Letter O1 Response	Donald B. Mooney, on behalf of Upper Green Valley Homeowners Law Offices of Donald B. Mooney August 11, 2014

O1-1 The comment suggests evidentiary gaps in the RRDEIR, procedural issues, and introduces the more detailed comments contained in the letter. Please see Responses to Comments O1-2 through O1-89, below.

O1-2 This comment incorporates by reference a letter from the Law Office of Amber L. Kemble to the Solano County Department of Resources Management dated October 10, 2013 commenting on the previous Recirculated DEIR (August 2013), and requests responses to those comments. This letter has been included in this document as Letter O1A. Please see Responses to Comments O1A-1 through O1A-32.

O1-3 The comment suggests that Measure T requires a countywide vote to rezone Middle Green Valley from its purportedly current agricultural designation. Comment O1-3 does not raise an environmental issue or relate to the sufficiency of the RRDEIR's environmental review; therefore, it does not require a written response in this CEQA document. Please see the legal memo regarding "Middle Green Valley Specific Plan – Measure T," provided in this document, Chapter 4 - Attachment 1 and incorporated by reference into this response.

O1-4 This comment questions the original budget for the MGVSP and what the County has spent or allocated to date in relation to the project. The questions of project cost or the cost of a Measure T vote are not pertinent to the adequacy of the environmental impact analysis in the RRDEIR. The State CEQA Guidelines establish the scope of analysis of social and economic impacts of a project under CEQA. These provisions, which are described below, provide a framework for considering a comment received on the economic effects of a project.

The purpose of CEQA is to disclose the environmental impacts of an application. Economic feasibility is considered only in terms of developing reasonable and feasible alternatives to reduce identified environmental impacts. The potential cost to plan and construct the proposed project is not an environmental effect appropriate for analysis in the environmental document.

CEQA is concerned solely with whether a project may have adverse physical environmental effects. Accordingly, the State CEQA Guidelines provide that "[e]conomic and social changes resulting from a project shall not be treated as significant effects on the environment. Economic or social changes may be used, however, to determine that a physical change shall be regarded as a significant effect on the environment" (CEQA Guidelines Sections 15064(e), 15131, and 15382). Although social and economic effects are not physical environmental effects, they can result in indirect effects on the physical environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from a project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. However, the State CEQA Guidelines state that the focus of the analysis shall be on the physical changes.

CEQA does not require the analysis of generalized social and economic effects. A lead agency is also not required to analyze conclusory statements regarding social and economic impacts that are not supported by substantial evidence in the record. Analysis of the pros and cons of other lead agency budgetary decisions is also not in the purview of a CEQA analysis. Further, as addressed in Response to Comment O1-3, above, a countywide vote already occurred in 2008 in connection with Measure T, removing Middle Green Valley from its prior designation and placing it into a Special Study Area designation. A second voter approval is not now required. The comment offers no evidence as to a connection between an amendment of Measure T and the physical environmental effects of the project; no further response is necessary.

CEQA does not require that the cost of the preferred alternative be evaluated against the cost of other alternatives. The analysis of project costs and cost-causation is separate from the analysis of the environmental impacts of the proposal. After completion of the Final EIR and before rendering a decision on the MGVSP, the County may consider economic, legal, social, and/or technological factors in the findings for each of the project's significant environmental effects and for alternatives.

O1-5 The comment suggests that enforcing Measure T would reduce water use in the plan area by approximately half. The County acknowledges the comment regarding current and proposed water usage in the Plan Area. However, as explained further in Response to Comment O1-3, above, a countywide vote already occurred in 2008 in connection with Measure T, removing Middle Green Valley from its prior designation and placing it into a Special Study Area designation. A second voter approval is not required.

It should be noted that the Specific Plan incorporates mandatory water conservation measures including the use of recycled water (54 acre-feet per year [afy]) for Plan Area landscaping and the use of high-efficiency components in lavatory, sink, shower, and dishwasher fixtures. Furthermore, the RRDEIR documents the adequacy of three separate options to meet the water supply needs of the proposed Specific Plan.

O1-6 The comment suggests that the City of Fairfield's Measure L restricts the sale of water, and also restricts the ability of the City of Fairfield to treat SID water prior to delivery to the project.

Comment O1-6 does not raise an environmental issue or relate to the sufficiency of the RRDEIR's environmental review; therefore, it does not require a written response in this CEQA document. Please see the legal memo regarding "Middle Green Valley Specific Plan – Measure L," provided in this document, Chapter 4 - Attachment 2 and incorporated by reference into this response.

Having analyzed three water supply options, the RRDEIR could delete all mention of Measure L and would nonetheless comply with CEQA. As the Court pointed out earlier, the consequence of ignoring legal uncertainties in an EIR's analysis of one water supply source would be that the EIR "must provide a reasonable environmental analysis of a water supply alternative." (Ruling Regarding Motion for Reconsideration, at page 3, citing *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412.) The RRDEIR already meets and exceeds that legal standard, having provided a reasonable environmental analysis of three water supply options. Nonetheless, it may be further responsive to the comment for the passage on page 16-24 of the RRDEIR to be amended as follows:

> "The policy may pertain to Specific Plan water supply Option A, connection to the Fairfield municipal water supply, or the Option C options in which the City of Fairfield would treat SID water, and the existence of the policy reduces the ability of the County to confidently determine that water supply Option A or those Option C options can occur (i.e., it creates uncertainty)."

O1-7 The comment states that the City of Fairfield must enforce Measure L unless the Court of Appeal rules that it is unconstitutional, as maintained by the County. The City of Fairfield's enforcement of Measure L does not pertain to the adequacy of the EIR or its analyses. Please see Response to Comment O1-6 and the legal memo regarding "Middle Green Valley Specific Plan – Measure L," provided in this document, Chapter 4 - Attachment 2 and incorporated by reference into this response.

O1-8 The comment requests a discussion of the project's legal uncertainty in regards to Government Code Section 56133. On page 16-21, the RRDEIR states:

> There is some legal uncertainty as to whether Government Code Section 56133 applies to Water Supply Option A. If Section 56133 applies, then LAFCO approval may be required pursuant to that section, unless an exception applies. If LAFCO approval could not be obtained in that situation, one of the other water supply options would be implemented. The legal applicability/non-applicability of Section 56133 is not an issue that will be resolved in the context of this EIR, but is a determination to be made when LAFCO approvals are sought in connection with the water supply option ultimately selected.

Further, in a letter from the Solano Local Agency Formation Commission (LAFCO) dated October 22, 2013, LAFCO states, "the potential applicability of Government Code Section 56133 to LAFCO's consideration of a proposal to form a County Services Area (CSA) within the plan area is fully addressed by Master Response M at pages 2-20-2-21 of the FEIR. In light of that prior response, no further discussion of Section 56133 or of LAFCO's role is necessary in the recirculated DEIR." Please see Letter O1B.

In addition, the RRDEIR discloses that Measure L creates legal uncertainty as to the ultimate availability of water from the City of Fairfield to serve the MGVSP. However, notwithstanding Measure L, the City of Fairfield prepared a letter stating that they do not believe Measure L would preclude the City from supplying water supply to the Plan Area (RRDEIR Appendix D) and the City demonstrated in its WSA that adequate water supply is available to serve the proposed Specific Plan. If Solano County decision makers decided to pursue Option A (which is not the preferred water supply option), the question as to whether the City of Fairfield would indeed provide water to the project would be a City rather than Lead Agency (County) decision. The proposed Specific Plan could not proceed under water supply Option A unless the City of Fairfield formally approved delivery of the verified available water supply to the project. The County has not yet formed a CSA, and hence, the City of Fairfield has not yet entered a contract to sell or supply water to the CSA. At that time, the City of Fairfield decision-makers would decide whether to sell or supply water for service to the Plan Area.

Please also refer to Response to Comments O1-3 (regarding Measure T) and O1-6 and O1-7 (regarding Measure L), above.

O1-9 The comment incorporates by reference a letter from LAFCO to the Solano County Department of Resources Management submitted on the previous Recirculated Draft EIR, dated October 8, 2013.

In a subsequent letter (Letter O1B in this document), dated October 22, 2013, LAFCO revised its comments in the October 8, 2013 letter, stating, "Since preparing the October 8 letter, LAFCO has reviewed the appendices to the recirculated DEIR as well as the original DEIR and FEIR prepared by the County for the Project. The concerns raised in the October 8 letter are fully addressed in these documents and no further response from the County is necessary." Both the October 8, 2013 and October 22, 2013 letters are reproduced herein in their entirety, see Letter O1B.

O1-10 The comment suggests that LAFCO neither has the authority to approve water service from the City of Fairfield to the project, nor authority to approve expansion of SID's jurisdiction, because the project area lies outside of the spheres of influence of the City and SID and there is no health threat. The comment seems to point to LAFCO's ability to grant agencies the ability to serve water outside of their service boundaries, through a ministerial action, if there is a health or safety concern. However, the potential service boundary changes for MGVSP Water Supply Option A (Municipal Connection) or Option C (SID Surface Water) would not be due to health or safety concerns and would not be ministerial actions. Allowing water service from the City of Fairfield (Option A) or from SID (Option C) would require LAFCO review and approval as well as other agency approvals.[1] Please also see Responses to Comments O1-8 and O1-9, above.

