Draft Initial Study/ Mitigated Negative Declaration

Wilbur-Ellis Consolidation Facility Use Permit

Zone File # 2019-0021

Lead Agency

Yolo County Department of Community Services
Planning Division
292 West Beamer Street
Woodland, CA 95695-2598

Technical assistance provided by

April 2021

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1. Introduction

Wilbur-Ellis Company is proposing to close and consolidate its existing two agricultural retail facilities, located at 1785 E. Beamer Street, Woodland, California, and 1850 N. First Street, Dixon, California, into a facility located in unincorporated Yolo County at 38001 County Road 27, Woodland, California. This proposed Project is a request for a Use Permit to construct a larger, more centralized facility to better serve the company's customer base. The proposed Project includes a plan to construct additional structures, equipment parking, and storage areas immediately adjacent to the existing buildings. The facility would cover approximately 24 acres within Wilbur-Ellis' privately owned 69-acre parcel. The parcel, which previously supported a seed research facility, currently supports 45 acres of agricultural production. The surrounding area consists of flat agricultural land to the north, east, west, and south.

2. Regulatory Framework

CEQA

The Yolo County (County) Department of Community Services Planning Division has identified that the Wilbur-Ellis Consolidated Facility Project meets the California Environmental Quality Act (CEQA) Guidelines Section 15378 definition of a Project. CEQA Guidelines Section 15378 defines a Project as the following:

> *"Project" means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.*

In accordance with CEQA (Public Resources Code Sections 21000-21177), this Initial Study has been prepared to determine potentially significant impacts upon the environment resulting from the construction, operation and maintenance of the Wilbur-Ellis Consolidation Facility Project (hereinafter referred to as the "Project" or "proposed Project"). In accordance with Section 15063 of the State *CEQA Guidelines*, this Initial Study is a preliminary analysis prepared by the Yolo County Department of Community Services Planning Division as Lead Agency to inform the Lead Agency decision makers, other affected agencies, and the public, of potential environmental impacts associated with the implementation of the proposed Project.

3. Environmental Checklist Form

1.	**Project Title:**	Wilbur-Ellis Consolidation Facility Use Permit (ZF2019-0021)
2.	**Lead Agency Name:**	Yolo County Department of Community Services
	Address:	292 West Beamer Street, Woodland, CA 95695
3.	**Contact Person and Phone Number:**	JD Trebec, Senior Planner jd.trebec@yolocounty.org (530) 666-8036

4. Project Location: The proposed Project is located at 38001 County Road 27, approximately 1.5 miles west of State Route 113, and approximately 2.5 miles south of Woodland, within Yolo County, California. The parcel is situated adjacent to the south side of County Road 27 and east side of County Road 98.

Latitude/Longitude: Latitude 38.620°/Longitude -121.809°

Site Access: Site access would be from County Road 27. Heading east or west on County Road 27, just east of County Road 98, turn south into the facility driveway.

5. Project Sponsor: Wilbur-Ellis Company, LLC

Name and Address: Eric Jenks
P.O. Box 511
Yuba City, CA 95992
(916) 799-9813

6. General Plan/Zoning Designation: Agriculture (AG)/Agricultural Intensive (A-N)

8. Project Description Summary:

The proposed Project is the consolidation of two existing agricultural retail facilities into a larger more centralized facility located in unincorporated Woodland, California. The Project area is located on a 69-acre private parcel, currently owned by Wilbur-Ellis. The pre-existing buildings would be used, in addition to the structures proposed for construction, to accommodate the consolidation of two other agricultural retail facilities. This includes the addition of structures, equipment parking, storage areas, a detention basin, and drainage ditches. The proposed Project will disturb a total of 20 acres and will occupy a total of approximately 24 acres of the existing 69-acre parcel. Details of the Project are further discussed in Section 4.

9. Surrounding Land Uses and Setting:

Relation to Project	Land Use	Zoning	General Plan Designation
Project Site	Agricultural (orchard)	Agricultural Intensive (A-N)	Agriculture (AG)
North	Residence, Agricultural (row crop)	Agricultural Intensive (A-N)	Agriculture (AG)
South	Residence, Agricultural (almonds)	Agricultural Intensive (A-N)	Agriculture (AG)
East	Agricultural (row crop)	Agricultural Intensive (A-N)	Agriculture (AG)
West	Agricultural (almonds)	Agricultural Intensive (A-N)	Agriculture (AG)

10. Other Public Agencies Whose Approval is Required:

Project shall comply with all permitting requirements required from the Yolo County Building Division and Division of Environmental Health.

11. Have California Native American tribes traditionally affiliated with the Project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation?

On October 13, 2020, Yolo County sent a request for an AB 52 consultation to the Yocha Dehe Wintun Nation, Wilton Rancheria, Cortina Rancheria Band of Wintun Indians, Ione Band of Miwok Indians, and Torres Martinez Desert Cahuilla Indians. The Yocha Dehe Wintun Nation responded with a letter dated October 12, 2020, advising that they were not aware of any cultural resources near the Project site and a cultural monitor was not needed. They did request Cultural Sensitivity Training for Project workers and to be contacted should any new information become available or cultural items found.

On May 8, 2020, an information request letter was sent to the Native American Heritage Commission (NAHC) requesting a search of their Sacred Lands Files, and a list of Native American Contacts, for the Project Area. In response, on May 11, 2020, the NAHC sent the results indicating a search of their Sacred Lands Files was negative (Jensen, 2020).

An archaeological record search and an intensive pedestrian survey were conducted as part of the cultural resources inventory. On May 15, 2020, the record search was conducted at the California Historical Resources Information System (CHRIS) Northwest Information Center (NWIC) which consisted of a record check of the Project Area plus a 0.25-mile radius (Study Area) centered around the Project Area. On May 20, 2020, an intensive pedestrian survey of the Project Area was conducted (Jenson, 2020).

The record search revealed that no previously recorded historic or prehistoric aged resources have been documented within the Project Area (Jensen, 2020). Additionally, no prehistoric or historic-era resources were observed during the survey.

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" and requiring implementation of mitigation as indicated by the checklist on the following pages.

☒ Aesthetics	☐ Agriculture & Forestry Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☐ Energy
☐ Geology/Soils	☐ Greenhouse Gas Emissions	☒ Hazards & Hazardous Materials
☒ Hydrology/Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☐ Noise	☐ Population/Housing	☒ Public Services
☐ Recreation	☐ Transportation	☒ Tribal Cultural Resources
☐ Utilities/Service Systems	☐ Wildfire	☒ Mandatory Findings of Significance

Environmental Determination

On the basis of this initial evaluation:

☐ I find that the proposed Project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

☒ I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

☐ I find that the proposed Project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

☐ I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

Planner's Signature	Date	JD Trebec Planner
JTrebec	4.1.2021	

4. Project Description

4.1 Introduction

Wilbur-Ellis Company is a national supplier of crop protection inputs to the agricultural industry that has been serving the California industry since 1921. Its services include crop protection products, plant fertilizers, seed, and field technology.

Wilbur-Ellis Company is proposing to close and consolidate its existing two agricultural retail facilities, located at 1785 E. Beamer Street, Woodland, California and 1850 N. First Street, Dixon, California, into a facility located in unincorporated Yolo County at 38001 County Road 27, Woodland, California (Figures 1 and 2). The purpose of the consolidation is to construct a larger, more centralized facility to better serve the company's customer base. The Wilbur-Ellis Consolidation Facility will be located on a 69-acre parcel currently owned by Wilbur-Ellis. The 69-acre parcel was previously permitted for and supported a seed research facility and currently supports 45 acres of agricultural production. The parcel is under a Williamson Act Contract (69-351) and has a 45-acre conservation easement held by the Yolo County Land Trust and City of Woodland. The easement is a Swainson's hawk mitigation easement to serve as mitigation for the City of Woodland's Spring Lake development and the easement will remain in agricultural production.

4.2 Project Objectives

The proposed Project includes a plan to construct additional structures, equipment parking, and storage areas immediately adjacent to the existing buildings within the western portion of the property. Additionally, a detention basin will be constructed, in the southeast portion of the area to be developed, to collect stormwater from the equipment parking areas. Drainage ditches will be constructed to connect the parking areas to the detention basin. The proposed Project will disturb a total of 20 acres and the completed facility will occupy a total of approximately 24 acres of the existing 69-acre parcel.

4.3 Project Components

To support the consolidation of the facilities at the subject property, Wilbur-Ellis needs to construct additional infrastructure on the property to support and service its farmer/grower customer base with essential goods and services. The additional infrastructure is shown in Figure 3 and described as:

- Proposed 20,000-square-foot (SF) Chemical Storage Warehouse will be used for distribution of sealed prepacked crop protection products, plant fertilizers, and seed to the end user, typically growers/ farmers within a 40- to 50-mile radius. Wilbur-Ellis also proposes an additional 20,000-SF future warehouse space, to be built at an unspecified future date, to support future growth within this region.
- Proposed Liquid Fertilizer Tank Dike, roughly 12,500 SF. This is a concrete secondary containment structure for aboveground fertilizer storage tanks, plumbing, and transfer equipment with concrete contained truck loading pads. This will be used to distribute bulk liquid fertilizers to customer.
- Proposed Dry Fertilizer Storage Building. This is a three-sided covered building to store and load out bulk dry fertilizer. Roughly 7,200 SF in size, it will be used to distribute bulk dry fertilizers to customers. It will consist of seven individual bays that will contain approximately 100 tons of dry fertilizer each.
- Proposed Ammonia Storage Tank and Loading Platform will be used to distribute anhydrous ammonia, used as another form of fertilizer, to customers.

- Proposed Operations Office at Warehouse, a roughly 1,350-SF office space for operations to closely manage the distribution of products to customers.
- Existing Shop to be used for maintenance and repair of Wilbur-Ellis-owned agricultural implements and equipment. Proposed overhead doors installed on the east side of the building will allow better access to the shop.
- Proposed East Driveway Entrance and Truck Scale. This proposed new driveway will allow for better site traffic flow and provide a secondary access for fire safety.
- Additional Employee Parking.
- Proposed Gravel Agricultural Implement/Equipment Storage Area. Wilbur-Ellis Company owns and uses approximately 700 various types of implements and equipment to service its local customer/farmer needs. The proposed Equipment Storage Area will accommodate roughly 510 pieces of equipment; Wilbur-Ellis assumes that approximately 30 percent of its equipment will always be offsite (in-use in the field).
- Proposed vegetated detention basin to hold the 10-year, 24-hour storm event and a berm road along the east and south property boundary to contain the 100-year, 1-year storm event with no release and 1 foot of freeboard.
- Site Paving to provide paved access to the warehouse and existing office.
- Existing Office to be used for administrative purposes.

4.4 Project Construction

Construction would primarily occur Monday through Friday (5 days a week) between 8:00 a.m. and 5:00 p.m. Construction is expected to generate between one and five equipment deliveries per day, along with an additional 10 to 20 construction workers commuting to the site on a daily basis. Construction is expected to take six to nine months, with crews typically working five, 9-hour days per week. All three current facilities will continue to operate throughout the construction period. Pile driving will not be required for this Project. Utility trenching and foundation excavation will be required, with maximum ground disturbance depths of 5 feet for trenching and 3 feet for foundations. Equipment required for construction includes, but is not limited to, an excavator, backhoe, scraper, sheepsfoot compactor, and drum compactor.

4.5 Operation & Maintenance

Wilbur-Ellis Company will operate and maintain the consolidated agricultural retail facility. Hours of operation are Monday through Friday, 7:00 a.m. to 5:00 p.m. Approximately 43 to 48 employees will work at the site, consisting of approximately 12 full-time office staff which will be onsite during working hours. The remaining employees are expected to spend approximately 20 percent of their working hours onsite and 80 percent in the field for deliveries and servicing customers.

Wilbur-Ellis anticipates an average of 12 to 14 inbound and outbound truck deliveries per day to service its customers. No additional customers are anticipated to visit the new facility, as Wilbur-Ellis delivers and services its customers at their respective properties. Site access and egress will be located off County Road 27 from the current driveway. An additional driveway is proposed to improve ingress/egress and for fire safety.

A 6-foot-high chain-link fence with three strands of barbed wire will be installed around the perimeter of the facilities to provide security. Additionally, 20-foot-tall LED lights, shielded downwards, will be installed in the equipment and employee parking areas for safety and security purposes.

4.6 Project Schedule

Construction of the proposed Project is estimated to start in 2021 and last approximately six to nine months, subsequent to completion of CEQA review, receipt of all applicable permits, and completion of final engineering.

Construction of the Project is expected to be completed in the third quarter of 2022, and the Commercial Operation Date is expected to follow completion.

4.7 Zoning

Agricultural Intensive (A-N), which allows agricultural chemical and fertilizer sales and storage with a Use Permit.

4.8 Surrounding Land Uses and Setting

The proposed Project is located approximately 2.5 miles south of the City of Woodland and 1.5 miles west of State Route 113, in Yolo County, California. The land surrounding the 69-acre parcel is flat and mostly farmland/agricultural crops. Residence and row crops exist north, residence and almonds exist south, row crops exist east, and almonds exist west of the site.

4.9 Yolo Habitat Conservation Plan/Natural Community Conservation Plan

This Project is covered under the Yolo HCP/NCCP and is required to comply with all applicable Avoidance and Minimization Measures (AMMs) required by that plan (Yolo Habitat Conservancy, 2018). The applicable AMMs applied to the Project, or required in the Conditions of Approval for the Project, are listed in Section 5.4 (Biological Resources).

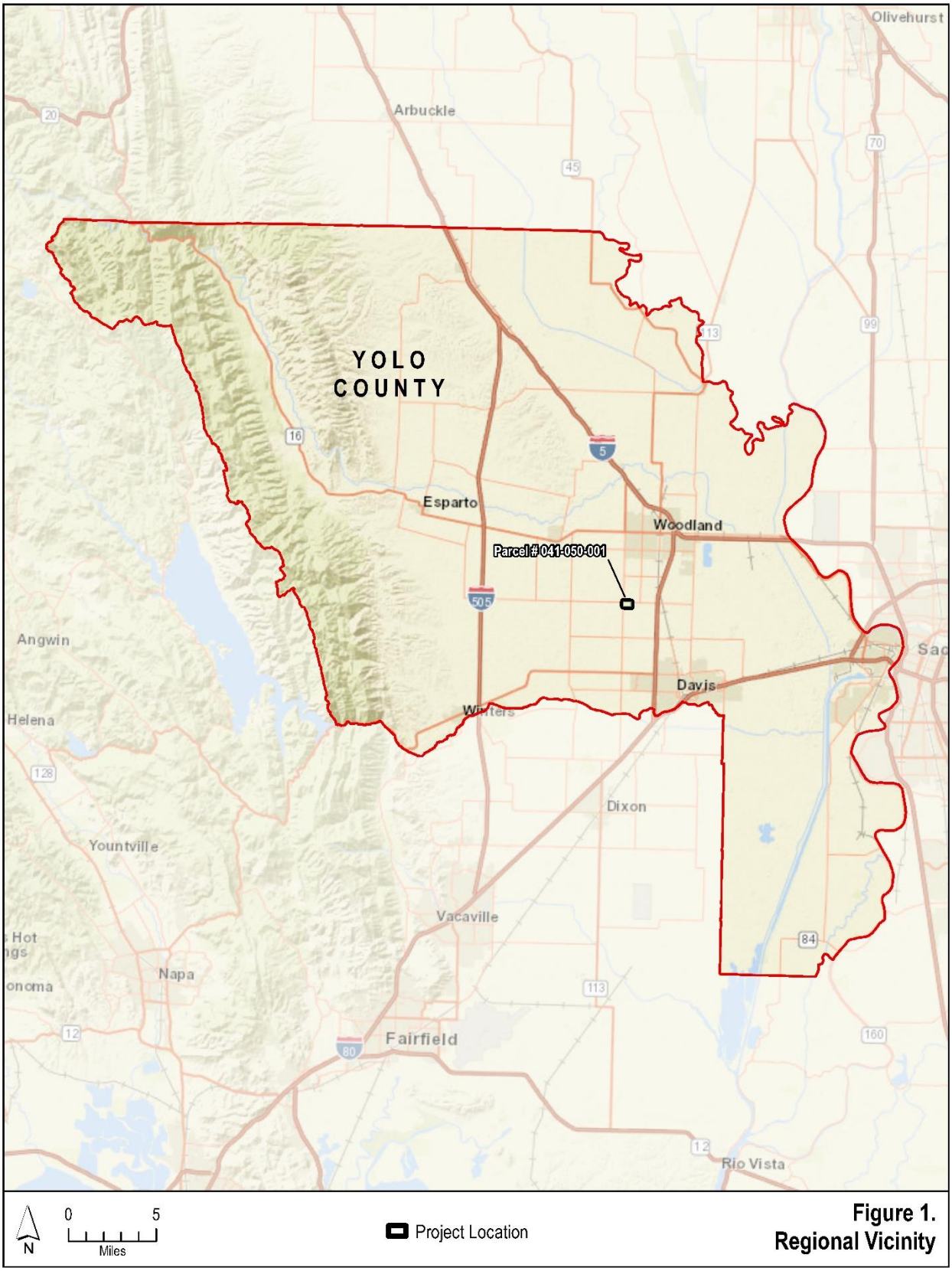

Figure 1.
Regional Vicinity

Figure 2.
Project Location

Figure 3. Site Plan

5. Environmental Setting and Environmental Impacts

5.1 Aesthetics

AESTHETICS **Except as provided in Public Resources Code Section 21099, would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	☐	☐	☐	☒
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Significance criteria established by CEQA Guidelines, Appendix G.

5.1.1 Setting

Aesthetics, as addressed in the California Environmental Quality Act (CEQA), refers to visual considerations in the physical environment. Aesthetics analysis, or visual resource analysis, is a systematic process to logically assess visible change in the physical environment and the anticipated viewer response to that change. The Aesthetics section of this IS/MND describes the existing landscape character of the project area, existing views of the project area from various on-the-ground vantage points, the visual characteristics of the Proposed Project, and the landscape changes that would be associated with the construction and operation of the Proposed Project, as seen from various vantage points.

Existing Landscape Setting and Viewer Characteristics

Regional Context. Yolo County lies within California's Central Valley and the northern portion of the Sacramento–San Joaquin River Delta, directly west of Sacramento and northeast of Solano and Napa Counties. The Central Valley is predominantly flat, contrasting with California's Coast Ranges to the west and the Sierra Nevada to the east. Yolo County is predominantly rural, having an agricultural character throughout most of the eastern portion of the County, and a more topographically varied foothill/ mountain character in the western portion of the County (LSA Associates, 2009).

The proposed project is part of the Valley Floor Visual Analysis Subarea in the Yolo County General Plan EIR. These lands are almost entirely agricultural in land use and include vast stretches of alfalfa, rice, and tomato fields as well as a variety of other field crops. The landscape within this subarea is predominantly flat, with expansive views of cultivated fields uninterrupted by natural or constructed land-forms, or significant development. Adding to the visual character of this subarea are intermittent farm implement storage and agricultural industrial buildings, including barns, processing facilities, and storage areas, which give the Valley Floor subarea a truly rural character (LSA Associates, 2009).

Yolo County does not have any federal or State Scenic Highways within the project vicinity though State Route 128 was recently added to the eligibility list for official designation as a state Scenic Highway

(Caltrans, 2021). The County also has five local scenic highways, but neither SR 128 nor any of the local scenic highways are proximate to the Project site (LSA Associates, 2009).

Light and Glare Context. Because of Yolo County's rural character, night lighting and glare mostly occur within and around the developed communities. Individual areas supporting agriculture and other industries also produce limited amounts of nocturnal lighting and glare on an intermittent basis when evening activities require additional lighting (LSA Associates, 2009).

Project Viewshed and Key Observation Points. The Project site is currently farmed with 64.75 acres of alternating row crops. Approximately 4.25 acres of existing development includes a large administrative office building with associated parking lot, a maintenance shop, and three greenhouses. The existing landscape of the Project site and surrounding area is considered to have moderate to low visual quality and consists of a blend of agricultural land, an existing electrical substation, and residences located on agricultural properties. Within foreground viewshed areas of the Project site, the topography is flat. Key observation points would be along County Road 27, County Road 98, and the residences to the south and north of the Project site.

Regulatory Background

There are currently no County-wide regulations applicable to visual and scenic resources. Design review is performed on a project-by-project basis during application review; design controls are generally implemented at the town level.

The following policies are presented in the Yolo County 2030 General Plan, Land Use and Community Character Element (2009):

Policy CC-1.1 Encourage private landowners of both residential and commercial properties to maintain their property in a way that contributes to the attractive appearance of Yolo County, while recognizing that many of the land uses in the County, including agriculture and light industry, require a variety of on-site structures, equipment, machinery and vehicles in order to operate effectively.

Policy CC-1.2 Preserve and enhance the rural landscape as an important scenic feature of the County.

Policy CC-1.3 Protect the rural night sky as an important scenic feature to the greatest feasible extent where lighting is needed.

Policy CC-1.8 Screen visually obtrusive activities and facilities such as infrastructure and utility facilities, storage yards, outdoor parking and display areas, along highways, freeways, roads, and trails.

5.1.2 Environmental Impacts and Mitigation Measures

Aesthetics Impacts

a. Would the project have a substantial adverse effect on a scenic vista?

NO IMPACT. For purposes of determining significance under CEQA, a "scenic vista" is defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the public. The Project area is considered to have moderate to low visual quality. Views of the site are primarily only available from adjacent agricultural uses, agricultural uses and rural residences located north and south of the project site, and intermittently from viewers on County Roads 27 and 98. Due to adjacent lands being developed

with agricultural structures/uses, the proposed Project site is not considered a scenic vista because it does not provide sustained high-value landscape for the benefit of the public.

b. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

NO IMPACT. As discussed, there are no designated federal or State Scenic Highways within this part of Yolo County. Although State Route 128 recently was recently added to the eligibility list for state designation, it begins 10 miles to the southwest of the site. The nearest local scenic highway is County Road 117 and Old River Road, approximately 10 miles east of the Project site. Therefore, there would be no impact to resources within a State, federal, or local scenic highway.

c. In non-urbanized areas, would the project substantially degrade the existing visual character or quality of the public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

LESS THAN SIGNIFICANT – CONSTRUCTION. Construction equipment, personnel, and activities would be seen by various viewers in the immediate vicinity of the proposed site. These viewers would include nearby residents to the north and south, and travelers on County Roads 27 and 98. However, construction activities would be temporary, and the temporary visual impacts associated with Project construction would be less than significant.

LESS THAN SIGNIFICANT – OPERATIONS AND MAINTENANCE. Because the site is situated adjacent to agricultural lands with little development, the surrounding area is considered a non-urbanized area. The adjacent land uses are primarily agricultural, including associated residences, and utility-related facilities. The visual character of the area of development would change with expanded development at the site. The additional warehouse buildings, liquid fertilizer tank farm, dry fertilizer storage building, and approximately 510 pieces of agricultural equipment would change the landscape of this parcel. The design of the proposed new structures would blend with adjacent agricultural structures/uses and not contrast with the surrounding Project area. The increased presence of building structures and agricultural equipment, although not considered to be prominent, could potentially be an impact to visual character and view quality. Therefore, in compliance with General Plan Policy CC-1.8 to screen activities such as storage yards and outdoor parking and display areas, the applicant would provide vegetation screening, to reduce the impacts to visual character of the site and its surroundings by planting vegetation shading along the boundaries of the Project site. The details of the vegetation screening would be described in a Landscape Document Package which would be submitted to the County for review and approval prior to commencing construction, pursuant with the Water Efficient Landscape Ordinance (Ordinance No 1404).

d. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

LESS THAN SIGNIFICANT. Light sources from the project would include exterior lighting on the proposed structures and 20-foot-tall light poles in the equipment parking areas. The lighting would be shielded and directed downward to minimize light trespass. Additionally, the applicant plans to turn off any lighting not required for safety or security at night. The primary viewers with potential to be affected by light or glare would be the two residences: one to the north and one to the south. The nearest residence is directly adjacent to the southern border of the proposed project and is approximately 230 feet away from the nearest proposed light pole. The implementation of vegetation screening (as described in above in c.) would reduce any potential light trespass to these residential properties, and impacts from light and glare would be less than significant.

Aesthetics Impact Conclusions

The Project is not expected to significantly impact a scenic resource, scenic vista, or the existing visual character of the surrounding area. However, the Project will enhance the industrial character of the site and use a large area for storage of agricultural implements. Additionally, night lighting has the potential to trespass to the two residences located to the north and south of the property. Vegetation screening would ensure compliance with County General Plan Policy CC-1.8 and minimize any potential light trespass to nearby residences, reducing any potential impacts to less than significant levels.

5.2 Agriculture and Forestry Resources

AGRICULTURE AND FORESTRY RESOURCES In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☒	☐
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☒	☐
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code §12220(g)), timberland (as defined by Public Resources Code §4526), or timberland zoned Timberland Production (as defined by Government Code §51104(g))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Significance criteria established by CEQA Guidelines, Appendix G.

5.2.1 Environmental Setting

The proposed Project would disturb approximately 20 acres of a 69-acre parcel owned by Wilbur-Ellis. This existing parcel has approximately 4 acres of developed land designated as a seed research facility and is located on the western portion of the parcel. The Project site is located approximately 2.5 miles south of Woodland in unincorporated Yolo County, at 38001 County Road 27, near the intersection of County Roads 27 and 98. The remaining approximately 65 acres consist of active, irrigated crops throughout. The developed area would be located entirely on the west side of the parcel surrounding the existing, vacant seed facility and other structures. Surrounding uses include almond orchards to the west and south, open fields to the east, and a goat pasture, open fields, dog kennel, and clustered buildings to the north. The U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS) (formerly Soils Conservation Service), classifies notable agricultural lands as follows (NRCS, 2018):

- **Prime Farmland:** Land that has the best combination of physical and chemical properties for the production of crops.
- **Farmland of Statewide Importance:** Similar to Prime Farmland, but with minor shortcomings (e.g., steeper slopes, inability to hold water).

- **Unique Farmland:** Land of lesser quality soils, but recently used for the production of specific high economic value crops. Land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California.
- **Farmland of Local Importance:** Defined for Yolo County as farmland, presently cultivated or not, having soils which meet the criteria for Prime or Statewide, except that the land is not presently irrigated, as well as other non-irrigated farmland.
- **Grazing Land:** Land on which the existing vegetation is suited to the grazing of livestock.
- **Urban and Built-Up Land:** Land occupied by structures with a building density of at least one unit per 1.5 acres. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.
- **Other Land:** Land not included in any other mapping category, for example, low density rural developments; brush, timber, wetland and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines and borrow pits; water bodies smaller than 40 acres; and vacant and non-agricultural land surrounded on all sides by urban development and greater than 40 acres in area.
- **Water:** Perennial water bodies with an area of at least 40 acres.

The proposed developed area would be located entirely on designated Prime Farmland per the California Department of Conservation (DOC, 2016). This parcel of land is enrolled under a Williamson Act Contract, and the Project site is zoned by Yolo County as Agricultural Intensive (A-N) (Yolo, 2019).

Regulatory Background

State Requirements

This element addresses the requirements of California Government Code section 65560(b), and subsection (h)(2) related to agriculture and rangeland (Govt Code, 2018):

> *(b) Amount of land converted from agricultural use" means those lands that were permanently converted or committed to urban or other nonagricultural uses and were shown as agricultural land on Important Farmland Series maps maintained by the department and in the most recent biennial report.*
>
> *(h)(2) Open space used for the managed production of resources, including, but not limited to, forest lands, rangeland, agricultural lands, and areas of economic importance for the production of food or fiber; areas required for recharge of groundwater basins; bays, estuaries, marshes, rivers, and streams that are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.*

Local Requirements and Growth Boundaries

The Yolo County 2030 General Plan, Agriculture and Economic Development Element (2009) "establishes growth boundaries for each unincorporated community in Yolo County and relies upon the City SOI [Sphere of Influence] as the growth boundaries for the cities, clearly defining the agricultural-community interface. In addition, the County has agreed with Davis and Woodland to maintain a permanent agricultural and open space buffer between the two cities. This Agricultural and Economic Development Element

contains policy AG-1.2 to maintain this 11,000-acre buffer and an action to work with the cities to make it more specific and binding" (Yolo, 2009).

Additional relevant General Plan policies (Yolo, 2009) include:

Policy AG-1.14 Preserve agricultural lands using a variety of programs, including the Williamson Act, Farmland Preservation Zones (implemented through the Williamson Act), conservation easements, an Agricultural Lands Conversion Ordinance and the Right-to-Farm Ordinance.

Policy AG-1.2 Maintain parcel sizes outside of the community growth boundaries large enough to sustain viable agriculture and discourage conversion to non-agricultural home sites.

Policy AG-3.4 Recognize and protect agricultural infrastructure, such as farm-to-market routes, water diversion and conveyance structures, fertilizer and chemical sales, airfields, processing facilities, research and development and farm worker housing.

Yolo County Local Agency Formation Commission (LAFCO)

This LAFCO commission is "a close partner in the County's agricultural preservation efforts. LAFCO's strong preservation posture, its Agricultural Conservation Policy and mitigation requirements are intended to preserve agricultural lands. These policies and requirements also serve to discourage the premature conversion of prime agricultural lands to urban uses" (Yolo, 2009).

Williamson Act

The Williamson Act, also known as the California Land Conservation Act, is a staple of Yolo County's agricultural preservation program. The main purpose of the Yolo County Williamson Act program is to: preserve farmland to ensure a secure food supply for the state, nation, and future generations; maintain agriculture's contribution to local and state economic health; provide a tax incentive to farmers and ranchers who keep their land in agricultural use through long-term contracts; promote orderly city growth and discourage leapfrog development and the premature loss of farmland; and preserve open space for its scenic, social, aesthetic and wildlife values (Yolo, 2017).

5.2.2 Environmental Impacts and Mitigation Measures

a. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as Shown on the Maps Prepared Pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to Non-agricultural use?

LESS THAN SIGNIFICANT. The proposed Wilbur-Ellis Consolidation Facility Project would occupy approximately 24 acres of the 69-acre parcel. Currently, approximately 65 acres of this parcel are active farmland. Soils on the 69-acre parcel are identified as Yolo silt loam (Ya), Sycamore silty clay loam (St), and Capay silty clay (Ca). Ya, St, and Ca soils are classified as Prime Farmland, Class I and II (if irrigated), by the Natural Resources Conservation Service (NRCS, 2018). The developed area would extend across designated Prime Farmland pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency (DOC, 2016). Although the Project would result in approximately 20 acres of Prime Farmland not being used for growing crops, the proposed use is for agricultural fertilizer storage and distribution, plus storage of fertilizer application equipment, which are considered agricultural uses under County zoning. The Project would support farming operations in the immediate area and throughout the County. The Project is consistent with the Yolo County General Plan Policy AG-3.4.

Given the strong connection to existing and future agricultural activity in Yolo County and the continued use of land for agricultural purposes, the impact is less than significant.

b. Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

LESS THAN SIGNIFICANT. The Project would not conflict with existing zoning for agricultural use, or a Williamson Act contract.

Zoning

The proposed project site is zoned A-N (Intensive Agriculture). The County's Zoning Code Table 8-2.304(d) lists "Allowed Land Uses and Permit Requirements for Agricultural Industrial, Resource Extraction, and Utilities." Agricultural chemical, fertilizer sales, and related storage, as well as agricultural support services, which includes "the manufacturing, storage, distribution, transport, and wholesaling of fertilizer and agricultural chemicals" are specifically noted as allowed and permitted uses in the A-N zone, subject to a County Use Permit. Because the proposed project is an allowed permitted use, subject to site specific conditions, there is no conflict with agricultural zoning, and therefore, there is no impact.

Williamson Act Contract

Yolo County's Williamson Act Guidelines, Section 106, address a proposed project's need for compatibility with agriculture. If the project requires a Use Permit, the Guidelines state that it "must comply with the Williamson Act statutes, including the principles of compatibility found in Government Code Section 51238.1." The County will only issue a Use Permit if the use is either identified as a compatible use in the Williamson Act Guidelines or the County otherwise finds the project is consistent with the principles of compatibility. Each of these three principles are addressed below:

1) *The use will not significantly compromise the long-term productive agricultural capability of the contracted parcel …*

   The proposed approximately 24-acre Project consisting of a facility for agricultural fertilizer storage and distribution, plus related equipment storage, will not significantly compromise the long-term agricultural capability of the contracted parcel. This relatively small project would support and complement existing farming operations in the immediate vicinity and throughout the Yolo County region.

2) *The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the contracted parcel ...*

   The proposed Project will remove approximately 20 acres of land that is currently farmed. This is not a significant displacement or impairment, particularly given that the Project will support and complement current and reasonably foreseeable agricultural activity on the contracted parcel, including the area that is under a Swainson's hawk conservation easement which will keep the remainder of the parcel in agricultural use into perpetuity.

3) *The use will not result in the significant removal of adjacent contracted land from agricultural or open space use.*

   The proposed Project will not lead to removal of adjacent contracted land from agricultural or open space, in that it is expected to support farming activity on nearby lands. Approval of the Project will not induce growth of non-agricultural uses of nearby lands.

When the proposed industrial Project is evaluated subject to the above guidelines, it meets the criteria for a compatible use. It is also acceptable per the County's Williamson Act Guidelines' Section 101 addressing "Purpose," since it is an industrial development consistent with agriculture. The impact of the proposed Project being approved and built on a site that has a Williamson Act contract is less than significant, since the Project complies with the principles of compatibility discussed above.

c. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

NO IMPACT. As stated above, the Project site is zoned A-N. None of the proposed Project activities would occur on land zoned as forest, timberland, or timberland production. The construction, operations and maintenance of the facility would not conflict with existing zoning of forest, timberland, or timberland production.

d. Would the project result in the loss of forest land or conversion of forest land to non-forest use?

NO IMPACT. See response to c. above.

e. Would the project involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?

NO IMPACT. As identified in a. above, the Project site is designated as Prime Farmland and actively farmed. The site also has an unused, vacant seed research complex that the applicant has proposed to replace with an agricultural fertilizer storage and distribution facility.

Agriculture and Forestry Resources Impact Conclusions

No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

5.3 Air Quality

AIR QUALITY Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard?	☐	☒	☐	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Significance criteria established by CEQA Guidelines, Appendix G.

5.3.1 Setting

Criteria Pollutants. The United States Environmental Protection Agency (USEPA), California Air Resources Board (CARB), and the local air districts classify an area as attainment, unclassified, or nonattainment depending on whether the monitored ambient air quality data shows compliance, insufficient data available, or non-compliance with the ambient air quality standards, respectively. The California and National Ambient Air Quality Standards (CAAQS and NAAQS) relevant to the proposed Project are shown in Table 5.3-1.

Table 5.3-1. National and California Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards	National Standards
Ozone	1-hour 8-hour	0.09 ppm 0.070 ppm	— 0.070 ppm
Respirable Particulate Matter (PM_{10})	24-hour Annual Mean	50 µg/m^3 20 µg/m^3	150 µg/m^3 —
Fine Particulate Matter ($PM_{2.5}$)	24-hour Annual Mean	— 12 µg/m^3	35 µg/m^3 15 µg/m^3
Carbon Monoxide (CO)	1-hour 8-hour	20 ppm 9.0 ppm	35 ppm 9.0 ppm
Nitrogen Dioxide (NO_2)	1-hour Annual Mean	0.18 ppm 0.030 ppm	0.100 ppm 0.053 ppm
Sulfur Dioxide (SO_2)	1-hour 24-hour Annual Mean	0.25 ppm 0.04 ppm —	0.075 ppm 0.14 ppm 0.03 ppm

Notes: ppm=parts per million; µg/m^3= micrograms per cubic meter; "—" =no standard
Source: YSAQMD, 2021a.

There are additional state and federal AAQS for lead, and state AAQS for sulfates, hydrogen sulfide, vinyl chloride, and visibility reducing particles; however, none of these are directly related to the emissions from the proposed Project's construction and operation.

Attainment Status and Air Quality Plans. The USEPA, CARB, and the local air district classify an area as attainment, unclassified, or nonattainment. The classification depends on whether the monitored ambient air quality data show compliance, insufficient data available, or non-compliance with the ambient air quality standards, respectively. The proposed Project would be located within Yolo County, in the Sacramento Valley Air Basin (SVAB), under the jurisdiction of the Yolo Solano Air Quality Management District (YSAQMD). Table 5.3-2 summarizes attainment status for the relevant criteria pollutants in the Project area with both the federal and state standards.

Table 5.3-2. Attainment Status for Yolo County

Pollutant	State Designation	Federal Designation
Ozone	Nonattainment	Nonattainment
PM10	Nonattainment	Unclassified
PM2.5	Unclassified	Nonattainment
CO	Attainment	Attainment
NO_2	Attainment	Attainment
SO_2	Attainment	Attainment

Source: YSAQMD, 2021a.

As Table 5.3-2 shows, the proposed Project area is currently nonattainment of the state ozone and PM10 standards and the federal ozone and PM2.5 standards, and attainment or unclassified for all other state and federal standards.

Regulatory Background

Sources of air emissions in the Yolo County portion of the SVAB are regulated by the USEPA, CARB, and YSAQMD. The relevant air quality regulations are under the authority of CARB and YSAQMD. The relevant programs and regulations under each of these two regulatory agencies are discussed below.

California Air Resources Board

California Diesel Risk Reduction Plan. The CARB has adopted several regulations that are meant to reduce the health risk associated with on- and off-road and stationary diesel engine operation. This plan recommends many control measures with the goal of an 85 percent reduction in diesel particulate matter (DPM) emissions by 2020. The regulations noted below, which may also serve to significantly reduce other pollutant emissions, are all part of this risk reduction plan.

Emission Standards for On-Road and Off-Road Diesel Engines. The CARB has established emission standards for new on-road and off-road diesel engines. These regulations have model year-based emissions standards for NOx, hydrocarbons, CO, and particulate matter (PM).

In-Use Off-Road Vehicle Regulation. The State has also enacted a regulation for the reduction of DPM and criteria pollutant emissions from in-use off-road diesel-fueled vehicles (CCR Title 13, Article 4.8, Chapter 9, Section 2449). This regulation provides target emission rates for PM and NOx emissions from owners of fleets of diesel-fueled off-road vehicles and applies to off-road equipment fleets of three specific sizes where the target emission rates are reduced over time. Specific regulation requirements include:

- Limits on idling, requires a written idling policy, and requires a disclosure when selling vehicles;
- Requires all vehicles to be reported to the CARB (using the Diesel Off-Road Online Reporting System, DOORS) and labeled;
- Restricts adding older vehicles into fleets starting on January 1, 2014; and
- Requires fleets to reduce their emissions by retiring, replacing, or repowering older engines, or installing Verified Diesel Emission Control Strategies, VDECS (i.e., exhaust retrofits).

The construction contractor(s) who complete the construction activities for this Project would have to comply with the requirements of this regulation.

Heavy Duty Diesel Truck Idling Regulation. This CARB rule became effective February 1, 2005 and prohibits heavy-duty diesel trucks from idling for longer than five minutes at a time, unless they are queuing, and provided the queue is located more than 100 feet from any homes or schools.

Statewide Portable Equipment Registration Program (PERP). The PERP establishes a uniform program to regulate portable engines and portable engine-driven equipment units. Once registered in the PERP, engines and equipment units may operate throughout California without the need to obtain individual permits from local air districts, if the equipment is located at a single location for no more than 12 months. There may be construction equipment that would be required to be PERP registered, such as portable generators, but there are no known operating emission sources that would be subject to this regulation.

Yolo Solano Air Quality Management District

The YSAQMD has adopted rules and regulations and CEQA guidelines that apply to the proposed Project. The rules and regulations that apply to the proposed Project are as follows (YSAQMD, 2021b):

- Rule 2.3 Ringelmann Chart
- Rule 2.5 Nuisance
- Rule 2.11 Particulate Matter Concentration
- Rule 2.14 Architectural Coatings

These rules apply during construction and operation. Rule 2.3 would specifically apply to fugitive dust emissions during construction and operation. Rule 2.5 would apply to construction operation odors and fugitive dust. Rule 2.11 would apply to small, permit exempt, fertilizer handling equipment emissions that would occur during operation. Rule 2.14 would apply to the paints and other architectural coatings applied during construction and for facility upkeep during operation. The Project applicant has not identified any stationary sources that would require YSAQMD permitting.

The YSAQMD published its CEQA guidelines in 2007 (YSAQMD, 2007). These guidelines include recommended criteria pollutant emissions significance thresholds and air toxics health risk significance thresholds, as shown in Table 5.3-3.

Table 5.3-3. YSAQMD Air Quality Significance Thresholds

Pollutant/Risk Criterion	Threshold of Significance
Oxides of Nitrogen (NOx)	10 tons per year
Reactive Organic Gases (ROG)	10 tons per year
Particulate Matter (PM10)	80 pounds per day
Carbon Monoxide (CO)	Violation of State ambient air quality standard
Cancer Health Risk	10 in a million at maximally exposed individual (MEI)
Chronic or Acute Health Risk	Hazard Index (HI) equal or greater than 1

The proposed Project is not a major transportation project or otherwise would have CO emissions sources that would be substantial enough to cause a violation of the state ambient CO air quality standard. Therefore, the proposed Project has no potential to exceed the CO threshold of significance.

