

CITY OF VACAVILLE
COMMUNITY DEVELOPMENT DEPARTMENT

INITIAL STUDY
ENVIRONMENTAL INFORMATION INSTRUCTIONS

INTRODUCTION - The attached environmental information form is required to be completed and submitted with all project applications in the City of Vacaville. The purpose of the information form is to assist Community Development staff and interested persons in reviewing the environmental impacts caused by a project and in making the appropriate California Environmental Quality Act (CEQA) determination. The form should be filled out as completely and accurately as possible. Full disclosure of environmental and land use data helps avoid uncertainty in respect to having a project comply with CEQA.

PRE-APPLICATION MEETING - Before submitting an application for development approval (i.e., variance, tentative map, conditional use permit), the applicant needs to meet with Planning staff to determine what City regulations affect the project. Planning staff will help the applicant determine whether the project is exempt from review or if formal environmental review will be required.

Upon request, Community Development staff can issue a formal determination on the process to use for a specific project to comply with CEQA. Such requests should be made in writing. The process assists both the applicant and staff in determining the significance of any environmental effects caused by the project. For further information on a request for determination, see Section 14.03.022.010 (Initial Study) of the Vacaville Municipal Code. Any determination to require a negative declaration or environmental impact report may be appealed to the Planning Commission; its decision may be appealed to the City Council. For further information on the appeal process, see Sections 14.03.020.070 (Appeal of Determination) and 14.03.023.010 (Negative Declaration and Mitigated Negative Declaration) of the Vacaville Municipal Code.

EXEMPT PROJECTS - After the project description is well defined, a determination may be made that the project is exempt from CEQA. Projects which are typically exempt from CEQA include new homes (four units or less), additions to existing structures, lot line adjustments and variances. If such a finding is made, then no further environmental action is required prior to the city taking an action on the project application. A Notice of Exemption may be filed with the county clerk after approval of the project. This may be done by either the city or applicant but is not required. Filing the Notice of Exemption starts a 35-day statute of limitations period on legal challenges to the decision that the project is exempt from CEQA.

FORMAL ENVIRONMENTAL REVIEW - Once the determination is made that the project is subject to formal CEQA review, the applicant will be requested to complete an environmental information form. After the environmental information form is received, a staff person prepares an initial study to determine environmental effects of the project. Based on the initial study, one of three findings will be made: (1) the project has no significant impacts and a negative declaration is appropriate, (2) the new project is covered by a program EIR; it can be reaffirmed by the previous documentation as long as no new impacts are identified and the project is within the scope of the previous project, or (3) the project will or may have significant impacts and an environmental impact report is required. A negative declaration or EIR, in addition to the initial study, assist the decision-making body in understanding the environmental impacts which may result from a project. The terms are described as follows:

- A. Negative Declarations - If a project is not exempt from further review (i.e., commercial construction, large-scale home construction or annexations to the city), an initial study is prepared by Community Development staff to determine if a “negative declaration” is appropriate to evaluate the affects the project has on the environment. A negative declaration is appropriate when the decision-making body can make a finding that the project would not have significant effects on the environment.

A negative declaration is subject to a 30-day review period prior to the city taking an action on the project. After approval of the project, the City files a Notice of Determination with the county clerk’s office. Filing the Notice of Determination within five days of approval starts a 30-day statute of limitations period on court challenges to the approval under CEQA. Otherwise, the statute of limitations is 180 days.

- B. Reaffirmation of previous Environmental Impact Report - If a project is within the scope of a previously approved project where an environmental impact report (EIR) was prepared, it may be possible to use that EIR for the new project as well. As with all projects, an initial study is prepared for the new project. If it can be determined that no new environmental effects could occur or new mitigations be required, and that the new project is within the scope of the project covered by the program EIR, then the program EIR may be used, and no further environmental documentation is needed.
- C. Environmental Impact Report (EIR) - An EIR is applicable when findings are made that a project will produce significant impacts on the environment. Such impacts may include a significant increase in noise, a significant demand on public services (i.e., water and sewer) and the significant deterioration of air quality. An EIR will address how to mitigate significant impacts; however, it may not be possible to mitigate all impacts. In such cases, the city may adopt a Statement of Overriding Considerations that finds the benefits of the project outweigh the impacts.

A draft EIR typically has a minimum 45-day review period prior to the city taking an action on the project. After responses are prepared to comment received on the draft EIR, a final EIR is prepared and certified by the city. After certification by the city, the EIR is adopted as addressing the environmental impacts of the project. After approval of the project, the City files a Notice of Determination with the county clerk's office. Filing the Notice of Determination within 5 days starts a 30-day statute of limitations period on court challenges to the approval under CEQA. Otherwise, the statute of limitation is 180 days.