O1-11 The comment suggests that Government Code Section 56133 creates legal uncertainty as to the feasibility of water supply Option A (Municipal Connection) and Option C (SID Surface Water), and that the EIR must discuss possible replacement sources or alternatives and their environmental consequences. Please refer to Response to Comment O1-8, above.

The ruling issued by the Superior Court of Solano County on October 25, 2011 directed the County to remedy the water supply analysis in the MGVSP EIR, in particular, incorporation of more detailed information on the proposed groundwater supply (Option B), which was then the only alternative to Option A discussed in the 2010 EIR. In accordance with the ruling, the RRDEIR provides detailed information regarding the adequacy of groundwater to serve the project (see RRDEIR Appendix B for the Groundwater WSA). In addition, the RRDEIR concludes that sufficient water supply could be provided through municipal connection to the City of Fairfield (see RRDEIR Appendix A for the City of Fairfield WSA) or through provision of surface water from SID (see RRDEIR Appendix C for the SID WSA). The EIR's disclosure and analysis of the potential environmental effects of three possible water sources (Options A, B, and C) to serve the MGVSP is a sufficient disclosure and analysis of alternative water sources.

O1-12 The comment suggests that based on SID's comment letter in response to the NOP (2009) and the SID WSA (see RRDEIR Appendix C), that SID has indicated that there is not a sufficient quantity of water for additional allocation for municipal purposes.

As detailed in the 2014 WSA prepared by SID (see RRDEIR Appendix C), SID concludes that its water supply is 99 percent reliable in multiple-dry year periods. As

[1] Personal communication between Paul Fuchslin at SID and Suzanne Enslow of Ascent Environmental on October 29, 2014 regarding appropriate LAFCO review of potential water service area boundary changes.

disclosed by SID, water demand in its service area varies from year to year, ranging from low demand (minimum years), average demand, and peak demand (worst-case year). In projected (i.e., anticipated in the future through 2034) minimum-demand years, SID would have a 44,388 af surplus, a 6,403 af surplus in the average year, and a 17,100 af deficit in the worst-case year (maximum demand). The WSA explains that SID uses its carryover storage to bridge years in which demand may exceed the annual Solano Project entitlement plus SID groundwater supplies. Carryover water is the cumulative volume of water that is not used from any one year's entitlement, stored in Lake Berryessa and available for future years. In addition, the WSA contemplates an increase in overall SID efficiency in deliveries of agricultural water, which would reduce demand. As stated on pages 4 and 5 of the SID WSA, SID has a rehabilitation and betterment program that continues to improve infrastructure to reduce losses. This includes installing concrete lining in canals not originally lined, automatic control gates, and Supervisory Control and Data Acquisition (SCADA) systems to monitor operational spills and reduce unnecessary water supply losses. In addition, many farmers in SID's service area are making on-farm water delivery system improvements such as capturing/reusing agricultural tailwater return flows and installing micro-spray and drip irrigation systems on newly planted orchards. The SID WSA further discusses the provision in its Rules and Regulations that provide for the implementation of an allocation of water to all users, which, in worst case scenarios, could be mandated to ensure a pro-rata share of water is available to all users. Overall, SID concludes that the water supply necessary to meet the proposed MGVSP potable water demand of 190 af is well within SID's ability to deliver. Please also see Responses to Comments I1-6 through 1-15.

O1-13 The comment suggests that the RRDEIR underestimates the total water demand for the project. The water demand figures in the RRDEIR remain unchanged from the 2010 EIR, and the lead agency is not required to provide a written response (CEQA Guidelines, Section 15088.5(f)(2)). Nonetheless, the County is providing a good faith response to explain and support the water demand figures for the MGVSP as presented in the RRDEIR.

The residential water demand rate applied in the RRDEIR has been properly substantiated in the RRDEIR. As shown in RRDEIR Table 16.5, the residential demand rate of 0.34 afy per new residential unit represents an approximately 25 percent to 40 percent reduction in the typical countywide single-family subdivision home water use rate (approximately 0.45 to 0.50 afy per residential unit). This reduction was based on the following:

- Assuming water demand of 150 gallons per person per day, and an average household size of 3.0 people, household water demand would be approximately 0.504 afy per residential unit. (The Association of Bay Area Governments "Projections and Priorities 2009" indicates a smaller average Solano County household size of approximately 2.85 in 2005, resulting in a more conservative projection.) Based on data documented by the City of Fairfield in 2005, the actual average daily residential unit water consumption in the use zone closest to the plan area (Cordelia) was 398 gallons per day, or 0.45 afy per residential unit.

- As documented in the MGVSP, outdoor irrigation accounts for approximately half of a California household's water use. Toilets account for an additional 20 percent. The Specific Plan proposes that most of the development area landscaping and agricultural uses would be supplied by SID (non-potable water) and an onsite

> recycled water facility, which would generate approximately 45 afy, would be used for toilet flushing (see Specific Plan Section 4.3.3). The removal of a portion of landscaping water and water required for toilets reduces household potable water demand by more than half. Furthermore, Appendix B of the Specific Plan includes mandatory water conservation measures, including the use of high-efficiency components in lavatory, sink, shower, and dishwasher fixtures.

Thus, the Specific Plan estimates a unit demand rate of 0.34 afy per residential unit, which is a 40 percent reduction over a worst-case, business-as usual rate. Given the elimination of demand for outdoor irrigation and toilets, and mandatory water conservation requirements, it is reasonable to expect that a reduction of 40 percent over the worst-case demand would be achieved by the project. In addition, the County will condition tentative maps with a requirement that developers utilize the most water-efficient appliances at the time of construction.

It should also be noted that the MGVSP water demand estimates were based on facts and the professional expertise of an engineer qualified to make such estimates. Table 16.5 sources Sherwood Design Engineers, which prepared the MGVSP water and wastewater demands. Eric Zickler, P.E., LEED AP was the project manager; his resume illustrating his years of applicable work experience is provided in Chapter 4 - Attachment 3 of this document.

The RRDEIR also points out on page 16-37 that the surplus of groundwater shown in Table 16.9 provides a substantial margin for error and to that extent would be sufficient to accommodate substantial variability in Specific Plan land use water demand estimates. The same is true of the surpluses shown for the water supplies analyzed under Option A and Option C.

The comment also suggests that there would be conversions from groundwater use to SID potable water use. Under Water Supply Option C, if an SID Place of Use boundary change was completed, expanding its service area to encompass parcels that currently pump groundwater, it is possible that those parcels could request a connection to SID's surface water system. It is speculative, however, to estimate the number of parcels that might request such a change. In addition, such conversions may be unlikely due to higher costs to change service than continuing use of groundwater. (It should be noted that 15 parcels in Middle Green Valley currently within SID's service area still pump groundwater.) Even if all existing groundwater users in the Plan Area (90 afy, see RRDEIR Table 16.6) converted to surface water, SID has indicated that such demand is very small in comparison to its available supplies and it would be able to serve such a demand. SID indicated, as is documented in the SID WSA in Appendix C of the RRDEIR, that it has sufficient reliable water supply to serve the MGVSP.SID also has the ability to install additional groundwater wells if there was a need to maintain no change in surface water demand.[2]

Finally, the comment suggests that increases in agricultural water demand must be taken into account. The agricultural (non-potable) water demand rate applied in the RRDEIR has been properly substantiated. The RRDEIR explains the agricultural water demand forecast under Section 16.1.4(c). Non-potable water demands associated with

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[2] Personal communication between Paul Fuchslin at SID and Suzanne Enslow of Ascent Environmental on October 29, 2014 regarding the sufficiency and reliability of SID's surface water supplies, even with potential conversion of groundwater users to SID surface water.

the proposed MGVSP include 54 afy for landscaping, which would be supplied by recycled water from the project, and 320 afy for agricultural lands, which would be supplied by SID, as it is currently (see RRDIR Table 16.6). To be appropriately conservative, the 320 afy is based on the assumption that all remaining land in "Agricultural Preserve" that is not currently in production is put into production and requires 2 afy per acre. This volume is higher than the 2011 applied water crop demand to account for the possibility that future agriculture may include higher water-demand crops. These proposed agricultural (non-potable) water demands are added to the existing non-potable water demands (190-240 afy), which are served by SID (140 afy) and groundwater (50-100 afy), in the calculation of the overall projected water demand (see RRDEIR Table 16.6). It should also be noted that the Specific Plan requires the use of drought-tolerant landscaping in the Plan Area.

O1-14 The comment asks for the number of times SID has requested cutbacks since 2006, what years SID has not met its obligations, and who had to cut back first either voluntarily or involuntarily. As further explained in Response to Comment I1-8, this situation has occurred once since completion of the Solano Project and the start of surface deliveries in 1959. In 1991, when SID had a minor reduction in water supply allocations when the U.S. Bureau of Reclamation imposed a 15 percent reduction in allocations due to the extended drought. Approximately 45,350 acre feet of carryover storage was available, however, which minimized the impacts. Further, the *Drought Measures and Water Allocation Agreement,* which provides a phased response and planning process to address future drought situations, does not call for these levels of reductions, which are now dependent upon reservoir storage.

The Lake Berryessa storage capacity allows Solano Project water users the ability to store and carryover 440 percent of the project's average annual yield. This additional storage capacity, which few other water suppliers in California have, provides SID with the ability to minimize impacts from prolonged droughts. When the Lake Berryessa reservoir is full, there will be available water supplies for full Solano Project allocations without any reductions for nearly five years. This has helped SID meet water demand during the current 2012-2014 drought without needing to reduce water supply allocations and still have a storage capacity of 58 percent in Lake Berryessa on September 7, 2014.