The guidelines also include recommendations for construction fugitive dust and construction equipment exhaust mitigation strategies, when needed, including providing a table of construction best management practices for fugitive dust control.

5.3.2 Environmental Impacts and Mitigation Measures

a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

DURING CONSTRUCTION, *LESS THAN SIGNIFICANT IMPACT*. The proposed Project's construction would comply with all applicable YSAQMD rules and regulations and would use equipment and vehicles that comply with all CARB on-road vehicle and off-road equipment emissions reduction programs and regulations. Therefore, the proposed Project's construction would conform with the applicable air quality plan and would have a less than significant air quality impact.

DURING OPERATION, *LESS THAN SIGNIFICANT IMPACT*. The two existing Wilbur-Ellis agricultural retail facilities operate in compliance with all YSAQMD rules and regulations and conform with the YSAQMD air quality attainment plan. The proposed Project is a facility replacement project that would combine and replace the operations of the two existing Wilbur-Ellis agricultural retail facilities. The new agricultural retail facility would be constructed to operate in compliance with all YSAQMD rules and regulations, other applicable air quality rules and regulations, and conform with the YSAQMD air quality attainment plan. The proposed Project consolidates two existing facilities with no assumptions of employee or customer base growth, so the Project would conform with growth projections in the YSAQMD air quality attainment plan. Therefore, the proposed Project's operation would conform with the applicable air quality plan and would have a less than significant air quality impact.

b. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard?

DURING CONSTRUCTION, *LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED*. The proposed Project would generate temporary emissions during construction. The applicant has estimated a construction schedule of six to nine months. The uncontrolled construction emissions estimate assumes fleet average emissions factors for on-road vehicles and off-road equipment and no fugitive dust control because YSAQMD does not have a fugitive dust control rule. The mitigated emissions estimate assume that the proposed Project would implement fugitive dust controls as identified below in Mitigation Measure AQ-1. Table 5.3-4 provides a summary of the proposed Project's estimated uncontrolled and controlled construction emissions against the YSAQMD emission significance thresholds.

Table 5.3-4. Estimated Construction Emissions

	NOx	VOC	CO	PM_{10}	$PM_{2.5}$	SOx
Uncontrolled Construction Emissions	4.45 tons	0.68 tons	3.62 tons	149 lbs/day	0.74 tons	0.01 tons
YSAQMD Significance Thresholds	10 t/yr	10 t/yr	N/A	80 lbs/day	N/A	N/A
Exceeds Significance Thresholds?	NO	NO	N/A	YES	N/A	N/A
Controlled Construction Emissions	4.45 tons	0.68 tons	3.62 tons	51 lbs/day	0.38 tons	0.01 tons
YSAQMD Significance Thresholds	10 t/yr	10 t/yr	N/A	80 lbs/day	N/A	N/A
Exceeds Significance Thresholds?	NO	NO	N/A	NO	N/A	N/A

t/yr – tons/year, lbs/day – pounds/day
Source: YSAQMD, 2007; Aspen, 2021

The proposed Project's construction would not contribute significantly to a cumulatively considerable net increase of any criteria pollutants and would have a less than significant air quality impact with mitigation incorporated.

DURING OPERATION, *LESS THAN SIGNIFICANT IMPACT*. The proposed Project is a facility replacement project, where two Wilbur-Ellis existing facilities in YSAQMD are being replaced by this one new facility at a location that formerly was a seed research facility. There would be no increase in staffing, overall customer base or materials throughput, or equipment storage. The Project would not increase the existing baseline vehicle miles traveled or utility use. In fact, the consolidation to one new facility should improve the efficiency of operations, and the new facility would include energy and water saving design components, required to comply with new building standards, that are not incorporated at the two existing facilities. Therefore, it is determined that the consolidation of operations would create an overall reduction in air pollutant emission from baseline. Hence, the proposed Project's operation would not contribute significantly to a cumulatively considerable net increase of any criteria pollutants and would have a less than significant air quality impact.

c. Would the project expose sensitive receptors to substantial pollutant concentrations?

Criteria Pollutants

DURING CONSTRUCTION, *LESS THAN SIGNIFICANT IMPACT*. The proposed Project's construction would occur over an estimated 6- to 9-month period. The localized emissions from construction would primarily occur from the use of off-road equipment and related fugitive dust generation. There will also be construction worker commute and material delivery truck vehicle trips emissions, but the bulk of those emissions occur offsite over the transportation routes to and from the site. As shown in Table 5.3-4, the mitigated construction criteria pollutant emissions would be below the YSAQMD emissions significance thresholds. Therefore, considering the estimated emissions levels and the large Project site, the localized criteria pollutant emissions are determined to not create substantial criteria pollutant concentrations at the nearest sensitive receptor locations.

DURING OPERATION, *LESS THAN SIGNIFICANT IMPACT*. Operation of the proposed Project would include vehicle trips, including up to 14 truck trips per day on average, that would have exhaust and fugitive dust emissions from travel over graveled areas, a minimal amount of emissions from fertilizer handling, and a minimal amount of emissions from comfort and water heating natural gas use. The localized criteria pollutant emissions concentrations from these operation emissions sources would be negligible due to the small amount of emissions spread over a large Project site. Additionally, the proposed Project would eliminate the existing baseline farming emissions that occur over 20 acres of the Project site. This would eliminate the existing farming diesel off-road equipment emissions, crop picking and trucking emissions, and earth working and fallow field wind-driven fugitive dust emissions that currently occur at the site. Therefore, the proposed Project's operation would not result in substantial localized criteria pollutant emissions increase that could expose sensitive receptors to substantial pollutant concentrations.

Air Toxic Pollutants

The health risk from air toxic pollutant emissions considers both short-term acute and long-term chronic and cancer health risks. For this Project there would be no substantial emissions of acutely hazardous air toxic pollutants, so this analysis focuses on the long-term chronic and cancer health risks that need to consider the combined effect of the proposed Project's construction and operation.

LESS THAN SIGNIFICANT IMPACT. The onsite air toxic emissions generated during construction would be limited in duration and would occur over a large Project area. The onsite construction air toxic emissions would

primarily be in the form of DPM emissions from off-road equipment use. The long-term operation toxic air pollutant emissions would be minimal, primarily in the form of delivery truck DPM emissions. A small amount of other operation air toxics emissions would come from employee vehicle exhaust and new natural gas use emissions. However, the health risk potential of these other operation emissions sources is substantially lower than the risk from DPM emissions. Additionally, the Project site has baseline DPM emissions from the use of diesel fueled farm equipment and on-site vehicle use that would not occur once Project construction begins. Therefore, the proposed Project's construction and operation health risk is determined to be below YSAQMD significance thresholds due the following:

- The short duration of the proposed Project's construction.
- The small amount of long-term air toxics emissions from the proposed Project's operation.
- The construction and operation emissions are spread over a large Project area.
- The average distance to the nearest sensitive receptors from the primary on-site areas where the largest amounts of DPM emissions would occur.
- The existing baseline DPM emissions that would be eliminated.

Therefore, the proposed Project's construction and operation would not result in substantial localized air toxic pollutant emissions increase that could expose sensitive receptors to substantial pollutant concentrations.

d. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

DURING CONSTRUCTION, *LESS THAN SIGNIFICANT IMPACT*. Construction activities and equipment use may create mildly objectionable odors (such as during asphalt paving), and fugitive dust emissions. However, these odors would be temporary, are not considered overly offensive, are types of odors regularly experienced by the public, and would not significantly affect a substantial number of people due to low population density in the immediate Project area. The fugitive dust emissions during Project construction would be limited in duration, would likely be less than the existing property farming-related fugitive dust emissions, and would not have the potential to affect a substantial number of people. Therefore, the proposed Project's construction would not result in other emissions that could adversely affect a substantial number of people.

DURING OPERATION, *LESS THAN SIGNIFICANT IMPACT*. Project operation would not have the potential for substantial odorous emissions or other emissions (such as fugitive dust), during normal operations. The Project does not include outdoor storage of natural fertilizers (e.g., manure); and no substantial emissions of other odorous materials stored onsite (e.g., anhydrous ammonia) would occur during normal operations. Therefore, the proposed Project's operation would not result in other emissions that could adversely affect a substantial number of people.

Mitigation Measures

MM AQ-1 **Construction Fugitive Dust Control.** The following measures will be implemented as a condition of approval to reduce fugitive dust emissions during Project construction.

- **Watering.** Exposed surfaces, including unpaved travel routes, will be watered at least twice daily on days without rain, or otherwise when dust emissions are visible. Watering is not required after areas are paved or graveled, where graveled areas do not have visible dust emissions during vehicle travel.

- **Vehicle Speed.** All vehicles traveling over unpaved, including graveled, areas shall travel at speeds at or below 15 miles per hour. Signs identifying the maximum speed limit shall be placed at all site entrances during construction.

Air Quality Impact Conclusions

The PM10 emissions during construction would be potentially significant without mitigation. Mitigation Measure AQ-1 would reduce the fugitive dust PM10 emissions to a level where the total PM10 emissions potential would be less than significant. No other potentially significant air quality impacts, or air quality mitigation measure requirements, are identified or anticipated.

5.4 Biological Resources

BIOLOGICAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?	☐	☐	☐	☒

Significance criteria established by CEQA Guidelines, Appendix G.

This section includes a description of the existing biological resources, including special-status plants and wildlife, sensitive habitats, and their locations in relation to the proposed Project area. This section also presents an analysis of potential impacts to sensitive biological resources and, where necessary, specifies mitigation measures to reduce impacts to less-than-significant levels.

Biological resource conditions in the proposed Project area were documented during field surveys conducted by Marcus H. Bole and Associates in May 2020 (Bole and Associates, 2020). These surveys included a reconnaissance-level inventory of plants and animals, habitat assessments for special-status species, and a determination of wetland habitats within the proposed Project area. Aspen Environmental Group (Aspen) conducted a literature review in January 2021 to determine any special-status species that have the potential to occur in the general region of the proposed Project. The literature review included the U.S. Geological Survey (USGS) Merritt 7.5-minute topographic quadrangle, which encompasses the proposed Project area, in addition to the surrounding area, including the Allendale, Davis, Dixon, Grays Bend, Madison, Saxon, Winters, and Woodland quadrangles. Also, the literature review considered the following other sources:

- Planning Level and Species-Specific Biological Evaluation Survey Report for Wilbur-Ellis Company Yolo Project (Bole and Associates, 2020)
- United States Fish and Wildlife Service (USFWS) ECOS-IPaC Official Species List for the Wilbur-Ellis Project (USFWS, 2020)
- Yolo Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) list of covered species (YHC, 2018)

- California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDB) (CDFW, 2021)
- CDFW Special Animals List (CDFW, 2020)
- California Native Plant Society (CNPS) Rare Plant Inventory (CNPS, 2021)

5.4.1 Setting

The proposed Project area is located 2.5 miles south of the City of Woodland, in unincorporated Yolo County, California. The 69-acre agricultural parcel contains approximately 4.25 acres of developed area, and 64.75 acres of cultivated wheat fields. The parcel falls within the Willow Slough Basin Planning Area of the overall Yolo Habitat Conservation Plan/Natural Community Conservation Plan Area (Yolo HCP/NCCP). Currently, the Yolo County Land Trust and City of Woodland hold a 45-acre Swainson's hawk (*Buteo swainsoni*) conservation easement on the central and eastern portion of the parcel. The 45-acre easement serves as lands to meet mitigation requirements for the City of Woodland's Spring Lake development and must remain in agricultural production. Surrounding land uses are dominated by farmland/cropland with scattered residences on agricultural properties to the north and south.

Vegetation Communities and Land Cover Types

The vegetation communities and land cover types that occur in the proposed Project area are limited to urban-developed lands in the western portion of the property and dryland agricultural fields with rotating row crops in the eastern portion.

Urban-Developed

Urban-developed lands comprise approximately 4.25 acres of the proposed Project area and primarily consist of commercial property with associated areas landscaped with non-native grasses and ornamental shrubs. Developed property within the proposed Project area includes paved driveways, existing buildings and storage yards, and an existing septic tank with leach lines.

Cultivated Agricultural Land-Dryland Crops

Dryland rotating row crops comprise approximately 64.75 acres of the proposed Project area. Dryland crops are generally composed of a combination of grain and hay production and operations. Wheat (*Triticum* sp.) is the dominant grain crop with smaller acreages of barley (*Hordeum vulgare*) and rye (*Secale cereale*), while oat (*Avena* sp.) hay is the dominant hay crop. The abundance of this vegetation type may fluctuate rapidly depending on crop rotations and market conditions. Dryland crops are unique in that many are harvested in early summer, which leaves the fields fallow until fall. The fallow period often allows summer annuals, such as nonnative invasive yellow star-thistle (*Centaurea solstitialis*) to become established and dominant (YHC, 2018). However, established areas of yellow star-thistle were not observed in the proposed Project area during the surveys.

Common Wildlife

The proposed Project area has the potential to support a wide variety of common wildlife species. Some native and introduced species are tolerant of human activities and regularly occur in urban-developed habitats. Manmade structures can often provide nesting sites for common birds such as house finch (*Carpodacus mexicanus*), barn swallow (*Hirundo rustica*), American pipit (*Anthus rubescens*), and mourning dove (*Zenaida macroura*). Agricultural fields support habitat for species such as Brewer's blackbird

(*Euphagus cyanocephalus*), red-winged blackbird (*Agelaius phoeniceus*), red-tailed hawk (*Buteo jamaicensis*), and black-tailed jackrabbit (*Lepus californicus*). Opportunistic mammals, including coyote (*Canis latrans*), raccoon (*Procyon lotor*), and striped skunk (*Mephitis mephitis*) are frequently found scavenging in a variety of urban and agricultural environments.

Special-Status Plants and Animals

The literature review identified a total of six special-status plant species and 20 special-status wildlife species that have been previously recorded or are of particular concern to resource/regulatory agencies in the general region of the proposed Project area (see Table 5.4-1). Special-status species are defined as plants or animals that meet one or more of the following criteria:

- Have been designated as either rare, threatened, or endangered by CDFW or the USFWS, and are protected under the California or federal Endangered Species Act (CESA or ESA)
- Are candidate species being considered or proposed for listing under these same acts
- Are designated Species of Special Concern by CDFW
- Are fully protected by the California State Fish and Game Code, Sections 3511, 4700, 5050, or 5515
- Are classified as California Rare Plant Rank (CRPR) 1, 2, 3, or 4 by CDFW and the CNPS
- Are covered species identified under an existing HCP/NCCP
- Are listed on watch lists or provided with special conservation designations by professional working groups/societies (e.g., Western Bat Working Group)
- Are of express concern to resource/regulatory agencies or local jurisdictions

Table 5.4-1 lists special-status species potentially occurring within or near the proposed Project area. Potential for occurrence is defined as follows:

- **Present:** Species or sign of its presence recently observed on the site.
- **Likely:** Species or sign not observed on the site, but reasonably certain to occur on the site based on conditions, species ranges.
- **Possible:** Species or sign not observed on the site, but conditions suitable for occurrence.
- **Unlikely:** Species or sign not observed on the site, outside of the known range, or conditions marginal for occurrence.
- **Not likely to occur:** Species or sign not observed on the site, outside of the known range, and conditions unsuitable for occurrence.

Table 5.4-1. Special-Status Species with the Potential to Occur

Species	Status	Habitat	Occurrence in Study Area
Plants			
Keck's checkerbloom *Sidalcea keckii*	FE/1B.1	Cismontane woodland, valley, and foothill grassland. Grassy slopes in blue oak woodland, on serpentine-derived, clay soils. Blooming period occurs from April – May (June).	**Not likely to occur.** There is no suitable habitat for this species within or near the property.

Table 5.4-1. Special-Status Species with the Potential to Occur

Species	Status	Habitat	Occurrence in Study Area
Ferris' milk-vetch *Astragalus tener var. ferrisiae*	1B.1	Meadows and seeps, valley and foothill grassland. Subalkaline flats, usually seen in dry, adobe soils. Blooming period occurs from April – May.	**Not likely to occur.** There is no suitable habitat for this species within or near the property.
Alkali milk-vetch *A. t.* var. *tener*	1B.2	Alkaline habitats, including playas, vernal pools, and grasslands. Blooming period occurs from March – June.	**Not likely to occur.** There is no suitable habitat for this species within or near the property.
Heartscale *Atriplex cordulata* var. *cordulata*	1B.2	Saline or alkaline habitats, including chenopod scrub, meadows and seeps, and grasslands. Blooming period occurs from April – October.	**Not likely to occur.** There is no suitable habitat for this species within or near the property.
Brittlescale *A. depressa*	1B.2	Alkaline/clay habitats, including chenopod scrub, vernal pools, meadows and seeps, grasslands, and playas. Blooming period occurs from April – October.	**Not likely to occur.** There is no suitable habitat for this species within or near the property.
Palmate-Bracted Bird's Beak *Chloropyron palmatum*	FE/SE/1B.1 /Yolo HCP	Chenopod scrub, valley and foothill grassland. Usually on Pescadero silty clay which is alkaline, with Distichlis, Frankenia, etc. Blooming period occurs from May – October.	**Not likely to occur.** There is no suitable habitat for this species within or near the property.
Invertebrates			
Western bumble bee *Bombus occidentalis*	SC	Largely restricted to high elevation sites in the Sierra Nevada; require plants that bloom and provide adequate nectar and pollen	**Not likely to occur.** There is no suitable habitat for this species within or near the property.
Valley elderberry longhorn beetle *Desmoverus califonicus dimorphus*	FT/Yolo HCP	Blue elderberry shrubs usually associated with riparian areas.	**Not likely to occur.** There are no elderberry shrubs within the property or within 1,000 feet of the property.
Vernal pool fairy shrimp *Branchinecta lynchi*	FT	Moderately turbid, deep, cool water vernal pool.	**Not likely to occur.** There are no vernal pools within or near the property.
Vernal pool tadpole shrimp *Lepidurus packardi*	FE	Vernal pools, swales, and ephemeral freshwater habitat.	**Not likely to occur.** There are no vernal pools within or near the property.
Amphibians/Reptiles			
California red-legged frog *Rana draytonii*	FT/SSC	Quiet pools of streams, marshes and occasionally ponds. (sea level - 4,500 ft elevation)	**Not likely to occur.** There is no suitable habitat within or near the property.

Table 5.4-1. Special-Status Species with the Potential to Occur

Species	Status	Habitat	Occurrence in Study Area
Giant garter snake *Thamnophis gigas*	FT/ST/Yolo HCP	Agricultural wetlands and other wetlands such as irrigation and drainage canals, low gradient streams, marshes ponds, sloughs, small lakes, and their associated uplands.	**Not likely to occur.** There is no suitable habitat within or near the property.
Western pond turtle *Emys marmorata*	SSC/HCP	A thoroughly aquatic turtle of ponds, marshes, rivers, streams, and irrigation ditches. Needs basking sites and suitable upland habitat.	**Not likely to occur.** There is no suitable habitat within or near the property.
California tiger salamander *Ambystoma californiense*	FT/ST/Yolo HCP	Need underground refuges, especially ground squirrel burrows, and vernal pools or other seasonal water sources for breeding.	**Not likely to occur.** There is no suitable habitat within or near the property.
Western spadefoot *Spea hammondii*	SSC	Rarely found on the surface. Constructs underground burrows or uses small mammal burrows. Requires breeding ponds and will seek refuge in nearby vicinities during dry periods. Breeds almost exclusively in shallow, temporary pools.	**Unlikely.**
Fish			
Delta smelt *Hypomesus transpacificus*	FT/SE	Sacramento–San Joaquin Estuary	**Not likely to occur.** The Sacramento River is not part of this Project.
Birds			
Least bell's vireo *Vireo belli pusillus*	FE/SE/Yolo HCP	Nests placed along margins of bushes or on twigs projecting into pathways, usually willows, baccharis, mesquite. Low riparian in dry river bottoms.	**Not likely to occur.** There is no suitable habitat for this species within or near the property.
Western burrowing owl *Athene cunicularia*	SSC/Yolo HCP	Open, dry annual or perennial grasslands, deserts and scrublands characterized by low-growing vegetation.	**Unlikely.** There is no suitable habitat for this species within or near the property.
Swainson's hawk *Buteo swainsoni*	ST/Yolo HCP	Breeds in grasslands with scattered trees, riparian areas, savannahs, and agricultural areas. Requires adjacent suitable foraging areas such as grasslands or crop fields supporting rodent populations.	**Likely.** Property supports suitable foraging habitat and CNDDB lists nest trees within ½ mile of property. None observed during survey.
Northern harrier *Circus hudsonius*	SSC	Frequents meadows, grasslands, open rangelands, desert sinks, emergent wetlands. Breeds on ground in shrubby vegetation, usually at marsh edges.	**Possible.** Property supports suitable foraging habitat but does not support suitable nesting habitat. Not observed during surveys.

Table 5.4-1. Special-Status Species with the Potential to Occur

Species	Status	Habitat	Occurrence in Study Area
Tricolored black bird *Agelaius tricolor*	ST/Yolo HCP	Marshes and swamps, agricultural irrigation ditches, blackberry brambles and grasslands.	**Not likely to occur.** There is no suitable habitat for this species within or near the property
Western yellow-billed cuckoo *Coccyzus americanus occidentalis*	FT/SE/Yolo HCP	Open woodlands, riparian areas, orchards, and moist overgrown thickets.	**Not likely to occur.** There is no suitable habitat for this species within or near the property.
White-tailed kite *Elanus leucurus*	FP/Yolo HCP	Open grasslands, meadows, or marshes for foraging, dense-topped trees for nesting and perching.	**Possible.** Property supports suitable foraging habitat. CNDDB lists nest trees within 5 miles of property. Not observed during surveys.
Bank swallow *Riparia riparia*	ST/Yolo HCP	Nests in riparian and other lowland habitats. Requires vertical banks/cliffs with fine textured/sandy soils near streams, rivers, lakes and ocean to dig nesting hole.	**Not likely to occur.** There is no suitable habitat for this species within or near the property.
Mammals			
American badger *Taxidea taxus*	SSC	Open stages of shrub, forest, and herbaceous habitats, including grasslands. Requires friable soils for burrowing.	**Unlikely.** None observed during surveys.
Pallid bat *Antrozous pallidus*	SSC	Deserts, grasslands, shrublands, woodlands, and forests. Most common in open, dry habitats with rocky areas for roosting. Will use open buildings for roosting sites. Forages in open areas.	**Possible.** CNDDB records occur in the vicinity of Woodland. Suitable foraging habitat. Not expected to roost due to level of current activity at the facility. Not observed during survey.

STATUS CODES:

FT	Federally Threatened
FC	Federal Candidate
SE	State Endangered
SC	State Candidate
SSC	California Species of Special Concern
FP	Fully Protected
WL	Watch List
CNPS	California Native Plant Society Listing
1B	Plants Rare, Threatened, or Endangered in California and elsewhere
2	Plants Rare, Threatened, or Endangered in California, but more common elsewhere
3	Plants about which we need more information – a review list
4	Plants of limited distribution – a watch list
.1	Seriously threatened in California (high degree/immediacy of threat)
.2	Fairly threatened in California (moderate degree/immediacy of threat)
.3	Not very threatened in California (low degree/immediacy of threats or no current threats known)
HCP/NCCP	Yolo Habitat Conservation Plan/Natural Community Conservation Plan

Special-Status Plants

A general botanical survey and habitat evaluation for rare plants was conducted in May 2020 during which time special-status plants with the potential to occur would be detectable (Bole and Associates, 2020). The survey consisted of walking the entire proposed Project area while recording an inventory of general botanical species and searching for special-status plants and their habitats. No special-status plants were identified during the survey. The proposed Project area is composed of developed and agricultural lands and does not support suitable habitat for special-status plant species, and none are expected to occur.

Special-Status Wildlife

Habitat assessments for special-status wildlife were conducted in May 2020 and included the proposed Project area and a 500-foot buffer (Bole and Associates, 2020). The assessments were performed by walking the entire proposed Project and buffer areas while evaluating potential habitat for special-status species based on vegetation composition and structure, microclimates, and available resources (e.g., prey items, nesting burrows), and the presence of predatory species. No special-status wildlife species were observed or detected during the surveys; however, marginal to suitable habitat was identified for some special-status species that are discussed in further detail below.

Swainson's Hawk (*Buteo swainsoni*). Swainson's hawk is listed as threatened under CESA and is a covered species under the Yolo HCP/NCCP. This species typically breeds in grasslands with scattered trees, juniper-sage flats, savannahs, riparian areas, and agricultural or ranch lands with groves or rows of adequate nesting trees. Swainson's hawks require adjacent foraging areas, such as grasslands or grain fields, that support high density rodent populations.

Swainson's hawks are known to occur in the region; however, there were no individuals or occupied tree nests observed within or adjacent to the proposed Project area during surveys, which included examining and evaluating several CNDDB listings for the species. One unoccupied nest tree located approximately one-half mile west of the proposed Project area was verified (CNDDB Listing #868) (Bole and Associates, 2020; CDFW, 2021). Large locust and cottonwood trees that occur along Willow Slough and within 5 miles of the proposed Project area were also documented as suitable nesting habitat during surveys (Bole and Associates, 2020). Open agricultural lands serve as suitable foraging habitat for Swainson's hawk and are prevalent throughout the region including within and immediately adjacent to the proposed Project area.

A 45-acre conservation easement is located within the overall 69-acre parcel that encompasses the proposed Project area. This conservation easement keeps the area in cultivation and serves as mitigation and compensation for impacts to Swainson's hawk habitat for the Spring Lake Development through the implementation of the Spring Lake Specific Plan and is to remain permanently protected from future development via enforceable deed restrictions (City of Woodland, 2001). The easement has been set aside to meet the habitat needs of Swainson's hawk and other wildlife that may use the area for foraging and is managed via an agreement between the City of Woodland and CDFW.

Northern Harrier (*Circus hudsonius*). Northern harrier is a CDFW SSC. This species is wide-ranging and occurs throughout California where it frequents open areas including meadows, grasslands, desert sinks, emergent wetlands, and range lands. Northern harriers nest on the ground in shrubby vegetation and typically at the edge of emergent wetlands or marshes.

Although northern harriers were not observed during surveys, this species could possibly occur in the proposed Project area and surrounding agricultural lands provide suitable foraging habitat. The proposed Project area and adjacent lands do not support emergent wetlands and shrubby vegetation suitable for nesting northern harriers.

White-Tailed Kite (*Elanus leucurus*). White-tailed kite is designated as a Fully Protected species by CDFW and is a covered species under the Yolo HCP/NCCP. This species is a year-long resident in coastal and valley lowlands and is rarely found away from agricultural areas where it forages for prey, which is mostly comprised of small diurnal animals. Nests are typically found near the tops of dense oak, willow, or other tree stands near open foraging areas.

This species is known to occur throughout Yolo County; however, it was not observed within or adjacent to the proposed Project area during the surveys. The CNDDB lists nesting records within 5 miles of the proposed Project area, which indicate that the proposed Project area does not support suitable nesting habitat for this species. Suitable foraging habitat is present throughout the region and occurs within and around the proposed Project area.

Pallid Bat (*Antrozous pallidus*). Pallid bat is a CDFW SSC. The pallid bat is a locally common species of low elevations in California. Pallid bats occupy a wide range of habitats, including grasslands, shrublands, woodlands, and forests from sea level up through mixed conifer forests. This species typically roosts in caves, crevices, and mines where it can avoid higher temperatures. However, night roosts may occur in more open sites, such as porches and open buildings. Roost sites are highly sensitive to disturbance.

Pallid bat individuals or roost sites were not observed during the surveys (Bole and Associates, 2020). The proposed Project area and surrounding fields provide open foraging habitat, and this species could possibly occur. Potential roosting sites occur among the existing structures within the proposed Project area. However, pallid bat roost sites are sensitive to disturbance and establishing roosting sites at a currently active facility is unlikely.

Jurisdictional Waters

A determination of Waters of the U.S. was conducted under the guidelines of the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (USACE, 2008). These surveys involved an examination of botanical resources, soils, hydrological features, and determination of wetland characteristics. Using the methodologies described in the 1987 Corps of Engineers Wetlands Delineation Manual, no evidence of seasonal or perennial wetland habitats or other waters of the U.S. were identified within the proposed Project area (Bole and Associates, 2020).

Regulatory Background

Federal

Endangered Species Act of 1973, U.S. Code, Title 16, Sections 1531 through 1543. The federal ESA and its subsequent amendments protect plants and wildlife (and their habitats) listed as endangered or threatened by the USFWS and National Marine Fisheries Service. Section 9 of the ESA specifically prohibits the taking of ESA-protected wildlife and lists prohibited actions. The ESA defines take as "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in such conduct" (50 Code of Federal Regulations [CFR] 17.3). The ESA also governs the removal, possession, malicious damage, or destruction of endangered plants on federal land. Taking is allowed only when incidental to an otherwise legal activity through the ESA Section 7 process for federal agencies and through the ESA Section 10 habitat conservation plan process for private entities.

Migratory Bird Treaty Act, U.S. Code, Title 16, Sections 703 through 711. The Migratory Bird Treaty Act (MBTA) implements international treaties between the United States and other nations to protect migratory birds and their parts, eggs, and nests from activities such as hunting, pursuing, capturing, killing, selling, and shipping, unless expressly authorized by regulation or permit. Examples of authorized activities

include USFWS-issued permits to qualified applicants for falconry, raptor propagation, scientific collecting, special purposes (rehabilitation, education, migratory game bird propagation, and salvage), take of depredating birds, taxidermy, and waterfowl sale and disposal. Regulations governing migratory bird permits are found in 50 CFR 13 – General Permit Procedures, and 50 CFR 21 – Migratory Bird Permits.

Invasive Species, Executive Order 13112. Executive Order 13112 directs federal agencies to prevent and control the spread of invasive plants and animals and avoid direct or indirect impacts whenever there is a practicable alternative.

Bald and Golden Eagle Protection Act of 1940. The Bald Eagle Protection Act of 1940 (16 USC 668, enacted by 54 Stat. 250) protects bald and golden eagles by prohibiting the taking, possession, and commerce of such birds and establishes civil penalties for violation of this Act.

Clean Water Act. The Clean Water Act (CWA, 33 USC 1251, *et seq*.) establishes legal requirements for the restoration and maintenance of the chemical, physical, and biological integrity of the nation's waters.

> ***Section 401.*** Section 401 requires that an applicant for a federal license or permit that allows activities resulting in a discharge to waters of the United States must obtain a State certification that the discharge complies with other provisions of the Clean Water Act. The Regional Water Quality Control Boards (RWQCBs) administer the certification program in California.
>
> ***Section 404.*** Section 404 establishes a permit program administered by the U.S. Army Corps of Engineers (USACE) regulating the discharge of dredged or fill material into waters of the United States, including certain wetlands. Implementing regulations by the USACE are found at 33 CFR Parts 320-330. Guidelines for implementation are referred to as the Section 404(b)(1) Guidelines and were developed by the USEPA in conjunction with the USACE (40 CFR Parts 230). The Guidelines allow the discharge of dredged or fill material into the aquatic system only if there is no practicable alternative that would have less adverse impacts.

Plant Protection Act of 2000. Prevents importation, exportation, and spread of pests that are injurious to plants, and provides for the certification of plants and the control and eradication of plant pests. The Act consolidates requirements previously contained within multiple federal regulations including the Federal Noxious Weed Act, the Plant Quarantine Act, and the Federal Plant Pest Act.

State

California Endangered Species Act, Fish and Game Code Section 2050 *et seq*. The CESA provides that certain species of fish, wildlife, and plants that are of ecological, educational, historical, recreational, aesthetic, economic, and scientific value to the people of California are of statewide concern and should be conserved, protected, and enhanced along with their habitats. The CESA establishes that it is the policy of California that State agencies should not approve projects as proposed that would jeopardize the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of habitat essential to the continued existence of those species, if there are reasonable and prudent alternatives available consistent with conserving the species or its habitat that would prevent jeopardy.

Furthermore, the CESA provides that reasonable and prudent alternatives shall be developed by CDFW with the project proponent and the State lead agency that are consistent with conserving the species, while at the same time maintaining the project purpose to the greatest extent possible.

Fully Protected Designations – California Fish and Game Code Sections 3511, 4700, 5050, and 5515. Prior to enactment of CESA and the federal ESA, California enacted laws to "fully protect" designated wildlife species from take, including hunting, harvesting, and other activities. Unlike the subsequent CESA and ESA, there was no provision for authorized take of designated fully protected species. Currently, 36 fish and wildlife species are designated as fully protected in California, including golden eagle.

California Senate Bill 618 (signed by Governor Brown in October 2011) revised the Fish and Game Code sections above to authorize take of fully protected species, where pursuant to a Natural Conservation Community Plan, approved by CDFW. The legislation gives fully protected species the same level of protection as is provided under the Natural Community Conservation Planning Act for endangered and threatened species.

Native Plant Protection Act, Fish and Game Code Sections 1900 through 1913. The Native Plant Protection Act prohibits the taking of listed plants from the wild and requires that State agencies use their authority to conserve endangered and rare native plants. In compliance with the Native Plant Protection Act and CEQA, CDFW would notify project proponents that a rare or endangered native plant is growing within project boundaries and provide information to the project proponents concerning the protection of such plants as may be appropriate. CDFW must also be given 10-day advance notification of a land use change to provide CDFW an opportunity to salvage listed plant species that might be destroyed.

Raptors, Fish and Game Code Section 3503.5. Section 3503.5 of the Fish and Game Code states that it is "unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Disturbance during the raptor breeding season could result in the incidental loss of fertile eggs or nestlings, or lead to nest abandonment. Although no permits are issued for species protected under this code, coordination with CDFW is required.

Non-game and Migratory Birds, Fish and Game Code Sections 3513 and 3800. Sections 3513 and 3800 of the Fish and Game Code regulate unlawful take of non-game or migratory bird species. Disturbance during the breeding season could cause the incidental loss of fertile eggs or nestlings, or lead to nest abandonment. Although no permits are issued for species protected under these code sections, coordination with CDFW is required.

Lake and Streambed Alteration Agreements – California Fish and Game Code Sections 1600 to 1616. Under these sections of the Fish and Game Code, an applicant is required to notify CDFW prior to constructing a project that would divert, obstruct, or change the natural flow, bed, channel, or bank of a river, stream, or lake. Preliminary notification and project review generally occur during the environmental review process. When a fish or wildlife resource may be substantially adversely affected, CDFW is required to propose reasonable project changes to protect the resource. These modifications are formalized in a Lake and Streambed Alteration Agreement (LSAA) that becomes part of the plans, specifications, and bid documents for the project. CDFW jurisdiction is determined to occur within the water body of any natural river, stream, or lake. The term "stream," which includes creeks and rivers, is defined in Title 14, California Code of Regulations (CCR), Section 1.72.

California Porter-Cologne Water Quality Control Act. Pursuant to the California Porter-Cologne Water Quality Control Act, the State Water Resources Control Board (SWRCB) and the nine RWQCB may require permits ("waste discharge requirements") for the fill or alteration of "Waters of the State." The term "Waters of the State" is defined as "any surface water or groundwater, including saline waters, within the boundaries of the State" (California Water Code, Section 13050[e]). Although "waste" is partially defined

as any waste substance associated with human habitation, the SWRCB interprets this to include fill discharge into water bodies. The SWRCB and the RWQCB have interpreted their authority to require waste discharge requirements to extend to any proposal to fill or alter "Waters of the State," even if those same waters are not under the jurisdiction of the USACE. Pursuant to this authority, the SWRCB and the RWQCB may require the submission of a "report of waste discharge" under Water Code Section 13260, which is treated as an application for a waste discharge requirement.

Local

Yolo County 2030 Countywide General Plan. The general objective of the Yolo County 2030 Countywide General Plan is "to guide decision-making in the unincorporated areas in the County toward the most desirable future possible" (Yolo County, 2009). A primary principle presented in the Plan indicates that the benefits of open space and natural areas are essential to quality of life. The Conservation and Open Space Element of the Plan provides specific goals, policies, and actions to protect the environment and sensitive resources. One of these goals is to "protect and enhance biological resources through the conservation, maintenance, and restoration of key habitat areas and corresponding connections that represent the diverse geography, topography, biological communities, ecological integrity of the landscape." Some of the policies included in the Plan to meet this goal include, but are not limited to, the following:

Policy CO-2.1 Consider and maintain the ecological function of landscapes, connecting features, watersheds, and wildlife movement corridors.

Policy CO-2.3 Preserve and enhance those biological communities that contribute to the county's rich biodiversity including blue oak and mixed oak woodlands, native grassland prairies, wetlands, riparian areas, aquatic habitat, agricultural lands, heritage valley oak trees, remnant valley oak groves, and roadside tree rows.

Policy CO-2.9 Protect riparian areas to maintain and balance wildlife values.

Policy CO-2.11 Ensure that open space buffers are provided between sensitive habitat and planned development.

Policy CO-2.41 Require that impacts to species listed under the State or federal Endangered Species Acts, or species identified as special-status by the resource agencies, be avoided to the greatest feasible extent. If avoidance is not possible, fully mitigate impacts consistent with applicable local, State, and federal requirements.

Policy CO-2.42 Projects that would impacts Swainson's hawk foraging habitat shall participate in the Agreement Regarding Mitigation for Impacts to Swainson's Hawk Foraging Habitat in Yolo County entered into by the CDFG (CDFW) and the Yolo County HCP/NCCP Joint Powers Agency, or satisfy other subsequent adopted mitigation requirements consistent with applicable local, State, and federal requirements.

Yolo HCP/NCCP. The Yolo HCP/NCCP is a comprehensive, County-wide plan to provide Endangered Species Act permits and associated mitigation for planned covered activities including infrastructure (e.g., roads and bridges), development (e.g., agricultural processing facilities, housing, and commercial buildings), and operation and maintenance activities (YHC, 2018). The Yolo HCP/NCCP provides for the conservation of 12 sensitive species (covered species) and the natural communities and agricultural lands on which they depend. It includes a streamlined permitting process to address the effects of a range of future anticipated activities on covered species. Covered species include Palmate-bracted bird's beak, valley elderberry longhorn beetle, California tiger salamander, western pond turtle, giant garter snake, Swainson's

hawk, white-tailed kite, western yellow-billed cuckoo, western burrowing owl, least Bell's vireo, bank swallow, and tricolored blackbird (YHC, 2018).

The Yolo HCP/NCCP permitting process allows proponents of private projects to seek "take" coverage through an HCP/NCCP Permittee. In order to obtain coverage, a project proponent must submit an application package to the relevant Permittee. The submittal of the initial application package allows for early identification of the various requirements of the Yolo HCP/NCCP that will be applicable to a proposed project. It also provides the opportunity for the project analyses to consider and incorporate Avoidance and Minimization Measure (AMM) requirements of the Yolo HCP/NCCP. Based on a review of the initial application package information, the Permittee will develop and apply project conditions of approval that specify the Yolo HCP/NCCP AMMs and any applicable compensatory fees.

The Yolo HCP/NCCP uses a variety of private and public development-based fees to fund mitigation that will offset losses of land cover types, covered species habitat, and other biological values (YHC, 2018). These one-time fees pay for the full cost of mitigating project effects of the covered species and natural communities. Additionally, these fees are expected to satisfy all or most of the CEQA mitigation needs for biological resources. The primary component of the Yolo HCP/NCCP fees is a "land cover fee." This fee is based on the mitigation of a new development's effects on land cover types at the project site that support the covered species. The basis for the land cover fee is that the primary effect on covered species is through the direct and indirect loss or degradation of habitat. Another development-based fee outlined in the Yolo HCP/NCCP is the "temporary effect fee." This fee is intended to compensate for covered activities that result in small, localized, temporary effects on natural land cover types (YHC, 2018).

The proposed Project would be seeking take coverage for special-status species under the context of the Yolo HCP/NCCP. Through coordination with the Yolo Habitat Conservancy (Permittee), the proposed Project proponent will provide compensation through payment of applicable fees, including a "land cover fee" and a "temporary effect fee." In addition to compensatory requirements, the following AMMs have been identified for the proposed Project.

General Project Design

AMM1 *Establish Buffers. Project proponents will design projects to avoid and minimize direct and indirect effects of permanent development on sensitive natural communities and covered species habitat. On lands owned by the project proponent, the project proponent will establish a conservation easement to protect the buffer permanently if that land is being offered in lieu of development fees.*

A lesser buffer than is stipulated in the AMMs may be approved by the Conservancy, USFWS, and CDFW if they determine that the sensitive natural community or covered species is avoided to an extent that is consistent with the project purpose (e.g., if the purpose of the project is to provide a stream crossing or replace a bridge, the project may encroach into the buffer and the natural community or species habitat to the extent that is necessary to fulfill the project purpose).

