5 Other CEQA Sections

In accordance with Section 15126 of the State CEQA Guidelines, all aspects of a project should be considered when evaluating its impacts on the environment, including planning, acquisition, development, and operation. As part of the analyses, this chapter of the draft EIR identifies the following components that are referred to collectively as other CEQA requirements:

- Effects Found Not to Be Significant (Section 5.1);
- Significant and Unavoidable Impacts (Section 5.2);
- Significant Irreversible Environmental Changes (Section 5.3); and
- Growth-Inducing Impacts (Section 5.4).

5.1. Effects Found Not to Be Significant

Agriculture and Forestry Resources

The majority of the project site (approximately 1,875 acres) is leased for grazing by cattle, goats, and sheep. Active dryland farming of wheat, barley, and oats occurs on the major portion of the site. Agricultural practices generally follow a 1- to 3-year crop rotation cycle, with grazing and fallow years following planting.

The proposed project would not conflict with the agricultural zoning of the project site. The site is zoned as A-160 (Exclusive Agriculture District). Allowable uses in this zoning district include agriculture and renewable wind energy development and production.

The Solano County General Plan identifies 10 broad geographic areas that have similar agricultural characteristics. The project site is located in the Montezuma Hills agricultural region, an area of 58,035 acres generally composed of grazing land and cropland with a minimum lot size of 160 acres (Solano County 2008).

The Solano County Important Farmland Map, published by the California Department of Conservation’s Division of Land Resource Protection, designates the project site as Grazing Land, defined as land where the existing vegetation is suited to the grazing of livestock (DOC 2016a). Appendix G of the State CEQA Guidelines states that conversion of Prime Farmland, Farmland of Statewide Importance, or Unique Farmland to nonagricultural use is a significant environmental effect related to the conversion of agricultural land. Grazing Land is not considered Important Farmland under CEQA (California Public Resources Code [PRC], Sections 21060.1 and 21095; State CEQA Guidelines, Appendix G).

The proposed project would allow for continued agricultural uses. The excess roads and staging and laydown areas would be returned to preproject conditions. Grazing or dryland
farming would continue in the area below the towers, consistent with current practice within the project area for Phases 1–3 of the Solano Wind Project.

The project site is not under a Williamson Act contract (DOC 2016b). Therefore, the proposed project would not convert Important Farmland to nonagricultural uses, conflict with zoning for agricultural uses, or conflict with existing Williamson Act contracts. The project would accommodate the long-term viability of agricultural use in the Montezuma Hills. **No impact** on agricultural resources would occur and this issue is not evaluated further in this EIR.

The project site is not zoned as forestland, timberland, or a Timberland Production Zone. Appendix G of the State CEQA Guidelines further defines forestland as land that can support 10 percent native tree cover and woodland vegetation of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resource (timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation) and other public benefits (PRC Section 12220(g)). The project site does not contain native tree cover or woodland vegetation that is considered forestland as defined by PRC Section 12220(g) (see Section 3.4, “Biological Resources,” for further discussion). **No impact** on forestry resources would occur; therefore, this issue is not evaluated further in this EIR.

**Mineral Resources**

Mineral resources in Solano County include natural gas, sand, gravel, rock, and sandstone materials. The nearest mineral resources are mapped at Collinsville, approximately 6 miles west of the project (Solano County, 2008). Nevertheless, the project area does coincide with the northern portion of the Sherman Island Gas Field, which contains active and abandoned gas wells. No active wells or mineral deposits exist on the project site. Therefore, this issue is not evaluated further in this EIR.

**Population and Housing**

No residences are located on the project site; thus, the proposed project would not result in displacement or relocation of any residents. The project would not displace substantial numbers of people or existing housing that would necessitate the construction of replacement housing elsewhere. The project also would not involve constructing new homes or businesses that would directly generate new population growth.