O1-15 The comment poses multiple questions related to SID operations, including those at Lake Berryessa. With regard to the question about existing SID policies for a buffer supply of water, RRDEIR Appendices C and B1 through B8 provide a detailed set of interrelated policies and provisions addressing the comment's inquiry. With respect to the question as to whether SID will be allocated 100 percent of its 141,000 afy entitlement, that depends on the availability of water in Lake Berryessa. If there is insufficient water, SID will receive less. See, RRDEIR Appendix B6, Section 5.1 - Solano Project Members' Agreement as to Drought Measures and Water Allocation, pursuant to which the parties agree that if storage in Lake Berryessa falls to a certain point, the parties will forego taking delivery of at least 5 percent of the party's annual entitlement, and if Lake Berryessa falls to a certain lower point, the parties will forego 10 percent. The 5 percent reduction starts when storage in Lake Berryessa is between 550,000 and 800,000 af on April 1. The 10 percent reduction starts when storage in Lake Berryessa is between 450,000 and 550,000 af on April 1.

The comment asks what percentage of the 141,000 afy "is allocated" and to whom. Table 3 of the SID WSA (RRDEIR Appendix C) identifies the total demand for SID water by agricultural user, municipal and industrial users, Suisun-Solano Water Authority, and

the Cities of Vacaville, Fairfield, and Benicia, in the amounts shown in the table. The first paragraph of page 6 of the SID WSA explains what is meant by minimum, average, and maximum in terms of the commitments to the cities. If SID does not use its 141,000 afy entitlement in any given year, the unused portion is available to SID as carryover water (e.g., if SID only takes 120,000 af then it has 21,000 af in carryover water). The allocated water that is not actually delivered to the cities is addressed pursuant to the terms of the documents included in the RRDEIR as Appendices B4 through B7, which provide an interrelated set of policies addressing the comment's inquiry; see, e.g., Appendix B5, section 11 (Storage of Water), and Appendix B6, Section 3.2.3. (Please also see Responses to Comments O1-12, O1-14 and O1-18 regarding how carryover water works.)

The comment questions why other water users are not included on page 6 of the SID WSA. The only water user that SID did not include in the WSA (RRDEIR Appendix C) was the Main Prairie Water District. It was not included because Main Prairies' five-year agreement expires in two years and the WSA addresses water supply availability over a 20-year period. Therefore, the Main Prairie water demand is not pertinent to SID's 20 year demand and available water supply.[3]

Furthermore, the RRDEIR states on page 16-43, "If the County determines that having some groundwater supply infrastructure in place may be prudent in order to provide an appropriate minimal margin of engineered redundancy to guard against any residual risk of reduction in surface supplies occurring in the event of a prolonged drought, the County may require that subdivision map approval be conditioned on design and implementation of portions of the groundwater supply infrastructure. Such infrastructure would be idle/unused other than as a substitute supply in prolonged drought conditions. Availability of groundwater supplies is adequately addressed by Impact 16-1 and Measures 16-1a and 16-1b, above." (See also, RRDEIR, Appendix F, at page F-2, which has the same language as in the project description.) Accordingly, it is acknowledged in the RRDEIR that there may be a "residual risk of reduction in surface supplies occurring in the event of a prolonged drought," notwithstanding the robust and reliable surface supplies identified and analyzed in the RRDEIR. The project description guards against that remaining residual risk by providing for the possibility of some groundwater supply infrastructure to serve in that eventuality. Because the analysis of Water Supply Option B provides an analysis of serving the entire MGVSP with groundwater, an engineered redundant groundwater supply infrastructure less than would be needed to supply the whole project is already addressed in the RRDEIR. The amount of such redundant groundwater infrastructure that might be constructed cannot be determined at this time, because the issue depends in part on whether it would merely be for purposes of backup in time of severe prolonged drought or instead would also need to actually serve in the event that Option C1 were pursued. Sometime after the change in Place of Use application is filed, a determination would be made whether to implement Option C1, supplying water by groundwater to areas not within the Solano Project Place of Use. The scale of any redundant groundwater infrastructure therefore cannot be determined at this time, but in any event would not be greater than, or different from, what has been analyzed in connection with Option B.

While the questions related to SID operations, including those at Lake Berryessa, may be of interest to agency decision makers, it is beyond the scope of the environmental

[3] Personal communication between Paul Fuchslin at SID and Suzanne Enslow of Ascent Environmental on October 29, 2014 regarding why the Main Prairie Water District was not included in the SID WSA (RRDEIR Appendix C).

review to evaluate the operational decisions of the water purveyor (SID) that are unrelated to its ability to serve the proposed project. The SID WSA for water supply Option C, provided in RRDEIR Appendix C, provides evidence that SID has sufficient water supply to serve the proposed MGVSP water demands. It is not necessary to evaluate Lake Berryessa operations to substantiate the conclusions of the RRDEIR related to adequacy of water supplies to meet those demands. Please also refer to Responses to Comments I1-6 through I1-15 regarding the SID WSA and reliability of SID surface water for the MGVSP.

O1-16 The comment suggests that water supply consideration err on the side of caution, considering changing weather patterns. This comment is noted. The water supply analysis in the RRDEIR is appropriately conservative, as described in responses to comments above. The comment suggests that evidentiary gaps exist in the EIR, but does not identify any that affect the analysis of or conclusion that sufficient water supply exists for the project. Please see Response to Comment O1-15. The lead agency has analyzed three separate possible water supply options and provided WSAs substantiating the adequacy of each option to meet MGVSP-projected water demands in multiple-dry years (see RRDEIR Chapter 16.1 and Appendices A, B, B1 through B9, and C).

O1-17 The comment suggests that the RRDEIR must evaluate the potential impacts of using Lake Berryessa water, including the impacts of diverting water from Putah Creek and gaming water behind Monticello Dam. The comment does not provide any evidence or specifics that the provision of water to meet the Specific Plan's domestic water demand would result in significant environmental effects to species. Water for fish and wildlife is separately provided for in the water entitlements included in the RRDEIR at Appendices B1 through B3. See, for example, B1 at section 9, B2 at Section 9, and B3 at Section 10. In other words, water allocations for fish and wildlife are separate and distinct from those of other water users from Lake Berryessa, and the Specific Plan's use of water would be within the existing SID entitlement. Therefore, the comment's inquiry or assertions about effects on species are not only made without evidence, but are also contrary to the facts given the detailed entitlement arrangements for Lake Berryessa that have been established to protect species.

The comment also suggests that the RRDEIR must disclose and analyze impacts from groundwater pumping (i.e., impacts to other users or to nearby creeks). Please see RRDEIR Impact 16-2, which addresses the extraction of groundwater for the MGVSP and the possible impacts on existing wells and stream habitats. Although there is no evidence that the proposed project wells would interfere with nearby wells or streams, until Option B or Option C1 well locations, depths, and equipment have been specifically identified and adequately tested, analyzed, and monitored, it may be conservatively assumed that one or more of the project wells could possibly contribute to underperformance or failure of one or more existing nearby wells, and could possibly have substantial adverse effects on stream hydrology or riparian habitat, due to water level fluctuations resulting from well interference. Therefore, the County would implement Mitigation Measures 16-2a and 16-2b, which would avoid potential interference between new Plan wells and other Plan wells, existing nearby private wells, and surface streams such that Impact 16-2 would be reduced to a less-than-significant level. In addition, see Response to Comment I1-7 regarding the groundwater component of SID's water supplies.

Finally, the comment suggests that the RRDEIR must disclose and analyze impacts of taking the project's total water demand. The total projected water demand for the

MGVSP is presented in Table 16.6 of the RRDEIR and the impact analyses address the adequacy of three different water supply options to meet the project demand (Options A, B, and C, as detailed in the WSAs in RRDEIR Appendices A through C). All three WSAs conclude that adequate water supplies are available to serve the project. Please also see Response to Comment O1-13 regarding the proposed project's water demands.

O1-18 The comment suggests that the RRDEIR must disclose how carryover works. As described on pages 16-42 and 16-43 of the RRDEIR and in the SID WSA (RRDEIR Appendix C), SID is able to meet its water demands in single and multiple-dry years through the use of carryover water. Carryover water is the cumulative volume of water that is not used from any one year's entitlement, stored in Lake Berryessa and available for future years. Lake Berryessa storage capacity allows Solano Project water users the ability to store and carryover 440 percent of the average annual yield. A primary reason for construction of the large reservoir was to increase the annual safe yield. With a 1,602,000 acre-foot reservoir, the safe annual yield was estimated at 262,000 acre-feet. The annual contractual entitlements of Solano Project water users are 207,350 acre-feet. The remaining inflow provides for reservoir evaporation losses and downstream flow requirements. This Lake Berryessa storage allows SID to bridge years where demand may exceed the annual Solano Project entitlement plus groundwater supplies. SID also has the ability to institute allocations, in accordance with its rules and regulations, when it anticipates demand in excess of supply (and there is no carryover water). In the event of an extended drought, the Solano Project Members' Agreement as to Drought Measures and Water Allocation would be applied to all users (see RRDEIR Appendix B6). Please also refer to Response to Comment I1-8.

O1-19 The comment questions availability of the groundwater portion of SID's water supplies and suggests that there is not substantial evidence that there is long-term water available for the project. However, SID concludes that it does have sufficient groundwater supplies, and the comment provides no evidence to indicate that SID's groundwater pumping cannot be relied upon.