General Construction and Operations and Maintenance

AMM3 *Confine and Delineate Work Area. Where natural communities and covered species habitat are present, workers will confine land clearing to the minimum area necessary to facilitate construction activities. Workers will restrict movement of heavy equipment to and from the project site to established roadways to minimize natural community and covered species habitat disturbance. The project proponent will clearly identify boundaries of work areas using temporary fencing or equivalent and will identify areas designated as environmentally sensitive. All construction vehicles, other equipment, and personnel will avoid these designated areas.*

AMM4 *Cover Trenches and Holes during Construction and Maintenance. To prevent injury and mortality of giant garter snake, western pond turtle, and California tiger salamander, workers will cover open trenches and holes associated with implementation of covered activities that affect habitat for these species or design trenches and holes with escape ramps that can be used during non-working hours. The construction contractor will inspect open trenches and holes prior to filling and contact a qualified biologist to remove or release any trapped wildlife found in the trenches or holes.*

AMM5 *Control Fugitive Dust. Workers will minimize the spread of dust from work sites to natural communities or covered species habitats on adjacent lands.*

AMM6 *Conduct Worker Training. All construction personnel will participate in a worker environmental training program approved/authorized by the Conservancy and administered by a qualified biologist. The training will provide education regarding sensitive natural communities and covered species and their habitats, the need to avoid adverse effects, state and federal protection, and the legal implications of violating the FESA and NCCPA Permits. A pre-recorded video presentation by a qualified biologist shown to construction personnel may fulfill the training requirement.*

AMM7 *Control Night-Time Lighting of Project Construction Sites. Workers will direct all lights for nighttime lighting of project construction sites into the project construction area and minimize the lighting of natural habitat areas adjacent to the project construction area.*

AMM8 *Avoid and Minimize Effects of Construction Staging Areas and Temporary Work Areas. Project proponents should locate construction staging and other temporary work areas for covered activities in areas that will ultimately by a part of the permanent project development footprint. If construction staging and other temporary work areas must be located outside of permanent project footprints, they will be located either in areas that do not support habitat for covered species or are easily restored to prior or improved ecological function (e.g., grassland and agricultural land).*

Construction staging and other temporary work areas located outside of project footprints will be sited in areas that avoid adverse effects on the following:

- *Serpentine, valley oak woodland, alkali prairie, vernal pool complex, valley foothill riparian, and fresh emergent wetland cover types.*
- *Occupied western burrowing owl burrows.*
- *Nest sites for covered bird species and all raptors, including noncovered raptors, during the breeding season.*

Project proponents will follow specific AMMs for sensitive natural communities and covered species in temporary staging and work areas. For establishment of temporary work areas outside of the project footprint, project proponents will conduct surveys to determine if any of the biological resources listed above are present.

Within one year following removal of land cover, project proponents will restore temporary work and staging areas to a condition equal to or greater than the covered species habitat function of the affected habitat. Restoration of vegetation in temporary work and staging areas will use clean, native seed mixes approved by the Conservancy that are free of noxious plant species seeds.

Covered Species

AMM16 *Minimize Take and Adverse Effects on Habitat of Swainson's Hawk and White-Tailed Kite. The project proponent will retain a qualified biologist to conduct planning-level surveys and identify*

any nesting habitat present within 1,320 feet of the project footprint. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas.

If a construction project cannot avoid potential nest trees (as determined by the qualified biologist) by 1,320 feet, the project proponent will retain a qualified biologist to conduct preconstruction surveys for active nests consistent with guidelines provided by the Swainson's Hawk Technical Advisory Committee (2000), between March 15 and August 30, within 15 days prior to the beginning of the construction activity. The results of the survey will be submitted to the Conservancy and CDFW. If active nests are found during preconstruction surveys, a 1,320-foot initial temporary nest disturbance buffer shall be established. If project related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season, then the qualified biologist will monitor the nest and will, along with the project proponent, consult with CDFW to determine the best course of action necessary to avoid nest abandonment or take of individuals. Work may be allowed only to proceed within the temporary nest disturbance buffer if Swainson's hawk or white-tailed kite are not exhibiting agitated behavior, such as defensive flights at intruders, getting up from a brooding position, or flying off the nest, and only with the agreement of CDFW and USFWS. The designated on-site biologist/monitor shall be on-site daily while construction-related activities are taking place within the 1,320-foot buffer and shall have the authority to stop work if raptors are exhibiting agitated behavior. Up to 20 Swainson's hawk nest trees (documented nesting within the last 5 years) may be removed during the permit term, but they must be removed when not occupied by Swainson's hawks.

For covered activities that involve pruning or removal of a potential Swainson's hawk or white-tailed kite nest tree, the project proponent will conduct preconstruction surveys that are consistent with the guidelines provided by the Swainson's Hawk Technical Advisory Committee (2000). If active nests are found during preconstruction surveys, no tree pruning or removal of the nest tree will occur during the period between March 1 and August 30 within 1,320 feet of an active nest, unless a qualified biologist determines that the young have fledged and the nest is no longer active.

5.4.2 Environmental Impacts and Mitigation Measures

a. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED. The literature review identified a total of six special-status plant species and 20 special-status wildlife species that have been documented within the general region of the proposed Project area, none of which were observed or detected during surveys.

The proposed Project area and surrounding environment are characterized as urban-developed and dryland agricultural with rotating row crops. These land cover types typically lack suitable habitat to support special-status plant and wildlife species known from the general region. However, some special-status species, such as Swainson's hawk, northern harrier, white-tailed kite, and pallid bat have the potential to use agricultural fields within and adjacent to the proposed Project area as foraging habitat or may occur in a transient or incidental nature.

Special-Status Plant Species

Special-status plants were not identified during the surveys and are not expected to occur within or adjacent to the proposed Project area due to a lack of suitable habitat. Impacts to special-status plant species would not occur and no mitigation is required.

Special-Status Wildlife Species

Special-status wildlife with the potential to occur in or adjacent to the proposed Project area include Swainson's hawk, northern harrier, white-tailed kite, and pallid bat. Swainson's hawk and white-tailed kite are covered species under the Yolo HCP/NCCP.

Although not observed during the surveys, Swainson's hawk is likely to be present based on multiple records within the region, a verified nesting site within one-half mile of the proposed Project area, potential nesting habitat within stands of large locust and cottonwood trees along Willow Slough, and suitable foraging habitat within and adjacent to the proposed Project area. White-tailed kite was not observed during surveys; however, the CNDDB lists nest trees for this species within 5 miles of the proposed Project area and suitable foraging habitat occurs within and adjacent to the proposed Project area.

Implementation of the proposed Project may result in direct and indirect impacts to Swainson's hawks and white-tailed kites, should they occur. Direct impacts include the grading of areas for new warehouses and other buildings, parking facilities, and storage yards that would result in the permanent removal of approximately 16.14 acres and the temporary disturbance of approximately 3.48 acres of "cultivated land" which provides suitable foraging habitat for these species. Construction activities would result in a temporary increase in human presence and noise, which could alter foraging patterns in and near the proposed Project area. Indirect impacts to Swainson's hawk and white-tailed kite could include a degradation of suitable foraging habitat through the introduction of non-native invasive weeds, accidental hazardous spills, sedimentation and erosion, excessive glare from nighttime lighting, or fugitive dust.

In order to offset direct and indirect impacts associated with the permanent removal of 16.14 acres and temporary disturbance to 3.48 acres of suitable foraging habitat for Swainson's hawk and white-tailed kite, the proposed Project proponent is required to provide compensatory mitigation pursuant to the Yolo HCP/NCCP.

In addition to payment of applicable compensatory fees, the Yolo HCP/NCCP requires the implementation of specific AMMs that have been identified for the proposed Project to minimize and/or avoid potential direct and indirect impacts to covered species and their habitat. These include AMM1 (Establish Buffers), AMM3 (Confine and Delineate Work Area), AMM4 (Cover Trenches and Holes During Construction and Maintenance), AMM5 (Control Fugitive Dust), AMM6 (Conduct Worker Training), AMM7 (Control Nighttime Lighting of Project Construction Sites), AMM8 (Avoid and Minimize Effects of Construction Staging Areas and Temporary Work Areas), and AMM16 (Minimize Take and Adverse Effects on Habitat of Swainson's Hawk and White-Tailed Kite). These measures require performing planning-level surveys, establishing appropriate buffers, and implementing general practices to avoid and/or minimize impacts to covered species, including Swainson's hawk and white-tailed kite. Implementation of the required AMMs would reduce impacts to Swainson's hawk and white-tailed kite to less than significant.

For special-status species not covered under the Yolo HCP/NCCP, such as northern harrier and pallid bat, construction and operation and maintenance activities associated with the proposed Project could potentially result in similar direct and indirect impacts, should these species occur. Implementation of the required AMMs would avoid and/or minimize impacts to species not covered under the Yolo HCP/NCCP, including northern harrier and pallid bat.

To further minimize potential direct and indirect impacts to special-status wildlife species, additional mitigation measures are proposed. These include MM BIO-1 (Implement a Supplemental WEAP), MM BIO-2 (Conduct Periodic Biological Monitoring), MM BIO-3 (Limit Disturbance to Nesting Birds), and MM BIO-4 (Implement Weed Control Measures). Implementation of MM BIO-1 through MM BIO-4 would provide supplemental training to protect special-status wildlife and their habitat, biological monitoring, additional protection for nesting birds, and weed control measures. Additionally, MM AQ-1 (Construction Fugitive Dust Control), development of Stormwater Pollution Prevention Plans, and development of a Hazardous Materials Business Plan and Risk Management Plan would be implemented to ensure that impacts associated with excessive dust, erosion and sedimentation, and storage and use of hazardous materials are minimized and/or avoided. For the full text of MM AQ-1, see Section 5.3.

With the implementation of the required AMMs and the proposed mitigation measure, impacts to special-status species would be less than significant.

Critical Habitat for Listed Species

There is no USFWS-designated Critical Habitat for listed plant or wildlife species within or adjacent to the proposed Project area. Impacts to Critical Habitat for listed species would not occur and no mitigation is required.

Nesting Birds

Nesting native birds, regardless of conservation status, are protected by the federal MBTA and State Fish and Game Code sections 3503, 3503.5, and 3513. Potential nesting sites in the proposed Project area and surrounding lands for native bird species may include structures, landscaped yards, and ground vegetation. Implementation of the proposed Project AMMs and mitigation measures discussed above would avoid and/or minimize direct and indirect impacts to nesting native birds.

b. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

LESS THAN SIGNIFICANT. The Yolo HCP/NCCP designates dryland crops occurring in and around the proposed Project area as a "cultivated land seminatural community." As such, this land cover type is provided coverage under the Yolo HCP/NCCP. The Yolo HCP/NCCP identifies broadly defined impacts to all natural communities that could occur due to the development of covered activities in the plan area. These include habitat loss and fragmentation and reductions in habitat function. The Yolo HCP/NCCP indicates that covered activities, such as the proposed Project, will convert natural communities to developed land, thereby reducing the extent of each natural community and resulting in a loss of habitat for native species. It also states that covered activities could result in fragmentation of the remaining natural communities, contributing to the loss of the ecological integrity of large natural community blocks, ecosystem function, biological diversity, and habitat connectivity for native species. In addition to removing and fragmenting natural communities, the Yolo HCP/NCCP concludes that construction and operation and maintenance activities could lead to potential direct, and indirect, temporary and permanent effects on adjacent natural communities due to development of covered activities.

The proposed Project would result in the permanent removal of 16.14 acres and temporary disturbance to 3.48 acres of land designated by the Yolo HCP/NCCP as a "cultivated land seminatural community". These impacts would be offset through required compensatory mitigation pursuant to the Yolo HCP/NCCP requirements and the implementation of the proposed Project-specific AMMs listed above. Participation

under the Yolo HCP/NCCP would provide adequate coverage and reduce impacts to less than significant. No additional mitigation is required.

c. Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) either individually or in combination with the known or probable impacts of other activities through direct removal, filling, hydrological interruption, or other means?

NO IMPACT. There were no state or federally protected wetlands or other waters of the U.S. or waters of the State that would meet jurisdictional requirements under Sections 401 and 404 of the CWA or under Sections 1600-1616 of the California Fish and Game Code identified during a Determination of Waters of the U.S. conducted for the proposed Project. Therefore, impacts to state and federally protected wetlands would not occur and no mitigation is required.

d. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED. The proposed Project area is located within a facility composed of developed structures and agricultural fields. Project construction would be temporary within a delineated work area and would not impede the movement of wildlife in the local area or the overall regional landscape.

Participation in the Yolo HCP/NCCP requires compensatory fees to offset potential direct and indirect effects to covered species and their habitat. The Yolo HCP/NCCP also requires the implementation of project-specific AMMs to minimize and/or avoid impacts to covered species and their habitat. To ensure that impacts associated with the movement of any native resident or migratory wildlife species or migratory wildlife corridors would be less than significant, the proposed Project would be seeking coverage under participation with the Yolo HCP/NCCP. Additionally, proposed Mitigation Measures BIO-1 through BIO-4 would be implemented to further reduce impacts to less than significant.

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

NO IMPACT. The proposed Project area is located in unincorporated Yolo County. While there are no applicable local ordinances, the Yolo County Oak Woodland Conservation and Enhancement Plan was established to promote voluntary efforts to conserve and enhance the County's existing oak woodlands and trees (Yolo County, 2007). There are no oak woodlands or trees that would be removed during proposed Project construction. As such, impacts associated with conflicts with local policies and ordinances would not occur and no mitigation is required.

f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional, or State habitat conservation plan?

NO IMPACT. Consistent with the Yolo HCP/NCCP requirements for private projects within the planning area, an initial application package (as described in Section 5.4.1, above) was submitted to the Yolo Habitat Conservancy (Permittee) in May 2020 to seek "take" coverage under the Yolo HCP/NCCP.

In order to conform with the authorized take coverage under the Yolo HCP/NCCP, the proposed Project proponent will provide mitigation fees to compensate for a total of 16.14 acres of permanent impacts and 3.48 acres of temporary impacts to cultivated land. Furthermore, the proposed Project proponent shall

implement the HCP/NCCP AMMs identified for the proposed Project during the application process. These are presented in detail in Section 5.4.1 and include AMM1 (Establish Buffers), AMM3 (Confine and Delineate Work Area), AMM4 (Cover Trenches and Holes during Construction and Maintenance), AMM5 (Control Fugitive Dust), AMM6 (Conduct Worker Training), AMM7 (Control Nighttime Lighting of Project Construction Sites), AMM8 (Avoid and Minimize Effects of Construction Staging Areas and Temporary Work Areas), and AMM16 (Minimize Take and Adverse Effects on Habitat of Swainson's Hawk and White-Tailed Kite). Through participation in the HCP/NCCP application process, compensation of mitigation fees, and implementation of the applicable AMMs, the proposed Project would not conflict with the provisions of the HCP/NCCP and there would be no impact. No additional mitigation is required.

Mitigation Measures

MM BIO-1 **Implement a Supplemental Worker Environmental Awareness Program (WEAP).** A qualified biologist(s) shall conduct a supplemental biological WEAP for all Project personnel before any construction or activities within the Project area. This training may be conducted in conjunction with other WEAP training. The WEAP shall include discussions of Project permits and brief summaries of their conditions; discussions of agency involvement, their applicable sensitivity measures, and relevant environmental protection legislation (e.g., the Endangered Species Act, the Migratory Bird Treaty Act); descriptions of special-status species and other sensitive resources that could exist in the Project area, along with their locations, legal status and protections; and a review of all measures to be implemented for avoidance of these sensitive resources. Training materials and briefings shall also include the consequences of non-compliance with Project requirements and legal regulations; identification and value of biological species and significant habitat; a contact person in the event of the discovery of a dead or injured animal.

A discussion on general practices should include topics such as appropriate work limits, avoiding the spread of non-native plant species, wildlife avoidance, and trash and debris collection.

The WEAP will supplement the training required under AMM6 (Conduct Worker Training) and shall be conducted for all Project personnel present for the start of construction. If new crew members arrive to the Project after this time, they shall take part in the WEAP before beginning construction work. All Project personnel who have completed the WEAP shall submit their names to a list to be updated continuously and furnished to the agencies upon request.

MM BIO-2 **Conduct Weekly Biological Monitoring.** A qualified biological monitor(s) shall conduct weekly inspections throughout the duration of construction activities. The biological monitor(s) duties shall include routinely inspecting work areas for the presence of wildlife; establishing appropriate buffers around biologically sensitive resources; and, monitoring activities to ensure compliance with all applicable mitigation measures and permit conditions. The biological monitor will not direct construction crews; however, will have the authority to stop work if a sensitive biological resource may be adversely affected by construction activities until avoidance measures have been effectively implemented. The biological monitor(s) shall prepare weekly monitoring reports and provide those reports to the relevant agencies upon request.

MM BIO-3 **Limit Disturbance to Nesting Birds.** Preconstruction surveys for nesting birds shall be conducted by a qualified biologist(s) within seven days of any Project-related activities if Project activities are scheduled to occur during the breeding season (February 1 to August 15). The preconstruction surveys shall be conducted in all areas within 500 feet of the Project footprint, including temporary staging yards and access roads. The 500-foot survey area may be adjusted to reflect existing conditions (e.g., public roadways, private parcels) at the discretion of the qualified biologist(s).

If breeding birds with active nests are found, a biological monitor shall establish a 300-foot no-disturbance buffer around the nest, and no activities will be permitted within the buffer until the young have fledged or the nest fails. The 300-foot buffer may be adjusted to reflect existing conditions, including ambient noise, topography, and routine human disturbance at the discretion of the qualified biologist. The 300-foot buffer only applies to non-listed bird species and for bird species that are not covered under the Yolo HCP/NCCP. For listed bird species and bird species covered under the Yolo HCP/NCCP (i.e., Swainson's hawk and white-tailed kite), buffers consistent with AMM16 (Minimize Take and Adverse Effects on Habitat of Swainson's Hawk and White-Tailed Kite) would be implemented. Any buffer reductions associated with listed bird species and species covered under the Yolo HCP/NCCP would require additional coordination and/or approvals through the applicable agencies (e.g., CDFW, Yolo Habitat Conservancy).

MM BIO-4 **Implement Weed Control Measures.** Methods to minimize the potential transport and introduction of non-native weeds into the proposed Project area shall be implemented. These shall include washing all construction vehicles and equipment of dirt and mud that could contain weed seeds, roots, or rhizomes prior to arriving into any Project work areas. Vehicles (e.g., pickup trucks) that will be frequently entering and exiting work areas shall be inspected and washed on an as-needed basis. Tools such as chainsaws, hand clippers, pruners, etc. shall be cleaned of dirt and mud before entering any work areas. All washing shall occur offsite. A wash log shall be kept stating the date and time, types of equipment, methods used, and responsible personnel. This log would be made available to applicable agencies upon request.

Erosion control materials (e.g., fiber rolls, hay bales, etc.) and fill material (e.g., soil, gravel, mulch, etc.) must be certified weed-free prior to arriving in any work areas. Storage or disposal of mulch or green waste onsite shall be prohibited. Mulch or green waste that may contain weed materials shall be removed from the site in a covered vehicle to prevent seed dispersal and transported licensed landfill or composting facility.

Biological Resources Impact Conclusions

The 69-acre agricultural parcel contains approximately 4.25 acres of developed area, and 64.75 acres of cultivated wheat fields. The parcel falls within the Willow Slough Basin Planning Area of the overall Yolo Habitat Conservation Plan/Natural Community Conservation Plan Area (Yolo HCP/NCCP). Currently, the Yolo County Land Trust and City of Woodland hold a 45-acre Swainson's hawk (*Buteo swainsoni*) conservation easement on the central and eastern portion of the parcel.

In addition to payment of applicable compensatory fees, the Yolo HCP/NCCP requires the implementation of specific AMMs that have been identified for the proposed Project to minimize and/or avoid potential direct and indirect impacts to covered species and their habitat. These measures require performing planning-level surveys, establishing appropriate buffers, and implementing general practices to avoid

and/or minimize impacts to covered species, including Swainson's hawk and white-tailed kite. Implementation of the required AMMs would reduce impacts to Swainson's hawk and white-tailed kite to less than significant. For special-status species not covered under the Yolo HCP/NCCP, such as northern harrier and pallid bat, implementation of the required AMMs would avoid and/or minimize impacts to these species.

To further minimize potential direct and indirect impacts to special-status wildlife species, additional mitigation measures are proposed in this section. Additionally, MM AQ-1 (Construction Fugitive Dust Control), implementation of SWPPPs, and implementation of a Hazardous Materials Business Plan and Risk Management Plan would ensure that impacts associated with excessive dust, erosion and sedimentation, and storage and use of hazardous materials are minimized and/or avoided. With the implementation of the required AMMs and the proposed mitigation measures, impacts to special-status species would be less than significant.

5.5 Cultural Resources

CULTURAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☒	☐	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c. Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

Significance criteria established by CEQA Guidelines, Appendix G.

5.5.1 Setting

Approach to Analysis of Cultural Resources and Previous Cultural Resources Studies

Cultural resources reflect the history, diversity, and culture of the region and the people who created them. They are unique in that they are often the only remaining evidence of activity that occurred in the past. Cultural resources can be natural or built, purposeful or accidental, physical or intangible. They encompass archaeological, traditional, and built environmental resources, including buildings, structures, objects, districts, and sites.

Information presented in this section, and the subsequent analysis, was based on the information presented in a report entitled *Cultural Resources Inventory Survey, Wilbur-Ellis Development Project, circa 69 acres, Yolo County, California* by Sean Michael Jenson (Jensen, 2020). It was provided to Yolo County as Confidential Appendix D.

Cultural Resources Study Area

The Project is located at 38001 County Road 27, Woodland, California, and would be constructed on a portion of a 69-acre parcel (Project area). An archaeological record search and an intensive pedestrian survey were conducted as part of the cultural resources inventory. The record search was conducted at the California Historical Resources Information System (CHRIS) Northwest Information Center (NWIC) on May 15, 2020, which consisted of a records check of the Project area plus a 0.25-mile radius (Study Area) centered around the Project area. The intensive pedestrian survey of the Project area was conducted on May 20, 2020 (Jenson, 2020).

Cultural Record Search Results

The record search revealed that six previously conducted studies have been completed within the Study Area. Only a small portion of the Project area had been previously surveyed, immediately adjacent to the east side of County Road 98. One historic era resource was previously documented within the Study Area. However, no previously recorded historic or prehistoric aged resources have been documented within the Project area (Jensen, 2020).

Pedestrian Survey

The intensive pedestrian survey of the Project area was conducted on May 20, 2020 by Principal Investigator Sean Michael Jensen, M.A. The survey was conducted by walking 30-meter-wide transects. Mr.

Jensen examined the ground surface for the presence of prehistoric artifacts, historic-era artifacts, sediment discolorations that could indicate the presence of cultural features, and depressions or other features that could indicate the presence of structures or foundations. Mr. Jensen observed that the entire Project area had been previously disturbed by agricultural development. At the time of the survey, Mr. Jensen noted that approximately 90% of the Project area consisted of cultivated grain crops and the western portion of the Project area contained numerous sheds, buildings, parking areas, and utilities (Jensen, 2020).

No prehistoric or historic-era resources were observed during the survey.

Native American Heritage Commission

An information request letter was sent to the Native American Heritage Commission (NAHC) on May 8, 2020 requesting a search of their Sacred Lands Files, and a list of Native American Contacts, for the Project area. The NAHC sent the results on May 11, 2020, indicating a search of their Sacred Lands Files was negative (Jensen, 2020).

Environment

The Project area is within a Mediterranean climate region consisting of hot, dry summers and mild, wet winters, receiving an average of 20 to 25 inches of rainfall per year. Summer temperatures average around 75°F, with a high of 90°F. Winter months are generally mild, with temperatures between 40°F and 50°F (Jensen, 2020).

The Project site is located on a parcel that encompasses 69 acres located in the Sacramento Valley, which is characterized as a northwest-southeast trending trough containing both marine and non-marine sediment deposits. The Sacramento Valley is bordered by the Coast Range to the west, the Klamath and Cascade ranges to the north, the Sierra Nevada mountains to the east, and the Sacramento–San Joaquin Delta to the south. In the vicinity of the Project area, geologic formations that have been established over the last several million years include the Tehama Formation of the Vacaville Assemblage, the Montezuma Formation, and the Dry Slough (Jensen, 2020).

Currently, approximately 45 acres of the Project area supports agricultural production. Vegetation within the Project area is dominated by agricultural and ruderal plant communities. No native plant species were observed during the pedestrian survey (Jensen, 2020).

Prehistory

Human populations have occupied the southern San Joaquin Valley for at least 10,000 years (Moratto, 1984). However, little is known about the prehistory of the region. In part, this is the result of natural processes that have buried or eroded many sites. The most recent synthetic discussion of the archaeology and culture-historical sequence of the southern San Joaquin Valley comes from Jones and Klar's (2007) review of California archaeology.

Paleo-Indian (11,550 to 8550 cal BC). The Paleo-Indian period begins with the first human occupation of California. Sites from this time period are characterized by lanceolate bifaces. Paleo-Indian finds are rare and mostly consist of isolated artifacts without clear stratigraphic associations but are understood to represent the earliest occupants in the New World.

Lower Archaic (8550 to 5550 cal BC). The Lower Archaic is characterized by widespread erosion that created a clear stratigraphic boundary between the Late Pleistocene and Holocene. It is primarily

represented by isolated finds of distinctive stemmed projectile points and other flaked stone tools such as stone crescents.

Middle Archaic (5550 to 550 cal BC). The Middle Archaic (Windmiller Pattern) is marked by a dramatic increase in temperatures that resulted in the shrinking and complete disappearance of regional lakes. In general, this time period is associated with a shift to mortar and pestle, more intensive subsistence practices, greater residential stability, the increasing importance of fishing, basketry, simple pottery and clay objects, and the establishment of extensive exchange networks for obsidian and for *Olivella* shell beads. These sites have evidence of year-round occupation and a distinct pattern of extended burial treatment.

Upper Archaic (550 cal BC to AD 1100). The Upper Archaic was cooler and wetter than the Middle Archaic. Subsistence practices within the valley emphasized a heavy reliance on acorns; at the valley edge acorns were supplemented with pine nuts. Specialized craft production became more common and expanded to include production of bone tools, shell beads, obsidian tools, and ground stone. Upper Archaic sites in the Sacramento Delta are characterized by large, mounded villages, flexed burials and a long-term residential pattern, which may have replaced the earlier Windmiller Pattern.

Emergent (cal AD 1100 to 1769). During this time (also called the Augustine Pattern), large populous mound villages were established along river channels and sloughs. These communities invested in the construction of fish weirs and became increasingly dependent on fishing, small seeds, and plant harvesting. The local production of shell beads also became common, indicating the adoption of beads as a monetized system of exchange. Between AD 1100 and 1300 the bow and arrow replaced the atlatl.

Ethnography

The Project area is located within the traditional territory claimed by the California Native American group known as the Patwin, or southern Wintu. The Patwin inhabited lands include almost the entire Yolo County. As with most of the hunting-gathering groups of California, the tribelet represented the basic social and political unit. Typically, a tribelet headman would reside in a major village where ceremonial events were often held. The position of tribelet headman was patrilineally inherited among the Patwin. The headman's main duties involved administering ceremonial events and economic activities, although village elders had considerable influence over political matters. The Patwin constructed four types of structures, all occurring in or around the villages: dwellings, ceremonial dance houses, sweat houses, and menstrual huts. All of these were semi-subterranean, earth-covered structures. The Patwin economy was based principally on the use of natural resources from the riparian corridors, wetlands, and grasslands adjacent to the Sacramento River and along drainages of the North Coast Range. The family was the basic subsistence unit that used this resource mosaic.

The Patwin relied on riparian and wetland resources, and fish, shellfish, and waterfowl were important sources of dietary protein. The majority of important plant resources in the Patwin diet came from the grasslands of the Sacramento River floodplain and the woodlands of the Coast Range foothills. Acorns were a staple food of all of the Patwin tribelets. The processed meal was then used to make a gruel or bread. A number of seed plants were also important secondary food sources, such as sunflower, wild oat, alfilaria, clover, and bunchgrass.

Regional History

The historic period of California can be broken into three periods: the Spanish Period, the Mexican Period, and the American Period.

Spanish Period (1769 to 1821). Starting in 1769, at what would become San Diego, Spain sought to reinforce its claims to California, as a territory of Mexico by establishing a series of missions to pacify and Christianize the Indians, with the object of making them stable, tax-paying citizens of Mexico. The Central Valley was explored by Spaniards as early as 1808. During the early 1800s, the region was also explored by hunters and trappers who found the banks of the rivers and streams rich with beaver and otter. They used to "cache" their pelts near Cache Creek, hence the name.

Mexican Period (1821 to 1848). Mexico gained its independence from Spain in 1821, and Alta California became one of the provinces of the new Republic of Mexico. After the government secularized the missions, starting in 1834, the Mexican governors of California began making large rancho grants of former mission lands to Mexican citizens, particularly to soldiers and members of prominent families who had financed various government initiatives. Yolo County's first land grant, Rancho Rio de los Putos, was established along Putah Creek in 1842.

American Period (1848 to the Present). California became part of the United States as a consequence of the 1846–1847 Mexican War and was admitted as a state in 1850. The Gold Rush transformed Yolo County from an isolated farming community to a booming agricultural region, as disenchanted miners realized they could make a greater fortune through farming and ranching rather than gold prospecting.

AB 52 Consultation

On October 13, 2020, Yolo County sent a request for an AB 52 consultation to the Yocha Dehe Wintun Nation, Wilton Rancheria, Cortina Rancheria Band of Wintun Indians, Ione Band of Miwok Indians, and Torres Martinez Desert Cahuilla Indians. The Yocha Dehe Wintun Nation responded with a letter dated October 12, 2020, advising that they were not aware of any cultural resources near the project site and a cultural monitor was not needed. The Tribe requested Cultural Sensitivity Training for project workers and to be contacted should any new information become available or remains or cultural items found.

5.5.2 Environmental Impacts and Mitigation Measures

a. Would the project cause a substantial adverse change in the significance of an historical resource pursuant to §15064.5 [§15064.5 generally defines* historical resource *under CEQA]?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED. The record search and intensive pedestrian survey did not identify any known historical resources in the Project area. However, ground disturbing activity, such as grading, trenching, or excavations, has the potential to impact unknown buried resources that may be considered significant under CEQA. Implementation of Mitigation Measures CUL-1, CUL-2, and CUL-3 would reduce impacts to unknown resources to a less than significant level.

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED. The record search and intensive pedestrian survey did not identify any known historical resources in the Project area. However, ground-disturbing activity, such as grading, trenching, or excavations, has the potential to impact unknown buried resources that may be considered a unique archaeological resource per CEQA. Implementation of MMs CUL-1, CUL-2, and CUL-3 would reduce impacts to unknown resources to a less than significant level.

c. Would the project disturb any human remains, including those interred outside of formal cemeteries?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED. No known human remains, or informal, undocumented cemeteries were identified within the Project area as a result of the record search, archival research, NAHC Sacred Lands File Search, or intensive pedestrian survey. In the unlikely event unknown buried human remains are encountered during ground disturbing activity, the implementation of mitigation measures MM CUL-1, MM CUL-2, and MM CUL-3 would reduce potential impacts to a less than significant level.

Mitigation Measures

MM CUL-1 **Worker Environmental Awareness Program.** Prior to the initiation of construction, all construction personnel shall be trained by a qualified archaeologist meeting federal criteria under 36 CFR 61 and a member of the Yocha Dehe Wintun Nation-regarding the recognition of possible buried cultural resources (i.e., prehistoric and/or historical artifacts, objects, or features) and protection of all archaeological resources during construction. Training shall inform all construction personnel of the procedures to be followed upon the discovery of cultural materials. All personnel shall be instructed that unauthorized removal or collection of artifacts is a violation of State law. Any excavation contract (or contracts for other activities that may have subsurface soil impacts) shall include clauses that require construction personnel to attend the Workers' Environmental Awareness Program, so they are aware of the potential for inadvertently exposing buried archaeological deposits.

MM CUL-2 **Inadvertent Discovery of Historical Resources, Unique Archaeological Resources or Tribal Cultural Resources.** If previously unidentified cultural resources are uncovered during construction activities, construction work within 50 feet of the find shall be halted and directed away from the discovery until a Secretary of the Interior qualified archaeologist assesses the significance of the resource. The archaeologist, in consultation with the County, the Yocha Dehe Wintun Nation, and any other responsible public agency, shall make the necessary plans for treatment of the find(s) and for the evaluation and mitigation of impacts if the find(s) is found to be eligible to the National or California Registers, qualify as a unique archaeological resource under CEQA (PRC §21083.2), or is determined to be tribal cultural resource as defined in PRC §21074.

MM CUL-3 **Treatment of Human Remains.** All human remains discovered are to be treated with respect and dignity. Upon discovery of human remains, all work within 50 feet of the discovery area must cease immediately, nothing is to be disturbed, and the area must be secured. The County Coroner's Office must be called. The Coroner has two working days to examine the remains after notification. The appropriate land manager/owner of the site is to be called and informed of the discovery. It is very important that the suspected remains, and the area around them, are undisturbed and the proper authorities called to the scene as soon as possible, because it could be a crime scene. The Coroner would determine if the remains are archaeological/historic or of modern origin and if there are any criminal or jurisdictional questions.

After the Coroner has determined that the remains are archaeological/historic-era, the Coroner would make recommendations concerning the treatment and disposition of the remains to the person responsible for the excavation, or to his or her authorized representative. If the Coroner believes the remains to be those of a Native American, he/she

shall contact the Native American Heritage Commission (NAHC) by telephone within 24 hours.

The NAHC would immediately notify the person it believes to be the most likely descendant (MLD) of the remains. The MLD has 48 hours from the time given to access the site to make recommendations to the landowner for treatment or disposition of the human remains. If the descendant does not make recommendations within 48 hours, the landowner shall reinter the remains in an area of the property secure from further disturbance. If the landowner does not accept the descendant's recommendations, the owner or the descendant may request mediation by NAHC.

According to the California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and willful disturbance of human remains is a felony (Section 7052).

Cultural Resources Impact Conclusions

The record search and intensive pedestrian survey did not identify any known historical resources in the Project area. However, ground disturbing activity, such as grading, trenching, or excavations, has the potential to impact unknown buried resources that may be considered a unique archaeological resource per CEQA. Implementation of MM CUL-1, MM CUL-2, and MM CUL-3 would reduce impacts to unknown resources to a less-than-significant level.

5.6 Energy

ENERGY **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

Significance criteria established by CEQA Guidelines, Appendix G.

5.6.1 Setting

Power is generated in the County from a variety of sources including fossil fuels, natural gas fields, hydroelectric facilities, solar energy, hydrogen fuels, and biofuels. Natural gas is actively produced from 25 gas fields located over the entire County, and there is also a storage area known to hold a maximum capacity of 3.25 billion cubic feet of natural gas. The Yolo County Flood Control and Water Conservation District operates two hydroelectric plants in Lake County, with a combined capacity of 4,750 kilowatts. The County also hosts two waste-to-energy facilities that operate on biofuels such as agricultural and wood wastes as well as landfill gas.

The proposed Project is within the PG&E service area. However, Yolo County has a community choice aggregator (CCA), Valley Clean Energy (VCE), which will provide electricity to the site. The projected electrical demand of the Project is unknown at this point, but it is anticipated that electrical supply will need to be increased for expansion of structures and lighting at the facility. Minimal natural gas usage is expected and would only be used for heating purposes.

Regulatory Background

State

Senate Bill 100 (SB 100) calls for 100 percent of all electricity sold in California to be generated from renewable sources by the year 2045.

Assembly Bill 32 (AB 32) calls for GHG reduction strategies that include a reduction mandate to 1990 levels by 2020.

Executive Order B-30-15 established a new interim statewide GHG emission reduction target to reduce GHG emissions to 40 percent below 1990 levels by 2030, to ensure California meets its target of reducing GHG emissions to 80 percent below 1990 levels by 2050.

California Energy Efficiency Standards for Residential and Nonresidential Buildings—Green Building Code (2011), Title 24 Update (2014). The California Green Buildings Standards Code applies to planning, design, operation, construction, use, and occupancy of newly constructed buildings and requires installation of energy- and water-efficient indoor infrastructure. The related waste management plan is required to allow for diversion of 50 percent of the generated waste away from the landfill.

Title 20 Appliance Efficiency Program. The California Energy Commission (CEC) first developed the Appliance Energy Efficiency Standards in 1977. They apply to appliances sold or offered for sale in California. These standards include minimum levels of operating efficiency, and other cost-effective measures, to promote the use of energy- and water-efficiency appliances. Appliances included under this program include air conditioners, heat pumps, computers, landscape irrigation equipment, lighting products, and others.

Local

Yolo County General Plan. The following policies are presented in the Yolo County General Plan, Conservation and Open Space Element (Yolo County, 2009):

Policy CO-7.3 Require all projects to incorporate energy-conserving design, construction, and operation techniques and features into all aspects of the project including buildings, roofs, pavement, and landscaping.

Policy CO-7.6 Encourage the use of building materials and methods that increase energy efficiency a minimum of 15 percent beyond State Title-24 standards for residential buildings and 20 percent beyond State Title 24 standards for commercial buildings.

Policy CO-7.9 Require that new site and structure designs maximize energy efficiency.

The following policies are presented in the Yolo County General Plan, Land Use and Community Character Element (Yolo County, 2009):

Policy CC-4.1 Reduce dependence upon fossil fuels, extracted underground metals, minerals and other non-renewable resources by:

- Requiring projects to take advantage of shade, prevailing winds, landscaping and sun screens to reduce energy use.
- Encouraging projects to use regenerative energy heating and cooling source alternatives to fossil fuels.
- Encouraging projects to select building materials that require less energy-intensive production methods and long-distance transport, in compliance with Leadership in Energy and Environmental Design (LEED) or equivalent standards.

Policy CC-4.6 Encourage all new residences to exceed Title 24 energy standards by at least 15 percent, and encourage all new commercial buildings to exceed Title 24 by at least 20 percent.

Policy CC-4.7 Require energy efficient design for all buildings.

Policy CC-4.12 Require "green" design, construction and operation including:

- Site planning sensitive to the natural environment.
- Efficiency in resource use (including energy, water, raw materials and land).
- Building reuse and adaptive reuse.
- Selection of materials and products based on their life-cycle environmental impacts.
- Use of materials and products with recycled content.
- Use of materials provided from within the region.
- Recycling of construction and demolition waste.
- Reduction in the use of toxic and harmful substances in the manufacturing of materials and during construction.
- Use of passive and active solar strategies and efficient heating and cooling technologies.
- Reduction in water use for buildings and landscaping.
- Light pollution reduction to protect "dark skies."
- Improvements to interior and exterior environments leading to increased health, comfort and productivity.
- Facility maintenance and operational practices that reduce or eliminate harmful effects on people and the natural environment during occupancy.
- Water reuse systems
- Other systems to capture energy sources that would otherwise be wasted.

Yolo County Climate Action Plan. The Yolo County Climate Action Plan (CAP) establishes a goal to reduce 2008 emissions back to the 1990 estimated levels. It establishes 15 programs to achieve this target. Among them is to increase the use of renewable energy generation.

Valley Clean Energy. Valley Clean Energy Alliance (VCE), formed in June 2018, is the CCA Joint Powers Authority that procures energy for customers in the cities of Davis, Woodland, and unincorporated Yolo County. Like all CCAs, VCE is an "opt out" program. Residents and businesses within its service area are automatically enrolled in VCE but have the option to opt out of the program and return to PG&E for generation service at any time. The power provided by VCE is delivered with a PG&E distribution system, which customers pay for. VCE is able to pool the electricity demands of its service area, purchase power from local renewable energy sources, and resell that electricity within its service area. It is VCE's intent to purchase more electricity from clean energy sources than PG&E at prices that remain at or below PG&E's rates.

5.6.2 Environmental Impacts and Mitigation Measures

a. Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

LESS THAN SIGNIFICANT IMPACT. The short duration of construction for this project is not expected to result in wasteful, inefficient, or unnecessary consumption of energy resources. Construction equipment and deliveries to the Project site would require consumption of an insignificant amount of fossil fuels. The purpose of the Project is to consolidate and close two pre-existing agricultural retail facilities into a single, larger, more-centralized location at a site that was previously in use by a seed research campus facility. The consolidation of two sites at a location with existing administrative buildings, warehouses, and other facilities would create efficiencies and reduce net energy consumption of Wilbur-Ellis's operations. Additionally, the Project would comply with Title 24 building standards for energy efficiency and use energy-efficient appliances approved under Title 20. Outdoor lighting will consist of energy-efficient LED fixtures; and Wilbur-Ellis has committed to turn-off lighting that is not required for safety or security when it is not in use. Additionally, the centralized location relative to their customer base would reduce fossil fuels required for transportation and deliveries of materials to the facility and distribution to their customers. Therefore, neither construction nor operation would result in significant energy impacts.

b. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

NO IMPACT. As stated above, the Project would require energy for construction and operation and maintenance of the facility. However, the energy consumption is not expected to be significant over baseline conditions. Policy CO-7.3 requires all Projects to incorporate energy-conserving design, construction, and operation techniques into all aspects of the Project. It is expected that Wilbur-Ellis would construct the facility in the most energy-efficient manner using the most energy-conserving materials. Additionally, Wilbur-Ellis would comply with any specific standards set forth by Yolo County as part of the building permit process. Activities and components of the agricultural retail facility would not conflict with, or obstruct, a State or local plan for renewable energy or energy efficiency.