EIRs are prepared by independent, private consulting firms that are hired by the city. The firms work for the city but are paid by the applicant through a written agreement. The cost is dependent on the scope of work and level of analysis required.

MITIGATIONS - The negative declaration or EIR may include mitigations to reduce the significance of an impact in the conditions of approval. Example - build a sound wall to reduce the noise generated by a project to less-than significant levels. If the City adopts mitigations as part of the project approval, it will also adopt a mitigation monitoring plan to ensure the mitigations achieve the intention of allowing no significant environmental effects. This program may require the applicant to pay additional fees for the management of the mitigation monitoring plan and the required inspections.

TIME FRAME FOR PROCESSING - Review of environmental impacts is normally done while the project application is being reviewed. The time needed to process both applications will vary depending on the complexity of the project and its potential environmental impact. Environmental review must be completed before final action may be taken on the project application. Generally, action is taken on the environmental review and the project at the same public hearing. State law requires action on a development project within six (6) months from the date the applications are deemed complete if a negative declaration or exemption is issued for the project and within one (1) year if an EIR is required.

PROCESSING FEES - Application fees help pay for the preparation, processing, advertising, and recording of a CEQA determination. Fees are non-refundable.

All items that are filed with the county clerk will be charged a \$50 document handling fee that is levied by the county.

Any project that affects wildlife or wildlife habitat will be charged additional application fees to process a negative declaration application and an EIR application. Staff will discuss the application of this fee when effects are identified. This money is charged by the State Department of Fish and Wildlife to review the respective documents.

All billing is due and payable prior to an application being processed. Environmental application fees are as follows:

A. Notice of Exemption	\$604
B. Negative Declaration	\$3,999
C. Mitigated Negative Declaration	\$8,002
D. Reaffirm Previous Environmental Assessment	\$751
D. Environmental Impact Report (of contract price)	15%
E. <u>Department of Fish and Wildlife Review Fees (updated every January 1)</u> (<i>Consult CEQA Environmental Document Filing Fees</i>)	
Negative Declaration	\$2,764
Mitigated Negative Declaration	\$2,764
EIR	\$3,839.25
Solano County Clerk Processing Fee	\$50
F. Intake / Records Maintenance Fee - Minor	\$91
G. Intake / Records Maintenance Fee - Major	\$184

For further information on the material presented, request a copy of Division 14.03, Environmental Review, of Vacaville Municipal Code, or speak with a member of the Planning staff.

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**CITY OF VACAVILLE
INITIAL STUDY
ENVIRONMENTAL INFORMATION FORM**

Information Required of Applicants as Part I of Initial Study of Environmental Impacts

----- **For Office Use** -----

Application Number and Title: _____

Date submitted: _____

The following information is required for all projects which are subject to review pursuant to the California Environmental Quality Act (CEQA). Complete disclosure of environmental data is required. NOTE: THIS INFORMATION MUST RELATE TO THE DEVELOPMENT AS DESCRIBED IN SECTIONS 9A & 9B. Reference materials needed to complete this application are available at City of Vacaville website. Answers may be continued on additional sheets. Please print or type.

I. GENERAL INFORMATION

1. Name, address, and telephone number of person to be contacted concerning this project: _____

2. Name and address of legal property owner as shown on tax statement: _____

3. Address of project and/or description of location: _____

4. Assessor's Parcel Number(s) of project site: _____

5. Indicate the project application which accompanies this form: _____

6. Have any preliminary documents been prepared for this project (i.e., level 1, 2 or 3 soil assessment, soil study or traffic impact analysis)? If yes, please identify name and date prepared: _____

7. List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state, or federal agencies (i.e., Corps of Engineers, Caltrans, Air Pollution Control District or Solano County): _____

8A. Existing zoning district(s) of project site: _____

8B. Existing General Plan designation(s): _____

9A. Fully describe the nature and purpose of the proposed project including the ultimate use of the property:

9B. Community benefits to be derived from the project: _____

II. PROJECT DESCRIPTION

1. Project Description: _____

- a. Site size in acres or square footage: _____
- b. Highest and lowest elevations on site: _____
- c. Number of floors of proposed construction: _____
- d. Number of proposed off-street parking spaces provided: _____
- e. Anticipated project schedule (timeline): _____
- f. Is this project dependent on an existing or future project? If yes, please explain: _____