Please see Response to Comment I1-11. Section 5 of the SID WSA (see RRDEIR Appendix C) describes SID groundwater supplies. It indicates that SID has an average annual groundwater supply of approximately 5,000 af (146,000 – 141,000 AF). This groundwater supply is the historic average agricultural groundwater pumping supply since 1964. The SID WSA also discloses that if the full capacity of the groundwater wells is utilized, an additional 9,000 af of supply could be provided. Additional groundwater pumping of this volume occurred in the drought year of 1976.

As documented in the SID WSA in RRDEIR Appendix C, SID demonstrates that it will be able to meet its projected water supply commitments for the proposed Specific Plan during normal, single dry, and multiple dry water years during a 20-year projection because the previous 20-year period included the prolonged six year drought of 1986-1992, and SID was able to meet its demands with only one year of minor reductions (1991). Even in 2014, during the third year of a prolonged drought period, SID has not had to reduce the delivery of water supply allocations to its users. SID reviews its projected water supply and estimated demands each year. As stated in the SID WSA, in years when demand will exceed supply (and no carryover water is available), SID has the means within its Rules and Regulations to implement an allocation policy to limit the amount of water supplied (or allocated) to each user. Further, by managing its carryover supplies in Lake Berryessa (Solano Project entitlement waters that are not used in one year are carried over to the next and are cumulative until Lake Berryessa spills), SID has

the ability to meet the project's anticipated future annual domestic demand of 186 acre feet (rounded to 190 in the WSA) for the Specific Plan.

O1-20 The comment suggests that to the extent the County relies on SID's groundwater, it must provide CEQA analysis of using such groundwater. Please see Response to Comment I1-7, which discusses SID groundwater supply wells and WSA requirements, and Response to Comment O1-19.

O1-21 The comment suggests that the County must notify all of SID's customers and seek comments on the RRDEIR. SID has been consulted throughout the project planning and the CEQA process, and was provided a copy of the EIR for review and comment. In addition, public notice of availability of the RRDEIR was provided in accordance with CEQA and the State CEQA Guidelines.

O1-22 The comment states that RRDEIR Table 16.5 underestimates the Specific Plan water demand because existing well users of 110 afy must be offered SID treated water. A demand from existing well users would not be a demand from the proposed project. The comment suggests, without evidence, that if the County provides potable SID water to the Plan Area, it is reasonably foreseeable that existing well users will convert from groundwater to SID water, thus increasing SID's total demands. Please refer to Response to Comment O1-13. There is no evidence that SID rates for potable water would be less than any individual's existing costs to pump groundwater.

The Option C WSA shows an annual average surplus of 6,403 afy and an ability to use the carryover storage capacity of Lake Berryessa to meet any shortfalls of annual entitlements as described in the RRDEIR, pages 16-42 to 16-44. The surplus and carryover waters would be equally sufficient if the existing groundwater demands were added to the project demands for surface water. The existing groundwater demand is estimated at 90 afy, not 110 (see RRDEIR, Table 16.10). Additionally, the comment does not suggest or provide substantial evidence of any environmental impact that might occur if a conversion of existing groundwater users to SID surface water were to occur.

The comment also questions if 44 existing agricultural residences (as discussed on page 38 of the WSA in RRDEIR Appendix B) are accounted for within the 110 af of existing domestic water demand. Yes, the 44 existing residences in the Plan Area are accounted for by the 110 afy existing water demand figure (see RRDEIR Table 16.6). This is fully described in Appendix B, Section 4.1.2 (see paragraphs 3-5 on page 28 and paragraph 5 on page 30) and Table 4-6. To summarize, SID water delivery data from 2004 through 2011 for the Plan Area was reviewed. This accounted for 11 of the 55 estimated residences identified by land use mapping. The average annual volume of water delivered per residence was 1.8 af. The total water demand was estimated for all existing residences by rounding the average annual water delivery value up to 2 af and applying that to all 55 residences, giving a total existing demand of 110 afy.

The allocation of the 110 afy demand between surface water and groundwater was determined based on 2011 surface water deliveries from SID to 11 residences of 19 af, rounded to 20 af, leaving 90 af of demand met by groundwater pumping at 44 residences.

O1-23 The comment poses multiple questions regarding the costs of Option C (SID Surface Water). Please refer to Response to Comment O1-4.

O1-24 The comment asks whether the assumed annual delivery of 43,000 af of municipal and industrial (M&I) water from the Solano Project, discussed in Appendix B4 of the RRDEIR, is affected by the new deliveries to the Project. No, it is not. The 43,000 af figure in Appendix B4 relates to a formula used by the Bureau of Reclamation in determining a rate and charging it, not to a limit on deliveries. As stated on page 16-8 of the RRDEIR, SID delivers non-potable water to 18 agricultural and 11 municipal and industrial (M&I) turnouts within the Plan Area through a piped distribution system. As shown in Table 16.6 of the RRDEIR, the existing agricultural, residential, and ag-residential land uses would continue to be served by SID and the existing groundwater wells. The demand for Solano Project M&I water would not change due to the proposed project; additional demand for irrigation water (non-potable water) for Specific Plan agricultural lands is accounted for separately from M&I water (see page 6 of Appendix B4).

O1-25 The comment suggests that the total demand for potable water must be at least 296 afy, not 186 afy. Please refer to Response to Comment O1-13. See RRDEIR Tables 16.5 and 16.10. Existing groundwater demand is 90 af, not 110 af. The 90 af is properly shown as an existing water demand in the area of the project, not as a demand from the proposed Specific Plan. The comment mistakenly suggests or implies placing existing demands in the area into the figure for demand from the project itself, when it refers to the "total demand for potable water." The RRDEIR shows the total demand for potable in the area, but properly does not include existing demands in the amounts associated with the proposed Specific Plan.

O1-26 The comment suggests that the water use calculations pertaining to the new school are low but does not offer any evidence of such.

Please see Response to Comment O1-13. In addition, as disclosed in RRDEIR Table 16.5, an earlier draft of the Specific Plan described the future school as accommodating up to 300 students. However, the Specific Plan was changed to reflect a maximum of 100 students. The estimate of water demand for the school (which is relatively minor in the context of the entire Specific Plan) has continued to use the water demand figure for 300 students and is therefore considered conservative.

O1-27 The comment suggests that the RRDEIR's assumption that little or no potable water will be used for landscape irrigation is unrealistic. As proposed in the MGVSP, the projected water demand for the Specific Plan Area includes both domestic (potable) and non-potable water and totals between 860 and 910 afy (see RRDEIR Table 16.6). Existing water demand totals 300 to 350 afy based on existing residential and agricultural uses. Future demand at full Specific Plan build-out would be 560 afy, which includes 186 afy for domestic use, 54 afy for landscaping, and the remaining 320 afy for agriculture, (assuming that the 160 acres remaining in "Agricultural Preserve" that are not currently in production are put into production and require 2 afy per acre). As proposed, non-potable water demand would be met by: 54 afy of recycled water for 100 acres of landscape irrigation; 190-240 afy of non-potable water from SID and local groundwater would continue to serve existing agricultural lands; and 320 afy of non-potable water from SID for potential future agricultural demand. The RRDEIR does not assume the elimination of outdoor irrigation on private property; rather, such irrigation is accounted for in the 100 acres of landscaping to be served by non-potable water from SID and onsite-generated recycled water.

Because the proposed housing units would use recycled water for toilet flushing, all housing units would be served by both potable and non-potable (recycled water) pipes.

Specific Plan Section 4.3.3 requires each new home to comply with the requirements for recycled water use. The requirement to show substantial evidence that this supply of water will be available to the project is satisfied, and there is no evidentiary basis for the commenter's assumption to the contrary.

The subject of this comment was part of the 2010 EIR and has not been revised in the RRDEIR.

O1-28 The comment suggests that there is insufficient evidence to assume reduced water usage of 25 to 40 percent below existing conditions. Please refer to Response to Comment O1-13. As explained in the RRDEIR, outdoor irrigation and toilet flushing would not utilize potable water and is therefore not accounted for in the potable water demand for the project. The County has fully substantiated the use of the reduced domestic (potable) water demand factor. In addition, the Specific Plan requires the use of drought-tolerant landscaping in the Plan Area and the County will condition tentative map approvals with a requirement that developers utilize the most water-efficient appliances at the time of construction.

O1-29 The comment poses multiple questions regarding the size of houses and parcels in the hills, and the associated water demands. The water demand figures for houses are based on per person uses and average household sizes, not parcel sizes (see RRDEIR, page 16-26, fn. 28). The Specific Plan Table 3-3 and Figure 3-44 identify the proposed land use plan and the residential designations and densities. These data are appropriate at the specific plan level of detail. More precise figures regarding home sizes, phasing, and the like would be subject to actual market conditions. Therefore, at this stage of project planning, it would be speculative to further define the specific layout and number of units within the land use designations. The total possible residential units proposed in the Specific Plan have been appropriately accounted for in the domestic water demand factor, which is explained in Response to Comment O1-13, above. Furthermore, the non-potable water demand for the project takes into account residential landscaping and agricultural irrigation, both existing and proposed, for all of the parcels in the Specific Plan area.

O1-30 The comment suggests that RRDEIR Table 16.5 is flawed and lacks supporting data. Please refer to Response to Comment O1-13.