Energy Impact Conclusions

No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

5.7 Geology and Soils

GEOLOGY AND SOILS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c. Be located on geologic units or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☒	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?*	☐	☐	☒	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

*Geology and Soils question (d) reflects the current 2016 California Building Code (CBC), which is based on the International Building Code (2015), effective January 1, 2017. The CBC is updated every three years.
Significance criteria established by CEQA Guidelines, Appendix G.

5.7.1 Setting

Geologic Setting

Approximately 70 percent of the eastern portion of Yolo County is located in the Great Valley geomorphic province of California and consists of gently sloping to level alluvial plains. The remaining portion of the County is in the Coast Range geomorphic province. The proposed Project falls within the Great Valley geomorphic province. Geologic units in the Great Valley area generally consist of Quaternary alluvium or basin deposits, and the Quaternary Modesto and Riverbank formations, both of which consist of some-what older alluvium (LSA Associates, 2009).

The geologic mapping of the Project area being used for this report is that of Helley and Harwood (1985). Only two geologic units are mapped underlying the Project: Holocene alluvium (Qa) and Holocene basin deposits, undivided (Qb) (Figure 4). The alluvium generally consists gravel, sand, and silt and the undif-ferentiated basin deposits consist of silt and clays. The alluvium generally does not exceed 10 meters (m) in thickness, and the basin deposits may reach a thickness of as much as 60 m near the center of the valley (Helley and Harwood, 1985).

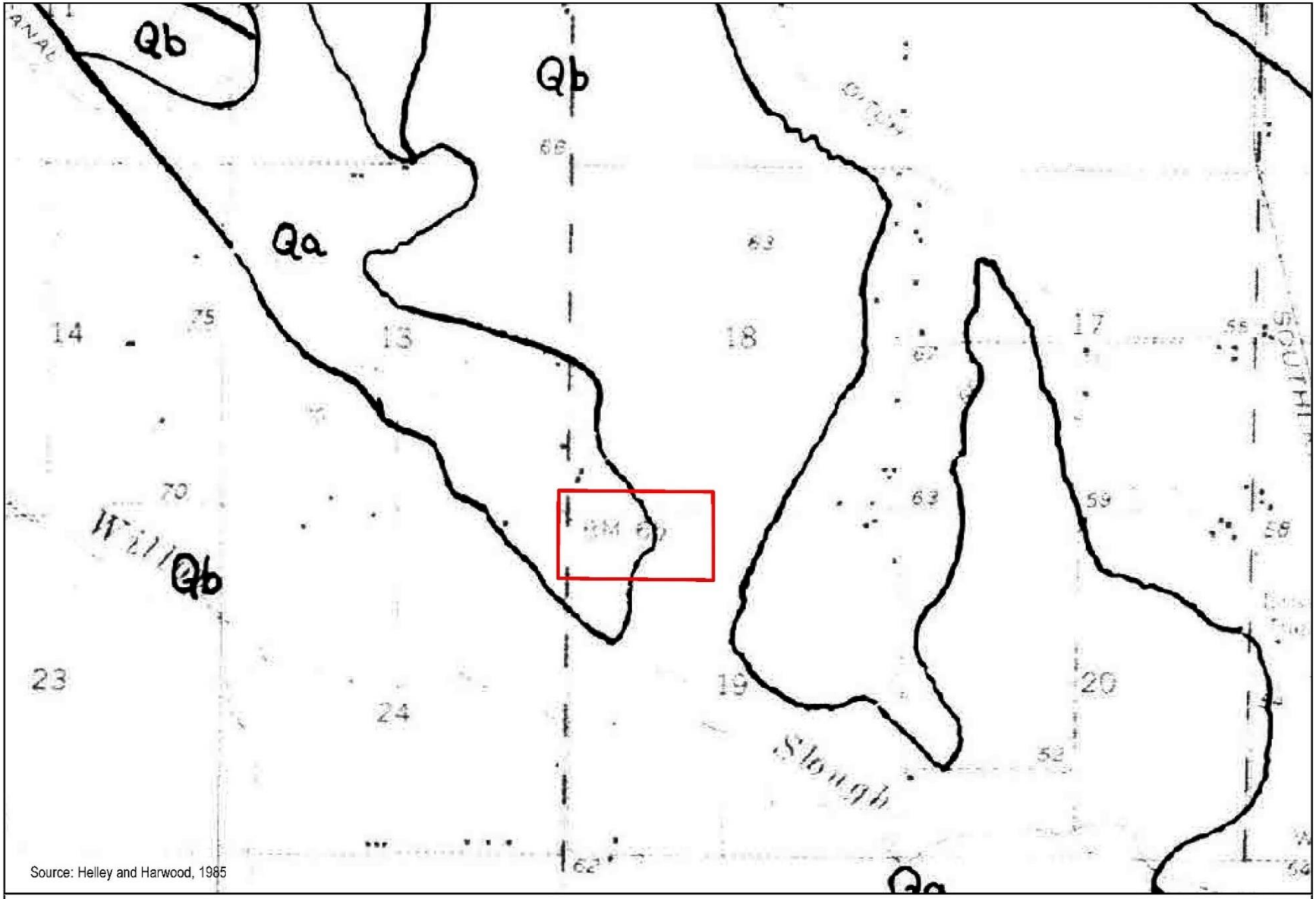

Figure 4
Geologic Units

A paleontological records search was conducted for this Project from the records of the University of California Museum of Paleontology. The closest fossil locality found was in Pleistocene sediments 3 miles southeast of the Project. The locality is in the Modesto Formation and produced seven mammal fossils and one reptile fossil.

Fault Rupture

Fault rupture is the surface displacement that occurs when movement on a fault deep within the earth breaks through to the surface. The Project site is not crossed by any known active faults (USGS, 2021) and is not located within an Alquist-Priolo Earthquake Fault Zone as shown on the State Fault Hazard Maps (CGS, 2021).

Seismicity

While Yolo County has a low probability for earthquake hazards compared to the rest of California, it would be subject to seismic hazards from earthquakes on faults both within and near the County; and thus, there is a risk of damage to structures and property as a result. Earthquakes on the major faults of the Coast Ranges and the Sierra Nevada foothills could produce ground-shaking that could affect Yolo County residents (Yolo County, 2009). Major faults in the Coast Ranges include several faults of the Great Valley thrust system, the Hunting-Berryessa fault zone, the Green Valley fault, the West Napa fault, and the Hayward-Rodger Creek fault zone. The Foothills fault system is located along the eastern edge of the Sacramento Valley in the Sierra Nevada foothills (USGS, 2021).

Faults closest to the Project site include the active Hunting Creek- Berryessa fault system, the potentially active Dunnigan Hills Fault, and several segments of the Great Valley thrust fault system. The Alquist-Priolo Earthquake Fault Zoned Hunting Creek- Berryessa fault system is located approximately 32 miles west of the Project site. The Dunnigan Fault is located approximately 5 miles west of the Project site and is considered potentially active and not considered by the California Geological Survey (CGS) as likely to generate surface rupture (LSA Associates, 2009). The Great Valley Thrust system faults are located along the western edge of the valley and are blind thrusts that do not reach the surface.

Liquefaction

Liquefaction is the rapid transformation of saturated, loose, fine-grained sediment to a fluid-like state because of earthquake ground shaking. Liquefaction occurs in areas with saturated, loose unconsolidated sediments with groundwater levels of 50 feet or less. Neither the County nor the California Geological Survey have prepared a liquefaction hazard map for Yolo County or the Project area. Liquefaction risk is expected to be relatively higher in the Great Valley portion of the County, particularly along the floodplains of streams, where the sediments are generally sandier than other areas (LSA Associates, 2009). A review of the California Department of Water Resources (CDWR) Water Data Library website indicates that water levels are shallow in the area, ranging from approximately 14 to 41 feet below ground surface for the last 10 years (CDWR, 2021).

Slope Stability

Landsliding is the natural process of relatively rapid downslope movement of soil, rock, and rock debris as a mass. The potential for and rate of landsliding is affected by the type and extent of vegetation, slope angle, degree of water saturation, strength of the rocks, and the mass and thickness of the deposit. Some of the natural causes of slope instability are earthquakes, weak materials, stream and coastal erosion, and heavy rainfall. In addition, certain human activities tend to make the earth materials less stable and increase the chance of ground failure. The Project site is located in an area of flat topography and landslides and other slope failures would not occur.

Subsidence

Subsidence, the decrease of ground elevation, has natural and human induced causes. Since the 1950s, the most common cause of subsidence in Yolo County has been groundwater withdrawal. The East Yolo subbasin area has been affected most dramatically, with communities near Zamora, Knights Landing, and Woodland having experienced damage and loss in structural integrity to highways, levees, wells, and irrigation canals (Yolo County, 2012).

Soils

Yolo County hosts an array of soil types that benefit the widespread agriculture throughout the County. Soils within the proposed Project area reflect the underlying rock type, the extent of weather of the rock, the degree of slope, and the degree of human modification. A soils report was appended to the Biological Evaluation Survey Report that was completed as part of the application materials submitted to the County for this Project. The soils report consisted of a web soil survey through the Natural Resources Conservation Service and included a total of 815.6 acres of land including and surrounding the Project site. The proposed Project is characterized by the soils included in Table 5.7-1.

Table 5.7-1. Soils in the Project Disturbance Area

Name	Geomorphic Position	Percent Slope	Drainage	Expansive
Ca – Capay silty clay, MLRA 17	Basin floors / Toeslope	0	Moderately well drained	High
St-Sycamore silty clay loam, MLRA 17	Alluvial fans	0	Somewhat poorly drained	Moderate
Ya – Yolo silt loam, MLRA 14	Alluvial fans / Toeslope	0-2	Well drained	Low

Source: NRCS Web Soil Survey and USDA Soils GIS Layer

Paleontological Resources

The Cultural Resources Section of the Yolo County General Plan EIR (Yolo County, 2009a) includes a discussion of paleontological resources and identifies known fossil localities in several geologic formations in the County, including the Pliocene Tehama Formation, Pleistocene Red Bluff Formation, undifferentiated Pleistocene alluvium, and Eocene Capay Formation. No fossil localities within Holocene units were identified and although Holocene alluvial deposits may contain vertebrate and invertebrate fossils they are generally of modern taxa and not considered paleontologically significant (Yolo County, 2009a). The proposed Project is underlain by Holocene alluvium and undivided basin deposits.

On January 12, 2021, Dr. Ken Finger provided a records search report from the records of the University of California Museum of Paleontology (Finger, 2021; see Appendix E). The closest fossil locality identified is 3 miles southeast of the Project. The identified fossil locality is in the Pleistocene Modesto Formation and produced seven mammal fossils and one reptile fossil. No fossil localities were identified by the records search report in the Holocene alluvium that underlies that Project site.

Regulatory Background

Federal

Clean Water Act. The Clean Water Act (CWA) was enacted with the intent of restoring and maintaining the chemical, physical, and biological integrity of waters of the U.S. (WOUS). The CWA established the

National Pollutant Discharge Elimination System (NPDES) permit program to regulate point-source discharges of pollutants into WOUS for construction activities that disturb one or more acres. The NPDES Program is a federal program that has been delegated to the State of California for implementation through the State Water Resources Control Board (SWRCB) and the nine Regional Water Quality Control Boards (RWQCB). The SWRCB and RWQCBs grant NPDES permits and set waste discharge requirements for stormwater runoff from construction sites through NPDES Construction General Permits. The Construction General Permit requires the implementation of a Storm Water Pollution Prevention Plan (SWPPP), which specify best management practices (BMPs) and other measures designed to avoid or eliminate pollution discharges into waters of the U.S.

State

Alquist-Priolo Earthquake Fault Zoning Act. The Alquist-Priolo Earthquake Fault Zoning Act was passed following the 1971 San Fernando earthquake. The act regulates development in California near known active faults due to hazards associated with surface fault ruptures. Alquist-Priolo maps are distributed to affected cities, counties, and state agencies for their use in planning and controlling new construction. Areas within an Alquist-Priolo Earthquake Fault Zone require special studies to evaluate the potential for surface rupture to ensure that no structures intended for human occupancy are constructed across an active fault.

Seismic Hazards Mapping Act. The Seismic Hazards Mapping Act (SHMA) was passed in 1990 following the 1989 Loma Prieta earthquake. The SHMA directs the California Geological Survey (CGS) to identify and map areas prone to liquefaction, earthquake induced landslides, and amplified ground shaking. CGS has completed seismic hazard mapping for the portions of California most susceptible to liquefaction, landslides, and ground shaking, including the central San Francisco Bay Area. The SHMA requires that agencies only approve projects in seismic hazard zones following site-specific geotechnical investigations to determine if the seismic hazard is present and identify measures to reduce earthquake-related hazards.

California Building Code. The California Building Code (CBC) prescribes standards for constructing safer buildings. The CBC contains provisions for earthquake safety based on factors including occupancy type, soil and rock profile, ground strength, and distance to seismic sources. The CBC requires that a site-specific geotechnical investigation report be prepared for most development projects to evaluate seismic and geologic conditions, such as surface fault ruptures, ground shaking, liquefaction, differential settlement, lateral spreading, expansive soils, and slope stability. The CBC is updated every three years and is based on the International Building Code; the current version is the 2019 CBC.

California Environmental Quality Act. The California Environmental Quality Act (CEQA) provides protection for paleontological resources through environmental legislation. Direction regarding significant impacts on paleontological resources is found in Appendix G of the CEQA Guidelines. The guidelines state, "Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?." Per section 5097.5 of the Public Resources Code, removing paleontological remains without authorization is unlawful and can result in a misdemeanor. In addition, Section 622.5 of the California Penal Code confirms that damage or removal of paleontological resources is a misdemeanor.

Local

County of Yolo

Action CO-A63 of the Conservation and Open Space Element of the Yolo County 2030 General Plan (Yolo County, 2009b) requires cultural resources inventories of all new development projects in areas where a

preliminary site survey indicates a medium or high potential for archaeological, historical, or paleontological resources. In addition, it requires a mitigation plan to protect the resource before the issuance of permits. Mitigation may include:

- Having a qualified paleontologist present during initial grading or trenching;
- Redesign of the project to avoid paleontological resources;
- Capping the site with a layer of fill; and/or
- Excavation and removal of the paleontological resources and curation in an appropriate facility under the direction of a qualified professional. (Policy CO-4.1, Policy CO-4.13)

Action CO-A65 of the Conservation and Open Space Element requires that when paleontological artifacts are encountered during site preparation or construction, all work within the vicinity of the discovery is immediately halted and the area protected from further disturbance.

The Health and Safety Element of the Yolo County 2030 General Plan contains the following policies relevant to geological resources.

Policy HS-1.1 Regulate land development to avoid unreasonable exposure to geologic hazards.

Policy HS-1.2 All development and construction proposals shall be reviewed by the County to ensure conformance to applicable building standards.

Policy HS-1.3 Require environmental documents prepared in connection with CEQA to address seismic safety issues and to provide adequate mitigation for existing and potential hazards identified.

Professional Standards

The Society of Vertebrate Paleontology (SVP) is an international professional organization of vertebrate paleontologists, and it has issued guidelines for adequate assessment and mitigation of adverse impact to paleontological resources. Fossils must be identifiable and must be at least 5,000 years old to be considered significant paleontological resources.

5.7.2 Environmental Impacts and Mitigation Measures

a. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

NO IMPACT. The proposed Project is not crossed by any known faults and is not in an Alquist-Priolo Earthquake Fault Zone (CGS, 2021b). The closest active fault, the Hunting Creek-Berryessa fault system, is located approximately 32 miles west of the Project site. There would be no impact as the site would not experience fault rupture from known mapped earthquake faults.

ii) Strong seismic ground shaking?

LESS THAN SIGNIFICANT IMPACT. Potential earthquake damage on the Project site would likely occur as a result of ground shaking and seismically related structural failures. The degree of this type of hazard is controlled by the nature of the underlying soil and rock materials, the magnitude of and distance from the quake,

the duration of ground motion, and the physical characteristics of the affected structure. Seismically induced shaking would be expected to occur during a major event, but damage would be no more severe in the Project area than elsewhere in the region. The proposed structures, including the warehouses, tank farm, and dry fertilizer storage building, would be built in accordance to CBC requirements to mitigate potential impacts and ensure they would be less than significant to people who may happen to be in or around the structures during any seismic event. The geological investigation required for construction permitting will provide sufficient engineering information that the foundations of the buildings and tanks would be sufficient to survive a strong seismic ground shaking with minimal damage. Therefore, potential impacts would be less than significant.

iii) Seismic-related ground failure, including liquefaction?

LESS THAN SIGNIFICANT IMPACT. The Project site is flat and would not experience seismically induced landslides or slope failures. No map of liquefaction hazard has been prepared on a Countywide basis, nor has the CGS evaluated the proposed Project area for liquefaction or landslides. The site is underlain by unconsolidated Holocene sediments with ground water levels of less than 50 feet and could potentially experience liquefaction in the event of a large regional earthquake. Design and construction of the Project would comply with all applicable CBC requirements, and final Project design would incorporate all design recommendations from the site-specific geotechnical investigation as required for construction permitting. Therefore, potential impacts would be less than significant.

iv) Landslides?

NO IMPACT. The California Department of Conservation has not evaluated the proposed Project area for landslides. However, the proposed Project location is flat and has a very low risk for landslides. Construction of the Project would not create a risk to people or structures from potential landslides.

b. Would the project result in substantial soil erosion or the loss of topsoil?

LESS THAN SIGNIFICANT. Construction activities associated with the Project including excavation, trenching, and grading may temporarily increase sedimentation and erosion by exposing soils to wind and runoff until construction is complete. However, the Project would be subject to construction-related stormwater permit requirements under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (State General Permit). The State General Permit requires the preparation of a SWPPP, which would include best management practices for stormwater quality control, including soil stabilization practices, sediment control practices, and wind erosion control practices.

The proposed Project would be required to obtain coverage under the Industrial General Permit for Storm Water Discharges Associated with Industrial Activities (Order 2014-0057-DWQ) to comply with Clean Water Act NPDES requirements. These discharge requirements would include preparation of a SWPPP for operation and maintenance of the facility. The SWPPP will identify specific BMPs for good housekeeping, preventative maintenance, material handling, waste management, spill and leak prevention, erosion and sediment controls, and employee training. Therefore, the impact related to soil erosion would be less than significant.

c. Would the project be located on geologic units or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

LESS THAN SIGNIFICANT IMPACT. The Project is not located in an area of unstable geologic materials. Furthermore, the Project is not expected to significantly affect the stability of the underlying materials, which

could potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. The required geotechnical study would provide site-specific geological information for use in designing proper foundations that would be appropriate for the soils at the site. Therefore, construction, operation, and maintenance of the Project would not create a significant risk to people or structures from an unstable geologic unit or unstable soil.

d. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

LESS THAN SIGNIFICANT IMPACT. The soils associated with the Project disturbance area are listed in Table 5.7-1. These soils are classified by the U.S. Department of Agriculture as having low to high expansion potential. The Project would be constructed in accordance with CBC requirements, and a site-specific geotechnical investigation would be completed as part of the building permit process.

e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?

NO IMPACT. An onsite wastewater treatment system (OWTS) was installed in 2016 to serve the administrative office building that was built on the property. There have been no known issues to date of the OWTS, and none are foreseen. As part of the new Project the existing OWTS may be relocated. If so, it will be subject to the County's building permit process. Therefore, there are no expected impacts.

f. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED. A paleontological records search was conducted for this Project from the records of the University of California Museum of Paleontology. The closest fossil locality found was in Pleistocene sediments 3 miles southeast of the Project. The locality is in the Modesto Formation and produced seven mammal fossils and one reptile fossil. It was determined that a pedestrian survey was not necessary, as the Project footprint consists of disturbed agricultural land and is part of a different formation than where the discovery was made. The geologic mapping of the Project area shows two geologic units mapped in the vicinity of the Project: Holocene alluvium (Qa) and Holocene basin deposits, undivided (Qb). Because all mapped units at the site are of Holocene age, and no excavations are expected to reach Pleistocene sediments, impacts to paleontological resources are expected to be minimal. Implementation of Mitigation Measure PAL-1 would reduce risks that unexpected paleontological resources are encountered during Project construction to less than significant.

Mitigation Measures

MM PAL-1 **Inadvertent Discovery of Paleontological Resources.** In the event that paleontological resources such as bones or teeth be unearthed by the construction crew, construction activities should be diverted at least 15 feet from the find until a professional paleontologist has assessed it and, if deemed significant, salvaged it in a timely manner. Salvaged fossils should be deposited in an appropriate repository, such as the UCMP, where they will be properly curated and made available for future research.

Geology and Soils Impact Conclusions

Although there are no known geological conditions that would result in substantial adverse effects including the risk of loss, injury, or death involving strong seismic ground shaking, liquefaction, expansion of soils, or other unstable soil conditions, The site-specific geotechnical investigation would provide the design engineers with site-specific geotechnical information that would allow proper design of foundations so that the facility would be able to withstand any such adverse conditions. The potential for soil erosion would be addressed through preparation of the Construction and Industrial SWPPPs. The closest known paleontological resources in the vicinity are about 3 miles from the site. Therefore, mitigation measure PAL-1, has been provided should paleontological resources be found. With implementation of the mitigation measure, the impacts to Geology and Soils would be less than significant.

5.8 Greenhouse Gas Emissions

GREENHOUSE GAS EMISSIONS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Significance criteria established by CEQA Guidelines, Appendix G.

5.8.1 Setting

The background and regulatory information summarized in this section was obtained from federal, State, and local air quality agency websites and other publicly available resources. The greenhouse gas (GHG) emissions estimate was completed using CalEEMod, as explained in the Air Quality section (Section 5.3)

Greenhouse Gases and Climate Change

The phenomenon known as the *greenhouse effect* keeps the atmosphere near the Earth's surface warm enough for the successful habitation of humans and other life forms. Sunlight in the form of infrared, visible, and ultraviolet light passes through the atmosphere. Some of the sunlight striking the Earth is absorbed and converted to heat, which warms the surface. The surface emits infrared radiation to the atmosphere, where some of it is absorbed by GHGs and re-emitted toward the surface. Human activities that emit additional GHGs to the atmosphere increase the amount of infrared radiation that gets absorbed before escaping into space; thus, enhancing the greenhouse effect and amplifying the warming of the Earth (C2ES, 2021).

Increases in fossil fuel combustion and deforestation have greatly increased concentrations of GHGs in the atmosphere since the Industrial Revolution. Rising atmospheric concentrations of GHGs greater than natural levels enhance the greenhouse effect, which contributes to global warming of the Earth's lower atmosphere. This warming induces large-scale changes in ocean circulation patterns, precipitation patterns, global ice cover, biological distributions, and other changes to the Earth system that are collectively referred to as *climate change*.

The principal GHGs that enter and accumulate in the atmosphere as the result of human activity are listed below.

- Carbon Dioxide (CO_2). CO_2 enters the atmosphere through combustion of fossil fuels (e.g., oil, natural gas, and coal), solid waste, trees and wood products, chemical reactions (e.g., the manufacturing of cement), and organismal respiration. CO_2 is also removed from the atmosphere (or "sequestered") when plants absorb it as part of the biological carbon cycle. CO_2 has an atmospheric lifetime of up to 200 years and, therefore, is a more important GHG than water vapor, which has an atmospheric residence time of only a few days. CO_2 provides the reference point for the global warming potential of other gases; thus, the Global Warming Potential (GWP)[1] of CO_2 is equal to one (1). Based on this reference point, the concentration of CO_2 that would cause the same level of radiative forcing as a given

[1] GWP is a relative measure of how much heat a GHG traps in the atmosphere. It compares the amount of heat trapped by a certain mass of the gas in question to the amount of heat trapped by a similar mass of CO_2. A GWP is calculated over a specific time interval, commonly 20, 100, or 500 years. GWP is expressed as a factor of CO_2 (whose GWP is standardized to 1).

type and concentration of GHG is expressed as carbon dioxide equivalent (CO_2e). Examples of such GHGs are methane, nitrous oxide, and perfluorocarbons.

- Methane (CH_4). CH_4 is emitted during the production and transport of coal, natural gas, and oil. CH_4 emissions also result from livestock and other agricultural practices, and the decay of organic waste in municipal solid waste landfills and wastewater treatment plants. The chemical lifetime of CH_4 in the atmosphere is 12 years. CH_4 is about 28 times more powerful at warming the atmosphere than CO_2, and therefore has a GWP of 28.
- Nitrous Oxide (N_2O). N_2O is emitted during agricultural and industrial activities, as well as during combustion of fossil fuels and solid waste. N_2O has a long atmospheric lifetime (120 years) and heat trapping effects about 265 times more powerful than CO_2 on a per-molecule basis, and therefore, has a GWP of 265.
- Fluorinated Gases. Hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride (SF_6) are synthetic, powerful GHGs emitted during a variety of industrial processes. Fluorinated gases are often used as substitutes for ozone-depleting substances (i.e., chlorofluorocarbons, hydrochlorofluorocarbons, and halons). These gases are typically emitted in smaller quantities, but because they are potent GHGs they are sometimes referred to as high GWP gases.

Regulatory Background

Greenhouse gases and climate change are a globally cumulative issue. The California Air Resources Board (CARB) and United States Environmental Protection Agency (USEPA) regulate GHG emissions within the State of California and the United States, respectively. While CARB has the primary regulatory responsibility within California for GHG emissions, local agencies can also adopt policies for GHG emission reduction.

Federal

The U.S. Supreme Court decision (*Massachusetts v. EPA (2007) 549 U.S. 497*) gave the USEPA the authority to regulate CO_2 or GHG emissions as an air pollutant under the federal Clean Air Act (42 U.S.C. §7602(g)). The USEPA adopted *40 CFR Part 98 – Mandatory Reporting of Greenhouse Gases Rule,* which requires mandatory reporting of GHG emissions for facilities that emit more than 25,000 metric tons of CO_2e emissions per year, and *40 CFR Part 52 – Proposed Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule,* which mandates Prevention of Significant Deterioration permitting for major stationary sources that also emit CO_2 more than 75,000 tons per year.

Neither of these regulations is applicable to the proposed Project because it has no operating stationary emission sources that are subject to these regulations. However, they are identified as background for GHG emission regulations at a federal level.

California

In September 2006, Governor Schwarzenegger signed Assembly Bill (AB) 32, also known as California's Global Warming Solutions Act of 2006, to mandate the quantification and reduction of GHGs to 1990 levels by 2020. The first Climate Change Scoping Plan prepared to provide strategies to meet the 2020 GHG emissions reduction goal was completed in 2008 (CARB, 2008). The CARB promulgated regulations for mandatory GHG emission reporting to comply with AB 32, and approved GHG emissions cap-and-trade regulations designed to achieve the State's GHG emission reduction goals. Additional Executive Orders and the passage of Senate Bill (SB) 32 in 2016 have identified additional statewide GHG emissions reductions goals for 2030 and 2050. The latest Climate Change Scoping Plan (CARB, 2017) provides strategies to meet the SB 32, 2030 GHG emissions reduction goal and provides a path towards meeting the 2050

GHG emissions reduction goal. CARB, along with other State agencies, are working to implement these strategies to meet GHG emissions reduction goals such as the 2030, 50 percent Renewable Portfolio Standard requirement, the Low Carbon Fuel Standard, and the Sustainable Freight Action Plan, among others.

SB 97, enacted in 2007, amends the CEQA Statute to clearly establish that GHG emissions and the effects of GHG emissions are appropriate subjects for CEQA analysis. According to GHG amendments to the State CEQA Guidelines, each public agency that is a CEQA lead agency needs to develop its own approach to performing a climate change analysis for projects that generate GHG emissions.

A consistent approach should be applied for the analysis of all such projects, and the analysis must be based on best available information. For these projects, compliance with CEQA entails the assessment of three basic factors:

- Identify and quantify GHG emissions; and
- Assess the significance of the impact on climate change; and
- If the impact is found to be significant, identify alternatives and/or mitigation measures that will reduce the impact below significance.

Local

The *Yolo County 2030 General Plan* (Yolo County, 2011a) and *Yolo County Climate Action Plan* (Yolo County, 2011b) identify County-approved GHG emissions CEQA significance thresholds and emissions reduction measures, respectively. The Climate Action Plan listed 15 primary GHG emissions reduction measures and 19 supporting GHG emissions reduction measures. Most of these measures are not project specific, or applicable to the proposed Project. Those measure that are applicable are discussed later in Section 5.8.2.

Based upon the CEQA Guidelines Sections 15064(h)(3), 15064.4, 15130(b)(1)(B) and (d), and 15183.5, a project would have significant impacts on GHG emissions if it would:

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or,
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs.

Specific numeric thresholds of significance to evaluate impacts pertaining to GHG emissions have not been established by applicable local and state decision-making agencies: YSAQMD, Yolo County, or CARB. However, Yolo County has adopted the following non-numeric GHG emissions significance thresholds (Yolo County, 2011a):

Pursuant to and based on the CAP [Climate Action Plan], the following thresholds shall be used for determining the significance of GHG emissions and climate change impacts associated with future projects:

1) *Impacts associated with GHG emissions from projects that are consistent with the General Plan and otherwise exempt from CEQA are determined to be less than significant and further CEQA analysis for this area of impact is not required.*

2) *Impacts associated with GHG emissions from projects that are consistent with the General Plan, fall within the assumptions of the General Plan EIR, consistent with the CAP, and not exempt from CEQA are determined to be less than significant or mitigated to a less-than-significant level, and further CEQA analysis for this area of impact is generally not required.*

To be determined consistent with the CAP, a project must demonstrate that it is included in the growth projections upon which the CAP modeling is based, and that it incorporates applicable strategies and measures from the CAP as binding and enforceable components of the project.

3) *Impacts associated with GHG emissions from projects that are not consistent with the General Plan, do not fall within the assumptions of the General Plan EIR, and/or are not consistent with the CAP, and are subject to CEQA review are rebuttably presumed to be significant and further CEQA analysis is required. The applicant must demonstrate to the County's satisfaction how the project will achieve its fair share of the established targets including:*

   - *Use of alternative design components and/or operational protocols to achieve the required GHG reductions;*
   - *Use of real, additional, permanent, verifiable and enforceable offsets to achieve required GHG reductions. To the greatest feasible extent, offsets shall be: locally based, project relevant, and consistent with other long term goals of the County;*

   The project must also be able to demonstrate that it would not substantially interfere with implementation of CAP strategies, measures, or actions.

5.8.2 Environmental Impacts and Mitigation Measures

a. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

LESS THAN SIGNIFICANT IMPACT. The proposed Project would generate GHG emissions during construction due to the operation of off-road equipment and on-road vehicles trips (trucks and construction worker commute). Operation emissions for this Project, over the 30-year Project life, are estimated to decrease due to several factors; however, the operation GHG emissions decrease has not been estimated. The proposed Project's GHG emissions estimate is provided in Table 5.8-1.

Table 5.8-1. Greenhouse Gas Emissions Estimate

Emissions Source	GHG Emissions (Metric Tons CO_2e)
Total Construction GHG Emissions	664
Amortized Construction GHG Emissions[1]	22
Incremental Operation GHG Emissions[2]	(0)
Total Annual GHG Emissions	22

Source: Aspen, 2021
1 - Construction emissions are amortized over a 30-year Project life.
2 - Operation emissions have not been estimated, but they would decrease from existing and future baseline for this facility replacement Project.

Factors causing the operation emissions decrease include: (1) an immediate emissions reduction due to increased onsite efficiency for electricity use, natural gas space and water heating, and water use due to the new facility being built in compliance with current California Code of Regulations Green Building Standards (Title 24) and appliance efficiency standards (Title 20) replacing the older less efficient existing structures at the two existing facilities; and (2) an immediate emissions reduction due to increased efficiency of operations that will occur due to the consolidation of the two existing facilities. There would be further long-term GHG emissions reductions that would occur for the proposed Project and future baseline without the Project, including a long-term emissions reduction due to continuing vehicle fuel efficiency and lower carbon fuel use per indirect compliance with CARB vehicle and Low Carbon Fuel Standard regulations; and a long-term emissions reduction due to increased use of renewable energy due to utility compliance with the Renewable Portfolio Standard regulation.

As shown above in Table 5.8-1, the proposed Project's annualized GHG emissions are estimated to be minimal, so the proposed Project's GHG emissions would have a negligible impact on the environment and the proposed Project would have a less-than-significant impact.

b Would the project conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

LESS THAN SIGNIFICANT IMPACT. The proposed Project would generate a negligible amount of GHG emissions during construction and would reduce GHG emissions from baseline and future baseline conditions during operation. The proposed Project, as a facility replacement Project, would not cause growth and so would be consistent with CAP modeling growth projections. Further, the proposed Project would be designed to meet applicable CAP emissions reduction measures, including complying with all GHG emissions reduction regulation requirements. The CAP has 15 primary GHG emissions reduction measures; of these the following measure is a project-level measure that will require Project compliance:

- **Measure E-3:** Reduce Energy Consumption in New Residential and Non-Residential Units. Compliance with the Title 24 Green Building Standards Code (CALGreen) and the Title 20 Appliance Efficiency Regulations will ensure compliance with this primary measure and related supporting energy GHG emissions reduction measures.

The Project will also comply with all regulations adopted to implement other additional CAP-supporting measures. Of these 19 supporting measures, those related to implementing solid waste and wastewater reduction would apply, where the Project would reduce or divert/recycle construction and operation waste as required by County regulation, and the Project is designed to retain stormwater in compliance with the following supporting GHG emissions reduction measure: *Increase natural stormwater retention through implementing low impact development strategies*.

Therefore, the proposed Project would conform with applicable GHG emissions reduction plans, policies, and regulations, and would have a less than significant impact.

Greenhouse Gas Emissions Impact Conclusions

No potentially significant adverse impacts are identified or anticipated, and no mitigation measures are required.

5.9 Hazards and Hazardous Materials

HAZARDS AND HAZARDOUS MATERIALS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

Significance criteria established by CEQA Guidelines, Appendix G.

5.9.1 Setting

This section addresses issues related to environmental hazards and hazardous materials in the existing conditions. Environmental hazards include accidental spills of hazardous materials, the presence of existing subsurface contamination, the risk of wildfire, and aircraft safety. Hazardous materials include fuel, oil, and lubricants. If encountered, contaminated soil can pose a health and safety threat to workers or the public.

As part of this Project, Wilbur-Ellis proposes to construct the following key structures:

- A 20,000-square-foot (SF) Chemical Storage Warehouse – This warehouse will be used for distribution of sealed prepacked crop protection products, plant fertilizers and seed to the end user, typically growers/farmers within a 40- to 50-mile radius. The warehouse will store products regulated by the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) within pre-packaged U.S. Department of Transportation (DOT)-approved containers.
- A Liquid Fertilizer Tank Farm – The tank farm will consist of several vertical tanks with a containment dike of roughly 12,500 SF. This is a concrete secondary containment structure for aboveground fertilizer storage tanks, plumbing, and transfer equipment within concrete-contained truck loading pads. This facility will be used to distribute bulk liquid fertilizers to customers. The process involves receiving bulk liquid fertilizer into the storage tanks and then unloading quantities of product tailored to meet customer's needs (size of field, application rate, etc.). There is no production of liquid fertilizers at the site;

however, Wilbur-Ellis commonly blends certain pre-manufactured liquid fertilizers into custom fertilizer blends to meet a customer's specific agronomic needs. These pre-manufactured fertilizers are generally stored in the various individual tanks, then blended together on an as-needed basis just prior to loading and delivery. Among the chemicals stored in the tanks will be aqueous ammonia (ammonium hydroxide).

- Dry Fertilizer Storage Building – This is a three-sided covered building to store and load out bulk dry fertilizer. Roughly 7,200 SF in size, it will be used to distribute bulk dry fertilizers to customers. It will consist of 7 individual bays that will contain approximately 100 tons of dry fertilizer each. There are no production activities associated; all the products are pre-manufactured offsite.
- Anhydrous Ammonia Storage Tank – The storage tank and loading platform will be used to distribute anhydrous ammonia, another form of fertilizer, to customers. The tank will hold between 12,000 and 15,000 gallons.
- Existing Shop – The existing shop will be used for maintenance and repair of Wilbur-Ellis-owned agricultural implements and equipment. There will be storage of parts and various lubricants typical for this type of operation (bearings, seals, spark plugs, motor oil, grease, etc.).
- Proposed Gravel Agricultural Implement/Equipment Storage Area – Wilbur-Ellis Company owns and uses approximately 700 various types of implements and equipment to service their local customer/farmer needs. The proposed Equipment Storage Area will accommodate parking for roughly 510 pieces of equipment; Wilbur-Ellis assumes that approximately 30 percent of its equipment will always be offsite (in-use in the field). The graveled area comprises approximately 6.5 acres.

Regulatory Background

Hazardous substances are defined by federal and State regulations that aim to protect public health and the environment. Hazardous materials have certain chemical, physical, or infectious properties that cause them to be considered hazardous. Hazardous substances are defined in the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 101(14), and also in the California Code of Regulations (CCR), Title 22, Chapter 11, Article 2, Section 66261, which provides the following definition:

> *A hazardous material is a substance or combination of substances which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed.*

Federal

Relevant federal laws include the following:

The Clean Air Act (CAA) of 1990 (42 USC 7401 et seq. as amended)	Established a nationwide emergency planning and response program and imposed reporting requirements for businesses that store, handle, or produce significant quantities of extremely hazardous materials.
49 CFR 172.800	The U.S. Department of Transportation (DOT) requirement that suppliers of hazardous materials prepare and implement security plans.
49 CFR Part 1572, Subparts A and B	Requires suppliers of hazardous materials to ensure that all their hazardous materials drivers have undergone background security checks.

State of California. The California Environmental Protection Agency (Cal/EPA) was created in 1991, which unified California's environmental authority in a single cabinet-level agency and brought the Air Resources Board (ARB), State Water Resources Control Board (SWRCB), Regional Water Quality Control Boards (RWQCBs), Integrated Waste Management Board (IWMB), Department of Toxic Substances Control (DTSC), Office of Environmental Health Hazard Assessment (OEHHA), and Department of Pesticide Regulation (DPR) under one agency. These agencies were placed within the Cal/EPA "umbrella" for the protection of human health and the environment and to ensure the coordinated deployment of State resources. Their mission is to restore, protect, and enhance the environment, to ensure public health, environmental quality, and economic vitality.

The California Occupational Safety and Health Administration (Cal/OSHA) is the primary agency responsible for worker safety in the handling and use of chemicals in the workplace. Cal/OSHA standards are generally more stringent than federal regulations. The employer is required to monitor worker exposure to listed hazardous substances and notify workers of exposure (8 CCR Sections 337-340). The regulations specify requirements for employee training, availability of safety equipment, accident-prevention programs, and hazardous substance exposure warnings.

Emergency Response Plans

Ammonia is a regulated substance under the federal Clean Air Act pursuant to 40 CFR 68 (Subpart G) and the California Accidental Release Program (CalARP) pursuant to Health and Safety Code Sections 25331 through 25543.4. The California program is similar to the federal program but is more stringent in some areas. In accordance with the CalARP regulations, a Risk Management Plan (RMP) would be required in addition to a Hazardous Materials Business Plan (HMBP). The RMP includes a hazard assessment and an off-site consequence analysis (OCA) to evaluate the potential effects of an accidental release, a program for preventing an accidental release, and a program for responding to an accidental release. The RMP and the OCA is to be submitted to the local Certified Unified Program Agency (CUPA) for approval. In this case, the CUPA is the Yolo County Environmental Health Department.

5.9.2 Environmental Impacts and Mitigation Measures

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED. The design of the proposed Project would incorporate state-of-the-art chemical storage and handling facilities in compliance with the current California Fire Code, and other applicable federal, state, and local regulations. The Project applicant would also be required to prepare a HMBP for the storage and handling of hazardous materials such as anhydrous ammonia and fertilizer at the proposed distribution center. The HMBP would be developed in accordance with the emergency response procedures for hazardous materials incidents of the Woodland Fire Department. The RMP would be prepared and submitted to the Yolo County Environmental Health Department.

The Wilbur-Ellis Distribution Center would store anhydrous ammonia in a single stationary, pressurized storage tank. The capacity of the tank is planned to be approximately 12,000 to 15,000 gallons, but will be limited by regulation to hold no more that 85% of the tank's capacity, or about 10,200 gallons to 12,750 gallons, respectively.

The California Fire Code, Articles 79 and 80, includes specific requirements for the safe storage and handling of hazardous materials that would reduce the potential for a release of hazardous materials and mixing of incompatible materials. Up to 12,750 gallons of anhydrous ammonia, and hundreds of tons of

fertilizer or regulated substances would be stored onsite at any given time. The fertilizers stored onsite would be used to enhance crop production, with small quantities of hazardous materials being used to lubricate equipment. Most of the hazardous materials that would be used onsite would pose relatively low risk to human health and the environment. Anhydrous ammonia is the only material used onsite that is acutely hazardous and that may pose a significant risk of off-site impact. Hence, this analysis focuses on the use of anhydrous ammonia.