- g. Anticipated future phases: _____
- h. If RESIDENTIAL, include the number of units, unit sizes, range of sale prices or rents, and gross density (units/acre). _____
- i. If COMMERCIAL and/or OFFICE, indicate the types, square footage of each type (i.e., office, sales area or restaurant), whether neighborhood, city or regionally oriented, and total square footage of building area: _____
- j. If INDUSTRIAL, indicate type, estimated employment per shift, loading facilities, square footage of office area and total square footage of building area: _____
- k. If INSTITUTIONAL, indicate the major function, estimated employment per shift, estimated occupancy, and total square footage of building: _____
- l. If the project involves a variance, conditional use permit or rezoning application, state this and explain clearly why it is required: _____
- m. Number and species of existing trees 6 inches or larger in diameter: _____
- n. Number, size and species of trees to be removed: _____
- o. Describe any power lines, water, sewer or storm drain mains, pipelines or other transmission lines which are located on or adjacent to the property: _____
- p. Name of creeks and natural or man-made drainage channels through or adjacent to the property: _____

- q. Is there evidence of water travelling over or standing on the site? _____
- r. Primary vehicle access to property comes from which street(s): _____
- s. Identify wildlife and/or native plants that are known to exist on the property (include seasonal

migrations and/or observations): _____

t. Are any easements known to traverse the site? If yes, explain the type and purpose: _____

2. Provide details on existing uses of the site. Are there existing structures on the site? If yes, describe use and whether they will be demolished or relocated; if residential, give the number of current occupants:

3. Is site within water and sewer service areas? _____

4. Is site within existing city limits? _____

5. Are there 25% or greater slopes on the property? _____

6. Is the site susceptible to landslides? (refer to Figure SAF-3 in the General Plan) _____

7A. Is any portion of the site within the 100-year floodplain? _____

7B. Is any portion of the site within the 500-year floodplain? _____

8. Is the site within an Airport Land Use Plan? If yes, what airport plan(s) is it within and do restrictions affect the proposal? _____

9. Is the site listed on California EPA's Hazardous Sites List? _____

10. What is the farmland designation of the proposed site? (refer to Figure COS-2 in the General Plan) _____

11. Is the site under agricultural contract? If yes, what is contract # and expiration date? _____

III. ENVIRONMENTAL ANALYSIS

1. Are the following items applicable to the project or its effects? Discuss at end all items checked yes or maybe (attach additional sheets as necessary).

YES MAYBE NO

 A Change in existing features of any lakes, reservoirs or hills, or substantial alteration of ground contours.

 B. Change in scenic views or vistas from existing residential areas or public lands or roads.

 C. Change in character of general area of project.

 D. Produce or involve large amounts of solid waste or litter.

 E. Disrupt or adversely affect a historic or archaeological site.

 F. Change in dust, ash, smoke, fumes or odors in vicinity.

- G. Change in lake, stream or ground water quality or quantity, or alteration of existing drainage patterns.
- H. Substantial change in existing noise or vibration levels in the vicinity.
- I. Site on filled land or on slope of 10 percent or more.
- J. Use or disposal of potentially hazardous material, such as toxic substances, flammable or explosives.
- K. Substantial change in demand for public services (police, fire, water, sewage, schools, etc.).
- L. Substantially increase fuel or energy consumption (electricity, oil, natural gas, etc.).
- M. Relationship to a larger project or series of projects.
- N. Substantially diminish habitat for fish, wildlife, or plants.

2. Attach photographs that provide thorough coverage of the site. Include photographs of the surrounding properties to illustrate type(s) of land use and intensity of development.
3. Certification: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief. I understand that requests may be made for additional information to complete the application.

Date: _____

(Name - Print)

(Signature)

Materials that will assist you answer questions include: the city general plan, flood zone maps, assessor parcel books, and zoning map. All are available for review via the City of Vacaville website.

INITIAL STUDY SUPPLEMENT

The City of Vacaville is one of several agencies participating in the preparation of a Habitat Conservation Plan (HCP), along with the U.S. Fish and Wildlife Service. The HCP is designed to protect the living, breeding, nesting, and foraging habitat of a number of threatened and endangered species found in the area, as required by the Federal Endangered Species Act. Attached is a map that shows the areas in and around Vacaville that have potential endangered species habitat, and a checklist related to endangered species habitat. This information will be used to supplement the California Environmental Quality Act (CEQA) environmental information form you fill out as a part of your project application.

There are three categories of habitat we are concerned with. First, the Valley Elderberry Longhorn Beetle is found in Elderberry bushes along all of Vacaville's creek ways. Any property that includes or is adjacent to a creek or other water channel may have Elderberry bushes on it. These bushes are occasionally found away from creek ways as well. Second, the California Red Legged Frog is found in some waterways and ponds, and in certain hillside areas. Third, vernal pools are found on relatively flat ground where standing water occurs during and after the winter rains. These pools provide habitat for several forms of endangered fairy shrimp.

