~strikeout~~ for deletions and underlined for additions.

Chapter 1, “Introduction.” This chapter describes the purpose and organization of the Responses to Comments and Revisions to the RRDEIR document and presents a brief summary of the project description.

Chapter 2, “Responses to Comments on the Revised Recirculated Draft EIR,” includes all comments received on the RRDEIR during the public review period and responses to significant environmental issues raised in the comments, as required by Section 15132 of the State CEQA Guidelines. All comment letters are reproduced in their entirety. Table 2-1 lists all comment letters received, and each individual comment is assigned a number (e.g., O1-1) that corresponds with the response.

Chapter 3, “List of Preparers,” identifies the preparers of this document.

Chapter 4, “Attachments,” provides legal memos in support of the responses to comments.