Use, Production, and Disposal of Hazardous Materials

Anhydrous Ammonia

Anhydrous ammonia, an acutely hazardous material, would be stored onsite for use as a fertilizer on local farms. Anhydrous ammonia is a gas that is maintained in a liquid state through pressurization of the handling and storage systems. Anhydrous ammonia has a boiling point of approximately 239.72 Kelvin (minus 28.1°F). When spilled, anhydrous ammonia will vaporize, releasing ammonia vapors to the surrounding atmosphere.

Ammonia gas can cause eye and nose irritation in low doses and can be fatal if inhaled in sufficiently high doses. In this form, however, it is not flammable or explosive. The odor threshold of ammonia is about 5 parts per million (ppm), and minor irritation of the nose and throat would occur at 30 to 50 ppm. Concentrations greater than 140 ppm would cause detectable effects on lung function, even for short-term exposures of 0.5 to 2 hours. The Occupational Safety and Health Administration's immediately dangerous to life and health (IDLH) concentration is 300 ppm. Serious health effects would take place at concentrations between 700 and 1,700 ppm, and death can occur at concentrations greater than 2,500 ppm.

Transportation of Anhydrous Ammonia. Anhydrous ammonia would be transported to the Project site using U.S. Department of Transportation (DOT) approved tanker trucks. These are high-integrity vehicles designed to haul caustic materials such as ammonia. Wilbur-Ellis estimates that, on average, one truck delivery carrying approximately 7,800 gallons of anhydrous ammonia would be received weekly. The transportation of ammonia, and any other hazardous material, poses a risk of exposure to the surrounding population due to an accidental release caused by a traffic accident involving the delivery vehicle.

An aqueous ammonia leak occurring during delivery or transport of the material to the facility's ammonia storage tank could result in hazardous ambient concentrations in the immediate vicinity of the release. The impact of this accidental release would depend upon the location of the release relative to the public. The possibility of accidental release during delivery depends upon the following factors, which are reflected in the accident statistics:

- Skill of the drivers
- Type of vehicle used for transport
- Traffic conditions, or road type

Because of the potential impact on the public, there are extensive regulatory programs in place in the United States and California to ensure safety during the transportation of hazardous materials, including the Federal Hazardous Materials Transportation Law (49 U.S.C. § 5101 et seq.), the US Department of Transportation Regulations (49 C.F.R. Subpart H, § 172-700), and California DMV Regulations on Hazardous Cargo. These regulations also address the driver's abilities and experience.

Data from the Davies and Lees (1992) article, which references the 1990 Harwood *et al.* and the 1993 Harwood studies, determined that the frequency of release for the transportation of hazardous materials in the U.S. is between 0.06 and 0.19 releases per 1,000,000 miles traveled on well-designed roads and

highways. The distance from Highway 113 to the proposed Project is about 2 miles. California Energy Commission staff, who constantly assess ammonia transport risk regarding the licensing of gas-fired power plants, believe that the risk of transport over a short distance in a low population area is insignificant (CEC, 2012). Data from the U.S. DOT show that the actual risk of a fatality over a five-year period from all modes of hazardous material transportation (rail, air, boat, and truck) is approximately 0.1 in 1,000,000 miles traveled (CEC, 2012). Although it is an extremely conservative estimate, in that it includes risk of accidental release from all modes of hazardous materials transportation and does not distinguish between a high-integrity steel tanker truck and other less secure modes, the results still show that the risk of a transportation accident is insignificant.

Therefore, the risk of exposure to significant concentrations of anhydrous ammonia during transportation to the facility is insignificant because of the remote possibility that an accidental release of a sufficient quantity could be dangerous to the public. The transportation of similar volumes of hazardous materials on the nation's highways is neither unique, nor infrequent. Analysis performed by regulatory agencies (such as the California Energy Commission) of the transportation of ammonia (along with data from the DOT) demonstrates that the risk of accident and exposure is less than significant.

b. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED. Accidental releases of anhydrous ammonia from storage tanks are rare. Most releases of anhydrous ammonia occur at food manufacturing facilities that use ammonia as a refrigerant. When evaluating the risk posed to the local community from storing anhydrous ammonia at the proposed site, there is very low probability that the ammonia tank would fail at any time.

Statistics compiled on the accident rates for hazardous chemicals for the years 1994-1999 indicate that ammonia (all forms) averages 0.017 accidental releases per process per year, and 0.018 accidental releases per million pounds stored per year (Belke, 2000). Data derived from *Loss Prevention in the Process Industries* (Lees, 1996), presented in Table 5.9-1, indicates accidental release scenarios and probabilities for ammonia in general.

Table 5.9-1. Accident Scenario Failure Probability

Accident Scenario	Failure Probability Accidental Releases per Process per Year
Catastrophic Failure of Storage Vessel with Average Inventory	0.0000018
Loading Line Failure During Loading	0.00000056
Loading Line Failure When Isolated	0.00019
Full Bore Fracture of Bottom Connection on Storage Vessel	0.000042

Source: Loss Prevention in the Process Industries, 2nd Ed., 1996

Specifically, the failure probability reported in *Loss Prevention in the Process Industries* for storage tanks is 0.0000018 failures or events per year (Lees, 1996). This means that over the lifetime of the distribution center (assumed to be 30 years), there exists a probability of 0.000054 that the ammonia tank would fail.

Implementation of Administrative and Engineering Controls help to prevent accidents and releases (spills) from injuring workers or moving off-site and affecting the community.

Engineering Controls

Appropriate engineering controls include:

- Storage of containerized hazardous materials (e.g., solid pre-packaged fertilizers) in their original containers which are designed to prevent releases and are appropriately labeled
- Physical separation of stored chemicals in isolated containment areas in order to prevent accidental mixing of incompatible materials, which could result in the evolution and release of toxic gases or fumes
- Storage of anhydrous and aqueous ammonia in storage vessels that are specifically designed for the storage of such chemicals
- Process protective systems including continuous tank-level monitors with automatic alarms that are triggered at set high- and low-level points, automated leak detectors, temperature and pressure monitors, alarms, and emergency block valves.

According to the Yolo County Environmental Health Division/HazMat Unit, appropriate engineering controls will be determined by the County as part of the building plan process (M. Le, personal communication, February 4, 2021). In addition, factors such as the separation of incompatible materials will be accounted for in the various plans and programs that are part of the Administrative Controls.

Administrative Controls

California and the federal governments have established several laws and regulations that protect workers and communities, as previously described under Emergency Response Plans. These regulations will require the preparation of an RMP (including an OCA) and a HMBP. These plans will provide information for use by the Applicant, the Yolo County Environmental Health Division (YCEHD), and the Woodland Fire Department.

A worker health and safety training program (part of the HMBP and RMP) would prevent onsite workers from harm. Workers will be trained pursuant to Environmental Health, Safety and Security for Anhydrous Ammonia Safety and Operating procedures/programs. The ammonia storage tanks are outside, and workers would be trained to leave the area if a spill occurred, or if they were to perceive a burning sensation in their eyes, nose, or throat. Because of the high level of dilution and design of the containment structure, it is extremely unlikely that a rupture or spill would cause significant effects to human health or other adverse impacts.

A Safety Management Plan would be prepared as part of the HMBP/RMP to address the delivery of anhydrous and aqueous ammonia, and other liquid hazardous materials by tanker truck. This plan would identify appropriate loading and unloading procedures, personal protective equipment requirements, training, and a checklist. It will identify incompatible materials that need to be separated.

A Site-specific Operation Security Plan (MM HM-1) would identify security measures required to be in-place to reduce the potential for intruders to disrupt storage vessels and cause harmful chemical releases.

Preparation of SWPPPs for construction and operations (see the Geology and Soils section) would help reduce any impacts from hazardous material spills to surface water quality.

Of concern, are the two nearby residences located to the north and to the south of the facility. As mentioned earlier, the RMP includes a hazard assessment and OCA to evaluate the potential effects of an accidental release, a program for preventing an accidental release, and a program for responding to an accidental release. The RMP and the OCA will be submitted to the YCEHD for review. They will determine the possibility that local residences could be adversely affected by a breach of the anhydrous ammonia tank and appropriate prevention or warning procedures.

Implementation of these Engineering and Administrative Controls would reduce the impacts to the public involving the release of anhydrous ammonia to a less-than-significant level.

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

NO IMPACT. The closest schools to the Project site are located on the southern edge of the city of Woodland. Plainfield Elementary School, located at 20450 County Road 97, is the closest school to the Project site. By line of sight, it is located about 1.8 miles northwest of the proposed Wilbur-Ellis Distribution Center.

d. Would the project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

NO IMPACT. The proposed Project is not located on a site (or within 1,000 feet of a site) that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (CAL EPA, 2021). Additionally, the Project is not located on a site that is included on a list of hazardous materials sites compiled by the YCHD Site Files pursuant to Government Code 65962.5 (M. Hazan, personal communication, January 25, 2021). No impacts would occur related to the Project being located on, or disrupting, a registered hazardous material site.

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

NO IMPACT. Medlock Field-Airport (69CL) located in unincorporated Davis, California is the nearest airfield to the proposed Wilbur-Ellis Distribution Center. It is located 2.8 miles due east of the facility, by line of sight. The next closest airport, the Yolo County Airport, is located more than 3 miles (line-of-sight) southwest from the Project site. Both of these airports would be unaffected by noise from the Project site. Without having an OCA, the areas affected by the Project from a breach in the ammonia storage tank are uncertain. However, appropriate engineering and administrative controls would prevent the Project from adversely affecting the airports.

Based on Federal Aviation Administration (FAA) guidelines (Advisory Circular 70/7460-1) to reduce potential hazards to air navigation, the Project does not include any facilities that would require FAA review for possible impacts to aviation safety. Therefore, there would be no potential FAA safety impacts related to an airport within 2 miles of the Project site.

f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

LESS THAN SIGNIFICANT IMPACT. During construction, some oversize truck trips are expected to deliver large pieces of construction equipment and materials to the site. These activities may include brief temporary delays on local roads providing access to the site. However, no roadway or lane closures are expected during construction. In the event deliveries require any disruption to public roadways, flagmen would be present to ensure traffic flow, including emergency vehicle flow through the area and access to any nearby residences or areas. Once operational, the proposed Project would have no impact on access or movement to emergency service providers. Impacts would be less than significant.

g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

LESS THAN SIGNIFICANT IMPACT. The Project is adjacent to irrigated farmlands of Yolo County, not in the arid hilly areas of the far western County where significant fire hazards exist. The proposed Project site is not located on forest or wilderness land, and the Project would not involve the construction or operation of habitable structures in wildland areas or promote development in wildland areas. According to the Department of Forestry and Fire Protection (CAL FIRE) Yolo County Fire Hazard Severity Zone Map, the Project site is located within a "Local Responsibility Area - Unincorporated" with respect to fire protection (CAL FIRE, 2021).

In addition, preparation of the HMBP and RMP will include a fire safety and prevention plan to reduce the risk of fires being started during operational activities. Even if a fire were to develop, the lack of vegetation surrounding the Project would eliminate the risk of a wildland fire resulting.

Mitigation Measure for Hazards and Hazardous Materials

MM HAZ-1 **Site-specific Operation Security Plan.** The Applicant shall prepare a site-specific operations security plan for use during the operation of the facility. The Applicant shall implement site security measures that address physical site security and hazardous materials storage. The Operation Security Plan shall include the following:

- Permanent full perimeter fence with barbed wire on top
- Main entrance security gate, either hand operated or motorized
- Evacuation procedures
- Protocol for contacting law enforcement in the event of suspicious activity or emergency
- Closed circuit TV (CCTV) monitoring system, recordable, and viewable from and a security station capable of viewing, at a minimum, the main entrance gate and the ammonia storage tanks; or other security measures as deemed adequate by the Yolo County Sheriff's Office.

Hazards and Hazardous Materials Impact Conclusions

Anhydrous ammonia is the only material stored and used onsite that has the potential to migrate off-site should the unlikely event of an accidental release or breach of the storage tank occur. Design of the transport vehicles and storage tanks, training of staff, and other engineering and administrative controls will help reduce those risks. Implementation of mitigation measure HAZ-1 would result in additional security to prevent a release of hazardous or acutely hazardous materials as a result of vandalism or theft. Thus, impacts to the public involving the unlikely release of anhydrous ammonia will be reduced to a less-than-significant level.

5.10 Hydrology and Water Quality

HYDROLOGY AND WATER QUALITY **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(i) result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
(iv) impede or redirect flood flows?	☐	☐	☒	☐
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Significance criteria established by CEQA Guidelines, Appendix G.

5.10.1 Environmental Setting

The major watersheds and surface water features in Yolo County include Cache Creek, Putah Creek, the Sacramento River, and the Yolo Bypass. Willow Slough, located approximately 0.5 miles south, runs nearest to the location of the proposed Project. An additional extensive network of sloughs, irrigation canals, and drainage ditches are located throughout the County. Yolo County does not have any natural lakes.

Groundwater

The Yolo Subbasin boundaries extend approximately 844 square miles and are bounded on the east by the Sacramento River and the west by the coast range. Putah Creek forms the southern boundary from the southwestern corner of the subbasin to the City of Davis, at which point the boundary follows the Yolo County line to the south. The Yolo Subbasin is under the jurisdiction of the Yolo Subbasin Groundwater Agency (GEI Consultants, 2021). Domestic and agricultural land uses rely on groundwater to supply their water needs. Wells in the County are increasingly tapping deeper aquifers, contributing to issues of subsidence and contamination. The primary source of groundwater recharge is applied irrigation water and rainfall. Recharge occurs naturally and through the release of stored water from the Indian Valley Reservoir into Cache Creek during low flows.

Groundwater pollution potential is evaluated on the DRASTIC index range; this range is based on factors such as depth to water, soils, topography, and hydraulic conductivity. The proposed Project location has a medium groundwater pollution potential of 140 to 159 (Yolo County, 2009c).

The California Resource Lab at University of California, Davis developed a Soil Agricultural Groundwater Banking Index (SAGBI) for groundwater recharge on agricultural land. The scale ranges from 0 (poor) to 100 (excellent) and is based on five major factors: deep percolation, root zone residence time, topography, chemical limitations, and soil surface condition. The site conditions of the Project area create a rating of 75–Good for the area of development of the Project (UC Davis, 2021.).

Water Quality

The quality of surface water in Yolo County varies and is likely to be diminished after major storms. Chemicals such as boron, diazinon, mercury, and unknown toxics are pollutants found in Yolo County waterways.

Flooding

Drainage facilities in the unincorporated County are limited, often resulting in localized flooding. Runoff from agricultural land often drains to on-site ditches where water is conveyed to existing roadside ditches. Much of Yolo County is a natural floodplain, and Willow Slough is an unregulated system with small peak runoff events being common. Most of the Willow Slough watershed lies on the valley floor and is characterized by the flat areas of the slough's natural broad floodplain (Yolo County, 2014). The Consolidation Facility Project site will be located in Zone X, and the remaining portion of the parcel to the east is located in Zone AE (Yolo County, 2014).

Regulatory Background

Federal

Clean Water Act and California's Porter-Cologne Water Quality Control Act. The state Water Resources Control board (SWRCB) and its nine RWQCBs are responsible for the regulation and enforcement of the water quality protection requirements and the state's Porter-Cologne Water Quality Control Act (Porter-Cologne). The National Pollutant Discharge Elimination System (NPDES) is the permitting program that allows point source dischargers to comply with the CWA and Porter-Cologne laws. This regulatory framework protects the beneficial uses of the state's surface and groundwater resources for public benefit and environmental protection. The Proposed Project is under the jurisdiction of the Central Valley Regional Water Quality Control Board and the SWRCB.

Projects that disturb one or more acres are required to obtain NPDES coverage under the California General Permit for Discharges of Storm Water Associated with Construction Activity. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP describes Best Management Practices (BMPs) the discharger will use to protect stormwater runoff. The SWPPP must contain a visual monitoring program and a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs.

Federal regulations at 40CFR 122.26(b)(14)(i)-(xi) require stormwater discharges associated with specific categories of industrial activity to be covered under NPDES permits (unless otherwise excluded). The Industrial General Permit regulates industrial stormwater discharges and authorized non-stormwater discharges from industrial facilities in California. The State Water Resources Control board (State Water Board) and Regional Water Quality Control Boards (RWQCB) implement and enforce the Industrial General Permit.

State

State Sustainable Groundwater Management Act. The 2014 Sustainable Groundwater Management Act (SGMA) requires local public agencies and Groundwater Sustainability Agencies (GSAs) in high- and medium-priority basins to develop and implement Groundwater Sustainability Plans (GSPs) or Alternatives to GSPs. GSPs are detailed road maps for how groundwater basins will be managed to reach long term sustainability.

The Yolo Subbasin Groundwater Agency Board adopted Resolution 2018-1 in March 2018, formalizing the initiation of developing the Yolo Subbasin Groundwater Sustainability Plan (GSP). The development of the GSP has begun, but it has not been finalized (https://www.yologroundwater.org/yolo-groundwater-sustainability-plan).

5.10.2 Environmental Impacts and Mitigation Measures

a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

LESS THAN SIGNIFICANT - CONSTRUCTION. Construction and operation of the proposed Project could potentially risk violating water quality standards or waste discharge requirements from accidental release or spill of hazardous materials that could enter Willow Slough, or if accelerated erosion and sedimentation occur within the Project site. Construction of the proposed Project would require site preparation, including clearing, grading, soil conditioning, excavation, importing/distribution of gravel, concrete foundation installation, fertilizer tank installation, and other construction activities. While under construction, these activities could loosen the soil and lead to accelerated erosion and sedimentation during a storm event. Preparation of SWPPPs, as described in the Geology and Soils section, would include BMPs for stormwater quality control, including soil stabilization practices, sediment control practices, and wind erosion control practices, would adequately reduce the potential for erosion from the Project construction.

Construction activities would include the use of heavy machinery and equipment. The use of this construction equipment could result in the accidental release or spill of hazardous materials, including hydraulic oil, fuel, grease, lubricants, coolant, and other petroleum-based products. If leaked or spilled, these hazardous materials could contaminate a nearby waterbody either directly or indirectly through subsequent transport by stormwater runoff.

LESS THAN SIGNIFICANT – OPERATION AND MAINTENANCE. Although the proposed Project would also store some hazardous liquid fertilizers onsite, they would be regulated under EPA Risk Management Plan requirements (as described in Section 5.9, Hazards and Hazardous Materials). The potential for the proposed Project to result in contamination of a nearby waterbody by hazardous materials is unlikely due to the generally flat topography and arid climate of the region, and the lack of nearby perennial waterbodies. Additionally, the Applicant must comply with all applicable rules and regulations pertaining to transport, storage, and use of hazardous materials. This further reduces the potential for water quality contamination through the accidental release or spill of hazardous materials.

The proposed Project would also be required to obtain coverage under the Industrial General Permit for Storm Water Discharges Associated with Industrial Activities (Order 2014-0057-DWQ) to comply with Clean Water Act NPDES requirements. These discharge requirements would include preparation of a SWPPP for operation and maintenance of the facility. The SWPPP will identify specific BMPs for good housekeeping, preventative maintenance, material handling, waste management, spill and leak prevention, erosion and sediment controls, and employee training.

In addition, the Project includes construction of a vegetated detention basin that would collect surface water from the Project site and store it to prevent offsite runoff. The basin would allow sediment and other contaminants to settle out of the water and reduce water quality impacts. The basin would be constructed to withstand the 24-hour, 100-year storm event without any discharge. Furthermore, a berm road will be constructed along the east and south of the property boundary to contain the 100-year, 1-year storm event with no release and 1 foot of freeboard. The occurrence of an event with enough rainfall to allow the pond to discharge would be very unlikely. Therefore, the Project impacts would be less than significant for water quality standards.

b. Would the project substantially decrease groundwater supplies or interfere substantially with the basin?

LESS THAN SIGNIFICANT IMPACT. The proposed Project would require a permanent long-term water source. Once operational, it is estimated that an additional 500,000 gallons of water per year (1.53 acre-feet/year) would be used for the new facility, beyond what is currently drawn on the parcel. This water would be sourced from a well owned by the landowner. Yolo County Environmental Health Division (YCEHD) would consider the total amount of water that is extracted annually from local groundwater supplies to evaluate if demand would cause the current Non-Transient Non-Community Small Water System permit to have to be upgraded to a Public Water System permit. A complete Water System Determination form shall be submitted with the Minor Use Permit application.

The Project does include the gravelling and paving of additional surfaces for equipment storage, parking, and improved site access. However, the addition of impervious surfaces would not significantly impact groundwater recharge. Therefore, the impacts to groundwater would be less than significant.

c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

(i) result in substantial erosion or siltation on- or off-site;

LESS THAN SIGNIFICANT. The proposed Project would cause temporary and permanent disturbance of approximately 20 acres on the parcel. The proposed Project site is located on a flat agricultural area that consists of a pre-existing seed research facility and row crops. Grading would be needed for construction of the site, and a proposed 30,000 yards of earth is to planned to be moved. To reduce erosion and transport of soil particles or turbid water from the site, the Project would employ BMPs and adhere to the requirements of the SWPPPs. All conditions of existing water quality regulatory agency permits would be adhered to as well. Impacts related to erosion or siltation would be less than significant.

(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

LESS THAN SIGNIFICANT. The proposed Project has a permanent disturbance area of approximately 20 acres. Some permanent impervious surface would be added in the form of hardscape parking spots, and 29,700 square feet of structures. To compensate for this increase in impervious area, runoff would be collected by onsite swales and conveyed to a detention pond. The conservative measurements show the detention pond to be at least 550 feet by 25 feet by 10 feet deep, or about 137,500 cubic feet in size. It is more than enough to absorb the 29,700 of building area that would displace onsite flooding. Furthermore, a berm road will be constructed along the east and south of the property boundary to contain the 100-year, 1-year, storm event with no release and 1 foot of freeboard. Therefore, onsite or off-site surface runoff would not occur.

(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

LESS THAN SIGNIFICANT IMPACT. The Project would not create or contribute runoff water or provide substantial additional resources of polluted runoff. The planned stormwater drainage system at the Project site would consist of a detention pond that would hold a 10-year, 24-hour, storm event. Furthermore, a berm road will be constructed along the east and south of the property boundary to contain the 100-year, 1-year, storm event with no release and 1 foot of freeboard.

(iv) impede or redirect flood flows?

LESS THAN SIGNIFICANT IMPACT. See items c. (ii) and (iii), above.

d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

LESS THAN SIGNIFICANT IMPACT. The Project is located outside tsunami, or seiche zones. The area immediately adjacent to Willow Slough (south of the Project site) is in Flood Zone AE, meaning that it is in the 100-year floodplain. The central and eastern portion of the parcel (outside the area to be developed) is located in Flood Zone AE, which has a 1 percent annual chance of flooding. The western portion of the parcel, the proposed Project site, is located in Zone X, which has a 0.2 percent annual chance of flooding. The risk of release of pollutants due to Project inundation is minimal, resulting in less than significant impacts.

e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

LESS THAN SIGNIFICANT IMPACT. The earthwork that may be required as part of the Project could result in runoff. In addition, there is a potential for spills of oil, grease, or other water contaminants associated with the use of vehicles, equipment, and materials used in construction, as well as the potential for increased erosion and sedimentation associated with soil disturbance. As stated above under Item a), Project activities would not include any discharge of water that could impact water quality. The Project would comply with Clean Water Act NPDES requirements and requirements specified under the required SWPPPs to minimize erosion and to quickly contain and clean up any accidental spills or leaks. Also, the Applicant must comply with all applicable rules and regulations pertaining to transport, storage, and use of hazardous materials, which would further reduce the potential for water quality contamination through the accidental release or spill of hazardous materials. This would reduce potential water quality impacts that could conflict with applicable water quality plans. As stated above under Item b), the proposed Project would not significantly decrease groundwater supplies or interfere with groundwater recharge. The proposed Project would not conflict with or obstruct any plans or policies pertaining to groundwater management of the area. Impacts to water quality and groundwater plans would be less than significant.

Hydrology and Water Quality Impact Conclusions

The Project is designed to minimize any potential impacts to water quality with the use of the onsite detention pond and berm road for surface water collection. Implementation of the Construction and Industrial SWPPPs would reduce any potentially impacts to less than significant.

5.11 Land Use and Planning

LAND USE PLANNING **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Physically divide an established community?	☐	☐	☐	☒
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

Significance criteria established by CEQA Guidelines, Appendix G.

5.11.1 Setting

Yolo County has a strong focus on protecting its agricultural and open space reserves, commodities, and identity. The County resists urbanization with the goal of maintaining its rural character. The 2030 Countywide General Plan outlines the following strategies for the development vision for growth in the coming years:

1. Modest managed growth within specified existing unincorporated communities, where accompanied by improvements to existing infrastructure and services, as well as by suitable new infrastructure and services.
2. Opportunities for revenue-producing and job-producing agricultural, industrial and commercial growth in limited locations and along key transportation corridors.
3. Thresholds that allow for effective and efficient provision of services, consistent with rural values and expectations.
4. New emphasis on community and neighborhood design requirements that reflect "smart growth" principles and complement the character of existing developed areas.

The proposed Project would be located on a 69-acre parcel designated as Agriculture (AG) in the Yolo County General Plan and is zoned as Agricultural Intensive (A-N) (Yolo County, 2019). The surrounding land is also zoned as A-N (Yolo County, 2019). The land is flat and sits approximately 3 miles south of the City of Woodland, 2 miles west of State Route 113, and a half-mile north of Willow Slough. Access to the parcel is reached by County Road 27, which lies on the north side of the parcel. All construction disturbance would be within the Project site and localized around the work area only.

Regulatory Background

The following relevant policies are presented in the Yolo County General Plan Land Use and Community Character Element (Yolo County, 2009):

Policy LU-1.1 Assign the following range of land use designations throughout the County, as presented in detail in Table LU-4 (Land Use Designations):

Agriculture (AG) includes the full range of cultivated agriculture, such as row crops, orchards, vineyards, dryland farming, livestock grazing, forest products, horticulture, floriculture, apiaries, confined animal facilities and equestrian facilities. It also includes agricultural industrial uses (e.g., agricultural research, processing and storage; supply; service; crop dusting; agricultural chemical and equipment sales; surface mining; etc.) as well as agricultural commercial uses (e.g., roadside stands, "Yolo Stores," wineries, farm-

based tourism (e.g., u-pick, dude ranches, lodging), horseshows, rodeos, crop-based seasonal events, ancillary restaurants and/or stores) serving rural areas. Agriculture also includes farmworker housing, surface mining, and incidental habitat.

Policy LU-2.2 Allow additional agricultural commercial and agricultural industrial land uses in any designated agricultural area, where appropriate, depending on site characteristics and project specifics. Agricultural commercial and/or agricultural industrial development is anticipated as shown in Table LU-7 (Anticipated Agricultural Commercial and/or Agricultural Industrial Growth) and in Figure LU-2 (New Targeted Future Agricultural Commercial and Agricultural Industrial Sites).

Manage agricultural parcels of less than 20 acres, including antiquated subdivisions where appropriate, to create compatibility with surrounding agricultural uses to the greatest extent possible, including: 1) discourage residential development; 2) encourage lot mergers to achieve larger parcel sizes; 3) encourage clustering of units either within parcels or near existing homes on adjoining parcels to preserve farmland and natural resources; 4) encourage transfers of development rights to areas where additional farm dwellings are desired (e.g. organic farms that are labor intensive); 5) encourage deed restrictions, site design and development themes that support the agricultural use of the land; and 6) aggressively limit the impact of residential development where it does occur.

5.11.2 Environmental Impacts and Mitigation Measures

a. Would the project physically divide an established community?

NO IMPACT. The Project would not be located within an established community. The Project is located approximately 3 miles south of the City of Woodland and is primarily surrounded by private agricultural operations and rural residences. The proposed Project would be built with the intent of serving agricultural operations throughout the designated area of unincorporated Yolo County. All construction disturbance would be within the private land of the Project site and localized around the work area only. Therefore, no aspect of the Project would divide an established community.

b. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

NO IMPACT. The parcel is zoned as Agricultural Intensive (A-N), and currently supports 64.75 acres of row crops and 4.25 acres of development that served a seed research facility. Of the 64.75 acres in agricultural production, the parcel also supports a 45-acre conservation easement for Swainson's hawk. Under the proposed Project, the 45 acres of land under the conservation easement will remain in agricultural production, and 20 acres of the parcel will be developed for industrial agricultural use to supply agricultural inputs and farming equipment to local farmers in the County (for a combined total of 23.25 acres of developed area). Yolo County considers the Project to be consistent with the current zoning because it is an agricultural supporting facility, based on Table 8-2.304(d) of the Yolo County Zoning Code: Title 8 Land Development, which defines acceptable agricultural uses (Yolo County, 2020). Therefore, the Project would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Land Use and Planning Impact Conclusions

No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

5.12 Mineral Resources

MINERAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	☐	☐	☐	☒
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒

Significance criteria established by CEQA Guidelines, Appendix G.

5.12.1 Setting

The California Department of Conservation (DOC) has prepared two Surface Mining and Reclamation Act (SMARA) Special Reports (#156 and #245) for Yolo County. Special Report 156 evaluated mineral resources within the Sacramento, Cache Creek, Woodland, Davis, and Fairfield areas for Portland Cement Concrete-grade construction aggregate resource potential. Special Report 245 was the first mineral land classification study of concrete aggregate resources in the newly defined Greater Sacramento Area Production-Consumption Region, including Yolo County. All lands within the 6,080 square-mile area were assigned a Mineral Resource Zone (MRZ) classification based on geologic factors alone. Those lands with a previously designated MRZ classification were updated in this report.

The Project site, located south of the City of Woodland within Yolo County, is in an area identified as Mineral Resource Zones 1 and 3 (MRZ-1 and -3). The northwestern portion of the parcel is MRZ-3, and the remainder of the parcel is classified as MRZ-1 (SR 245 Map). MRZ-3 refers to an area containing mineral occurrences of undetermined mineral resource significance. MRZ-1 refers to an area where available geologic information indicates that little likelihood exists for the presence of significant mineral resources. Therefore, the Project site and immediate surrounding area are not known to support significant mineral resources.

Preservation of mineral resources is addressed in the Yolo County General Plan, Conservation and Open Space Element. According to the General Plan, Yolo County has two primary mineral resources, mined aggregate and natural gas. These resources are located throughout the County; there are six aggregate mines and 25 natural gas fields currently in operation in Yolo County (Yolo County, 2009). Yolo County is one of the 28 counties in California that produce gas and oil.

The proposed Project is surrounded by natural gas fields including Harlan Ranch Gas (ABD), Merritt Gas, Willow Slough Gas, Fairfield Knolls Gas (ABD), Madison Gas (ABD), and Crossroads Gas (ABD). None of the oil or gas fields overlap with the Project area (DOC, 2019). The nearest mines are approximately 6 miles to the north and 7 miles to the east of the Project site. These mines produce aggregate including sand, gravel, and clay (DOC, 2016).

Regulatory Background

Surface Mining and Reclamation Act. SMARA requires that the State Geologist classify land into MRZ or Scientific Zones according to the known or inferred mineral potential of the land.

MRZs are defined as the following (DOC, 2000):

- MRZ-1: Areas where available geologic information indicates that little likelihood exists for the presence of significant mineral resources.

- MRZ-2: Areas where adequate information indicates that mineral deposits are present, or where it is judged that a high likelihood for their presence exists. This zone shall be applied to known mineral deposits or well-developed lines of reasoning, based upon economic-geologic principles and adequate data, demonstrate that the likelihood for occurrence of significant mineral deposits is high.
- MRZ-3: Areas containing mineral occurrences of undetermined mineral resource significance.
- MRZ-4: Areas where available information is inadequate for assignment to any other MRZ category.

5.12.2 Environmental Impacts and Mitigation Measures

a. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?

NO IMPACT. The Project site is considered MRZ-1 and MRZ-3. Therefore, no known significant mineral resources are present on the site or the immediate surrounding area. The Project would not result in the loss of availability of a known mineral resource.

b. Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

NO IMPACT. The Project is not located in, or near, a mineral resource recovery site. Therefore, the Project would not result in the loss of availability of a locally important mineral resource recovery site.

Mineral Resources Impact Conclusions

No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

5.13 Noise

NOISE **Would the project result in:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Significance criteria established by CEQA Guidelines, Appendix G.

5.13.1 Setting

Community noise levels are usually closely related to the intensity of nearby human activity. Noise levels are generally considered low when ambient levels are below 45 decibels (dBA), moderate between 45 to 60 dBA, and high above 60 dBA. Surrounding land uses dictate what noise levels would be considered acceptable or unacceptable. Lower levels are expected in low density rural and suburban residential areas than what would be expected for commercial, industrial, manufacturing, and agricultural zones. Nighttime ambient levels in urban environments are about seven decibels lower than the corresponding daytime levels. In rural areas away from roads and other human activity, the day-to-night difference can be considerably less, with the exception of ongoing agricultural activities.

The proposed Project site consists of a 69-acre parcel with pre-existing buildings, a portion of which would be developed with additional structures, equipment parking, and storage areas. The site is flat and surrounded by mostly farmland/agricultural crops with isolated rural residences. The nearest noise receptors (residences) to the Project are located approximately 20 feet south and 300 feet north of the Project boundaries.

The Health and Safety Element of the Yolo County General Plan identified the existing roadway traffic noise level as 58.6 dBA Ldn for locations 100 feet from centerline of County Road 98 near the site (between County Road 29 and County Road 27), based on average daily traffic of 4,000 vehicles (Yolo County, 2009). Typical ambient noise levels occurring over a 24-hour period in agricultural areas like the Project site are expected to be 45 dBA or lower for locations away from roadway traffic and when farming equipment is not being used.

There are five publicly and privately owned airports in Yolo County. Additionally, the Sacramento International Airport is located just outside the County boundaries. The nearest airports to the Project site are the Medlock Field Airport (69CL) located in Davis, California. It is located 2.8 miles due east of the facility. The next-closest airport is the Yolo County Airport (3 miles southwest) and the Watts-Woodland Airport (5 miles northwest).

Regulatory Background

Regulating environmental noise is generally the responsibility of local governments. The USEPA once published guidelines on recommended maximum noise levels to protect public health and welfare. Yolo

County has not adopted a comprehensive noise ordinance that sets specific noise levels for different zoning districts or for different land uses in the unincorporated area. However, the State of California Department of Health Services developed recommended Community Noise Exposure standards, that are set forth in the State's General Plan Guidelines (OPR, 2017). These standards are also included in the Yolo County 2030 Countywide General Plan and used to provide guidance for new development projects.

The recommended standards provide acceptable ranges of noise levels to assess the compatibility of land uses in terms of the Community Noise Equivalent Level (CNEL), which reflects an averaged noise level over a 24-hour or annual period.[2] "Normally acceptable" noise levels are less than 75 dBA CNEL and up to 80 dBA CNEL would be "conditionally acceptable" for outdoor noise levels in agricultural areas (Yolo County, 2009).

In addition, the following policies are presented in the Yolo County General Plan Health and Safety Element (Yolo County, 2009):

Policy HS-7.4 For proposed new discretionary development, where it is not possible to reduce noise levels in outdoor activity areas to 60 dB CNEL or less using practical application of the best-available noise reduction measures, greater exterior noise levels may be allowed, provided that all available reasonable and feasible exterior noise level reduction measures have been implemented.

Policy HS-7.8 Encourage local businesses to reduce vehicle and equipment noise through fleet and equipment modernization or retrofits, use of alternative fuel vehicles and installation of mufflers or other noise reducing equipment.

Action HS-A62 Regulate the location and operation of land uses to avoid or mitigate harmful or nuisance levels of noise to the following sensitive receptors: residentially designated land uses; hospitals, nursing/convalescent homes, and similar board and care facilities; hotels and lodging; schools and day care centers; and neighborhood parks. Home occupation uses are excluded.

5.13.2 Environmental Impacts and Mitigation Measures

a. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

LESS THAN SIGNIFICANT – CONSTRUCTION. Construction activities associated with the Project would incrementally increase noise levels on access roads leading to the site and would increase noise in the vicinity of the site as trenching, excavation, paving, and other activities are phased for building installation.

Traffic noise on area roadways would increase with construction crew commutes and the transport of construction equipment and materials to the construction sites. Intermittent noise increases due to passing trucks at 50 feet would generate about 85 dBA maximum (Lmax) (Yolo County, 2009). Although construction traffic would temporarily increase noise along access routes, the effect of construction traffic on longer term (hourly or daily) ambient noise levels would be minimal.

[2] The Community Noise Equivalent Level (CNEL) is a measure of the cumulative noise exposure in a community, with a 5 dB penalty added to evening (7:00 pm to 10:00 pm) and a 10 dB addition to nocturnal (10:00 pm to 7:00 am) noise levels. The Day/Night Average Sound Level (Ldn), is essentially the same as CNEL, with the exception that the evening time period is grouped into the daytime period. (Yolo County, 2009.)

At the site, installing additional structures, equipment parking and storage areas, and developing the detention basin would generate temporary noise due to the use of various heavy construction equipment. The types of equipment expected for construction would include pick-up trucks, concrete trucks, an excavator, backhoe, scraper, sheepsfoot compactor, and a drum compactor. Pile driving is not anticipated for this Project.

Table 5.13-1 shows the Typical Construction Equipment Maximum Noise Levels as reported in the Health and Safety Element of the General Plan (Yolo County, 2009). Based on the typical noise levels for equipment that would be used for the Project, maximum noise levels during construction would be about 91 dBA at 50 feet. The nearest residential receptor is located approximately 30 feet south of the southern parcel boundary, and thus may experience an exterior noise level of up to 91 dBA Lmax during Project construction. However, this is based on a "worst case" instantaneous peak noise level, while the overall average noise levels during the course of a typical day of construction would be much lower.

Table 5.13-1. Typical Construction Equipment Maximum Noise Levels

Type of Equipment	Range of Maximum Sound Levels (dBA at 50 ft)	Suggested Maximum Sound Levels from Analysis (dBA at 50 ft)
Trucks	81-87	85
Excavator	81-90	86
Backhoe	81-90	86
Scraper	83-91	87
Graders	79-89	85
Compactors/Rollers	75-82	80

It is expected that the short duration of construction activities lasting approximately six to nine months would be audible during daytime hours in the vicinity of the nearest residences. General construction activities would be limited to a 9-hour timeframe (8 a.m. to 5 p.m.) on weekdays. Construction is not anticipated on weekends.

Construction noise would be exempt from the standards for the compatibility of land uses, and the construction noise levels would pose no conflict with Yolo County policies regarding compatibility of land uses with noise levels. Additionally, the Yolo County Code of Ordinances does not include a comprehensive noise ordinance with standards for noise-emitting construction activities. The construction noise impact under this criterion would be less than significant.

LESS THAN SIGNIFICANT – OPERATION AND MAINTENANCE. Operation and maintenance noise levels would primarily be caused by deliveries to and from the site. Hours of operation are expected to be from 7:00AM to 5:00PM, Monday through Friday. The Project would create an average of 12 to 14 inbound and outbound truck deliveries per day and additional light-duty vehicle traffic would occur, as about 43 to 48 employees would work at the site. Nighttime and weekend noise levels would not change with operation of the proposed facility because only daytime and weekday operations are proposed.

A permanent increase in noise levels would occur during operational hours due to Project-induced traffic on area roadways and activity within the site. For roadway segments accessing the Project site, operations and maintenance-related Project traffic would not cause a notable change from existing conditions that include approximately 4,000 average daily vehicles along County Road 98. For activity within the site, the applicable performance standard from the General Plan (Policy HS-7.4) specifies that any proposed discretionary development should achieve noise levels of 60 dBA CNEL or less for nearby outdoor activity areas, using practical application of the best-available noise reduction measures.

Truck movements within the site would create occasional noise during access travel to access the graveled equipment storage or fertilizer storage areas. These on-site vehicle movements would be set-back from

the nearest residential receptor by approximately 100 feet because the proposed site plans include a detention pond separating the nearest residence from the proposed equipment storage areas. Peak, instantaneous noise levels would be about 85 dBA Lmax within 50 feet of on-site truck movements. However, these levels would be brief and would not substantially increase the hourly or daily noise levels because truck traffic would not occur continuously. Accordingly, operations and maintenance of the Project would not be likely to result in exposure of persons to, or generation of noise levels in excess of, standards established in the General Plan; and therefore, this impact would be less than significant.

b. Would the project result in generation of excessive groundborne vibration or groundborne noise levels generation of excessive groundborne vibration or groundborne noise levels?

LESS THAN SIGNIFICANT. Groundborne vibration levels from construction equipment and activities might be perceptible to receptors in the immediate vicinity of the work or staging areas. The activity that would be most likely to cause groundborne vibration would be the passing of heavy trucks on uneven surfaces. The impact from construction-related groundborne vibration would be short-term and confined to only the immediate area around activities (within about 25 feet). The proposed development within the site would occur more than 25 feet from the nearest off-site residence; therefore, no sensitive receptors would be exposed to excessive construction vibration. Operation and maintenance of the proposed Project would not involve any equipment likely to produce groundborne noise or vibration. Accordingly, the Project impact related to vibration would be less than significant.

c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

NO IMPACT. The nearest airport to the Project site is the Medlock Field-Airport (69CL) located in the unincorporated area near Davis, California. It is located 2.8 miles due east of the facility. The next closest airport, the Yolo County Airport, is located just over 3 miles southwest from the Project site. Due to the distance of the proposed project to these aviation facilities, neither construction nor operation of the Project would subject workers to excessive Project-generated noise levels. No impact would occur.