The construction workforce is expected to be approximately 70 workers on a peak construction day. The source of the labor force is unknown at this time, but workers likely would come from the local labor pool. The most current labor data available from the U.S. Census Bureau’s 2017 American Community Survey indicate that 19,204 residents in Solano County were employed in the construction industry in 2017 (U.S. Census Bureau 2017). Based on the pool of existing residents employed in the construction industry, construction of the proposed project would not likely cause substantial population growth or a substantial increase in housing demand in the region. Even if the project were to employ construction workers from outside of the region, the temporary nature of the work suggests that the nonlocal workers would be unlikely to relocate permanently.
At the completion of project construction, the proposed project would employ approximately five full-time staff members for periodic maintenance and monitoring of the project area. This increase in employment would be minimal compared to the available employee labor pool.

In addition, the project would not induce substantial population growth indirectly (through the extension of roads or other infrastructure). Approximately 5.5 miles of new access roads would be constructed within the project boundaries. Therefore, the project would not extend roads to new areas that would induce growth in new locations.

Population, housing, and employment growth, in and of itself, is not an environmental impact. However, increases in population, employment, and housing can result in indirect impacts. Examples include increased travel demand that requires additional roadways and other transportation infrastructure, with associated air pollutant emissions and traffic noise; and impacts related to expansion of public facilities and utilities as needed to serve new growth. Specific impacts on other resources and issue areas are addressed in each technical section of this EIR as appropriate. These technical sections provide a detailed analysis of other relevant physical environmental effects that could result from the proposed project. Therefore, no impact would occur; this issue is not evaluated further in this EIR. The potential for growth-inducing effects is considered, as required by CEQA, in Section 5.4, “Growth-Inducing Impacts.”

Public Services

The proposed project would not provide any new housing that would generate new residences. As discussed above in “Population and Housing,” the employees required to construct and operate the proposed project would likely come from the local labor pool, and Solano County’s available labor force is sufficient to meet the demand for full-time positions for project construction and operation without requiring employee in-migration from outside the region. Therefore, the project would not increase the demand for new schools, parks, or other public facilities (i.e., libraries). No impact would occur; therefore, these issues are not evaluated further in this EIR.

Fire Protection Services

The Montezuma Fire Protection District would provide fire protection services to the project site. The district operates four fire stations equipped for grass fires. Three of these stations are near the project area, on Birds Landing Road, Collinsville Road, and Shiloh Road; the fourth station is in Rio Vista. The Montezuma Fire Protection District has three full-time firefighters and 28 volunteers (Montezuma Fire Protection District 2019). The district covers an area of approximately 230 square miles of mostly agricultural land.

Project construction and operation could increase demands on the Montezuma Fire Protection District. As discussed below under “Wildfire,” the dry, grassy environment of the Montezuma Hills area presents a high risk for grass fires, and construction activities could increase the fire danger. Therefore, construction of the proposed project has the potential to
affect the capacity of fire personnel to maintain acceptable service ratios, response times, or other performance objectives.

Impacts related to fire protection services would be less than significant with implementation of Mitigation Measure 3.7-5a listed in Section 3.7, “Hazards and Hazardous Materials.” This measure requires SMUD or its construction contractor to prepare and implement a grass fire control plan. The grass fire control plan would include notification procedures, describe emergency fire precautions, require training of construction workers in the use of firefighting equipment available on-site (e.g., fire extinguishers), and require communication with the Montezuma Fire Protection District. Mitigation Measure 3.7-5a would reduce dependence on the district’s equipment and personnel by reducing fire hazards.

**Police Protection Services**

The Solano County Sheriff’s Department (SCSD) would provide police protection services to the project site. The department’s main office is located at 530 Union Avenue in Fairfield, approximately 17 miles northwest of the project site. As of 2017, SCSD employed 124 sworn full-time officers (California Department of Justice 2019).

Construction of the proposed project could increase demand for police protection services. Typical crime and safety issues during project construction and operation could include trespassing, theft of materials, and vandalism. However, the contractor would discourage criminal activities during construction by installing chain-link fencing along the perimeter of the laydown area and installing a locking gate to provide secure access to each laydown yard.