O1-31 The comment suggests that the project's estimated water demand (186 afy) is not based on substantial evidence and underestimates the use per unit. Please refer to Responses to Comments O1-13, above.

O1-32 The comment suggests that the RRDEIR underestimates existing and future (without the project) irrigation water usage. The comment states that farmers discontinued farming beginning in 2007 in favor of working toward the Specific Plan, but offered no evidence of this.

The State CEQA Guidelines Section 15125(a) stipulate that the existing environmental setting (the environmental conditions in the project vicinity at the time the environmental analysis is begun) should constitute the baseline physical conditions by which it is determined whether an impact is significant. The NOP for the proposed project was issued on June 6, 2009. In the original DEIR, the baseline conditions for the proposed project were the conditions that existed in the Plan Area in 2009. The same baseline was used for the RDEIR and RRDEIR. This is an appropriate CEQA baseline because

the physical conditions have not changed in the Plan Area since 2009; it still encompasses a mixture of cultivated agricultural land on the valley floor and grazing land in the hills. Further, the project description remains unchanged from the description contained in the original DEIR, other than the addition of water supply Option C (SID Surface Water).

The existing water demand data summarized in Table 16.6 of the RRDEIR is based on Table 4-6 in Appendix B of the RRDEIR. The Appendix B table shows the data in more detail and the footnotes identify 2011 as the year for most of the data (2011 was the most recent year for which data was available when the Groundwater WSA was being prepared).

Please also refer to Response to Comment O1-13 regarding the Specific Plan's water demand.

O1-33 The comment states that the RRDEIR must disclose and analyze issues pertaining to California's drought. Each of the three WSAs provided in the RRDEIR (Appendices A, B, and C) address the availability of the proposed water supplies in multiple dry years. This information related to prolonged drought is reported in the RRDEIR impact analyses for Option A (Municipal Connection), Option B (Onsite Groundwater), and Option C (SID Surface Water), and has been accounted for in the conclusions related to the adequacy of each water supply option.

The comment also suggests that there could be potentially significant impacts related to aesthetics and prime agricultural soils if the last of SID's allocation of Lake Berryessa water is used for a housing development per the Specific Plan and not to attract agricultural business. It is beyond the scope of this EIR to speculate on and evaluate other potential projects or hypothetical land use decisions. Furthermore, such speculation is not necessary to substantiate the conclusions of the RRDEIR related to adequacy of the proposed water supplies to meet the proposed project demands.

O1-34 The comment suggests that the Lakes Water System should be considered for the project's water supply. The Specific Plan discussed the City of Vallejo Lakes System as "Alternative Water Source 3" (see Specific Plan page 4-28). However, as discussed in the Specific Plan, the Lakes Water System is not a feasible water supply option for the MGVSP due to the City of Vallejo's financial situation, extraordinary rate increases to existing Green Valley customers, and most importantly, because there are capacity limitations at the City of Vallejo's Green Valley Water Treatment Plant that have forced the City to issue a moratorium on any new services outside of its city limits. The County (the lead agency for this EIR) has determined, in accordance with State CEQA Guidelines Section 15145, that it is too speculative to consider possible future dismantling of diversion dams and changes in operations of the existing treatment plant to sustain water supply from the Lakes System for the proposed Specific Plan. No further analysis of the Lakes Water System is required.

The RRDEIR addresses the 2011 Court ruling to remedy the water supply analysis in the EIR, in particular, incorporation of more detailed information on the proposed groundwater supply (Option B). In addition, the RRDEIR documents sufficient water supply through municipal connection to Fairfield (see RRDEIR Appendix A for the Fairfield WSA) and sufficient water supply through provision of surface water from SID (see RRDEIR Appendix C for the SID WSA). The EIR's disclosure and analysis of the

potential environmental effects of three possible water sources (Options A, B, and C) to serve the MGVSP is a sufficient disclosure and analysis of alternative water sources.

O1-35 The comment suggests that the availability of inexpensive SID water may cause growth-inducing impacts that must be analyzed in the RRDEIR. The potential growth inducing impacts of the Specific Plan were adequately disclosed in the certified EIR and were not called into question in the Superior Court ruling (Upper Green Valley Homeowners Association v. County of Solano [Super. Ct. Solano County, 2011, No. FCS036446]). There is no evidence to suggest that securing water from SID, as opposed to groundwater, Fairfield, or any other source, would have any growth-inducing effect.

The commenter expresses concern related to conversion of the Plan Area agricultural lands or open space. Specific Plan Policy PF.P-17 limits public water infrastructure to developed areas or those designated for future development to prevent growth-inducing impacts on adjoining agricultural or open space lands, and the Solano County General Plan Housing Element Policy G.2 states that water facilities shall be designed to provide water service only to the developed areas and those designated for potential development. This is reiterated in RRDEIR Mitigation Measure 16-1a, which states that the Water Master Plan (for water supply Option B) shall be designed to provide water service only to the Specific Plan designated development areas, so as to preclude growth inducing impacts on adjoining designated agricultural and open space lands. Such facilities shall be designed to prevent any growth inducing impacts on adjoining designated agricultural and open space lands. The Specific Plan also calls for conservation easements to be established for lands in the following land use designations: Open Lands – Natural (OL-N), Agriculture – Watershed (AG-WS), Agriculture – Preserve (AG-P). The conservation easements would permanently protect, preserve, and enhance these areas and the conservation easement holder would monitor and maintain the lands.

O1-36 The comment suggests that the CEQA baseline should be revised to 2014 from 2009 (the year the NOP was published) due to significant changes in the project circumstances.

CEQA Guidelines Section 15125(a) states that “An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant.” The NOP for the proposed project was issued on June 6, 2009. In the original DEIR, the baseline conditions for the proposed project were the conditions that existed in the Plan Area in 2009. The same baseline was used for the RDEIR and RRDEIR. This is an appropriate CEQA baseline because the physical conditions have not changed in the Plan Area since 2009; it still encompasses a mixture of cultivated agricultural land on the valley floor and grazing land in the hills. Further, the project description remains unchanged from the description contained in the original DEIR, other than the addition of water supply Option C (SID Surface Water).

The comment states that the approval of the City of Fairfield’s Train Station Project in July 2011 represents a changed circumstance that would require a subsequent EIR and recirculation.

As stated in the Fairfield Train Station Specific Plan (2011), the City of Fairfield provides potable water to users within the City limits (except for Travis Air Force Base). The City or SID provides non-potable water for irrigation at several locations. The City receives water from the Solano Project (through the Solano County Water Agency), the State Water Project, the California Department of Water Resources settlement, and various contracts with SID. The City determined that it has sufficient water supply to serve the proposed Train Station Project in addition to existing and planned city development in a multiple dry year condition.

The City of Fairfield's WSA for proposed MGVSP water supply Option A (Municipal Connection) (dated December 4, 2012) accounted for the water demands of City of Fairfield General Plan buildout. The City was aware of the Train Station Project application and considered that development within the General Plan buildout water demands. Specifically, on page 3 of the WSA, it states, "To ensure consideration of cumulative impacts these tables include other forecasted developments and related revisions or proposed revisions to the City General Plan that have gone through a water supply assessment (e.g., Hawthorne Mill and the Train Station Specific Plan)." The City's WSA for the MGVSP concluded that the City has sufficient water supply to meet all projected city growth through ultimate development (beyond 20 years, including the Train Station Project) as well as the proposed MGVSP.

The City of Fairfield uses no groundwater supply. Therefore, the WSA for water supply Option B (Onsite Groundwater) (dated May 2013) did not need to account for the Train Station Project demand as it would not come from groundwater and would therefore not affect the potential groundwater availability for the MGVSP.

The WSA for water supply Option C (SID Surface Water) (dated April 2014) accounted for all water demands, including agricultural demand and city commitments. SID documented water that is provided to the City of Fairfield in both the SID Estimate Range for Ag Water Demands as well as the SID Water Supply City Commitments, Fairfield Agreements (see RRDEIR Appendix C, Table 3). As stated above, the City of Fairfield documented in the WSA for the MGVSP that the City has sufficient water supply within its existing entitlements to meet projected city growth through ultimate development (beyond 20 years, including the Train Station Project) as well as the proposed MGVSP.

Therefore, the Train Station Project's water demand has been considered in the analysis of available water supply for the MGVSP as presented in RRDEIR Section 16.1. Fairfield's approval of the Train Station Project in 2011 does not represent a change to the circumstances under which the MGVSP would be undertaken and none of the conditions requiring preparation of a subsequent EIR have been triggered.

O1-37 The comment suggests that the substantial increase in value of Solano County's agricultural crops is a new and changed circumstance warranting CEQA analysis. Please refer to Response to Comment O1-4, which explains that economic or social effects of a project shall not be treated as significant effects on the environment. However, the County may consider economic, social, and technological factors in addition to environmental factors in preparation of Findings and rendering a decision on the Specific Plan after certification of the EIR.

O1-38 The comment suggests that the major wineries Caymus' and Gallo's significant investment in Solano County's agriculture is a new and changed circumstance

warranting CEQA analysis. Additionally, the comment suggests that the investment of these two wineries bears on the County's 2009 finding of infeasibility of the environmentally superior alternatives. The County is aware of the Caymus and Gallo activities in Solano County. The agricultural water demands from SID (via Lake Berryessa) are accounted for in SID's 2014 WSA provided in RRDEIR Appendix C (see Table 3). With consideration of both agricultural supplies and city commitments, SID determined that its water supply is 99 percent reliable in multiple dry-year periods and determined that it has sufficient reliable water supply to serve the MGVSP. Please also refer to Response to Comment O1-4, which explains that economic or social effects of a project shall not be treated as significant effects on the environment. However, the County may consider economic, social, and technological factors in addition to environmental factors in preparation of Findings and rendering a decision on the Specific Plan after certification of the EIR.