Noise Impact Conclusions

No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

5.14 Population and Housing

POPULATION AND HOUSING **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Significance criteria established by CEQA Guidelines, Appendix G.

5.14.1 Setting

The Project site is located about 3 miles south of the city of Woodland in Yolo County at the intersection of County Road 27 and County Road 98. Nearby cities include cities of Davis, Winters, and Sacramento. As of January 2020, the population of Yolo County, including the cities of Davis, West Sacramento, Winters, and Woodland, was estimated at 221,705, with a 0.4 percent population growth from January 1, 2019. During that same time period, the City of Woodland, which is immediately north of the Project site, had a population of 60,742, with an estimated annual growth of 1.1 percent (CDF, 2020).

5.14.2 Environmental Impacts and Mitigation Measures

a. Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

NO IMPACT. There would be no direct population growth induced by this Project because it does not involve the construction of new residences or new businesses, nor does it change current long-term jobs. Construction needs are not expected to require relocation of workers to the area. The approximately 10 to 20 construction personnel are expected to be mostly derived from the local labor pool. Since the construction duration is not lengthy, 6 to 9 months, and local workforce is sufficient, it is not expected that construction workforce would relocate to the Project area during the construction period. Once construction is completed, all employees of the two pre-existing Wilbur-Ellis facilities, in Woodland and Dixon, will be relocated to the proposed consolidated facility. It is expected that these relocated employees would change only their commute and not their residency. Therefore, the proposed Project would not result in increases in population and would not displace any existing housing or current residents.

b. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

NO IMPACT. The proposed Project would not result in a population increase in Yolo County and would not displace existing housing or current residents. The construction would occur for approximately 6 to 9 months and would not result in permanent relocation of workers to the Project area.

Population and Housing Impact Conclusions

No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

5.15 Public Services

PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Fire protection?	☐	☒	☐	☐
b. Police protection?	☐	☐	☒	☐
c. Schools?	☐	☐	☐	☒
d. Parks?	☐	☐	☐	☒
e. Other public facilities?	☐	☐	☐	☒

Significance criteria established by CEQA Guidelines, Appendix G.

5.15.1 Setting

The Project site is located within the Springlake Fire Protection District (FPD) and in close proximity to the Woodland Fire Department. Springlake FPD receives contract services from the City of Woodland Fire Department and the City of Davis Fire Department (Springlake, 2021). The nearest fire station to the Project site, operated by the Woodland Fire Department, Station No. 3, is located at 1550 Springlake Court, Woodland, California.

Law enforcement services in Yolo County are provided by the County Sheriff-Coroner. This department patrols the County, administers the County Jail and work program, provides animal control services, and serves as the County Coroner. The department has 300 full-time and part-time employees and volunteers (Yolo County Sheriff's Office, 2021).

The Project site is within the Woodland Joint Unified School District, which serves approximately 10,000 students in the city of Woodland and the surrounding unincorporated area of Yolo and Solano counties. This district has 12 elementary schools, 2 junior high schools, 2 high schools, one continuation high school, and 2 home study schools (Yolo County, 2009). The District office is located at 435 6th Street in Woodland, 4.4 miles from the Project site.

Yolo County Parks Department provides park and recreation services within Yolo County. The County provides regional parks with camping, boating, and fishing (Yolo County, 2019). There are a handful of parks within a 10-mile radius of the Project site, these include the William Crawford Senior Park, Cache Creek Nature Preserve, Wild Wings Park, and Grassland Regional Park. These parks provide natural trails, playgrounds, tennis courts, a skate park, and picnic facilities.

Regulatory Background

The Yolo County 2030 Countywide General Plan, Public Facilities and Services Element (2009), includes numerous policies related to public services. Relevant policies are presented below.

Policy PF-5.3 Require assertive fire protection measures in all development to supplement limited rural fire district resources.

Policy PF-5.9 The County shall require, and applicants must provide, a will-serve letter from the appropriate fire district/department confirming the ability to provide fire protection services to the project, prior to each phase. (DEIR MM PUB-1)

5.15.2 Environmental Impacts and Mitigation Measures

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

a) Fire protection?

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED. The surrounding area is primarily agriculture, with the City of Woodland about 3 miles to the north. The California Department of Forestry and Fire Protection (CalFire) designates the western portion of the county as moderate fire hazard (CalFire, 2020). The Project site Fire Hazard Severity is currently not zoned by CalFire. The nearest fire department is located 3.5 miles from the Project site. As the Project is located on a site already served, emergency response time to the Project would remain consistent. The Project is not expected to induce population growth in the Project area or affect service ratios, response times, or other performance objectives for fire response services. While there may be a slight increased need for fire protection response during Project construction, these effects would not be sufficient to induce the construction of new or physically altered governmental facilities that could result in significant environmental impacts. Per County Policy PF-5.3, the Project would be adjusted in the building plan approval stage if necessary to meet current building and fire codes and comply with all County Fire requirements at the site.

During operation, the Project would comply with the administrative and engineering controls discussed in the Hazards and Hazardous Materials section, which would serve to reduce the potential need for fire department services.

To comply with County Policy PF-5.9, Mitigation Measure PS-1 requires the Applicant to obtain a "will serve" letter from the Springlake Fire Protection District/City of Woodland Fire Department.

Implementation of Mitigation Measures PS-1 and HAZ-2 through HAZ-6 would be sufficient to reduce any adverse impacts to the fire department. Therefore, the Project impact would be less than significant regarding fire protection services with mitigation measures incorporated.

b) Police Protection?

LESS THAN SIGNIFICANT. The proposed Project would not require police services during construction or operation beyond routine patrols and response at the level currently provided. As with fire protection services discussed above, the construction and operation of the proposed Project would not induce growth in the Project area, result in a need for additional police facilities, or significantly affect response times or other service performance. Although impacts to police protection would be less than significant; during operation, implementation of MM HAZ-6—preparation of a site-specific operation security plan—will act to further reduce the potential impact to police services. The impact to police protection services would, therefore, be less than significant.

c) Schools?

NO IMPACT. The proposed Project would not be expected to result in an increase in population within the area. Construction is expected to take approximately 6 to 9 months and would not require the permanent

relocation of workers to the proposed Project area. All the construction personnel (approximately 10 to 20 workers) would most likely be sourced from the existing local labor force. There would not be an expected increase in families, or in school-age children, as a result of the temporary construction work-force. During operation, the staff at the Project site (total of 43 to 48 employees, approximately 12 employees on-site full-time) would be those that are currently working at the existing Wilbur-Ellis Dixon and Woodland facilities. It is not anticipated that these workers would relocate to be closer to the new Distribution Center. Even if 12 households relocated near the Project site, the additional increase in population would be about 36 people (assuming 3.0 people per household, or likely less than 12 students). As noted in the Population and Housing section, as of January 2020, the City of Woodland, which is immediately north of the Project site, had a population of 60,742, with an estimated annual growth of 1.1 percent (CDF, 2020). At that growth rate, it would be expected that the population of Woodland would grow by 668 people annually. The 36 additional people would only comprise 5 percent of the expected growth, and would therefore, be insignificant. Also, the 12 additional students would be insignificant with respect to the 10,000-person student body of the Woodland Joint Unified School District, which would be expected to grow annually by about 110 students.

d) Parks?

NO IMPACT. The required construction workforce for the Project would likely be hired from the available regional workforce. Although some workers may use recreational areas during Project construction, increased use would be minimal and/or temporary because the workforce is anticipated to already be local. During operations, as noted above, the workforce at the facility is expected to have 12 staff onsite full-time, which are not expected to relocate. Even if they were to relocate, an additional 36 people would not impact use of the parks. Therefore, they would not contribute substantially to the physical deterio-ration of existing facilities. No impacts would occur.

e) Other Public Facilities?

NO IMPACT. Due to the use of a local workforce, Project construction would not have the potential to increase the number of people in communities within the Project vicinity. The same can be said of opera-tion. Although workers are not anticipated to relocate near the Project site, even if they did the slight increase in population would be insignificant. Therefore, public facilities, such as libraries or courthouses, are expected to adequately handle any small, increase in the local population. Therefore, there would be no impacts on other public facilities.

Mitigation Measures for Public Services

MM PS-1 **Will Serve Letter.** To comply with County Policy PF-5.9, the Applicant shall obtain a will server letter from the Springlake Fire Protection District/City of Woodland Fire Depart-ment prior to the start of construction.

Public Services Impact Conclusions

Implementation Mitigation Measures PS-1, and HAZ-2 through HAZ-6 would be sufficient to reduce any adverse impacts to the fire department. Implementation of MM HAZ-6 would also serve to further reduce already insignificant impacts to the Sheriff Department even further. No impacts are expected to schools, parks, or other public facilities. Therefore, the Project impact would be less than significant with mitigation measures incorporated.

5.16 Recreation

RECREATION	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Significance criteria established by CEQA Guidelines, Appendix G.

5.16.1 Setting

Yolo County has four parks within 10 miles of the Project site. These parks are intended to provide recreational areas for both the County population and outside visitors (Yolo County, 2019). These parks include William Crawford Senior Park, Cache Creek Nature Preserve, Wild Wings Park, and Grassland Regional Park (Yolo County, 2019). The William Crawford Senior Park provides play structures, tennis courts, and a skate park. The Cache Creek Nature Preserve and the Grassland Region Park provide natural walking trails. Lastly, the Wild Wings park is located on a golf course. The closest park, the William Crawford Senior Park, is located approximately 2 miles away from the Project site in the City of Woodland.

Regulatory Background

According to the Yolo County 2030 Countywide General Plan (2009), expanding park and recreation opportunities is required to meeting the needs of the population as it increases. This Project will not increase population growth and there are no recreation policies that would apply to the Project.

5.16.2 Environmental Impacts and Mitigation Measures

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

LESS THAN SIGNIFICANT. The temporary Project construction time would be approximately 6 to 9 months, throughout which there would be a maximum of 20 construction workers. It is expected that the construction workforce would be locally sourced. Thus, the construction workforce would have no effect on the access or use of recreational facilities such that would cause substantial physical deterioration of any facility. During operation, roughly 43 to 48 employees would work at the Wilbur Ellis facility. However, other than a small group that would work full-time at the facility (about 12), most of the staff will be in the field. Hence, the proposed Project would not substantially increase the use of existing recreational facilities nor cause any accelerated deterioration.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

NO IMPACT. The Project does not include any use of recreational facilities or require construction or expansion of facilities that might have an adverse physical effect on the environment.

Recreation Impact Conclusions

No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

5.17 Transportation

TRANSPORTATION **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☒
b. Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?	☐	☐	☒	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d. Result in inadequate emergency access?	☐	☐	☐	☒

Significance criteria established by CEQA Guidelines, Appendix G.

5.17.1 Setting

The transportation system within the unincorporated areas of Yolo County consists of a system of State freeways, highways, and rural county roads that serve small communities and primarily agricultural uses. The main transportation corridors include Interstate 80, Interstate 5, and Interstate 505. State Route (SR) 113 is approximately 2 miles east from the Project site, and the primary access point for the Project. The Project is bordered on the north by County Road (CR) 27 (east-west travel) and on the west by County Road 98 (north-south travel), with site access from CR 27. The Annual Average Daily Traffic (AADT) for SR 113 north of CR 27 is 26,000 vehicle trips, and AADT south of CR 27 is 27,200 vehicle trips (Caltrans, 2019). The average daily trips (ADT) on CR 98 from CR 27 to CR 29 (i.e., along the western side of the Project) is 8,000 vehicle trips, and the ADT for CR 27 from CR 98 to SR 113 is 7,300 vehicle trips (Yolo County, 2009).

Regulatory Background

Yolo County General Plan

The following policy is presented in the Yolo County General Plan Circulation Element:

Policy CI-7.2 Encourage movement of goods by truck on freeways and other appropriate designated routes.

5.17.2 Environmental Impacts and Mitigation Measures

a. Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

NO IMPACT. The location of the proposed facility is approximately 2 miles west of SR 113, providing quick and easy access to the highway for direct travel. Vehicles carrying construction supplies and equipment will primarily travel by I-80 or I-5 to access SR 113, and subsequently CR 27 to reach the project site. It is assumed that very little construction traffic will occur on County roads because of the site's proximity to SR 113. It is expected that construction workers will travel from the local area or from the greater Sacramento area and access the site from County roads (local workers) or from SR 113, for those coming from the Sacramento area. Once constructed, operation of the facility would require truck deliveries and outbound truck traffic

on a daily basis, in addition to employees commuting to and from the facility. It is expected that transportation trips associated with the operation of the facility would primarily rely on SR 113, I-80, I-5, and major surface streets throughout the County. This is consistent with Policy CI-7.2, presented above. Therefore, temporary and permanent transportation associated with the Project would not conflict with any program plan, ordinance, or policy pertaining to the circulation system.

b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

LESS THAN SIGNIFICANT IMPACT. As addressed in CEQA Guidelines Section 15064.3 (b), a qualitative analysis of construction traffic vehicle miles traveled (VMT) may be appropriate. Construction worker commuter trips (10 to 20 people) are expected to come from the local area. Some long-distance truck trips may require high VMT to access the proposed Project site, but they would be temporary and limited, in nature. Additionally, construction-related truck trips would only be in volumes necessary to deliver equipment, materials, and workers to the site. No unnecessary travel is expected. Upon completion of construction, all truck trips and worker commute trips would cease. Therefore, the project would not affect VMT within the region.

Long-term operation of the Project would result in 24 to 26 vehicle trips per day and could be equivalent, or less than, the current number of trips at the pre-existing Wilbur Ellis facilities that will be closed and consolidated at the proposed facility. Per Caltrans guidelines, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less than significant operation VMT impact (Caltrans, 2020). Therefore, even if the project generates an increase in long-term daily operations trips, such an increase would be 26 trips or less. This is considered a less than significant increase in VMT per Caltrans guidelines. The Project would have a less than significant transportation impact with respect to CEQA Guidelines Section 15064.3(b.3.).

c. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

LESS THAN SIGNIFICANT IMPACT. The Project will not make any changes to pre-existing roads or intersections external to the parcel. The Project plans to add a second driveway along CR 27 to facilitate incoming and outgoing deliveries as well as provide alternate emergency access. This additional driveway should not create a hazard to pre-existing traffic patterns. Operation and maintenance of the Project will involve farm implements and equipment deliveries to and from the site, but this use is consistent with the rural character and farming operations of unincorporated Yolo County. Therefore, the impact would be less than significant.

d. Would the project result in inadequate emergency access?

NO IMPACT. The Project will add a second driveway along CR 27 to facilitate access in the event of an emergency. In accordance with Fire Code addition, the Project will construct 20-foot-wide all-weather roads, capable of supporting at least 75,000 pounds, that extend within 150 feet of all portions of the buildings. The Project will also incorporate a dead-end fire apparatus access road for turning a fire apparatus. Therefore, emergency access to the Project would be adequate and there would be no impact.

Transportation Impact Conclusions

No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

5.18 Tribal Cultural Resources

TRIBAL CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
(i) listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k), or	☐	☒	☐	☐
(ii) a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Significance criteria established by CEQA Guidelines, Appendix G.

5.18.1 Setting

Tribal Cultural Resources (TCRs) is a newly defined class of resources under Assembly Bill 52 (AB 52). TCRs include sites, features, places, cultural landscapes, and sacred places or objects that have cultural value or significance to a Tribe. To qualify as a TCR, the resource must either: (1) be listed on, or be eligible for, listing on the California Register of Historical Resources (CRHR) or other local historic register; or (2) constitute a resource that the lead agency, at its discretion and supported by substantial evidence, determines should be treated as a TCR (PRC §21074). AB 52 also states that tribal representatives are considered experts appropriate for providing substantial evidence regarding the locations, types, and significance of TCRs within their traditional and cultural affiliated geographic areas. Therefore, the identification and analysis of TCRs should involve government-to-government tribal consultation between the CEQA lead agency and interested tribal groups and/or tribal persons. (PRC § 21080.3.1(a)).

Approach to Analysis of Tribal Cultural Resources

Information presented in this section was gathered through AB 52 government-to-government consultation between Yolo County and the California Native American Tribes that have cultural affiliations with the proposed Project area and that have requested to consult on the proposed Project. Supplementary information was gathered from the cultural resources literature and records search, cultural resources field survey, and ethnographic summary that was described in Section 5.5 (Cultural Resources).

Project Notification

AB 52 requires that within 14 days of the lead agency determining that a project application is complete, a formal notice and invitation to consult about the proposed Project is to be sent to all tribal representatives who have requested, in writing, to be notified of projects that may have a significant effect on TCRs located within the proposed Project area (PCR § 21080.3.1(d)).

On October 13, 2020, Yolo County Department of Community Services sent emails to a total of five tribes that had previously submitted a written request to Yolo County to receive notification of proposed projects. These tribes included the Yocha Dehe Wintun Nation, Wilton Rancheria, Cortina Rancheria Band of Wintun Indians of California, Ione Band of Miwok Indians, and Torres-Martinez Desert Cahuilla Indians.

Emails included a brief description of the proposed Project, instructions on how to contact the lead agency Project Planner, a copy of the Cultural Resources Inventory Report, and a statement that responses must be received within 30 days of the date of receipt of the email.

One tribe, the Yoche Dehe Wintun Nation, responded with a letter dated October 14, 2020, requesting to consult on the proposed Project.

AB 52 Native American Tribal Consultation

One tribe requested to consult on the proposed Project. No TCRs were identified that may be impacted by the proposed Project. Recommendations for Tribal notification of any cultural resource discovery and worker environmental awareness training was recommended. Even though no known TCRs were identified within the Project area, potential impacts to unknown cultural resources and TCRs are possible. In response to potential inadvertent discoveries Mitigation Measures CUL-1 through CUL-3 in Section 5.5, Cultural Resources, were developed to address these impacts, and are relevant to TCRs.

5.18.2 Environmental Impacts and Mitigation Measures

a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

(i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED. There are no known TCRs that are listed in, or are known to be eligible for listing in, the CRHR or local register of historical resources within the Project area or the 0.25-mile radius. However, it is possible that previously unidentified TCRs that may be eligible for inclusion in the CRHR or local registers could be discovered and damaged, or destroyed, during ground disturbance, which would constitute a significant impact absent mitigation. Implementation of Mitigation Measures CUL-1 through CUL-3 (see Section 5.5 Cultural Resources) would evaluate and protect unanticipated TCR discoveries; thereby, reducing this impact to less than significant.

(ii) a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED. No known TCRs were identified by the consulting Tribe during AB 52 consultation or determined by the lead agency to qualify as a historical resource within the proposed Project or 0.25-mile surrounding area. However, it is possible that previously unidentified TCRs could be discovered and damaged, or destroyed, during ground disturbance, which would constitute a significant impact absent mitigation. Implementation of Mitigation Measures CUL-1 through CUL-3 (see Section 5.5 Cultural Resources) would evaluate and protect unanticipated TCR discoveries; thereby, reducing this impact to less than significant.

Tribal Cultural Resources Impact Conclusions

The AB 52 consultation requests to interested tribes yielded a response from the Yocha Dehe Wintun Nation. The Tribe stated that there are no known TCRs located within the Project area or within 0.25 miles of the Project area's boundary. Therefore, the analysis concludes that there would be no potential impacts to known TCRs. However, there is always the potential for ground-disturbing activity to cause an unexpected impact to buried TCRs that are presently unknown and unrecorded; therefore, Mitigation Measures CUL-1 through CUL-3 are recommended (see Section 5.5 Cultural Resources). Implementation of Mitigation Measures CUL-1, CUL-2, and CUL-3 would reduce impacts to unknown TCRs to a less-than-significant level.

5.19 Utilities and Service Systems

UTILITIES AND SERVICE SYSTEMS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	☒
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
d. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☒
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

Significance criteria established by CEQA Guidelines, Appendix G.

5.19.1 Setting

There are a variety of municipal wastewater systems that currently serve the cities and towns of Yolo County. The cities of Davis, Winters, and Woodland utilize secondary treatment systems. According to the Yolo County General Plan, the area between Woodland and Davis, where the Project site is located, utilizes private on-site septic systems (Yolo County, 2009).

Similarly, stormwater drainage facilities are limited in the unincorporated County. Many agricultural land uses employ on-site ditches that convey stormwater to existing roadside ditches (Yolo County, 2009). Potable water in the Project area is generally provided by onsite wells. No additional onsite wells would be installed for this Project.

Utility service in Yolo County is provided by PG&E. Two major north-south transmission line corridors have been developed in the County, running along Dunnigan Hills and I-505 in the west and along Yolo Bypass in the east (James Winne, personal communication, October 4, 2019). AT&T is the primary provider of landline telephone service. Cell phone and wireless service is provided by a network across the County, but there are gaps or poor reception in several of the unincorporated communities and remote rural areas.

There are two public facilities for solid waste and recycling in Yolo County, those being the Yolo County Central Landfill and Esparto Convenience Center. The Yolo County Central Landfill is a 722-acre, Class III solid waste landfill that provides solid waste and recycling services. At the current waste disposal rate, the landfill's closure date is estimated as January 1, 2081. The Esparto Convenience Center is an 11-acre facility accepting residential municipal solid waste and recycling. The transfer station does not have an estimated operational life; it will be closed when it is no longer needed (Yolo County, 2009).

Regulatory Background

Federal

Federal Clean Water Act. The State Water Resources Control Board (SWRCB) and its nine RWQCBs are responsible for the regulation and enforcement of the water quality protection requirements of the federal Clean Water Act (CWA) and the state's Porter- Cologne Water Quality Control Act (Porter-Cologne). The National Pollutant Discharge Elimination System (NPDES) is the permitting program that allows point source dischargers to comply with the CWA and Porter-Cologne laws. This regulatory framework protects the beneficial uses of the state's surface and groundwater resources for public benefit and environmental protection. Protection of water quality could be achieved by the proposed Project by complying with applicable NPDES permits from the SWRCB or the Central Valley RWQCB.

State

California Energy Efficiency Standards for Residential and Nonresidential Buildings—Green Building Code (2011), Title 24 Update (2014). The California Green Buildings Standards Code applies to planning, design, operation, construction, use, and occupancy of newly constructed buildings and requires installation of energy- and water-efficient indoor infrastructure. The related waste management plan is required to allow for diversion of 50 percent of the generated waste away from the landfill.

Integrated Waste Management Act. The Integrated Waste Management Act of 1989 requires cities and counties to reduce, by 50 percent, the amount of solid waste disposed of in landfills by the year 2000 and beyond. To comply with the Integrated Waste Management Act, counties adopt regulations and policies to fulfill the requirements of the Act.

Assembly Bill 32 (AB 32) Climate Change Scoping Plan. AB 32, by the Air Resources Board (ARB), is pursuant to the California Global Warming Solutions Act (Chapter 488, Statutes of 2006). AB 32 requires a business that generates 4 cubic yards or more of commercial solid waste per week to arrange for recycling services.

Local

County of Yolo General Plan. The Yolo 2030 Countywide General Plan, Public Facilities and Services Element (2009a) includes numerous policies related to utilities and service systems. Relevant policies are listed below.

Policy PF-2.2 Construct on-site stormwater detention facilities that are designed so that runoff from the 100-year storm event does not: (1) result in an increase in peak release rate; (2) result in a time decrease associated with the time of concentration; (3) contribute to adjacent flood problems; and/or (4) significantly alter the direction of runoff.

Policy PF-9.8 Requires salvage, reuse or recycling of construction and demolition materials and debris at all construction sites.

Policy PF-9.9 Encourages use of salvaged and recycled materials in construction.

5.19.2 Environmental Impacts and Mitigation Measures

a. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

LESS THAN SIGNIFICANT. The proposed Project is expected to increase annual water usage on the parcel from 2.5 Million gallons per year (MGY) to 3.0 MGY. Water is currently sourced from an on-site well. A complete Water System Determination Form shall be submitted prior to a building permit issuance to determine if this facility will be considered a Public Water System (PWS). However, this increase would not require the addition of any new or expanded water facilities and is therefore a less than significant impact.

The site uses a private on-site septic system, and therefore there would be no strain on public sewer systems. The septic system installed in 2016 was designed for 30 employees (Septic Installation Permit #16-039 S). This Project proposes a possible increase in use, which would require system modification. There is a proposed wastewater pump tank from the warehouse to the existing leach field in the north. The proposed leach field will be relocated to the southwest corner of the Project site. This waste will be domestic wastewater only. Any necessary modifications to the existing system will need to be done under an approved YCEHD Septic Permit. This upgrade would be minor, and the proposed Project would not significantly impact wastewater treatment operations.

Current stormwater drainage at the Project site is private and would not impact public stormwater drainage. Runoff will be collected by onsite swales and conveyed to a detention pond. The Project will require installation of the pond, designed to hold the 10-year, 24-hour, storm event. The berm road will be constructed along the east & south property boundary to contain the 100-year, 1-year storm event with no release and 1 foot of freeboard. This expansion is minor and would not significantly impact stormwater drainage operations.

Electricity and gas will continue to be provided by Pacific Gas & Electric (PG&E) facilities. Although the projected amount of energy usage is currently unknown, it is anticipated the electrical supply will likely be increased. The increased demand in electricity is expected from the additional buildings, interior and exterior lighting, and pumps for normal operations. The expected amount of gas usage required for heating is minimal. It is unlikely gas lines will need to be increased in size and it is currently unknown if gas lines will require relocation. Project electric demand during construction and operation would not be substantial and would not be expected to affect existing users. Therefore, potential impacts would be less than significant. There would be no need for additional telecommunications facilities and therefore no significant impact.

b. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

NO IMPACT. The source of construction and operation water supply will be an existing well. Water use during construction would be primarily for dust suppression. As mentioned above in (a), a complete Water System Determination Form will be submitted to determine if this facility will be considered a PWS. However, this water usage increase would not require the addition of any new or expanded water facilities and is therefore would result in a less than significant impact.

c. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

NO IMPACT. Domestic waste will go through a septic tank prior to being pumped to the proposed leach field. The existing leach field located on the north side will be relocated to the southwest corner of the Project site under an approved permit from Yolo County Environmental Health. There would be no impact to a local wastewater treatment provider.

d. Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

LESS THAN SIGNIFICANT. It is likely that construction of the proposed Project would generate solid waste. However, the applicant has committed to "encourage recycling and minimization of construction waste." Operation of the proposed Project would not likely increase the current levels of solid waste generated at the facility. Therefore, this Project would have minimal impacts on landfills and would not affect the ability of landfills in the area to comply with federal, State, and local statutes and regulations pertaining to solid waste.

e. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

NO IMPACT. As noted in (d) above, the applicant has committed to "encourage recycling and minimization of construction waste." The Project would be consistent with General Plan Policies PF-9.8 which requires salvage, reuse, or recycling of construction materials and would have to use salvaged and recycled materials in construction to be consistent with PF-9.9. The proposed Project would continue to operate in accordance with AB 32 by recycling if the facilities waste generation exceeds 4 cubic yards of commercial solid waste per week. Hence, all federal, State, and local solid waste regulations, as implemented and enforced by Yolo County, would be satisfied.

Utilities and Service Systems Impact Conclusions

No significant adverse impacts are identified or anticipated, and no mitigation measures are required. However, although there are no significant impacts, the company committed to "encourage recycling and minimization of construction waste" as part of the Project description to minimize construction waste.

5.20 Wildfire

WILDFIRE If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, **would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

Significance criteria established by CEQA Guidelines, Appendix G.

5.20.1 Setting

The Department of Forestry and Fire Protection (CAL FIRE) identifies and maps areas of significant fire hazards based on fuels, terrain, and other relevant factors. These maps categorize this information by Fire Hazard Severity Zones (FHSZs), grouped into un-zoned, moderate, high, and very high zones. State Responsibility Areas (SRAs) are locations where the state of California is responsible for wildfire protection and Local Responsibility Areas (LRA) are locations where the responding agency is the county or city.

The areas with the most significant fire hazard in Yolo County are the far western and northern portions of the County. In the increasingly hilly landscapes rising to the north and west, the rugged topography creates a landscape where fires can spread rapidly upslope and access for suppression equipment is limited (Yolo County, 2009). CAL FIRE designates these areas of the County as moderate fire hazard (CAL FIRE, 2020). The proposed Project is located south of the City of Woodland on flat land. The Project site is surrounded by agricultural land use, including almonds and row crops, rural residences, and the City of Woodland. The Project site's Fire Hazard Severity is currently un-zoned by CAL FIRE.

Regulatory Background

State

Fire Hazard Severity Zones (Pub. Resources Code, §§ 4201-4204). The purpose is to provide for the classification of lands within SRAs in accordance with the severity of fire hazard present and identify measures to be taken to retard the rate of spreading and to reduce the potential intensity of uncontrolled fires that threaten to destroy resources, life, or property.

Fire Hazard Severity (Cal. Code Regs, tit. 14, § 1280). FHSZs reflect the degree of severity of fire hazard.

Local

County of Yolo Emergency Operations Plan. This document outlines the responsibilities of the Emergency Management Organization for the County of Yolo. The plan includes hazard analysis that identifies the natural hazards and risks that can impact a community based on historical experience and estimate the

potential frequency and magnitude of disasters. The plan also includes developed standard emergency management goals and objectives as part of a strategy for emergency management.

5.20.2 Environmental Impacts and Mitigation Measures

a. Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

LESS THAN SIGNIFICANT. During Project construction, traffic levels would experience a minimal increase that is not expected to degrade traffic performance significantly. The Project would not involve the development of structures that could potentially impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. No streets would be closed, rerouted, or substantially altered during construction.

The Project does not involve the addition of a large number of people to the local area who could increase emergency response demand during a potential evacuation. Thus, the Project would not interfere with the coordination of the County's emergency operations plan, nor would the Project interfere with any statewide emergency response, or evacuation routes or plans. Emergency access to the Project site and surrounding area would be unaltered.

b. Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

LESS THAN SIGNIFICANT. The topography of the Project site is flat and the Project area is surrounded by agriculture fields and rural residences. The presence and usage of fossil fuels and power during construction could lead to a temporary increased risk of wildfire and pollutant concentrations in the event of a fire during construction. However, since the Project area is surrounded by irrigated agriculture and residences, the potential of increased wildfire risk is minimal. Daily operation would have minimal impact on wildfire risk.

c. Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

LESS THAN SIGNIFICANT. The proposed Project will require the extension electric utilities on the parcel for the proposed warehouses, tank farm, and additional lighting throughout the facility. However, the Project will not require the installation of infrastructure that would exacerbate fire risk or result in temporary ongoing impacts to the environment.

d. Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

NO IMPACT. Due to the flat topography of the site, minor ground disturbance associated with Project construction would not destabilize any slopes that could trigger landslides. The Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

Wildfire Impact Conclusions

No potentially significant adverse impacts are identified or anticipated, and no mitigation measures are required.

5.21 Mandatory Findings of Significance

MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☒	☐
c. Does the project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☒	☐

Significance criteria established by CEQA Guidelines, Appendix G.

a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED. Based on the information provided in this Initial Study and the mitigation measures required, the Project would not degrade the quality of the environment.

Section 5.1, Aesthetics, indicates that the Project would affect the visual character of the area changing it from agricultural row crops to an agricultural industrial use. The design of the proposed new structures would blend with adjacent agricultural structures/uses and not contrast with the surrounding Project area. However, General Plan Policy CC-1.8 requires projects to screen activities such as storage yards and outdoor parking and display areas. Thus, the Project would be required, in accordance with this policy, to reduce the impacts to visual character of the site and its surroundings by planting vegetation screening along the boundaries of the Project site.

Section 5.3, Air Quality, indicates that the proposed Project would generate temporary emissions during the 6- to 9-month construction period. The uncontrolled construction emissions estimate assumes fleet average emissions factors for on-road vehicles and off-road equipment and no fugitive dust control because YSAQMD does not have a fugitive dust control rule. Therefore, a mitigation measure was prepared to control fugitive dust.

Section 5.4, Biological Resources, indicates that the Project will be subject to the Yolo HCP/NCCP and payment of applicable compensatory fees. The Yolo HCP/NCCP also requires the implementation of specific Avoidance and Minimization Measure (AMMs) that have been identified for the proposed Project to minimize and/or avoid potential direct and indirect impacts to covered species and their habitat. These AMMs require performing planning-level surveys, establishing appropriate buffers, and implementing general practices to avoid and/or minimize impacts to covered species, including Swainson's hawk and

white-tailed kite, and would also benefit special-status species not covered under the Yolo HCP/NCCP, such as northern harrier and pallid bat.

To further minimize potential direct and indirect impacts to special-status wildlife species, additional mitigation measures are proposed in this section. Additionally, MM AQ-1 (Construction Fugitive Dust Control), implementation of SWPPPs, and implementation of a Hazardous Materials Business Plan and Risk Management Plan would ensure that impacts associated with excessive dust, erosion and sedimentation, and storage and use of hazardous materials are minimized and/or avoided. With the implementation of the required AMMs and the proposed mitigation measures, impacts to special-status species would be less than significant.

Section 5.5, Cultural Resources, and Section 5.18, Tribal Cultural Resources, indicate that the record search and intensive pedestrian survey did not identify any known historical resources in the Project area. However, ground-disturbing activity, such as grading, trenching, or excavations, has the potential to impact unknown buried resources that may be considered a unique archaeological resource per CEQA. Therefore, mitigation measures — such as worker environmental awareness training — are required that would reduce impacts to unknown resources to a less than significant level.

Section 5.7, Geology/Soils, indicates that although there are no known geological conditions that would result in substantial adverse effects including the risk of loss, injury, or death involving strong seismic ground shaking, liquefaction/expansion of soils, or other unstable soil conditions, a mitigation measure was proposed that would provide the design engineers with site-specific geotechnical information that would allow proper design of foundations so that the facility would be able to withstand any adverse geological or soil effects. In addition, the potential for soil erosion would be mitigated through preparation of a SWPPP. The closest known paleontological resources in the vicinity are about 3 miles from the site. However, a Worker Environmental Awareness Program, was proposed to educate workers of how to recognize potential paleontological resources and what to do should something be found.

Section 5.9, Hazards and Hazardous Materials, indicates that the new Consolidation Facility will store anhydrous ammonia (an acutely hazardous material) and aqueous ammonia (ammonia mixed with water) on site in approved storage containers. These ammonia-containing chemicals would be delivered to the facility in appropriate DOT-approved transport vehicles. Existing regulations concerning the transportation and use of ammonia would be followed, along with a Site-specific Operation Security Plan. Together with administrative and engineering controls described in that section, the potential impacts to the environment from an accidental release of ammonia would be less than significant.

Section 5.10, Hydrology/Water Quality, indicates that construction of the Project could result in soil erosion from use of construction equipment (as pointed out in the Air Quality section). In addition, a spill or leak of hazardous materials could cause water pollution. The Project includes a detention basin to prevent stormwater run-off. Preparation of an NPDES permit and SWPPPs would mitigate any hydrology and water quality impacts.

Section 5.15, Public Services, indicates that there will not be any adverse impacts on public services with implementation of mitigation measures for Hazards and Hazardous Materials. To ensure that the Fire Protection District is not impacted by the Project, County Policy PF-5.9 requires that the Applicant obtain a will server letter from the Springlake Fire Protection District/City of Woodland Fire Department prior to the start of construction.

b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, effects of other current projects, and the effects of probable future projects.)

LESS THAN SIGNIFICANT. Based on the analysis provided in this Initial Study, the Project would have no significant cumulative impacts. Yolo County contains about 250,695 acres of prime farmland.[3] The Project will occupy approximately 24 acres of prime farmland, or about 0.009 percent of the County's existing prime farmland. Although about 24 acres of prime farmland would be used for the Wilbur-Ellis Consolidation Facility, this use is considered by Yolo County as an allowed permitted agricultural use in the A-N zone. When the proposed Project is evaluated subject to the terms of the Williamson Act contract, it meets the criteria for a compatible use. Therefore, the Project is an allowed use consistent with both zoning requirements and Williamson Act limitations. It would not create a cumulate impact. Its impact would be less than significant.

c. Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED. Based on the information provided in this Initial Study and the mitigation measures required, the Project would not have any environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

Section 5.9 Hazards and Hazardous Materials indicates that the Wilbur-Ellis Consolidation Facility will contain a large tank (12,500 gallons to 15,000 gallons) of anhydrous ammonia, which is considered an acutely hazardous material. In addition, smaller tanks will store aqueous ammonia. These ammonia-containing chemicals would be delivered to the facility in appropriate DOT-approved transport vehicles. Existing regulations concerning the transportation and use of ammonia would be followed, along with appropriate mitigation measures. Together, with administrative and engineering controls described in that section — which include preparation of a Hazardous Materials Business Plan, Risk Management Plan, and Off-site Consequence Analysis — the potential impacts to the public from an accidental release of ammonia would be less than significant.

[3] Davis Enterprise. 2019. Letter to the Editor, "Ag is key in Yolo County" by Michelle Clark, Yolo Land Trust Executive Director. Available at https://www.davisenterprise.com/forum/letters/letter-agriculture-is-important-to-yolo-county/. Accessed February 12, 2020.

6. Mitigation Monitoring and Reporting Plan

6.1 Introduction

This mitigation monitoring and reporting program summarizes identified mitigation measures, implementation schedule, and responsible parties for the Wilbur-Ellis Consolidation Facility (the Project). Yolo County will use this mitigation monitoring and reporting program to ensure that identified mitigation measures, adopted as conditions of Project approval, are implemented appropriately. This monitoring program meets the requirements of CEQA Guidelines Section 15074(d), which mandates preparation of monitoring provisions for the implementation of mitigation assigned as part of project approval or adoption.

6.2 Mitigation Implementation and Monitoring

Yolo County will be responsible for monitoring the implementation of mitigation measures designed to minimize impacts associated with the Project. While Yolo County has ultimate responsibility for ensuring implementation, others may be assigned the responsibility of actually implementing the mitigation. Yolo County will retain the primary responsibility for ensuring that the Project meets the requirements of this mitigation plan and other permit conditions imposed by participating regulatory agencies.

Yolo County will designate specific personnel who will be responsible for monitoring implementation of the mitigation that will occur during Project construction. The designated personnel will be responsible for submitting documentation and reports to Yolo County on a schedule consistent with the mitigation measure and in a manner necessary for demonstrating compliance with mitigation requirements. Yolo County will ensure that the designated personnel have authority to require implementation of mitigation requirements and will be capable of terminating Project construction activities found to be inconsistent with mitigation objectives or Project approval conditions.

In addition to the prescribed mitigation measures, Table 6-1 (Mitigation Monitoring and Reporting Plan) lists each identified environmental resource being affected, the corresponding monitoring and reporting requirement, and the party responsible for ensuring implementation of the mitigation measure and monitoring effort.

6.3 Mitigation Enforcement

Yolo County will be responsible for enforcing mitigation measures. If alternative measures are identified that would be equally effective in mitigating the identified impacts, implementation of these alternative measures will not occur until agreed upon by Yolo County.