The proposed project would not add residents to SCSD’s service area; therefore, the project would not require additional SCSD staffing to maintain service ratios. The project would not create any obstacles to providing law enforcement services to surrounding land uses. Furthermore, the project site is located within SCSD’s existing service area. Overall, the proposed project would not decrease response times, nor would the project increase demand for SCSD services such that the construction of new or expansion of existing sheriff’s service facilities would be required. **No impact** on police protection services would occur; therefore, this issue is not evaluated further in the EIR.

**Recreation**

As discussed previously, the proposed project would not generate new residents in Solano County. Therefore, the project would not increase the use of existing or require construction of new neighborhood and regional parks or other recreational facilities. For these reasons, **no impact** on recreation would occur; this issue is not evaluated further in this EIR.
Utilities and Service Systems

Water Supply and Demand

During its 18-month construction period, the proposed project is expected to use up to 18 million gallons (55.3 acre-feet [af]) of water for dust control and other construction-related activities. The project’s water use would vary over time depending on construction phasing, but would average approximately 3 af per month. Operation and maintenance of the proposed facilities are expected to use up to 4.5 acre-feet per year (af/yr) of water for routine cleaning.

SMUD anticipates that it would obtain water for construction and operation from the City of Rio Vista and truck the water to the project site. The City of Rio Vista provides a retail supply of potable water within its service area. Rio Vista has seven operational supply wells that provide water for the entire system. In 2015, the City of Rio Vista supplied 1,793 af of treated water to 4,450 customers. City water deliveries are expected to reach 2,713 af/yr by 2035. During the period from 2011 to 2015, Rio Vista’s average groundwater pumping rate was 2,263 af/yr and its maximum annual rate was 2,658 af/yr. In 2020, Rio Vista expects to have a reasonably available groundwater supply of 3,241 af/yr and a total demand of 2,175 af/yr, for a difference between supply and demand of 1,131 af/yr.

For the reasons described above, the water supply would be sufficient to meet project-related demands. This impact would be less than significant; therefore, this issue is not evaluated further in this EIR.

Wastewater Treatment

The proposed project would not include any new development that would require wastewater treatment by a municipal service provider. Thus, the project would not exceed a wastewater treatment provider’s capacity and would not require relocation or construction of new or expanded municipal wastewater treatment facilities. No impact on wastewater treatment facilities would occur; therefore, this issue is not evaluated further in this EIR.

Stormwater Drainage Facilities

The proposed project would not include construction of new stormwater drainage facilities (see Section 3.8, “Hydrology and Water Quality,” for further discussion). No impact on stormwater drainage facilities would occur; therefore, this issue is not evaluated further in this EIR.

Solid Waste

Solid waste generated by construction of the proposed project would be disposed of at the Potrero Hills Landfill in Suisun City or the Hay Road Landfill in Vacaville. According to the California Department of Resources Recycling and Recovery (CalRecycle), the Potrero Hills Landfill has a maximum permitted throughput of 4,330 tons per day; a total maximum permitted capacity of 83.1 million cubic yards; a remaining capacity of approximately 13.9
Construction activities would generate various types of solid waste: scrap lumber, scrap finishing materials, scrap metals, and other recyclable and nonrecyclable solid waste. The 2016 California Green Building Standards Code (CALGreen Code) (California Code of Regulations Title 24, Part 11) requires all construction contractors to reduce construction waste and demolition debris by 65 percent. The 2016 CALGreen Code requires contractors to:

- prepare a construction waste management plan that identifies materials to be diverted from disposal by efficient usage, recycling, reuse on the project, or salvage for future use or sale;
- determine whether materials will be sorted on-site or mixed; and
- identify diversion facilities where the materials collected will be taken.

The CALGreen Code also specifies that the amount of materials diverted should be calculated by weight or volume, but not by both (California Building Standards Commission 2016). In addition, the code requires that 100 percent of trees, stumps, rocks, and associated vegetation and soils resulting primarily from land clearing be reused or recycled.

After construction of the wind turbine generators (WTGs), SMUD or its contractor would remove all construction waste and dispose of it properly in accordance with applicable federal, state, and local laws regarding disposal of solid and hazardous waste. Construction waste would be transported to either the Potrero Hills Landfill in Suisun City or the Hay Road Landfill in Vacaville, which have capacity to accept solid waste until February 14, 2048, and January 1, 2077, respectively. All remaining stockpiled native materials would be spread on-site.