Please refer to the Draft Solano Habitat Conservation Action Plan prepared by Solano County Water Agency when filling out the checklist. If your project site falls within the area(s) mapped, you will need to have a qualified biologist examine the site and determine if any endangered species habitat is present. If your project site does not fall within any of the areas marked on the map, the second part of the checklist will help determine whether or not the site has any of the characteristics that may indicate suitable endangered species habitat is present. If you are required to have a biologist examine the site, the biologist should contact the U.S. Fish and Wildlife Service and make sure that their methods of study are followed. Projects will be determined to have no "significant negative impact" to federally listed endangered species under CEQA if they are determined to have no endangered species habitat, either through completion of the checklist or through a survey by a qualified biologist.

The U.S. Fish and Wildlife Service requires that all project applicants be provided with the following statement:

The applicant is hereby notified of additional conditions as stipulated by the U.S. Fish and Wildlife Service (Service). Features of the applicant's project may adversely affect federally listed threatened or endangered species. An applicant must go through one of two processes to obtain authorization to take federally listed species incidental to completing this project. First, when the authorization or funding of a Federal agency is an aspect of a project that may affect federally listed species, section 7 of the Endangered Species Act requires the Federal agency to formally consult with the Service. Formal consultation is concluded when the Service issues a biological opinion to the Federal agency. The biological opinion includes terms and conditions to minimize the effect of take on listed species. The Federal agency must make the terms and conditions of the biological opinion into binding conditions of its own authorization to the project applicant. An example of this process is when the U.S. Army Corps of Engineers consults with the Service prior to issuing a permit to fill jurisdictional waters under Section 404 of the Clean Water Act. The terms and conditions of the biological opinion become binding on the project applicant through the Corps' 404 authorization. Second, when no Federal funding or authorization is involved in a project, an applicant must prepare a habitat conservation plan and obtain a permit directly from the Service in accordance with section 10 (a)(1)(B) of the Act. For additional information on these processes please contact the Endangered Species Division of the U.S. Fish and Wildlife Service's Sacramento Fish and Wildlife Office at (916) 414-6620.

If you need any help in reading the maps or completing the checklist, please call (707) 449-5140 and ask to speak to the counter planner.

**INITIAL SITE ASSESSMENT CHECKLIST
SPECIAL STATUS SPECIES HABITAT
CITY OF VACAVILLE**

Project Name: _____

Project Location: _____

Assessment Prepared By: _____

Site Characteristic	Present	Not Present	Comments
GENERAL CRITERIA			A PRESENT answer to any of these questions means that the site may have habitat suitable for one or more listed threatened or endangered species and should be evaluated by a qualified biologist. The evaluation and the project environmental review will be forwarded to the U.S. Fish and Wildlife Service for review.
Project site is shown on Area of Concern Map for Vernal Pools.	<input type="checkbox"/>	<input type="checkbox"/>	
Project site is shown on Area of Concern Map for Red Legged Frog	<input type="checkbox"/>	<input type="checkbox"/>	
Project site is shown on Area of Concern Map as including or adjacent to a creek way	<input type="checkbox"/>	<input type="checkbox"/>	
SPECIES-SPECIFIC CRITERIA			
Valley Elderberry Longhorn Beetle Habitat	<input type="checkbox"/>	<input type="checkbox"/>	
Waterways, including creeks, small drainages and manmade water courses.	<input type="checkbox"/>	<input type="checkbox"/>	
Riparian vegetation	<input type="checkbox"/>	<input type="checkbox"/>	
Elderberry bushes	<input type="checkbox"/>	<input type="checkbox"/>	
California Red Legged Frog Habitat	<input type="checkbox"/>	<input type="checkbox"/>	
Perennial creeks and ponds, small drainages, seeps and springs, stock ponds and other artificial water sources.	<input type="checkbox"/>	<input type="checkbox"/>	
Aquatic or riparian vegetation	<input type="checkbox"/>	<input type="checkbox"/>	
Oak woodlands or other suitable migration corridors between wet areas	<input type="checkbox"/>	<input type="checkbox"/>	
Vernal Pool Species Habitat	<input type="checkbox"/>	<input type="checkbox"/>	
Level topography with shallow depressions capable of containing standing water during the rainy season (November through May)	<input type="checkbox"/>	<input type="checkbox"/>	
Low-lying areas with stunted vegetation growth and/or adjacent to grassy areas	<input type="checkbox"/>	<input type="checkbox"/>	

Site Characteristic	Present	Not Present	Comments
SPECIES-SPECIFIC CRITERIA (continued)			
Vernal pools and/or seasonal wetlands, including alkaline wetlands and stock ponds	<input type="checkbox"/>	<input type="checkbox"/>	
Presence of the following soil types: a. Pescadero series, b. Antioch series, c. San Ysidro series, d. Solano series, e. and associated complex soils (excluding areas cultivated with perennial crops)	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
Has a wetland delineation been completed? If so, provide details, including acreage of wetlands	<input type="checkbox"/>	<input type="checkbox"/>	