Table 6-1. Mitigation Monitoring and Reporting Plan

Impact	Applicant Proposed Measure (APM), Mitigation Measure (MM), or Avoidance and Minimization Measure (AMM)	Monitoring Requirement	Timing of Action
Air Quality			
MM AQ-1	**Construction Fugitive Dust Control.** The following measures will be implemented as a condition of approval to reduce fugitive dust emissions during project construction. ▪ Watering. Exposed surfaces, including unpaved travel routes, will be watered at least twice daily on days without rain, or otherwise when dust emissions are visible. Watering is not required after areas are paved or graveled, where graveled areas do not have visible dust emissions during vehicle travel. ▪ Vehicle Speed. All vehicles traveling over unpaved, including graveled, areas shall travel at speeds at or below 15 miles per hour. Signs identifying the maximum speed limit shall be placed at all site entrances during construction.	Minimize particulate matter emissions	During construction
Biological Resources			
AMM1	**Establish Buffers.** Project proponents will design projects to avoid and minimize direct and indirect effects of permanent development on sensitive natural communities and covered species habitat. On lands owned by the project proponent, the project proponent will establish a conservation easement to protect the buffer permanently if that land is being offered in lieu of development fees. A lesser buffer than is stipulated in the AMMs may be approved by the Conservancy, USFWS, and CDFW if they determine that the sensitive natural community or covered species is avoided to an extent that is consistent with the project purpose (e.g., if the purpose of the project is to provide a stream crossing or replace a bridge, the project may encroach into the buffer and the natural community or species habitat to the extent that is necessary to fulfill the project purpose).	Avoid and minimize impacts to sensitive natural communities and covered species	During construction
AMM3	**Confine and Delineate Work Area.** Where natural communities and covered species habitat are present, workers will confine land clearing to the minimum area necessary to facilitate construction activities. Workers will restrict movement of heavy equipment to and from the project site to established roadways to minimize natural community and covered species habitat disturbance. The project proponent will clearly identify boundaries of work areas using temporary fencing or equivalent and will identify areas designated as environmentally sensitive. All construction vehicles, other equipment, and personnel will avoid these designated areas.	Confine disturbance area to the minimum necessary	During construction

Table 6-1. Mitigation Monitoring and Reporting Plan

Impact	Applicant Proposed Measure (APM), Mitigation Measure (MM), or Avoidance and Minimization Measure (AMM)	Monitoring Requirement	Timing of Action
AMM4	**Cover Trenches and Holes during Construction and Maintenance.** To prevent injury and mortality of giant garter snake, western pond turtle, and California tiger salamander, workers will cover open trenches and holes associated with implementation of covered activities that affect habitat for these species or design trenches and holes with escape ramps that can be used during non-working hours. The construction contractor will inspect open trenches and holes prior to filling and contact a qualified biologist to remove or release any trapped wildlife found in the trenches or holes.	Prevent injury to wildlife from open trenches and holes	During construction
AMM5	**Control Fugitive Dust.** Workers will minimize the spread of dust from work sites to natural communities or covered species habitats on adjacent lands.	Minimize fugitive dust emissions	During construction
AMM6	**Conduct Worker Training.** All construction personnel will participate in a worker environmental training program approved/authorized by the Conservancy and administered by a qualified biologist. The training will provide education regarding sensitive natural communities and covered species and their habitats, the need to avoid adverse effects, state and federal protection, and the legal implications of violating the FESA and NCCPA Permits. A pre-recorded video presentation by a qualified biologist shown to construction personnel may fulfill the training requirement.	Construction personnel sign an environmental training attendance sheet. No damage to biological resources results from Project	During construction
AMM7	**Control Night-Time Lighting of Project Construction Sites.** Workers will direct all lights for nighttime lighting of project construction sites into the project construction area and minimize the lighting of natural habitat areas adjacent to the project construction area.	Minimize off-site light and reduce attraction of insects	During construction
AMM8	**Avoid and Minimize Effects of Construction Staging Areas and Temporary Work Areas**. Project proponents should locate construction staging and other temporary work areas for covered activities in areas that will ultimately by a part of the permanent project development footprint. If construction staging and other temporary work areas must be located outside of permanent project footprints, they will be located either in areas that do not support habitat for covered species or are easily restored to prior or improved ecological function (e.g., grassland and agricultural land). ▪ Construction staging and other temporary work areas located outside of project footprints will be sited in areas that avoid adverse effects on the following: ▪ Serpentine, valley oak woodland, alkali prairie, vernal pool complex, valley foothill riparian, and fresh emergent wetland cover types. ▪ Occupied western burrowing owl burrows. ▪ Nest sites for covered bird species and all raptors, including noncovered raptors, during the breeding season.	Minimized disturbance of non-construction areas	During construction

Table 6-1. Mitigation Monitoring and Reporting Plan

Impact	Applicant Proposed Measure (APM), Mitigation Measure (MM), or Avoidance and Minimization Measure (AMM)	Monitoring Requirement	Timing of Action
	Project proponents will follow specific AMMs for sensitive natural communities and covered species in temporary staging and work areas. For establishment of temporary work areas outside of the project footprint, project proponents will conduct surveys to determine if any of the biological resources listed above are present. Within one year following removal of land cover, project proponents will restore temporary work and staging areas to a condition equal to or greater than the covered species habitat function of the affected habitat. Restoration of vegetation in temporary work and staging areas will use clean, native seed mixes approved by the Conservancy that are free of noxious plant species seeds.		
AMM16	**Minimize Take and Adverse Effects on Habitat of Swainson's Hawk and White-Tailed Kite**. The project proponent will retain a qualified biologist to conduct planning-level surveys and identify any nesting habitat present within 1,320 feet of the project footprint. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas. If a construction project cannot avoid potential nest trees (as determined by the qualified biologist) by 1,320 feet, the project proponent will retain a qualified biologist to conduct preconstruction surveys for active nests consistent with guidelines provided by the Swainson's Hawk Technical Advisory Committee (2000), between March 15 and August 30, within 15 days prior to the beginning of the construction activity. The results of the survey will be submitted to the Conservancy and CDFW. If active nests are found during preconstruction surveys, a 1,320-foot initial temporary nest disturbance buffer shall be established. If project related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season, then the qualified biologist will monitor the nest and will, along with the project proponent, consult with CDFW to determine the best course of action necessary to avoid nest abandonment or take of individuals. Work may be allowed only to proceed within the temporary nest disturbance buffer if Swainson's hawk or white-tailed kite are not exhibiting agitated behavior, such as defensive flights at intruders, getting up from a brooding position, or flying off the nest, and only with the agreement of CDFW and USFWS. The designated on-site biologist/monitor shall be on-site daily while construction-related activities are taking place within the 1,320-foot buffer and shall have the authority to stop work if raptors are exhibiting agitated behavior. Up to 20 Swainson's hawk nest trees (documented nesting within the last 5 years) may be removed during the permit term, but they must be removed when not occupied by Swainson's hawks. For covered activities that involve pruning or removal of a potential Swainson's hawk or white-tailed kite nest tree, the project proponent will conduct preconstruction surveys that are consistent with the guidelines provided by the Swainson's Hawk	Minimize adverse impacts to habitat of Swainson's Hawk and White-Tailed Kite	During construction

Table 6-1. Mitigation Monitoring and Reporting Plan

Impact	Applicant Proposed Measure (APM), Mitigation Measure (MM), or Avoidance and Minimization Measure (AMM)	Monitoring Requirement	Timing of Action
	Technical Advisory Committee (2000). If active nests are found during preconstruction surveys, no tree pruning or removal of the nest tree will occur during the period between March 1 and August 30 within 1,320 feet of an active nest, unless a qualified biologist determines that the young have fledged and the nest is no longer active.		
MM BIO-1	**Implement a Supplemental Worker Environmental Awareness Program (WEAP).** A qualified biologist(s) shall conduct a supplemental biological WEAP for all Project personnel before any construction or activities within the Project area. This training may be conducted in conjunction with other WEAP training. The WEAP shall include discussions of Project permits and brief summaries of their conditions; discussions of agency involvement, their applicable sensitivity measures, and relevant environmental protection legislation (e.g., the Endangered Species Act, the Migratory Bird Treaty Act); descriptions of special-status species and other sensitive resources that could exist in the Project area, along with their locations, legal status and protections; and a review of all measures to be implemented for avoidance of these sensitive resources. Training materials and briefings shall also include the consequences of non-compliance with Project requirements and legal regulations; identification and value of biological species and significant habitat; a contact person in the event of the discovery of a dead or injured animal. A discussion on general practices should include topics such as appropriate work limits, avoiding the spread of non-native plant species, wildlife avoidance, and trash and debris collection. The WEAP will supplement the training required under AMM6 (Conduct Worker Training) and shall be conducted for all Project personnel present for the start of construction. If new crew members arrive to the Project after this time, they shall take part in the WEAP before beginning construction work. All Project personnel who have completed the WEAP shall submit their names to a list to be updated continuously and furnished to the agencies upon request.	Construction personnel sign an environmental training attendance sheet. No damage to biological resources results from project	Prior to and during construction for new workers

Table 6-1. Mitigation Monitoring and Reporting Plan

Impact	Applicant Proposed Measure (APM), Mitigation Measure (MM), or Avoidance and Minimization Measure (AMM)	Monitoring Requirement	Timing of Action
MM BIO-2	**Conduct Weekly Biological Monitoring.** A qualified biological monitor(s) shall conduct weekly inspections throughout the duration of construction activities. The biological monitor(s) duties shall include routinely inspecting work areas for the presence of wildlife; establishing appropriate buffers around biologically sensitive resources; and, monitoring activities to ensure compliance with all applicable mitigation measures and permit conditions. The biological monitor will not direct construction crews; however, will have the authority to stop work if a sensitive biological resource may be adversely affected by construction activities until avoidance measures have been effectively implemented. The biological monitor(s) shall prepare weekly monitoring reports and provide those reports to the relevant agencies upon request.	Minimize impacts to Biological Resources	During construction
MM BIO-3	**Limit Disturbance to Nesting Birds.** Preconstruction surveys for nesting birds shall be conducted by a qualified biologist(s) within seven days of any Project-related activities if Project activities are scheduled to occur during the breeding season (February 1 to August 15). The preconstruction surveys shall be conducted in all areas within 500 feet of the Project footprint, including temporary staging yards and access roads. The 500-foot survey area may be adjusted to reflect existing conditions (e.g., public roadways, private parcels) at the discretion of the qualified biologist(s). If breeding birds with active nests are found, a biological monitor shall establish a 300-foot no-disturbance buffer around the nest, and no activities will be permitted within the buffer until the young have fledged or the nest fails. The 300-foot buffer may be adjusted to reflect existing conditions, including ambient noise, topography, and routine human disturbance at the discretion of the qualified biologist. The 300-foot buffer only applies to non-listed bird species and for bird species that are not covered under the Yolo HCP/NCCP. For listed bird species and bird species covered under the Yolo HCP/NCCP (i.e., Swainson's hawk and white-tailed kite), buffers consistent with AMM16 (Minimize Take and Adverse Effects on Habitat of Swainson's Hawk and White-Tailed Kite) would be implemented. Any buffer reductions associated with listed bird species and species covered under the Yolo HCP/NCCP would require additional coordination and/or approvals through the applicable agencies (e.g., CDFW, Yolo Habitat Conservancy).	Preconstruction surveys for nesting birds.	Prior to and during construction

Table 6-1. Mitigation Monitoring and Reporting Plan

Impact	Applicant Proposed Measure (APM), Mitigation Measure (MM), or Avoidance and Minimization Measure (AMM)	Monitoring Requirement	Timing of Action
MM BIO-4	**Implement Weed Control Measures.** Methods to minimize the potential transport and introduction of non-native weeds into the proposed Project area shall be implemented. These shall include washing all construction vehicles and equipment of dirt and mud that could contain weed seeds, roots, or rhizomes prior to arriving into any Project work areas. Vehicles (e.g., pickup trucks) that will be frequently entering and exiting work areas shall be inspected and washed on an as-needed basis. Tools such as chainsaws, hand clippers, pruners, etc. shall be cleaned of dirt and mud before entering any work areas. All washing shall occur offsite. A wash log shall be kept stating the date and time, types of equipment, methods used, and responsible personnel. This log would be made available to applicable agencies upon request. Erosion control materials (e.g., fiber rolls, hay bales, etc.) and fill material (e.g., soil, gravel, mulch, etc.) must be certified weed-free prior to arriving in any work areas. Storage or disposal of mulch or green waste onsite shall be prohibited. Mulch or green waste that may contain weed materials shall be removed from the site in a covered vehicle to prevent seed dispersal and transported licensed landfill or composting facility.	Minimize introduction of invasive weeds	Prior to and during construction
Cultural Resources			
MM CUL-1	**Worker Environmental Awareness Program.** Prior to the initiation of construction, all construction personnel shall be trained by a qualified archaeologist meeting federal criteria under 36 CFR 61 and a member of the Yocha Dehe Wintun Nation-regarding the recognition of possible buried cultural resources (i.e., prehistoric and/or historical artifacts, objects, or features) and protection of all archaeological resources during construction. Training shall inform all construction personnel of the procedures to be followed upon the discovery of cultural materials. All personnel shall be instructed that unauthorized removal or collection of artifacts is a violation of State law. Any excavation contract (or contracts for other activities that may have subsurface soil impacts) shall include clauses that require construction personnel to attend the Workers' Environmental Awareness Program, so they are aware of the potential for inadvertently exposing buried archaeological deposits.	Construction personnel sign an environmental training attendance sheet. No damage to archaeological resources results from Project construction.	Prior to and during construction for new workers

Table 6-1. Mitigation Monitoring and Reporting Plan

Impact	Applicant Proposed Measure (APM), Mitigation Measure (MM), or Avoidance and Minimization Measure (AMM)	Monitoring Requirement	Timing of Action
MM CUL-2	**Inadvertent Discovery of Historical Resources, Unique Archaeological Resources, or Tribal Cultural Resources.** If previously unidentified cultural resources are uncovered during construction activities, construction work within 50 feet of the find shall be halted and directed away from the discovery until a Secretary of the Interior qualified archaeologist assesses the significance of the resource. The archaeologist, in consultation with the County, any interested Tribes, and any other responsible public agency, shall make the necessary plans for treatment of the find(s) and for the evaluation and mitigation of impacts if the find(s) is found to be eligible to the National or California Registers, qualify as a unique archaeological resource under CEQA (PRC §21083.2), or is determined to be tribal cultural resource as defined in PRC §21074.	No damage to unknown archaeological resources from project construction.	During construction
MM CUL-3	**Treatment of Human Remains.** All human remains discovered are to be treated with respect and dignity. Upon discovery of human remains, all work within 50 feet of the discovery area must cease immediately, nothing is to be disturbed, and the area must be secured. The County Coroner's Office must be called. The Coroner has two working days to examine the remains after notification. The appropriate land manager/owner of the site is to be called and informed of the discovery. It is very important that the suspected remains, and the area around them, are undisturbed and the proper authorities called to the scene as soon as possible, because it could be a crime scene. The Coroner would determine if the remains are archaeological/historic or of modern origin and if there are any criminal or jurisdictional questions. After the Coroner has determined that the remains are archaeological/historic-era, the Coroner would make recommendations concerning the treatment and disposition of the remains to the person responsible for the excavation, or to his or her authorized representative. If the Coroner believes the remains to be those of a Native American, he/she shall contact the Native American Heritage Commission (NAHC) by telephone within 24 hours. The NAHC would immediately notify the person it believes to be the most likely descendant (MLD) of the remains. The MLD has 48 hours from the time given to access the site to make recommendations to the landowner for treatment or disposition of the human remains. If the descendant does not make recommendations within 48 hours, the landowner shall reinter the remains in an area of the property secure from further disturbance. If the landowner does not accept the descendant's recommendations, the owner or the descendant may request mediation by NAHC. According to the California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and willful disturbance of human remains is a felony (Section 7052).	Handling human remains with respect and dignity.	During construction

Table 6-1. Mitigation Monitoring and Reporting Plan

Impact	Applicant Proposed Measure (APM), Mitigation Measure (MM), or Avoidance and Minimization Measure (AMM)	Monitoring Requirement	Timing of Action
Geology and Soils			
MM PAL-1	**Inadvertent Discovery of Paleontological Resources.** In the event that paleontological resources such as bones or teeth be unearthed by the construction crew, construction activities should be diverted at least 15 feet from the find until a professional paleontologist has assessed it and, if deemed significant, salvaged it in a timely manner. Salvaged fossils should be deposited in an appropriate repository, such as the UCMP, where they will be properly curated and made available for future research.	No damage to unknown paleontological resources from Project construction.	During construction
Hazards and Hazardous Materials			
MM HAZ-1	**Site-specific Operation Security Plan.** The Applicant shall prepare a site-specific operations security plan for use during the operation of the facility. The Applicant shall implement site security measures that address physical site security and hazardous materials storage. The Operation Security Plan shall include the following: ▪ Permanent full perimeter fence with barbed wire on top ▪ Main entrance security gate, either hand operated or motorized ▪ Evacuation procedures ▪ Protocol for contacting law enforcement in the event of suspicious activity or emergency ▪ Closed circuit TV (CCTV) monitoring system, recordable, and viewable from and a security station capable of viewing, at a minimum, the main entrance gate and the ammonia storage tanks; or other security measures as deemed adequate by the Yolo County Sheriff's Office.	Provide security to prevent release of hazardous materials	During operations
Public Services			
MM PS-1	**Will Serve Letter.** To comply with County Policy PF-5.9, the Applicant shall obtain a will server letter from the Springlake Fire Protection District/City of Woodland Fire Department prior to the start of construction.	Ensure the Project will be served by the fire department	Prior to the start of construction

Appendix A

List of Preparers

Appendix A. List of Preparers

A consultant team headed by Aspen Environmental Group prepared this document under the direction of Yolo County. The preparers and technical reviewers of this document are presented below.

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Appendix B

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Appendix B. References

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Appendix C

Biological Evaluation

Marcus H. Bole & Associates
An Environmental Consulting Firm

APPLICATION BOX H: Attachments 1, 2, 3, and 7

May 13, 2020

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Yuba City, CA 95992

Laugenour and Meikle
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PLANNING LEVEL AND SPECIES-SPECIFIC BIOLOGICAL EVALUATION SURVEY REPORT FOR WILBUR-ELLIS COMPANY YOLO PROJECT, YOLO COUNTY APN 041-050-001, SECTION 19, TOWNSHIP 9 NORTH, RANGE 2 EAST, MERRITT 7.5' USGS QUADRANGLE, WOODLAND, CALIFORNIA. MHBA FILE 0505-2020-3650.

1.0 INTRODUCTION

During May, 2020, a NEPA/CEQA-level Planning Level and Species-Specific Biological Resource Evaluation and Wetland Determination was conducted on a 69.0-acre study area of agricultural property (project area) located at 38001 CR 27, approximately 2.5 miles south of the City of Woodland, Yolo County California. The property is located on the U.S. Geological survey (USGS) Merritt 7.5-minute topographic quadrangle, Section 19, Township 9 North, Range 2 East (Appendix A, Figure 1). The elevation of the property is approximately 64 feet MSL along the western boundary of the property sloping to approximately 60 feet MSL along the eastern boundary of the property. Vegetation within the cultivated portion of the property consists of planted row crops (wheat). The site supports administration and warehouse buildings within the western portion of the property. Vegetation within this area is predominately landscaped non-native grasses and shrubs. The property is bounded on all sides by agricultural lands (Appendix A, Figure 2).

The project is the proposed grading plan to construct an additional building with equipment parking and storage areas immediately adjacent to the existing administration building in the built-up (developed) area of the property. Additionally, a small detention basin will be constructed in the southeast portion of the property to collect stormwater from the equipment parking/storage areas. Drainage ditches will be constructed to connect the equipment parking/storage areas to the detention basin. As proposed, the project will result in temporary impacts to developed and cultivated areas and permanent impacts to cultivated areas (Appendix A, Figure 3).

2.0 METHODOLOGY

Field surveys of biological resources included a reconnaissance-level inventory of plants and animals observed in the project area, habitat assessments for special status species, and a

determination of wetland habitats within the project area. Biological and botanical surveys were conducted based on the California Department of Fish and Wildlife's (CDFW) Natural Diversity Database (CNDDB, May 2020), the United States Fish & Wildlife Service's (USFWS) IPaC Resource List, the California Native Plant Society's (CNPS) list of rare and endangered plants and the Yolo Habitat Conservation Plan/Natural Communities Conservation Plan (Yolo HCP/NCCP) database of Covered Species and Natural Communities (April, 2018). All species lists were derived from the United States Geological Survey (USGS) "Merritt, Madison, Woodland, Grays Bend, Winters, Davis, Allendale, Dixon and Saxon" 7.5 minute quadrangles. Based on the results of the species lists, appropriate biological and botanical surveys were conducted. Species habitat surveys were conducted during May, 2020, by Marcus H. Bole & Associates (MHBA) senior wildlife biologist Marcus H. Bole. The species habitat surveys were conducted by walking all areas of the property (and surrounding 500 foot buffer) and evaluating potential habitat for special-status species based on vegetation composition and structure, surrounding area, presence of predatory species, microclimate and available resources (e.g. prey items, nesting burrows). A general botanical survey and habitat evaluation for rare plant botanical species was conducted during May, 2020 by MHBA's senior botanist Charlene J. Bole. The general botanical survey and habitat evaluation for rare plant botanical species was conducted by walking all areas of the property area while taking inventory of general botanical species and searching for special-status plant species and their habitats. A determination of Waters of the U.S. was conducted on May 9, 2020 by Marcus H. Bole and was conducted under the guidelines of the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (2008).

2.1 Regulatory Requirements

The following describes federal, state, and local environmental laws and policies that are relevant to the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) review process.

Federal Endangered Species Act

The United States Congress passed the Federal Endangered Species Act (ESA) in 1973 to protect species that are endangered or threatened with extinction. The ESA is intended to operate in conjunction with the National Environmental Policy Act (NEPA) to help protect the ecosystems upon which endangered and threatened species depend. The ESA makes it unlawful to "take" a listed animal without a permit. Take is defined as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct". Through regulations, the term "harm" is defined as "an act which actually kills or injures wildlife". Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) (16 USC §703) prohibits the killing of migratory birds or the destruction of their occupied nests and eggs except in accordance with regulations prescribed by the USFWS. The bird species covered by the MBTA includes nearly all of those

that breed in North America, excluding introduced (i.e. exotic) species (50 Code of Federal Regulations §10.13). Activities that involve the removal of vegetation including trees, shrubs, grasses, and forbs or ground disturbance has the potential to affect bird species protected by the MBTA.

Waters of the United States, Clean Water Act, Section 404

The US Army Corps of Engineers (USACE) and the U.S. Environmental Protection Agency (EPA) regulate the discharge of dredged or fill material into jurisdictional waters of the United States, under the Clean Water Act (§404). The term "waters of the United States" is an encompassing term that includes "wetlands" and "other waters". Wetlands have been defined for regulatory purposes as follows: "those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions (33 CFR 328.3, 40 CFR 230.3). Wetlands generally include swamps, marshes, bogs, and similar areas." Other Waters of the United States (OWUS) are seasonal or perennial water bodies, including lakes, stream channels, drainages, ponds, and other surface water features, that exhibit an ordinary high-water mark but lack positive indicators for one or more of the three wetland parameters (i.e., hydrophytic vegetation, hydric soil, and wetland hydrology) (33 CFR 328.4). The USACE may issue either individual permits on a case-by-case basis or general permits on a program level. General permits are pre-authorized and are issued to cover similar activities that are expected to cause only minimal adverse environmental effects. Nationwide permits are general permits issued to cover particular fill activities. All nationwide permits have general conditions that must be met for permits issued for a particular project, as well as specific regional conditions that apply to each nationwide permit.

Clean Water Act, Section 401

The Clean Water Act (§401) requires water quality certification and authorization for placement of dredged or fill material in wetlands and OWUS. In accordance with the Clean Water Act (§401), criteria for allowable discharges into surface waters have been developed by the State Water Resources Control Board, Division of Water Quality. The resulting requirements are used as criteria in granting National Pollutant Discharge Elimination System (NPDES) permits or waivers, which are obtained through the Regional Water Quality Control Board (RWQCB) per the Clean Water Act (§402). Any activity or facility that will discharge waste (such as soils from construction) into surface waters, or from which waste may be discharged, must obtain an NPDES permit or waiver from the RWQCB. The RWQCB evaluates an NPDES permit application to determine whether the proposed discharge is consistent with the adopted water quality objectives of the basin plan.

California Endangered Species Act

The California Endangered Species Act (CESA) is similar to the ESA, but pertains to state-listed endangered and threatened species. The CESA requires state agencies to consult with the CDFW when preparing documents to comply with the CEQA. The purpose is to ensure that the actions of the lead agency do not jeopardize the continued existence of a listed species or result in the

destruction, or adverse modification of habitat essential to the continued existence of those species. In addition to formal listing under the federal and state endangered species acts, "species of special concern" receive consideration by CDFW. Species of special concern are those whose numbers, reproductive success, or habitat may be threatened.

California Fish and Wildlife Code

The California Fish and Game Code (CFWC) (§3503.5) states that it is "unlawful to take, possess, or destroy any birds in the order Falconiformes (hawks, eagles, and falcons) or Strigiformes (all owls except barn owls) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto". Take includes the disturbance of an active nest resulting in the abandonment or loss of young. The CFWC (§3503) also states that "it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto".

Rare and Endangered Plants

The CNPS maintains a list of plant species native to California with low population numbers, limited distribution, or otherwise threatened with extinction. This information is published in the Inventory of Rare and Endangered Vascular Plants of California. Potential impacts to populations of CNPS-ranked plants receive consideration under CEQA review. The CNPS California Rare Plant Rank (CRPR) categorizes plants as the following:

Rank 1A: Plants presumed extinct in California;
Rank 1B: Plants rare, threatened, or endangered in California or elsewhere;
Rank 2: Plants rare, threatened, or endangered in California, but more numerous elsewhere;
Rank 3: Plants about which we need more information; and
Rank 4: Plants of limited distribution.

The California Native Plant Protection Act (CFGC §1900-1913) prohibits the taking, possessing, or sale within the state of any plants with a state designation of rare, threatened, or endangered as defined by CDFW. An exception to this prohibition allows landowners, under specific circumstances, to take listed plant species, provided that the owners first notify CDFW and give the agency at least 10 days to retrieve (and presumably replant) the plants before they are destroyed. Fish and Wildlife Code §1913 exempts from the 'take' prohibition 'the removal of endangered or rare native plants from a canal, lateral ditch, building site, or road, or other right of way".

California Environmental Quality Act Guidelines §15380

Although threatened and endangered species are protected by specific federal and state statutes, CEQA Guidelines §15380(d) provides that a species not listed on the federal or state list of protected species may be considered rare or endangered if the species can be shown to meet certain specified criteria. These criteria have been modeled based on the definition in the ESA and the section of the CFGC dealing with rare, threatened, and endangered plants and animals.

The CEQA Guidelines (§15380) allows a public agency to undertake a review to determine if a significant effect on species that have not yet been listed by either the USFWS or CDFW (e.g. candidate species, species of concern) would occur. Thus, CEQA provides an agency with the ability to protect a species from a project's potential impacts until the respective government agencies have an opportunity to designate the species as protected, if warranted.

3.0 SETTING

Regionally, APN 041-050-001 is located within the Willow Slough Basin Planning area of the Yolo HCP/NCCP. The property is located 2.5 miles south of the City of Woodland and 1.5 miles west of State Route 113, Yolo County, California. The property is located within the Sacramento Valley, the northern half of the Great Central Valley of California, within flat valley bottomland where elevation averages approximately 60 feet above mean sea level (MSL). Mean annual precipitation is approximately 12 to 35 inches. Mean annual temperature ranges from 40 to 98 degrees Fahrenheit.

The vegetative community descriptions and nomenclature described in this section generally follow the classification system provided in Sawyer and Keeler-Wolf's *A Manual of California Vegetation* (1995) and Mayer and Laudenslayer's *A Guide to Wildlife Habitats of California* (1988). Disturbed urban-developed (administration buildings, warehouse, and landscaped trees/shrubs/lawns) are the dominant habitat types in the western portion of the property. The central and eastern portions of the property are agricultural fields (wheat). The nearest hydrological feature is an irrigation ditch that flows in a southerly direction to the east of the property. Willow Slough flows in an easterly direction approximately 1/3 mile to the south of the property.

4.0 RESULTS

4.1 Description of the Existing Biological and Physical Conditions

The property is located in the Willow Slough Basin Planning Area, 2.5 miles south of the City of Woodland, Yolo County, California. The following describes the biological and physical conditions within the property and within the surrounding area.

4.1.1 Property Description

The property is a 69-acre agricultural parcel consisting of a 4.25-acre developed area and ±64.75-acres of cultivated wheat fields (Appendix A, Figure 2).

4.1.2 Physical & Biological Conditions

Vegetation within the property consists of a mix of non-native grasses and shrubs in the developed area and grain crops (wheat) in the cultivated area.

Urban Developed

Urban developed areas are those dominated by plant species introduced by humans and established or maintained by human disturbances or activities. Some are entirely artificial such as areas influenced by landscaping and planted lawns. On such sites, the native vegetation has typically been removed by clearing in preparation for landscaping or building development. Within the project area, urban disturbances include paved driveways, an administration building, warehouses, fencing, corporation yards, and an existing septic tank with leach lines.

Native and introduced wildlife species are tolerant of human activities in urban habitats. Urban land use components such as buildings and domestic landscaping provide marginal habitat for some wildlife species. Common birds such as the house finch (*Carpodacus mexicanus*) build their nests on structures, and less abundant species like black phoebe (*Sayornis nigricans*), and barn swallow (*Hirundo rustica*) also use these buildings. Common wildlife such as American robin (*Turdus migratorius*), and American pipit (*Anthus rubescens*) are likely to use urban landscaped areas. Mammals such as raccoon (*Procyon lotor*), skunk (*Mephitis mephitis*), and house mouse (*Mus musculus*) are common in certain urban landscaped environments.

Cultivated Agricultural Land-Grain Crops

Grain and hay crops include irrigated and dryland grain production operations. In dryland farming, wheat is the dominant grain crop, with smaller acreages of barley and rye. Oat hay is the dominant dryland hay crop. The abundance of this vegetation type may expand and contract rapidly with market conditions and crop rotations. Dryland grain and hay production occurs on poorer soils, such as those in the Willow Slough Basin. Overall, dryland grain and hay crops are unique because many crops are harvested in early summer, which leaves the fields fallow until fall. Summer annuals, including the nonnative invasive yellow star-thistle (*Centaurea solstitialis*), dominate some of these fallow fields. Grain and hay crops (dryland grain crops) support common wildlife species, including the mourning dove (*Zenaida macroura*), northern harrier (*Circus cyaneus*), western meadowlark (*Sturnella neglecta*), Brewer's blackbird (*Euphagus cyanocephalus*), red-winged blackbird (*Agelaius phoeniceus*), coyote (*Canis latrans*), California ground squirrel (*Otospermophilus beecheyi*), and black-tailed jackrabbit (*Lepus californicus*). Grain and hay crops also provide important habitat for covered wildlife species such as the Swainson's hawk (*Buteo swainsoni*), white-tailed kite (*Elanus leucurus*), and tricolored blackbird (*Agelaius tricolor*).

4.2 Regional Species and Habitats of Concern

The following table is a list of species that have the potential to occur within the project area and is composed of special-status species within the Merritt, Madison, Woodland, Grays Bend, Winters, Davis, Allendale, Dixon and Saxon 7.5 minute quadrangles. Species lists reviewed, and which are incorporated in the following table, include the CDFW, USFWS, and CNDDB species list for the Yolo County area. Species that have the potential to occur within the project area are based on an evaluation of suitable habitat to support these species, CNDDB occurrences within a five mile radius of the project area and observations made during biological surveys. Not all species listed within the following table have the potential to occur within the project area based

on unsuitable habitat and/or lack of recorded observations within a five mile radius of the project area.

Table 1. Listed and Proposed Species Potentially Occurring or Known to Occur in the Wilber-Ellis Property (APN 041-050-001)

Common Name *(Scientific Name)*	**Status** Fed/State/ CNPS	**General Habitat Description**	**Habitat Present/ Habitat Absent**	**Rationale**
INVERTEBRATES				
Valley elderberry longhorn beetle *(Desmocerus californicus dimorphus)*	FT/_/_	Blue elderberry shrubs usually associated with riparian areas.	A/HA	There are no elderberry shrubs within the property or within 1,000 feet of the property.
Vernal pool fairy shrimp *(Branchinecta lynchi)*	FT/_/_	Moderately turbid, deep, cool-water vernal pool.	A/HA	There are no vernal pools within or near the property.
Vernal pool tadpole shrimp *(Lepidurus packardi)*	FE/_/_	Vernal pools, swales, and ephemeral freshwater habitat.	A/HA	There are no vernal pools within or near the property.
REPTILES AND AMPHIBIANS				
California red-legged frog *(Rana draytonii)*	FT/SSC/_	Quiet pools of streams, marshes and occasionally ponds. (sea level - 4,500 ft elevation)	A/HA	There is no suitable habitat within or near the property. None observed.
Giant garter snake *(Thamnophis gigas)*	FT/ST/_	Agricultural wetlands and other wetlands such as irrigation and drainage canals, low gradient streams, marshes ponds, sloughs, small lakes, and there associated uplands.	A/HA	There is no suitable habitat within the property. None observed.
Western pond turtle *(Emys marmorata)*	_/_/SSC	A thoroughly aquatic turtle of ponds, marshes, rivers, streams and irrigation ditches. Needs basking sites and suitable upland habitat.	A/HA	There is no suitable habitat within or near the property. None observed.
California tiger salamander *(Ambystoma californiense)*	FT/ST/_	Need underground refuges, especially ground squirrel burrows, and vernal pools or other seasonal water sources for breeding.	A/HA	There is no suitable habitat within or near the property to support this species.
FISH				
Delta smelt (*Hypomesus transpacificus)*	FT/SE/_	Sacramento-San Joaquin Estuary	A/HA	The Sacramento River is not part of this project.
BIRDS				

Common Name *(Scientific Name)*	**Status** Fed/State/ CNPS	**General Habitat Description**	**Habitat Present/ Habitat Absent**	**Rationale**
Least Bell's Vireo *(Vireo belli pusillus)*	FE/SE/_	Nests placed along margins of bushes or on twigs projecting into pathways, usually willows, baccharis, mesquite. Low riparian in dry river bottoms.	A/HA	There is no suitable habitat for this species within or near the property. None observed.
Song swallow *(Riparia riparia)*	_/_/SSC	Last found in Sacramento area in 1877. Nest made of decayed grasses, bit of tule and dead leaves	A/HA	There is no suitable habitat for this species within or near the property.
Western burrowing owl *(Athene cunicularia)*	MBTA/SSC/_	Open, dry annual or perennial grasslands, deserts and scrublands characterized by low-growing vegetation.	A/MH	There is no suitable habitat for this species within or near the property. None observed.
Swainson's hawk *(Buteo swainsoni)*	MBTA/ST/_	Open grasslands and shrub lands.	A/HP	Property supports suitable foraging habitat. CNDDB lists nest trees within ½ mile of property.
Tri-colored black bird *(Agelaius tricolor)*	MBTA/SSC/_	Marshes and swamps, agricultural irrigation ditches, blackberry brambles and grasslands	A/HA	There is no suitable habitat for this species within or near the property.
Western yellow-billed cuckoo *(Coccyzus americanus occidentalis)*	FC/SE/_	Open woodlands, riparian areas, orchards and moist, overgrown thickets	A/HA	There is no suitable habitat for this species within or near the property. None observed.
White-tailed kite *(Elanus leucurus)*	MBTA/_/_	Open grasslands, meadows, or marshes for foraging, dense-topped trees for nesting and perching	A/HP	Property supports suitable foraging habitat. CNDDB lists nest trees within 5 miles of property. None observed.
Bank swallow *(Riparia riparia)*	_/ST/_	Nests in riparian and other lowland habitats. Requires vertical banks/cliffs with fine-textured/sandy soils near streams, rivers, lakes and ocean to dig nesting hole.	A/HA	There is no suitable habitat for this species within or near the property. None observed.

Common Name *(Scientific Name)*	**Status** Fed/State/ CNPS	**General Habitat Description**	**Habitat Present/ Habitat Absent**	**Rationale**
MAMMALS				
Hoary bat *(Lariurus cinereus)*	_/_/_	Roost in large to medium sized trees with dense foliage.	A/HA	There is no suitable habitat for this species within or near the property. None observed.
PLANTS				
Keck's checkerbloom *(Sidalcea keckii)*	FE/_/1B.1	Cismontane woodland, valley and foothill grassland. Grassy slopes in blue oak woodland, on serpentine-derived, clay soils.	A/HA	There is no suitable habitat for this species within or near the property. None observed.
Ferris' milk-vetch *(Astragalus tener var. ferrisiae)*	_/_/1B.1	Meadows and seeps, valley and foothill grassland. Subalkaline flats, usually seen in dry, adobe soils.	A/HA	There is no suitable habitat for this species within or near the property. None observed.
Palmate-Bracted Bird's Beak *(Chloropyron palmatum)*	FE/SE/1B.1	Chenopod scrub, valley and foothill grassland. Usually on Pescadero silty clay which is alkaline, with *Distichlis, Frankenia*, etc.	A/HA	There is no suitable habitat for this species within or near the property. None observed.

CODE DESIGNATIONS

FE = Federally-listed Endangered
FT = Federally-listed Threatened
FC = Federal Candidate Species
MBTA = Protected by the federal Migratory Bird Treaty Act
SE = State-listed Endangered
ST = State-listed Threatened
SR = State-listed Rare
SSC = State Species of Special Concern
S1 = State Critically Imperiled
S2 = State Imperiled
S3 = State Vulnerable
S4 = State Apparently Secure
SSC = CDFW Species of Special Concern

A = Species Absent
P = Species Present
HA = Habitat Absent
HP = Habitat Present
CH = Critical Habitat
MH = Marginal Habitat
CNPS 1B = Rare or Endangered in California or elsewhere
CNPS 2 = Rare or Endangered in California, more common elsewhere
CNPS 3 = More information is needed
CNPS 4 = Plants with limited distribution
0.1 =Seriously Threatened
0.2 = Fairly Threatened
0.3 = Not very Threatened

Listed and Migratory Birds

Listed and Migratory birds are protected under State and Federal laws, the MBTA (16 USC 703) and the CFWC (3503). These laws and regulations prohibit the killing of these birds or the destruction of their occupied nests and eggs except in accordance with regulations prescribed by the USFWS. The bird species covered by the MBTA includes nearly all of those that breed in North America, excluding introduced (i.e. exotic) species (50 Code of Federal Regulations §10.13). Activities that involve the removal of vegetation including trees, shrubs, grasses, and forbs or ground disturbance has the potential to affect bird species protected by the MBTA. The CFWC (§3503.5) states that it is "unlawful to take, possess, or destroy any birds in the order Falconiformes (hawks, eagles, and falcons) or Strigiformes (all owls except barn owls) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto". Take includes the disturbance of an active nest resulting in the abandonment or loss of young. The CFWC (§3503) also states that "it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto".

Survey Results

During the listed and migratory bird and raptor surveys conducted during May, 2020, there were no observed occupied tree nests (Swainson's hawk, white-tailed kite) or burrows (burrowing owls) within or immediately adjacent to the property. Several CNDDB listings for the Swainson's hawk were examined and field evaluated. The only verified Swainson's hawk occurrence listing is number 868, a nest tree approximately ½ mile west of the property. Larger locust and cottonwood trees along Willow Slough also provide suitable nesting habitat. Likewise, open agricultural lands within 5 miles of the project site provide suitable foraging habitat for the Swainson's hawk and white-tailed kite. Due the presence of suitable nesting habitat within five miles of the property, and suitable foraging habitat on and near the property, the following mitigation measures should be incorporated into the project. Due to the lack of suitable burrowing owl nesting habitat within one-half mile of the property, there are no proposed AMMs for the burrowing owl.

The following Avoidance and Minimization Measures (AMM) will be accomplished

AMM16, Minimize Take and Adverse Effects on Habitat of Swainson's Hawk and White-Tailed Kite.

If a construction project cannot avoid potential nest trees (as determined by the qualified biologist) by 1,320 feet, the project proponent will retain a qualified biologist to conduct preconstruction surveys for active nests consistent, with guidelines provided by the Swainson's Hawk Technical Advisory Committee (2000), between March 15 and August 30, within 15 days prior to the beginning of the construction activity. The results of the survey will be submitted to the Conservancy and CDFW. If active nests are found during preconstruction surveys, a 1,320-foot initial temporary nest disturbance buffer shall be established. If project related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season, then the qualified biologist will monitor the nest and will, along with the project proponent, consult with CDFW to determine the best course of action necessary to avoid nest abandonment or take of

individuals. Work may be allowed only to proceed within the temporary nest disturbance buffer if Swainson's hawk or white-tailed kite are not exhibiting agitated behavior, such as defensive flights at intruders, getting up from a brooding position, or flying off the nest, and only with the agreement of CDFW and USFWS. The designated on-site biologist/monitor shall be on-site daily while construction-related activities are taking place within the 1,320-foot buffer and shall have the authority to stop work if raptors are exhibiting agitated behavior. Up to 20 Swainson's hawk nest trees (documented nesting within the last 5 years) may be removed during the permit term, but they must be removed when not occupied by Swainson's hawks. For covered activities that involve pruning or removal of a potential Swainson's hawk or white-tailed kite nest tree, the project proponent will conduct preconstruction surveys that are consistent with the guidelines provided by the Swainson's hawk Technical Advisory Committee (2000). If active nests are found during preconstruction surveys, no tree pruning or removal of the nest tree will occur during the period between March 1 and August 30 within 1,320 feet of an active nest, unless a qualified biologist determines that the young have fledged and the nest is no longer active.

Project Impacts

With the implementation of avoidance and minimization measures there will be no direct or indirect impacts to the Swainson's hawk or the white-tailed kite. Direct impacts to all avian species will be avoided or minimized by beginning construction prior to the avian breeding season and/or conducting a preconstruction survey prior to the start of construction activities if construction activities will begin during the avian breeding season (see AMM16 above). By beginning construction prior to the avian breeding season (between March 1 and August 30) there will be no active nests within ½ mile of the property and direct impacts to avian species will not occur. Furthermore, beginning construction prior to the avian breeding season will also deter avian species from nesting within or within close proximity of the property, which will also avoid impacts to species. If active avian nests are found within 1,320 feet of the property, then construction buffers, as determined by a qualified biologist, will be established and no construction will occur within the buffer until the biologist has determined that the young have fledged.

Cumulative Effects

There are no foreseeable new actions that have potential to impact state and/or federally protected avian species within the project area or contribute to cumulative negative effects to migratory bird species.