The proposed project does not include any components that would violate any applicable federal, state, or local solid waste regulations. Project construction and operation would comply with all statutes and regulations regarding solid waste, including the CALGreen Code. Given the available permitted daily capacity and remaining life spans of the landfills that would serve the proposed project, sufficient landfill capacity is available to accommodate the project’s solid waste disposal needs during both construction and operation. This impact would be less than significant; therefore, this issue is not evaluated further in this EIR.

**Wildfire**

The project site is not located in a State Responsibility Area designated as a High or Very High Fire Hazard Severity Zone. However, during the hot summer months, the project area
is highly susceptible to grass fires. The grass is dry and flammable, and the wind blows regularly.

Project construction would involve ground-disturbing activities, including grading and vegetation clearing to enable the construction of necessary work areas, structural foundations, and access/spur roads. The on-site use of construction equipment and diesel fuel could pose a wildfire risk, because internal combustion engines, gasoline-powered tools, and other equipment could produce a spark, fire, or flame. SMUD and its construction contractor would comply with all laws, plans, policies, and regulations related to fire safety and wildfire suppression, including the following requirements identified in the California Public Resources Code:

- PRC Section 4427, which identifies appropriate fire suppression equipment and stipulates removal of flammable materials to a distance of 10 feet from any equipment that could produce a spark, fire, or flame on days when burning permits are required;
- PRC Section 4428, which identifies additional firefighting equipment requirements during the period of highest fire danger (April 1–December 1); and
- PRC Section 4431, which prohibits the use of portable tools powered by gasoline-fueled internal combustion engines within 25 feet of flammable materials when burning permits are required.

The project would strictly adhere to these requirements during construction. The contractor would be responsible for monitoring and compliance with safety measures, thus minimizing the risk of a wildfire.

Up to 22 new WTGs would be maintained on-site during project operation. This would increase the potential for a wildland fire to accidentally ignite as a result of a malfunction or mechanical failure, such as turbine overload or overheating of moving parts. Sparks could be fueled by oils, lubricants, and other combustible materials, resulting in a fire.

Impacts related to the potential for wildfires would be less than significant with implementation of Mitigation Measure 3.7-5a listed in Section 3.7, “Hazards and Hazardous Materials.” This measure requires SMUD or its construction contractor to prepare and impalement a grass fire control plan. The grass fire control plan would include notification procedures, describe emergency fire precautions, require training of construction workers in the use of firefighting equipment available on-site (e.g., fire extinguishers), and require communication with the Montezuma Fire Protection District. In addition, existing access roads and existing and proposed internal roads would provide emergency vehicle access and serve as fire breaks.

Impacts related to impairment of emergency response and evacuation are addressed in Section 3.7, “Hazards and Hazardous Materials,” and Section 3.11, “Transportation and Traffic.” Section 3.7 also addresses the potential for exposure of people or structures to wildfire risks.
5.2. Significant and Unavoidable Impacts

Section 21100(b)(2)(A) of the State CEQA Guidelines provides that an EIR shall include a detailed statement setting forth “in a separate section any significant effect on the environment that cannot be avoided if the project is implemented.” Accordingly, this section summarizes the significant environmental impacts of the project that cannot be mitigated to a less-than-significant level.

Sections 3.1 through 3.11 of this draft EIR describe the potential environmental impacts of the project and recommend various mitigation measures to reduce impacts, to the extent feasible. Chapter 4, “Cumulative Impacts,” determines whether the incremental effects of this project would be significant when viewed in connection with the effects of past projects, other current projects, and probable future projects. After implementation of the recommended mitigation measures, project implementation would result in the following significant unavoidable impact:

**Air Quality**

- Construction emissions of criteria air pollutants and ozone precursors (significant unavoidable)

5.3. Significant Irreversible Environmental Changes

The State CEQA Guidelines (Section 15126) require a discussion of the significant irreversible environmental changes that would be involved in a project should it be implemented. The irreversible and irretrievable commitment of resources is the permanent loss of resources for future or alternative purposes. Irreversible and irretrievable resources are those that cannot be recovered or recycled or those that are consumed or reduced to unrecoverable forms.