O1-39 The comment suggests that the alternatives analysis must be revised and recirculated due to the change in circumstances (i.e., Train Station Project and increased value of Solano County's agricultural land).

Please also refer to Responses to Comments O1-36, O1-37, and O1-38. Revised alternatives analysis is not required.

The EPS Study provides substantial evidence that a project of only 200 units would not produce sufficient net revenues to fund the agricultural endowment component of this project, as the Court determined in the prior litigation concerning this project. None of the comments received concerning the alternatives analysis have an effect on this conclusion. No change to the alternatives analysis is required.

O1-40 The comment suggests that the RRDEIR fails to disclose and analyze the costs associated with Options B, C1, and C2. Please see Response to Comment O1-4, which explains that economic or social effects of a project shall not be treated as significant effects on the environment. However, the County may consider economic, social, and technological factors in addition to environmental factors in preparation of Findings and rendering a decision on the Specific Plan after certification of the EIR.

O1-41 The comment suggests that the County failed to disclose the reasoning as to why it rejected the Reduced Development Capacity Alternative.

This comment does not pertain to the RRDEIR. The County will address all alternatives in connection with certification of the EIR and approval of the Specific Plan. In addition, please refer to Response to Comments O1-36, O1-37, O1-38, and O1-39.

O1-42 The comment poses multiple questions regarding the cost of City of Fairfield water treatment, distribution, administration, and the like. Please see Response to Comment O1-4.

O1-43 The comment states that the RRDEIR NOA did not comply with noticing requirements and that it needs to be recirculated.

The RRDEIR was filed at the State Clearinghouse on June 26, 2014, as documented by the stamp-dated notice of completion (NOC) form, and was mailed directly to interested parties on the same day. The Notice of Availability (NOA) was published June 27, 2014. The RRDEIR comment period closed on August 11, 2014. By including June 27 as day

one of the comment period, the RRDEIR comment period was 45 days, meeting the requirements for public review of a draft EIR in CEQA Guidelines Section 15087. All legal requirements for posting CEQA document and noticing have been met.

In addition, please refer to Response to Comments O1-32 and O1-36 regarding CEQA baseline, and Response to Comments O1-36 through O1-38 regarding new and changed circumstances warranting CEQA analysis. The NOP for this project does not need to be recirculated and the conditions requiring a subsequent EIR have not been met.

O1-44 The comment states that the RRDEIR project description is unstable because water supply Option C proposes that all potable water be supplied by SID and the WSA states that SID water would be provided in combination with groundwater. The executive summary of the SID WSA is not the project description for CEQA purposes, and negligible minor wording differences in that executive summary do not constitute an unstable project description. It is clear that the SID WSA analyzed the availability of water to serve the entire project. The description of water supply Option C (SID Surface Water) in Section 16.1 and Appendix F of the RRDEIR is consistent with the description of the proposed Specific Plan water demand in the SID WSA (RRDEIR Appendix C). As stated in the RRDEIR page 1-2, paragraph 1:

> The Project Description of the Specific Plan now includes a third option for supplying potable water to the development. This option describes SID water as the primary source of water, either in its entirety or to be combined with City of Fairfield municipal water or groundwater (see Appendix F). This Revised Recirculated DEIR now includes three water supply options: water supplied through a municipal connection to the City of Fairfield (Option A), water supplied through the use of groundwater wells within the Specific Plan area (Option B), and surface water supplied by SID (Option C). As noted above, Option C is Solano County's preferred water supply for the project. Because a portion of the Specific Plan area is located outside of the Solano Project Place of Use, a petition for Change in Place of Use will be submitted to the State Water Resources Control Board (SWRCB) and would need to be approved for use of SID water in this area. SID will prepare the petition, and this EIR will be used by the SWRCB to support its decision. Given the uncertainty with regard to approval of the petition and its timing, two variations of Option C are also analyzed in this document for that portion of the Specific Plan area outside the SID service area boundary: Option C1 contemplates use of groundwater for this area, and Option C2 contemplates use of municipal water from the City of Fairfield. Similarly, a portion of the Specific Plan area is located outside of the SID service boundary, requiring an approval from the Solano County LAFCO for SID service to that area.

Accordingly, the SID WSA properly analyzes the full Option C approach while also, without explicitly referring to Option C1, acknowledging the view that some groundwater supply may be needed if approval of the petition for Change in Place of Use were denied or inordinately delayed. The SID WSA is consistent with the project description in the RRDEIR.

Furthermore, the CEQA environmental review process contemplates that a project description may change to some degree as a result of public/agency comments and further analyses. Such changes reflect the public-disclosure CEQA process working properly. As such, the public has had an opportunity to review and comment on the

Specific Plan EIR, including the project description and water supply options. In response to ongoing public/agency dialogue, the County determined that Option C (SID Surface Water) has become a viable water supply option and, therefore, disclosed and analyzed the adequacy of this water supply and potential associated impacts in the RRDEIR.

O1-45 The comment questions if Fairfield treated SID water for use outside of City, and under what arrangement. This is a question, not a comment on an environmental issue or the environmental analysis. A written response in this CEQA document is not required (CEQA Guidelines, Section 15088). However, yes, the Peabody area and the Blue Ridge Oaks area utilize this model. SID supplies raw water to Fairfield, which returns the same amount in potable water to SID to serve said areas.

O1-46 The comment questions if any city treated SID water for use outside of its city boundaries. This is a question, not a comment on an environmental issue or the environmental analysis. A written response in this CEQA document is not required (CEQA Guidelines, Section 15088). However, yes, the Peabody area and the Blue Ridge Oaks area utilize this model. SID supplies raw water to Fairfield, which returns the same amount in potable water to SID to serve said areas.

O1-47 The comment questions how the County arrived at 400 houses in the MGVSP.

The MGVSP EIR analyzes the proposed MGVSP, which presents a mix of land uses including up to 400 new primary residential units. The maximum of 400 new units is based on the Solano County General Plan (2008), which identifies 400 dwelling units for the Middle Green Valley in Table LU-6.

O1-48 The comment questions how domestic water from SID is treated for Mankas Corner in Suisun Valley. This is a question, not a comment on an environmental issue or the environmental analysis. A written response in this CEQA document is not required (CEQA Guidelines, Section 15088). However, the Mankas Corner area in Suisun Valley (Suisun Valley Water System) is served by Suisun Solano Water Authority as part of the original system that conveyed water to the City of Suisun. City of Suisun is obligated to serve them.

O1-49 The comment questions how the Waterman Treatment Plant Upgrade was funded and if money is owed. This is a question, not a comment on an environmental issue or the environmental analysis. A written response in this CEQA document is not required (CEQA Guidelines, Section 15088). Please refer to Response to Comment O1-4.

O1-50 The comment questions the capacity of the North Bay Regional Plant and if there would be additional cost for improvements to that plant. The comment states that the costs for water supply Option C relate to alternatives. This is a question, not a comment on an environmental issue or the environmental analysis. A written response in this CEQA document is not required (CEQA Guidelines, Section 15088). Nonetheless, as presented in the RRDEIR on page 16-29, the Waterman Treatment Plant has a capacity of 30 million gallons per day (mgd) and the North Bay Regional Treatment Plant has a capacity of 40 mgd, split 2/3 and 1/3 between Fairfield and Vacaville, respectively. The portion of that capacity belonging to Fairfield is 26.7 mgd. The current peak-day demand for Fairfield is approximately 32 mgd; therefore, with a total capacity to treat 56.7 mgd, the City has 24.7 mgd (27,669 afy) of available capacity to treat the 190 afy of SID water

for the project without the need for improvements at either treatment plant[4]. In relation to questions of infrastructure costs, please refer to Response to Comment O1-4, which explains that economic or social effects of a project shall not be treated as significant effects on the environment. However, the County may consider economic, social, and technological factors in addition to environmental factors in preparation of Findings and rendering a decision on the Specific Plan after certification of the EIR.

O1-51 The comment questions if the calculations on page 16-15 of the RRDEIR take into account the new Train Station project. As stated above in Response to Comment O1-50, the data provided by the City of Fairfield related to the available water treatment capacity at the Waterman Treatment Plant and North Bay Regional Treatment Plant was provided on September 7, 2012, after the City's adoption of the Fairfield Train Station Specific Plan on July 26, 2011 (with minor amendments adopted August 21, 2012). Therefore, the Train Station Project's water treatment demand (2.5 mgd per the Train Station Specific Plan EIR, page 4.15-20) has been considered by the City and is within the City's available water treatment capacity (24.7 mgd). Buildout of the Train Station Specific Plan may occur over 20 years. Even with long-term projections and potentially treating the MGVSP water supply, the City does not anticipate the need for future treatment plant expansion. Nonetheless, the City can and will assess necessary infrastructure for development in the City on an as-needed basis.[5]

O1-52 The comment requests disclosure and analysis of the potential for increase in water treatment demand from Benicia and Vacaville at the City of Fairfield water treatment plants. This is a question, not a comment on an environmental issue or the environmental analysis. A written response in this CEQA document is not required (CEQA Guidelines, Section 15088). Additional demand for water treatment in Vacaville or Benicia would be considered by those jurisdictions to determine if it is within their allocated capacity of 13.3 mgd. It is beyond the scope of this EIR to speculate as to increased demand for water treatment by these cities and to evaluate the water treatment capacity at Fairfield's treatment plants. The RRDEIR provides sufficient evidence to substantiate Fairfield's ability to treat the SID surface water that would then be supplied to the MGVSP area (see Response to Comment O1-50).

O1-53 The comment questions if existing pipes would be used, or new ones installed as well as the ownership differences in water supply Options, A, B, and C. Pipelines proposed in the Specific Plan are anticipated to be new, except where they connect to existing offsite infrastructure. As described on page 1-9 of the RRDEIR, under Option A and Option B, the Specific Plan proposes formation of a County Services Area (CSA) to maintain and operate Plan Area water, sewer, storm drainage, recycled water, and parks and recreation services. The water system would be maintained by the CSA for the approaches that involve municipal connection (Option A) and exclusive use of groundwater (Option B). However, the water system would be maintained by SID for the preferred approach involving use of SID surface water from the Solano Project (Option C).

O1-54 The comment questions if the project water will be comingled with Delta water and states that the EIR must disclose impacts of Delta water use.

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4 Personal communication between Felix Reisenberg at the City of Fairfield and Suzanne Enslow of Ascent Environmental on October 29, 2014 confirming the accuracy of the city's water treatment capacity as identified in the RRDEIR and in this response.

5 Personal communication between Felix Reisenberg at the City of Fairfield and Suzanne Enslow of Ascent Environmental on October 29, 2014 confirming the accuracy of the city's water treatment capacity as identified in the RRDEIR and in this response.

None of the SID water supply allocation comes from the Delta. SID would allocate by exchange a portion of its Solano Project water supply allocation, which would be treated by the City of Fairfield for delivery to the Specific Plan area. No analysis of potential environmental impacts of Delta water usage is necessary.

O1-55 The comment questions if there will be potable and non-potable water pipes to all units, and what the associated costs (for implementation, operation, and maintenance) and pipe sizes would be. The Specific Plan proposes the installation of recycled water pipes to all new housing units in the Plan Area. Specific pipeline sizes and designs would be described in specific development proposals pursuant to the Specific Plan. Please see Response to Comment O1-4, regarding consideration of project costs under CEQA.

O1-56 The comment questions costs of pipeline, and the cost difference in 2014 compared with 2009. Please refer to Response to Comment O1-4 regarding consideration of project costs under CEQA.

O1-57 The comment questions where the proposed water storage tanks would be located and raises concerns related to aesthetic impacts. RRDEIR Exhibit 16-1 illustrates proposed locations for potable water pipelines and water storage tanks. The Draft EIR certified by Solano County was found to have an adequate analysis of the potential aesthetic effects of buildout of the Specific Plan, including infrastructure as well as housing and commercial development. No further aesthetic analysis is required.

O1-58 This comment addresses several aspects relating to the treatment of water produced from onsite groundwater wells to meet the domestic water demand of 186 afy. Among the issues raised is the cost for water treatment. Project costs are outside the scope of CEQA review. Please refer to Response to Comment O1-4 for further substantiation. Other issues pertaining to water treatment raised by this comment concern the location and size of the treatment facility or facilities and the length of piping anticipated to be required for Option B.

The location and number of treatment facilities and lengths of water supply pipelines necessary for the project will be determined following subsequent aquifer evaluation and water system design. As described in the discussion of RRDEIR Impacts 16-1 and 16-2, further aquifer evaluation and water system design will be performed as part of the preparation of the Water Master Plan and as described in Mitigation Measures 16-1a and 16-2a. Furthermore, as stated on page 16-29 of the RRDEIR, under Option B, the groundwater would be treated to Title 22 levels by a small facility at each wellhead prior to being pumped to an onsite storage facility. The length of pipelines installed under Option B are estimated to be less than would be installed under Options A or C because the water system would not need to extend to existing City of Fairfield water mains.

O1-59 This comment requests further analysis of potential groundwater quality impacts relating to the reuse of 54 afy of recycled water; however, such analysis exceeds the scope of the RRDEIR. The Specific Plan states on page 4-29 that recycled water will be treated to State of California Title 22 standards for tertiary wastewater treatment. Also, the RRDEIR states on page 1-9 that a County Services Area will be established under the Specific Plan to maintain and operate recycled water services, including the acquisition of required approvals from local, regional, and state agencies. Use of recycled water will be subject to permit approval, with provisions for groundwater monitoring, at the discretion of the State Water Resources Control Board in consultation with the California Department of Public Health. These standards include measures that address the risks

to groundwater quality resulting from recycled water use according to the source(s) and quality of the recycled water and vulnerability of the underlying groundwater resources.

O1-60 The comment states that elevated salinity levels at the Guru Nanak Temple on Rockville Road suggest a similar threat to groundwater wells that would be constructed in the Plan Area under Option B. The comment does not provide an address, parcel number, coordinates, or any other information to specify the location of the affected well referenced in the comment. An internet search yielded no evidence that a Guru Nanak Temple is located within the Plan Area, Thomasson Study Area (north/south), nor any other part of Green Valley. Instead, the Temple appears to be located at 2948 Rockville Road, Fairfield, CA 94534 in Suisun Valley. This location is over 3.7 miles east of the western most point in the Plan Area and over four miles east of the Green Valley alluvial formations in the Plan Area where project groundwater wells would most likely be located. As noted in Section 1.1 of the Option B WSA (LSCE, 2013 page 1), groundwater resources in Green Valley are distinct from those in other portions of the Suisun-Fairfield Groundwater Basin due to the physical structure of Green Valley, an alluvial valley bounded to the north, east, and west by outcropped bedrock. Variations in groundwater quality that may occur so far from the Plan Area and the Thomasson study area (north/south) in the 133,600 acre Suisun-Fairfield Groundwater Basin are not evidence of conditions in Green Valley and the Plan Area.

O1-61 The comment asks what the cost would be for a petition for change in place of use and the annexation of place of use into SID's service area. Please refer to Response to Comment O1-4 regarding consideration of project costs under CEQA.

O1-62 The comment raises questions related to the costs of treatment through the City of Fairfield, use of pipes, new pipes, location of storage tanks, and sites potential for aesthetic impacts due to tanks. Please refer to Response to Comment O1-4 and Response to Comment O1-57.

O1-63 The comment questions how groundwater treatment would be handled under Option C1, and the costs to construct/operate/maintain such facilities. As stated on page 16-31 of the RRDEIR, if one or more wells were constructed under Option C1, the groundwater would be treated to Title 22 levels by a small facility at the wellhead(s), then connected to the SID infrastructure at the nearest point, where it would be blended with the treated SID surface water. Impacts associated with groundwater wells were addressed in Impact 16-2 of the RRDEIR, and the certified Draft EIR analyzed the potential environmental impacts of construction and operation of the Specific Plan. In addition, please refer to Response to Comment O1-4 regarding consideration of project costs under CEQA.

O1-64 The comment states that Option C2 is prohibited by Measure L. Please refer to Responses to Comments O1-6 and O1-7.

O1-65 The comment asks if the CSA would be obligated to the Solano Project Members Agreement as to Drought Measures and Water Allocation. This is a question, not a comment on an environmental issue or the environmental analysis. A written response in this CEQA document is not required (CEQA Guidelines, Section 15088). Nonetheless, the parties to the Agreement should include SID and others listed on the preamble. At the present time, it is not anticipated that the CSA would be directly a party to the Agreement. However, through SID being a party and SID being within the program measures described in the agreement, a CSA receiving water from SID would be indirectly affected by the Agreement's terms.

O1-66 The comment raises concerns related to the implementation of drought measures that ask farmers to idle their crops and reduce water usage so that cities can get water, stating that this would result in potential impacts to agriculture, which needs to be analyzed in the EIR. The three WSAs for the project document surpluses after agricultural demands are met, not shortages that would take water away from agriculture. The comment does not point to any evidence of a significant environmental effect that might arise from any farmer idling their land in a particular year in exchange for compensation, or that idling of farmland would occur more frequently with the project than without. Additionally, see Response to Comment O1-15 regarding the RRDEIR discussion on page 16-43 of an additional groundwater supply to serve as a potential engineered redundant supply for a portion of the project demand. The availability of a groundwater backup supply in the Plan Area, as described in that passage, may eliminate a need for the project to be one of the users seeking water from idled farmland in the event of a severe prolonged drought.

O1-67 The comment questions who would pay to connect an existing well user to the system under Mitigation Measure 16-2B. This is a question, not a comment on an environmental issue or the environmental analysis. A written response in this CEQA document is not required (CEQA Guidelines, Section 15088). Please refer to Response to Comment O1-4 regarding consideration of project costs under CEQA. See also, RRDEIR page 16-46, footnote 39.

O1-68 The comment states that because Measure L prevents sending sewage to Fairfield, sewage treatment and disposal is a potentially significant impact that needs to be addressed further in the EIR. Please refer to Response to Comment O1-6 regarding Measure L. Wastewater treatment through the City of Fairfield is a feasible option, and the MGVSP EIR has adequately analyzed the necessary infrastructure and associated environmental impacts.