The project would result in the irreversible and irretrievable commitment of energy and material resources during construction and operation, including the following:

- construction materials, including such resources as soil, rocks, wood, concrete, glass, and steel;
- land area committed to new project facilities (for the project’s useful life, anticipated to be 30–35 years or more);
- water supply for project construction (for controlling dust and maintaining soil compaction) and operation (for periodic operation and maintenance activities); and
- energy expended in the form of electricity, gasoline, diesel fuel, and oil for equipment and transportation vehicles that would be needed for project construction and operation.
The use of these nonrenewable resources is expected to account for a minimal portion of the region’s resources and would not affect the availability of these resources for other needs in the region. Construction activities would not result in the inefficient use of energy or natural resources. The construction contractor selected would use best available engineering techniques, construction and design practices, and equipment operating procedures. Long-term project operation would not result in substantial long-term consumption of energy and natural resources because the project would be designed using energy efficient technologies.

5.4. Growth-Inducing Impacts

5.4.1 CEQA Requirements

CEQA specifies that the growth-inducing impacts of a project must be addressed in an EIR (California Code of Regulations Section 21100[b][5]). Specifically, Section 15126.2(d) of the State CEQA Guidelines states that the EIR shall:

Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a wastewater treatment plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also, discuss the characteristics of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

Direct growth inducement would result if a project would involve construction of new housing, which would facilitate new population to an area. Indirect growth inducement would result, for instance, if implementing a project would result in any of the following:

- substantial new permanent employment opportunities (e.g., commercial, industrial, or governmental enterprises);

- substantial short-term employment opportunities (e.g., construction employment) that indirectly stimulates the need for additional housing and services to support the new temporary employment demand; and/or

- removal of an obstacle to additional growth and development, such as removing a constraint on a required public utility or service (e.g., construction of a major sewer line with excess capacity through an undeveloped area).

The State CEQA Guidelines do not distinguish between planned and unplanned growth for purposes of considering whether a project would foster additional growth. Therefore, to conclude that the proposed project would be growth-inducing as defined by CEQA, this EIR must find that the project would foster (promote, encourage, or allow) additional growth in economic activity, population, or housing, regardless of whether the growth is already
approved by and consistent with local plans. The conclusion does not determine that induced growth is beneficial or detrimental, consistent with Section 15126.2(d) of the State CEQA Guidelines.

If the analysis conducted for the EIR results in a determination that the project would be growth-inducing, the next question is whether that growth may cause adverse effects on the environment. Environmental effects of induced growth (i.e., growth-induced effects) fit the CEQA definition of “indirect” effects in Section 15358(a)(2) of the State CEQA Guidelines. These indirect or secondary effects of growth may result in significant environmental impacts. CEQA does not require that the EIR speculate unduly about the precise location and site-specific characteristics of significant indirect effects caused by induced growth, but the EIR must show a good-faith effort to disclose whatever is feasible to assess. The potential secondary effects of growth could include consequences resulting from growth fostered by the project. Examples of such consequences include conversion of open space to developed uses; increased demand on community and public services and infrastructure; increased traffic and noise; degradation of air and water quality; or degradation or loss of plant and wildlife habitat.

5.4.2 Growth-Inducing Impacts of the Project

Development of the project would contribute to a diversified statewide energy portfolio that would assist the state in meeting renewable energy requirements. The project would install up to 22 utility-scale wind turbine generators with a nameplate generating capacity (theoretical maximum energy generation) of 92 megawatts. The project applicant is proposing to develop and operate the project in response to projections of growth in energy demand on a statewide basis. Rather than removing an obstacle to growth, it is a response to market demand driven in part by state policy, which calls for an expanded statewide portfolio of renewable energy sources that must account for 50 percent of California’s electrical load by 2030 and 100 percent of retail sales of electricity by 2045. Renewable energy generated by project operation would be accepted into the state’s energy transmission system and sold in the bulk power market to meet existing and future demands. Therefore, the renewable energy generated by the project would not result in any growth-inducing impacts.