O1-69 The comment states that the EIR must further disclose and analyze partial project completion and raises questions related to phasing and buildout of the project. The Specific Plan Table 3-3 and Figure 3-44 identify the proposed land use plan and the residential designations and densities. Specific Plan Section 4.5 describes development sequencing and phasing. That section of the Specific Plan, including Figure 4-6, have not been revised since the 2010 EIR. More precise figures regarding home sizes, phasing, and the like would be subject to actual market conditions. Therefore, at this stage of project planning, it would be speculative to further define the specific layout and number of units within the land use designations.

Under the preferred water supply option, Option C (SID Surface Water), the County will work with SID and a future developer to complete the Place of Use boundary change prior to development and avoid the need for temporary groundwater wells and associated studies and mitigation. Nonetheless, understanding that the POU boundary change is not yet complete, the County has also disclosed the potential need for groundwater well(s) and the associated potential impacts of groundwater usage. In the event that Option C1 (SID Surface Water and Onsite Groundwater) is necessary, the County has committed to implementing RRDEIR Mitigation Measures 16-2a and 16-2b. If the SID Place of Use boundary change was subsequently completed, SID would serve treated surface water to Specific Plan residences as proposed in water supply Option C and the groundwater wells would no longer supply water to the project. The well(s) would remain in place for use only in emergencies.

O1-70 The comment states that a corporate home builder would have to build the project, resulting in significant aesthetic impacts. It is speculative to state which developer or what type of developer would propose a project under the Specific Plan. Please refer to Response to Comment O1-57 regarding the EIR's analysis of aesthetic impacts. Furthermore, the Specific Plan establishes development standards, design guidelines, and a design review process to achieve the intended vision described in the Specific Plan. See Specific Plan Chapter 5.0, The Neighborhood Design Code.

O1-71 The comment poses multiple questions related to carry over of water entitlements. This is a question, not a comment on an environmental issue or the environmental analysis. A written response in this CEQA document is not required (CEQA Guidelines, Section 15088). Please refer to RRDEIR Appendix B6 and Responses to Comments O1-18 and I1-8 regarding carryover water.

O1-72 The comment states that the SID WSA must provide final data (rather than preliminary) on evapotranspiration to support the EIR. The agricultural water demands in the SID WSA (RRDEIR Appendix C) are not preliminary; rather, they are only one phase of an overall water balance. That phase (i.e., agricultural water demands) shows whether or not SID has enough surface supply to meet all of its obligations, and the results show that SID does (see Appendix C of the RRDEIR). Inability to meet demand in the worst-case year deficit results primarily from inefficiencies in water deliveries. If SID could be 100 percent efficient, all projected demands for surface water could be met (without any groundwater). The water balance analysis underway will help SID identify projects to increase efficiencies, which will reduce the identified worst-case year deficit. Improvements in irrigation practices, which are already underway, will increase SID's overall efficiencies.[6]

O1-73 The comment asks multiple questions related to existing SID service of domestic water. This comment does not pertain to the RRDEIR. See also Response to Comment O1-66.

O1-74 The commenter requests all data the used from Davids Engineering in the WSA. The data presented Table 2 in the SID WSA (Appendix C of the RRDEIR) shows the data from David's Engineering for the normalized evapotranspiration of applied water for SID agricultural acreage from 1991 to 2010. No further data is available other than that provided in the WSA.

O1-75 The comment questions whether SID—other than 1991—has imposed restrictions on water users. Please refer to Response to Comment I1-8.

O1-76 The comment references RRDEIR Appendix B8, Okita Memo, regarding North Bay Aqueduct fluctuation and asks about Fairfield's plans. Please see Response to Comment I1-15.

Questions about the City of Fairfield's plans are beyond the scope the RRDEIR, but the City's 2010 Urban Water Management Plan does contain discussion on those topics at Section 5.1 and 5.2 (regarding "Water Shortage Contingency Planning").

O1-77 The comment questions how the SID WSA determined maximum demand, what data does it rely on, and requests that data. Please refer to Response to Comment I1-9. The

[6] Email from Paul Fuchslin at SID to Mathew Walsh of Solano County on October 22, 2014 regarding the SID WSA (RRDEIR Appendix C), specifically the ag water demands and water balance.

SID WSA figures were calculated in the manner indicated on pages 4 through 7 of the WSA. As presented more fully therein, the WSA uses a calculated in-field crop water demand, and then adds an amount lost in delivering and applying the crop demand, and then adds in amounts for water delivered to the cities.

O1-78 The comment asks if each residence will have potable and non-potable pipes, what the cost of the pipes would be. Please see Responses to Comments O1-4 and O1-55.

O1-79 The comment states that there will be an increase in potable water use because SID Rule 5021 does not allow irrigation water to be available during Nov-March unless approved by the Board. The Rule mentioned in the comment applies to irrigation water for specialty crops; it does not apply to municipal and industrial water and does not affect the availability of recycled water.

O1-80 The comment questions how the Option A and Option C WSAs account for the Train Station Project. Please see Response to Comment O1-36.

O1-81 The comment questions if a future CSA will participate in the contract between USBR and SID (Appendix B4). This is a question, not a comment on an environmental issue or the environmental analysis. A written response in this CEQA document is not required (CEQA Guidelines, Section 15088).

O1-82 The comment asks what the estimated groundwater use in Option C1 would be. Please see page 16-44 of the RRDEIR, which states approximately 43.5 afy to come from groundwater at buildout.

O1-83 The comment references RRDEIR Appendix B8, Okita Memo, regarding North Bay Aqueduct fluctuation and suggests that SID and Fairfield water supplies (Option A and C2) are unreliable. Please see Response to Comments O1-76 and I1-15.

O1-84 The comment questions if the Specific Plan places facilities, housing units, or trees in SID rights-of-way. The Specific Plan is a tool for the systematic implementation of the General Plan. It establishes a link between implementing policies of the General Plan and the individual development proposals in a defined area. However, it does not provide specific lot lines, housing units, or landscaping plans, which are to be proposed by developers looking to implement development pursuant to the Specific Plan. At the time such developments would be proposed, the County would work with the developer to ensure that project plans are consistent with SID's policies related to its rights-of-way. See discussion of Impact 16-3 and Mitigation Measure 16-3 addressing the issue raised by the comment.

O1-85 The comment asks for a description of the other Lake Berryessa water users. It is beyond the scope of this EIR to evaluate Lake Berryessa operations and not necessary to substantiate the conclusions of the RRDEIR related to adequacy of the proposed water supplies to meet the proposed project demands. There is no evidence of an effect in the record or the comment, and the analysis of the adequacy and reliability of water supply in the RRDEIR identified no implication of such distant impacts. Please see RRDEIR Appendix C for the SID WSA documenting adequacy of existing SID water supply to serve the Specific Plan. In addition, the 1999 Solano Project Members' Agreement as to Drought Measures and Water Allocation (see RRDEIR Appendix B6, Section 1.1) lists the parties entitled to Solano Project deliveries (SID, Fairfield, Vacaville, Suisun City, Main Prairie, and Vallejo) and shows a total annual entitlement of 187,150 af. However, the 1999

Drought Measures Agreement does not include University of California Davis, with an entitlement of 4,000 af, California State Prison Solano, with an entitlement of 1,200 af, and an average project operating loss of 15,000 af, which brings the annual contractual entitlements of Solano Project water users to 207,350 af, consistent with what is shown in the SID WSA (RRDEIR Appendix C, page 7).[7]

O1-86 The comment states that Options A and C violate state and local laws and therefore USBR cannot authorize easements for the project, creating project uncertainty. Please refer to Responses to Comments O1-3, O1-6, and O1-11. See also RRDEIR, discussion of Impact 16.3 and Mitigation Measure 16.3.

O1-87 The comment raises concerns that the RRDEIR fails to adequately address Measure L's restrictions on Fairfield's provision and treatment of water for the project. Please refer to Response to Comment O1-3 regarding Measure L. In addition, please refer to Response to Comment O1-50 regarding Fairfield's water treatment plant capacity. The RRDEIR provides substantial evidence that each of the three proposed water supply options, Option A (Municipal Connection), Option B (Onsite Groundwater), and Option C (SID Surface Water) would represent an adequate water supply without the need for new or expanded water supply entitlements (see WSAs provided in RRDEIR Appendices A, B, and C).

O1-88 The comment suggests that the WSA for Option B (Onsite Groundwater) is inadequate and refers to comments submitted by Kamman Hydrology & Engineering, Inc. (August 11, 2014). Please see Responses to Comments I1-3 through I1-5. In addition, please see Responses to Comments O1A-1 through O1A-32, which address concerns related to water supply Option B submitted on the first Revised DEIR (letter dated October 10, 2013 from Law Office of Amber L. Kemble).

O1-89 The comment suggests that the WSA for Option C (SID Surface Water) is inadequate and refers to comments submitted by Kamman Hydrology & Engineering, Inc. (August 11, 2014). Please see Responses to Comments I1-6 through I1-15. The SID WSA (RRDEIR Appendix C) provides sufficient evidence of adequate water supply from SID to serve the proposed MGVSP water demand.

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[7] Personal communication between Paul Fuchslin at SID and Suzanne Enslow of Ascent Environmental on November 5, 2014 regarding the Solano Project annual entitlement as documented in the 1999 Solano Project Member's Agreement as to Drought Measures and Water Allocation(RRDEIR Appendix B6) and in the 2014 SID WSA (RRDEIR Appendix C).