Table 2. Impacts and Recommended Avoidance/Minimization Measures

Target Species/ Communities	Impacts	Avoidance/ Minimization/ Mitigation Measures
Natural Communities	**None**	There are no natural communities within the project area. The property consists of developed areas and cultivated grain crops.
		If site preparation occurs within the spring bird nesting

Target Species/ Communities	Impacts	Avoidance/ Minimization/ Mitigation Measures
Special Status Plant / Wildlife Species	**Less Than Significant with Mitigation Incorporated** **(AMM 16)**	season (March 15 - August 30), a preconstruction survey shall be conducted by a qualified professional within 15 days prior to construction. If active nests (with eggs or living young) are found within 1,320 feet of the project area, no activity shall be permitted that might disturb or remove the active nests until the young birds are able to leave the nest and forage on their own. Setback buffers for the nests will vary depending on the species affected and the location of the nest. Buffer zones shall be determined on a case by case basis in consultation with a California Department of Fish and Wildlife/Yolo HCP/NCCP approved biologist.

5.0 RESULTS: PERMITS AND TECHNICAL STUDIES FOR SPECIAL LAWS OR CONDITIONS

5.1 Federal Endangered Species Act Consultation Summary

The USFWS was contacted during May 2020, for a list of endangered, threatened, sensitive and rare species, and their habitats within the project area. The list was derived from special-status species that occur or have the potential to occur within the USGS Merritt 7.5" Quadrangle and eight surrounding quadrangles. The list was referenced to determine appropriate biological and botanical surveys and potential species occurrence within the project area. (See Appendix B).

5.2 Federal Fisheries and Essential Fish Habitat Consultation Summary

Essential fish habitat (EFH) means those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity (Magnuson-Stevens Fishery Conservation and Management Act (MSA) §3). There is no habitat within the project area that provides "waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity," or special-status fish species managed under a fishery council (i.e chinook and coho). Therefore there is no EFH or the need for federal fisheries consultation.

5.3 California Endangered Species Act Consultation Summary

The CDFW was consulted during May, 2020, for a list of endangered, threatened, sensitive and rare species, and their habitats within the project area. The list was derived from special-status species that occur or have the potential to occur within the USGS Merritt 7.5" Quadrangle and eight adjacent quadrangles. The list was referenced to determine appropriate biological and botanical surveys and potential species occurrence within the project area. (See Appendix B).

5.4 Wetlands and Others Water Coordination Summary

MHBA conducted a determination of Waters of the U.S. within the project area. Surveys were conducted on May 9, 2020 by MHBA's Marcus H. Bole. The surveys involved an examination of botanical resources, soils, hydrological features, and determination of wetland characteristics

based on the *United States Army Corps of Engineers Wetlands Delineation Manual (1987); the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (2008); the U.S. *Army Corps of Engineers Jurisdictional Determination Form Instructional Guidebook* (2007); the *U.S. Army Corps of Engineers Ordinary High Flows and the Stage-Discharge Relationship in the Arid West Region* (2011); and the *U.S. Army Corps of Engineers Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States* (2008).

5.5 Determination of Waters of the United States

The intent of this determination is to identify wetlands and "Other Waters of the United States" that are present within the project area that could fall under the regulatory jurisdiction of the U. S. Army Corps of Engineers (Corps) pursuant to Section 404 of the Clean Water Act. The *1987 Corps of Engineers Wetlands Delineation Manual* identifies several methodologies and combinations of methodologies that can be utilized in making jurisdictional determinations. Marcus H. Bole & Associates has employed the Routine On-Site Determination methodology for this study (as supplemented by the *Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region,* dated December 2006). The Routine On-Site Determination method uses a three-parameter approach (vegetation, soils and hydrology) to identify and delineate the boundaries of jurisdictional wetlands. To be considered a wetland, all three positive wetland parameters must be present. These parameters include (1) a dominance of wetland vegetation, (2) a presence of hydric soils, and (3) hydrologic conditions that result in periods of inundation or saturation on the surface from flooding or ponding. Further description of these parameters is provided below:

1) Vegetation. Wetland vegetation includes those plants that possess physiological traits that allow them to grow and persist in soils subject to inundation and anaerobic soil conditions. Plant species are classified according to their probability of being associated with wetlands. Obligate (OBL) wetland plant species almost always occur in wetlands (more than 99 percent of the time), facultative wetland (FACW) plant species occur in wetlands most of the time (67 to 99 percent), and facultative (FAC) plant species have about an equal chance (33 to 66 percent) of occurring in wetlands as in uplands. For this study, vegetation was considered to meet the vegetation criteria if more than 50% of the vegetative cover was FAC or wetter. No wetland plant species were identified within the project area.

2) Hydric Soils. Hydric soils are saturated, flooded, or ponded in the upper stratum long enough during the growing season to develop anaerobic conditions and favor the growth of wetland plants. Hydric soils include gleyed soils (soils with gray colors), or usually display indicators such as low chroma values, redoximorphic features, iron, or manganese concretions, or a combination of these indicators. Low chroma values are generally defined as having a value of 2 or less using the Munsell Soil Notations (Munsell, 1994). For this study a soil was considered to meet the hydric soil criteria for color if it had a chroma value of one or a chroma of two with redoximorphic features, or if the soil exhibited iron or manganese concretions. Onsite soils were identified as a mixture of graded cut-and-fill material, Yolo silt loam, Sycamore silty clay loam, and Capay silty clay. Sycamore and Capay soils are listed as "hydric soils"; however, due to ongoing agricultural practices the soils do not support wetland habitats.

3) Hydrology. Wetlands by definition are seasonally inundated or saturated at or near the surface. In order for an area to have wetland hydrology, it has to be inundated or saturated for 5% of the growing season (approximately 12 days) (USDA, 1967). Indicators include visual soil saturation, flooding, watermarks, drainage patterns, encrusted sediment and plant deposits, cryptogrammic lichens, and algal mats. There are no natural hydrological features within the boundaries of the property.

Wetland Determination Results

Using the methodologies described in the *1987 Wetland Delineation Manual*, Marcus H. Bole & Associates found no evidence of seasonal or perennial wetland habitats within the project area.

CONCLUSIONS AND RECOMMENDATIONS

According to the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) guidelines, a project is normally considered to have a significant impact on wildlife if it will interfere substantially with the movement of any resident or migratory fish or wildlife species; or substantially diminishes habitat quantity or quality for dependent wildlife and plant species. Impacts to special status species and their associated habitats are also considered significant if the impact would reduce or adversely modify a habitat of recognized value to a sensitive wildlife species or to an individual of such species. With adherence to Yolo HCP/NCCP Avoidance and Minimization Measure AMM16, project implementation will not result in significant impacts to resident or migratory wildlife, special status plant or wildlife species, or any associated protected habitat.

This concludes our Planning-Level and Species-Specific HCP/NCCP, NEPA/CEQA-level Biological Resources Evaluation and Wetland Determination for the 69-acre property located at 38001 CR 27, Woodland, Yolo County, California. The project site is located on the U.S. Geological survey (USGS) Merritt 7.5-minute topographic quadrangle, Section 19, Township 9 North, Range 2 East. The project area is further identified as Yolo County Assessor parcel number 041-050-001 (See Appendix A). If you have any questions concerning our findings or recommendations please feel free to contact me directly at: Marcus H. Bole & Associates, Attn: Marcus Bole, 104 Brock Drive, Wheatland, CA 95692, phone 530-633-0117, fax 530-633-0119, email: mbole@aol.com.

Respectfully Submitted:

Charlene J. Bole, M.S, Botanist
Senior Wildlife Biologist
Marcus H. Bole & Associates

Marcus H. Bole, M.S, Wildlife Biologist
Senior Wildlife Biologist
Marcus H. Bole & Associates

LIST OF ATTACHMENTS:

APPENDIX A: MAPS AND PHOTO PLATES

APPENDIX B: NATURAL DIVERSITY DATA BASE

APPENDIX C: SOIL DATA

APPENDIX D: RESUMES OF SURVEYORS

6.0 REFERENCES & LITERATURE REVIEWED

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APPENDIX A: MAPS AND PHOTO PLATES

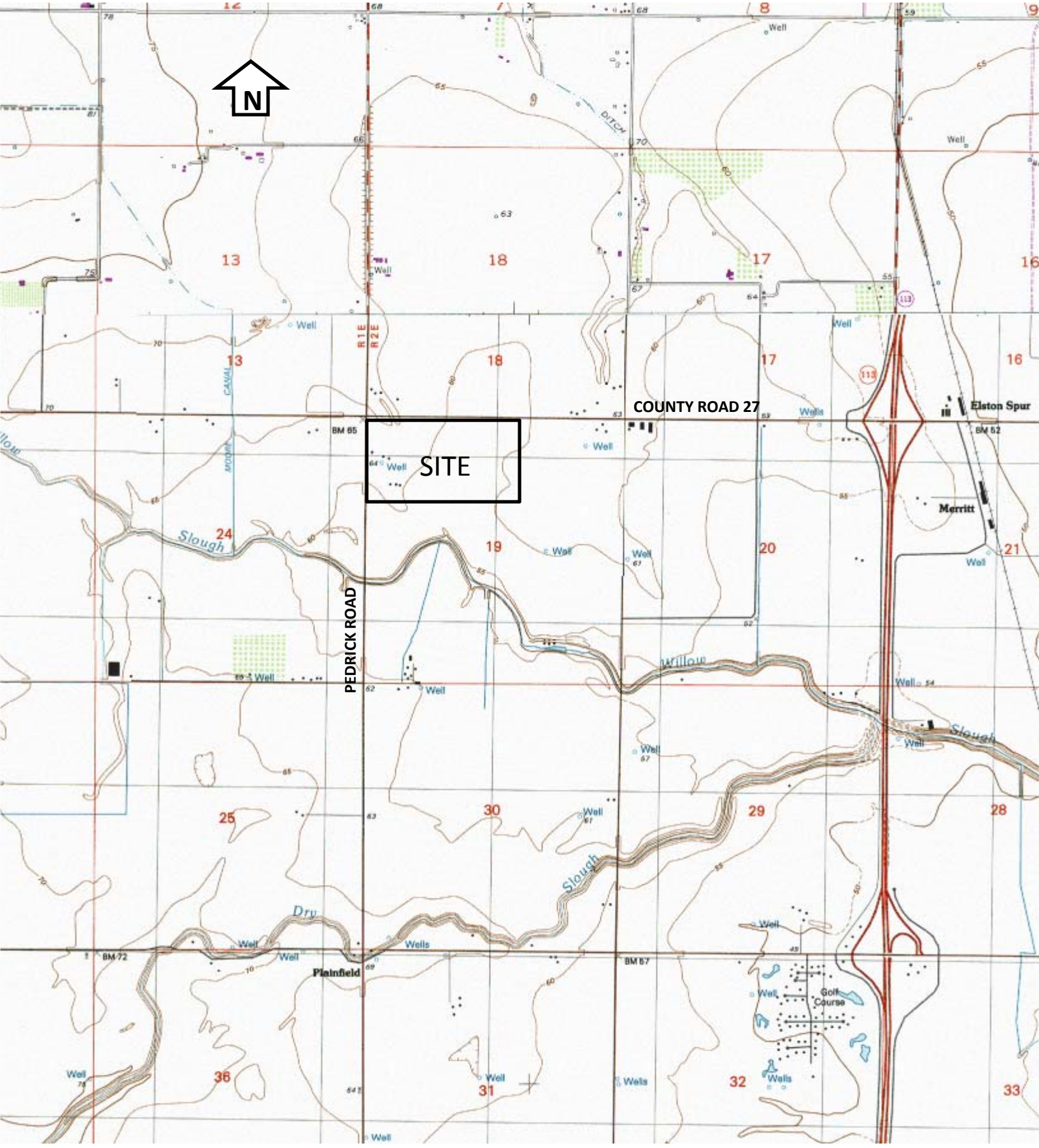


Figure 1: Vicinity Map: Wilbur-Ellis Company Project, Yolo County APN 041-050-001, a 69-acre project site located in Section 19, Township 9N, Range2E, Merritt 7.5' USGS Quadrangle, 38.6172010N, 121.7981117W

Figure 2: Field-Verified Land Cover Map: Wilbur-Ellis Company Project, Yolo County APN 041-050-001, a 69-acre project site located In Section 19, Township 9N, Range2E, Merritt 7.5' USGS Quadrangle, 38.6172010N, 121.7981117W. Red: Built-up areas, Green: Cultivated areas

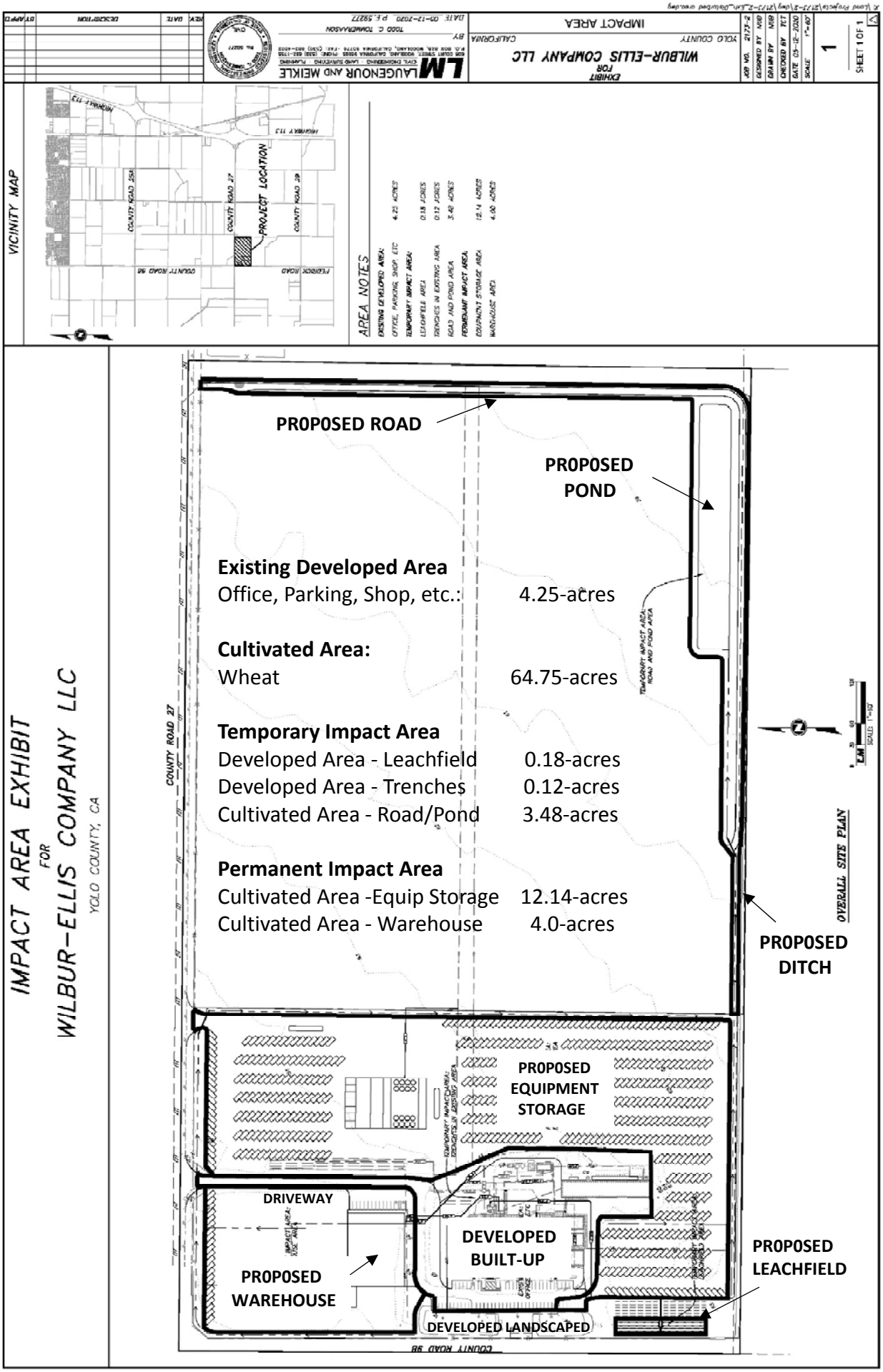


FIGURE 3: IMPACT AREA EXHIBIT

MARCUS H. BOLE & ASSOCIATES
104 Brock Drive, Wheatland, CA 95692
(530) 633-0117, email: mbole@aol.com

SITE: Wilbur-Ellis, APN 041-050-001
VIEW: Gravel surfaces in built-up area

Photo Plate 1

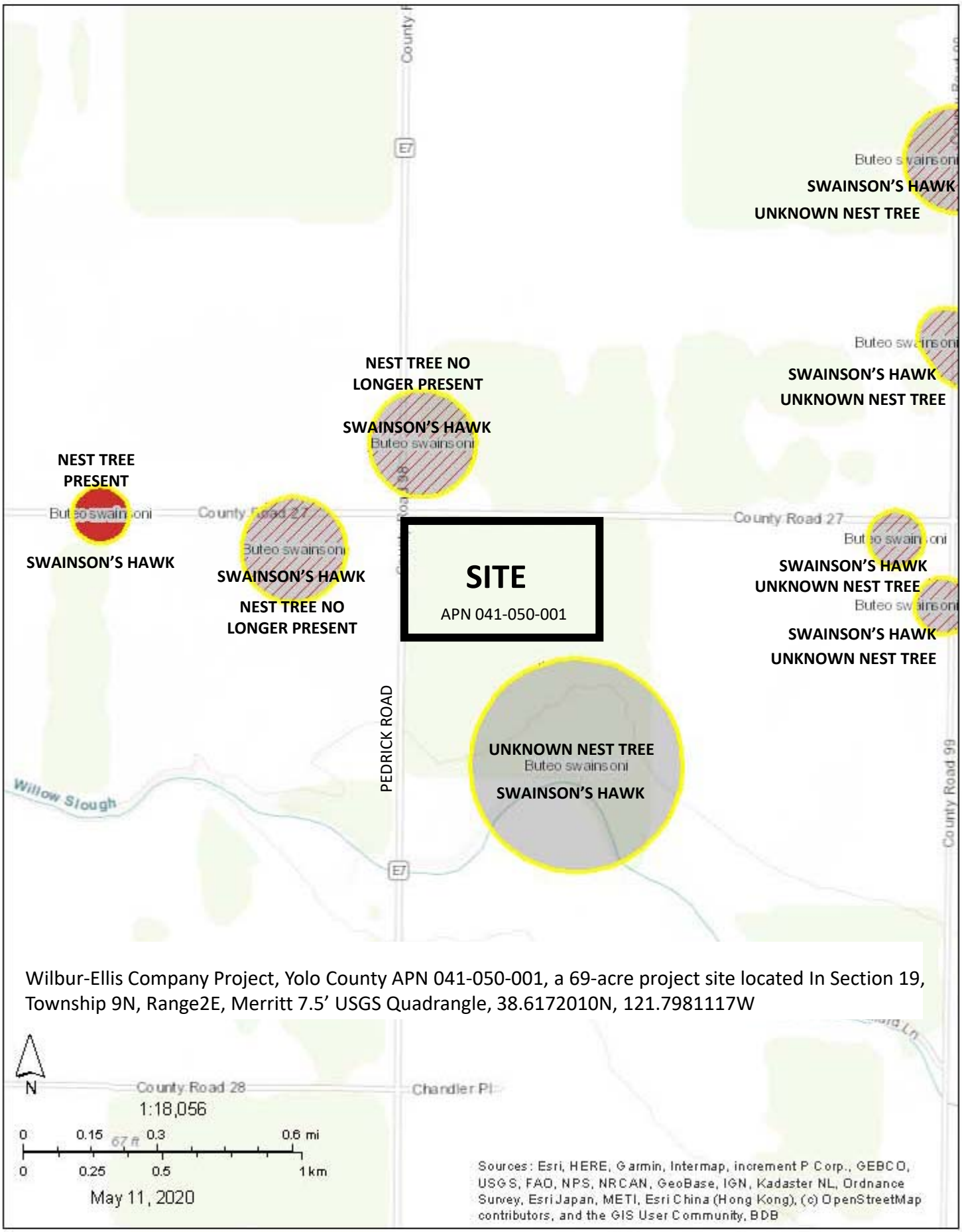
MARCUS H. BOLE & ASSOCIATES
104 Brock Drive, Wheatland, CA 95692
(530) 633-0117, email: mbole@aol.com

SITE: Wilbur-Ellis, APN 041-050-001
VIEW: Cultivated area - typical

Photo Plate 2

APPENDIX B: CNDDB & USFWS DATABASES

CALIFORNIA NATURAL DIVERSITY DATABASE (CNDDB) FOR WILBUR-ELLIS PROJECT



Wilbur-Ellis Company Project, Yolo County APN 041-050-001, a 69-acre project site located In Section 19, Township 9N, Range2E, Merritt 7.5' USGS Quadrangle, 38.6172010N, 121.7981117W

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
Phone: (916) 414-6600 Fax: (916) 414-6713

In Reply Refer To:
Consultation Code: 08ESMF00-2020-SLI-1871
Event Code: 08ESMF00-2020-E-05800
Project Name: Wilbur-Ellis Project

May 11, 2020

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, under the jurisdiction of the U.S. Fish and Wildlife Service (Service) that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Please follow the link below to see if your proposed project has the potential to affect other species or their habitats under the jurisdiction of the National Marine Fisheries Service:

http://www.nwr.noaa.gov/protected_species/species_list/species_lists.html

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
(916) 414-6600

Project Summary

Consultation Code: 08ESMF00-2020-SLI-1871

Event Code: 08ESMF00-2020-E-05800

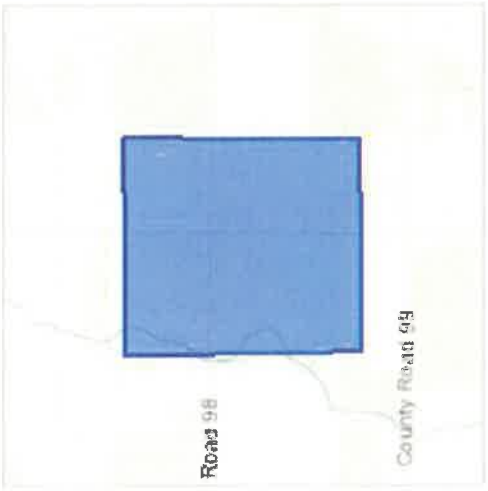
Project Name: Wilbur-Ellis Project

Project Type: DEVELOPMENT

Project Description: Project involves approximately 25-acres of grading for parking area with 69-acre Yolo County APN 041-050-001, located in Section 19, Township 9 North, Range 2 East, Merritt 7.5' USGS Quadrangle. 38.6172010N, 121.7981117W.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/38.61864718807454N121.79992627652027W



Counties: Yolo, CA

Endangered Species Act Species

There is a total of 8 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Birds

NAME	STATUS
Yellow-billed Cuckoo *Coccyzus americanus* Population: Western U.S. DPS There is **proposed** critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3911	Threatened

Reptiles

NAME	STATUS
Giant Garter Snake *Thamnophis gigas* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4482	Threatened

Amphibians

NAME	STATUS
California Red-legged Frog *Rana draytonii*	Threatened

There is **final** critical habitat for this species. Your location is outside the critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/2891
Species survey guidelines:
https://ecos.fws.gov/ipac/guideline/survey/population/205/office/11420.pdf

California Tiger Salamander *Ambystoma californiense*	Threatened

Population: U.S.A. (Central CA DPS)
There is **final** critical habitat for this species. Your location is outside the critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/2076

Fishes

NAME	STATUS
Delta Smelt *Hypomesus transpacificus*	Threatened

There is **final** critical habitat for this species. Your location is outside the critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/321

Insects

NAME	STATUS
Valley Elderberry Longhorn Beetle *Desmocerus californicus dimorphus*	Threatened

There is **final** critical habitat for this species. Your location is outside the critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/7850
Habitat assessment guidelines:
https://ecos.fws.gov/ipac/guideline/assessment/population/436/office/11420.pdf

Crustaceans

NAME	STATUS
Vernal Pool Fairy Shrimp *Branchinecta lynchi*	Threatened

There is **final** critical habitat for this species. Your location is outside the critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/498

Vernal Pool Tadpole Shrimp *Lepidurus packardi*	Endangered

There is **final** critical habitat for this species. Your location is outside the critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/2246

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Merritt (3812157))
 AND (Federal Listing Status IS (Endangered OR Threatened OR Proposed Endangered OR Proposed Threatened OR Candidate OR All CNDDB element occurrences OR Delisted) OR State Listing Status IS (Endangered OR Threatened OR Rare OR All CNDDB element occurrences OR Delisted OR Candidate Endangered OR Candidate Threatened))

Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
Agelaius tricolor tricolored blackbird	G2G3 S1S2	None Threatened	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_EN-Endangered NABCI_RWL-Red Watch List USFWS_BCC-Birds of Conservation Concern	50 93	955 S:4	0	0	0	0	1	3	4	0	3	1	0
Ambystoma californiense California tiger salamander	G2G3 S2S3	Threatened Threatened	CDFW_WL-Watch List IUCN_VU-Vulnerable	50 50	1231 S:1	0	0	0	0	0	1	1	0	1	0	0
Antrozous pallidus pallid bat	G5 S3	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern USFS_S-Sensitive WBWG_H-High Priority	50 50	420 S:1	0	0	0	0	0	1	1	0	1	0	0
Astragalus tener var. ferrisiae Ferris' milk-vetch	G2T1 S1	None None	Rare Plant Rank - 1B.1 BLM_S-Sensitive		18 S:1	0	0	0	0	0	1	1	0	1	0	0
Athene cunicularia burrowing owl	G4 S3	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern USFWS_BCC-Birds of Conservation Concern	35 100	1989 S:4	0	1	0	0	2	1	4	0	2	1	1
Atriplex cordulata var. cordulata heartscale	G3T2 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive	35 35	66 S:1	0	0	0	0	1	0	1	0	0	0	1
Bombus crotchii Crotch bumble bee	G3G4 S1S2	None Candidate Endangered		50 50	276 S:1	0	0	0	0	0	1	1	0	1	0	0

Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database

Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
Bombus occidentalis western bumble bee	G2G3 S1	None Candidate Endangered	USFS_S-Sensitive XERCES_IM-Imperiled	50 50	279 S:1	0	0	0	0	0	1	1	0	1	0	0
Branchinecta lynchi vernal pool fairy shrimp	G3 S3	Threatened None	IUCN_VU-Vulnerable	100 100	770 S:1	0	1	0	0	0	0	1	0	1	0	0
Buteo swainsoni Swainson's hawk	G5 S3	None Threatened	BLM_S-Sensitive IUCN_LC-Least Concern USFWS_BCC-Birds of Conservation Concern	45 100	2518 S:100	20	25	9	2	0	44	18	82	99	1	0
Cicindela hirticollis abrupta Sacramento Valley tiger beetle	G5TH SH	None None		50 50	6 S:1	0	0	0	0	1	0	1	0	0	0	1
Circus hudsonius northern harrier	G5 S3	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern	48 48	53 S:1	0	1	0	0	0	0	0	1	1	0	0
Coccyzus americanus occidentalis western yellow-billed cuckoo	G5T2T3 S1	Threatened Endangered	BLM_S-Sensitive NABCI_RWL-Red Watch List USFS_S-Sensitive USFWS_BCC-Birds of Conservation Concern	70 70	164 S:1	0	0	0	0	0	1	0	1	1	0	0
Desmocerus californicus dimorphus valley elderberry longhorn beetle	G3T2 S2	Threatened None		55 55	271 S:1	0	0	0	0	0	1	1	0	1	0	0
Elanus leucurus white-tailed kite	G5 S3S4	None None	BLM_S-Sensitive CDFW_FP-Fully Protected IUCN_LC-Least Concern	50 65	180 S:3	0	2	0	1	0	0	3	0	3	0	0
Emys marmorata western pond turtle	G3G4 S3	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_VU-Vulnerable USFS_S-Sensitive	50 50	1385 S:1	0	0	0	0	0	1	0	1	1	0	0
Lasionycteris noctivagans silver-haired bat	G5 S3S4	None None	IUCN_LC-Least Concern WBWG_M-Medium Priority		139 S:1	0	0	0	0	0	1	1	0	1	0	0

Summary Table Report

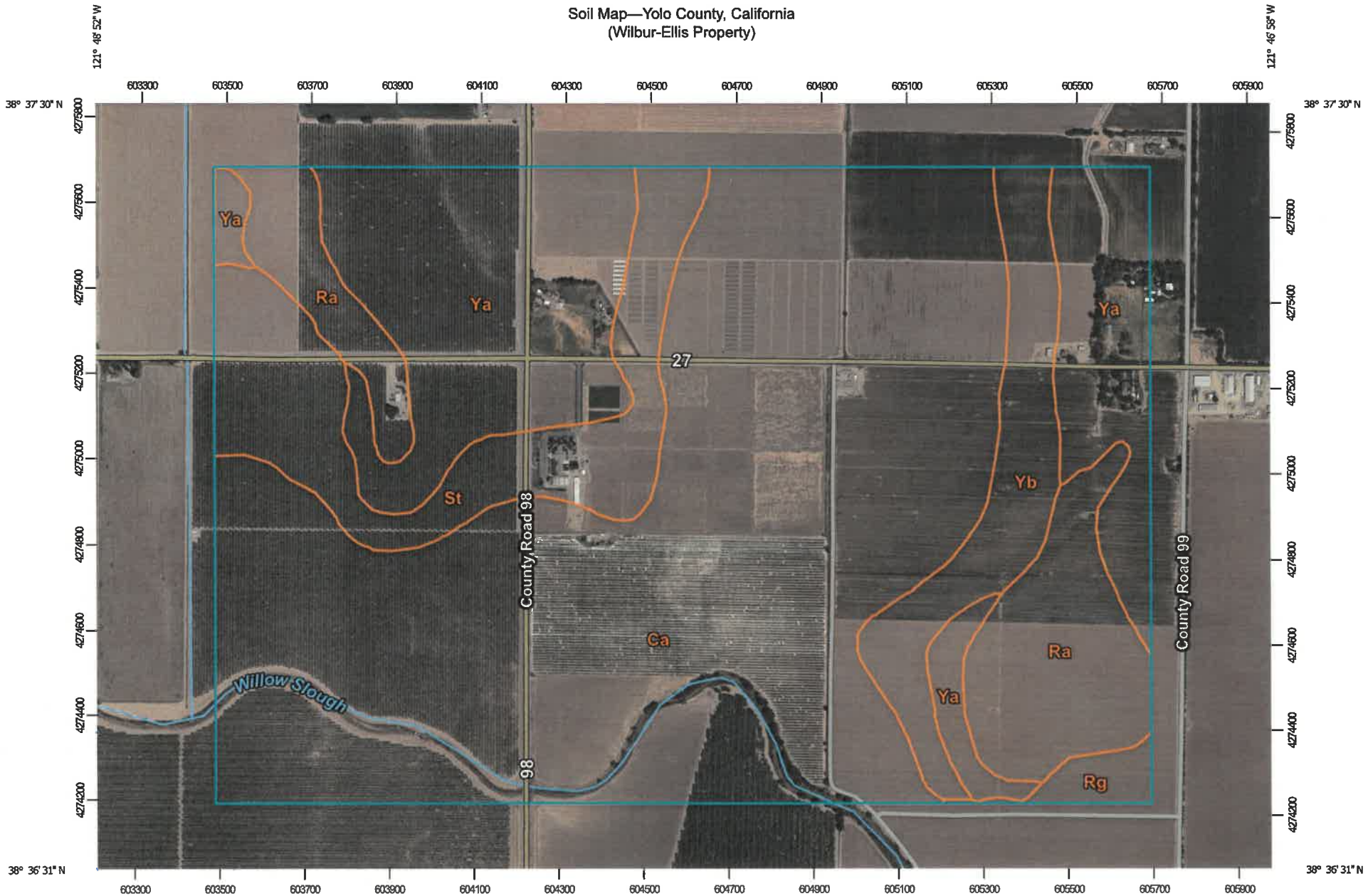
California Department of Fish and Wildlife

California Natural Diversity Database

Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
Lasiurus cinereus hoary bat	G5 S4	None None	IUCN_LC-Least Concern WBWG_M-Medium Priority		238 S:1	0	0	0	0	0	1	1	0	1	0	0
Lepidurus packardi vernal pool tadpole shrimp	G4 S3S4	Endangered None	IUCN_EN-Endangered	50 50	325 S:1	0	0	0	0	0	1	1	0	1	0	0
Myrmosula pacifica Antioch multilid wasp	GH SH	None None		50 50	3 S:1	0	0	0	0	0	1	1	0	0	1	0
Puccinellia simplex California alkali grass	G3 S2	None None	Rare Plant Rank - 1B.2	35 50	80 S:2	0	0	0	0	2	0	2	0	0	2	0
Sidalcea keckii Keck's checkerbloom	G2 S2	Endangered None	Rare Plant Rank - 1B.1 SB_RSABG-Rancho Santa Ana Botanic Garden	80 100	50 S:2	0	0	0	0	0	2	2	0	2	0	0
Spea hammondii western spadefoot	G3 S3	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_NT-Near Threatened	93 93	1359 S:1	0	0	0	1	0	0	1	0	1	0	0
Taxidea taxus American badger	G5 S3	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern	45 70	592 S:2	0	0	0	0	0	2	2	0	2	0	0
Thamnophis gigas giant gartersnake	G2 S2	Threatened Threatened	IUCN_VU-Vulnerable	50 50	366 S:1	0	0	0	0	0	1	1	0	1	0	0

APPENDIX C: SOIL DATA

Soil Map—Yolo County, California
(Wilbur-Ellis Property)



Map Scale: 1:12,600 if printed on A landscape (11" x 8.5") sheet.

N

Meters
0 150 300 600 900

Feet
0 500 1000 2000 3000

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Yolo County, California
Survey Area Data: Version 15, Sep 16, 2019

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 26, 2019—May 1, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Ca	Capy silty clay, 0 percent slopes, MLRA 17	434.7	53.3%
Ra	Reiff very fine sandy loam	75.7	9.3%
Rg	Rincon silty clay loam	8.0	1.0%
St	Sycamore silty clay loam, drained, 0 percent slopes, MLRA 17	79.6	9.8%
Ya	Yolo silt loam, 0 to 2 percent slopes, MLRA 17	167.3	20.5%
Yb	Yolo silty clay loam, 0 to 2 percent slopes, MLRA 17	50.3	6.2%
Totals for Area of Interest		**815.6**	**100.0%**

APPENDIX D: RESUMES OF SURVEYORS

Marcus H. Bole & Associates

An Environmental Consulting Firm

MARCUS H. BOLE, Senior Wildlife Biologist

EXPERTISE:
Wildlife & Natural Resource Management
Environmental Site Assessments (NEPA & CEQA-level)
Wetland Delineation, Mitigation, and Permitting

EDUCATION:
Master's Degree in Environmental Science
North Dakota State University, Fargo, 1976
Baccalaureate in Wildlife Biology
California State University, Sacramento, 1970
Registered Environmental Property Assessor (REPA, #647913)
Certified (OSMB) Disabled Veteran Business Enterprise (DVBE)
California Department of General Services (#0000847)
Service Disabled Veteran Owned Small Business (VA)
Awarded GSA Contract Number: GS10F101BA Environmental
Schedule 899, DUNS Number 943646430

PROFESSIONAL HISTORY:
Bole & Associates, Principal, 1993 - Present
U. S. Federal Government Manager of Environmental Engineering,
Compliance and Community Planning, 1970 - 1993
California State Division of Forestry, Engineer, 1966 - 1970

REPRESENTATIVE EXPERIENCE:
Mr. Bole has over forty years of experience in environmental project management and wildlife biology. He has supervised work forces of professional engineers, scientists and technicians responsible for pollution monitoring, permitting, abatement, environmental impact analysis, natural resource evaluation and restoration programs and preserve habitat management. As a biologist, Mr. Bole has conducted numerous Biological Assessments in accordance with United States Fish & Wildlife Service and California Department of Fish & Wildlife protocols and regulations. He has conducted wetland delineations in accordance with the United States Army Corps of Engineers regulations throughout California. Mr. Bole has conducted hundreds of raptor (hawk, owl and bat) assessments in accordance with California Department of Fish and Wildlife and United States Fish and Wildlife Service protocols. As lead environmental scientist for the Department of Veterans Affairs, National Cemetery Administration, he has been directly responsible for coordinating environmental assessments and the Environmental Management System (EMS) for over 160 National Cemeteries in the United States. As Chief, Environmental Management Division, Beale AFB, California, he managed compliance issues and the restoration of natural resources within a 23,000 acre federal military installation, retiring in 1993 in the rank of Lieutenant Colonel. As Principal, Marcus H. Bole & Associates, he manages allocation of personnel, client development and strategic planning.

From: Info <info@yolohabitatconservancy.org>
To: mbole@aol.com <mbole@aol.com>
Cc: Info <info@yolohabitatconservancy.org>
Subject: Yolo HCP/NCCP Qualified Biologist Certification: Marcus H. Bole
Date: Thu, Feb 27, 2020 8:02 pm

Dear Marcus H. Bole,

Thank you for submitting your Yolo HCP/NCCP qualified biologist's application. Your application package has been reviewed and you are certified as a Yolo HCP/NCCP qualified biologist for the following types of Yolo HCP/NCCP surveying and monitoring:

- Planning-level habitat surveys (includes land cover mapping and identification of species habitat)
- Valley elderberry longhorn beetle planning-level species surveys
- Western pond turtle pre-construction surveys and construction monitoring
- Giant garter snake pre-construction surveys and construction monitoring *(limitation: no species handling without providing copies of valid permits to the Yolo Habitat Conservancy)*
- Swainson's hawk and white-tailed kite pre-construction surveys and construction monitoring
- Western yellow-billed cuckoo planning-level species surveys and preconstruction surveys
- Western burrowing owl planning-level surveys for occupied habitat and preconstruction surveys
- Least Bell's vireo planning-level surveys for occupied habitat and preconstruction surveys

This certification is **valid until December 31, 2023.** The Yolo Habitat Conservancy will keep your application materials and certification records on file for the term of the certification. If you wish to continue to be certified as a Yolo HCP/NCCP qualified biologist after the expiration of this certification you will need to submit a subsequent application. Please keep this email as proof of your certification status. You may also direct any interested party to contact the Yolo Habitat Conservancy at 530-723-5504 or info@yolohabitatconservancy.org to obtain verification that your certification is valid.

Thank you,

Chris Alford

Deputy Director, Yolo Habitat Conservancy

611 North Street, Woodland, CA 95695

www.yolohabitatconservancy.org

Yolo Habitat Conservancy

County of Yolo • City of Davis • City of Winters • City of West Sacramento
City of Woodland • University of California, Davis

Marcus H. Bole & Associates
An Environmental Consulting Firm

CHARLENE J. BOLE, Senior Botanist

EXPERTISE:

Environmental Project Management
Environmental Site Assessments (Phase I & II)
Threatened and Endangered Species, Ornithologist
Wetland Delineation, Mitigation and Permitting
Botanical Surveys and Impact Analysis

EDUCATION:

Master Degree in Environmental Science
North Dakota State University, Fargo, 1979
Baccalaureate in Social Science
California State University, Sacramento, 1974
Graduate Course work in Environmental Sciences, Botany & Wildlife Biology
Registered Environmental Property Assessor (REPA# 229436)
State of California Standard Teaching Credential, Science
California Community College Credential, Environmental Science

PROFESSIONAL HISTORY:

Marcus H. Bole & Associates (MHB&A), Principal, 1991 - Present
Consultant, Veterans Administration, National Cemetery Administration, 2005-Present
Consultant, Regulatory Permitting, US Army, Department of Defense, Belgium, 1988 - 1991
Senior Project Manager, Environmental Development Center, Belgium, 1988 - 1991
Environmental Consultant for Department of Defense, Japan, 1985 - 1987

REPRESENTATIVE EXPERIENCE:

Ms. Bole has over thirty-five years of experience in environmental project management, environmental science and consulting. A recognized expert in research development and management, she has supervised work forces of professional scientists and technicians responsible for a wide array of environmental issues in overseas locations and throughout California. Her areas of expertise include botany, ornithology, wildlife ecology, regulatory compliance, natural resource and habitat conservation planning, and the delineation of waters of the United States. She is a Senior Environmental Scientist under contract with the Department of Veterans Affairs, National Cemetery Administration, responsible for the environmental review of cemetery expansions at over fifty VA National Cemeteries. She is currently Senior Botanist responsible for endangered plant monitoring and impact mitigation for the Caltrans San Francisco-Oakland Bay Bridge East Span Project. Her organizational skills have consistently resulted in finding the most cost effective means for project implementation and completion.

Appendix D

Cultural Resources Survey and Report

CONFIDENTIAL

Appendix E

Paleontological Assessment

PALEONTOLOGICAL ASSESSMENT
Wilbur-Ellis Consolidation Project

Prepared by:

Aspen Environmental Group
235 Montgomery Street, Suite 640
San Francisco, CA 94104

February 2021

Contents

Figures

Introduction

Project Location

The Wilbur-Ellis Consolidation Facility (Project) will be located on a 69-acre parcel currently owned by Wilbur-Ellis. The 69-acre parcel previously supported a seed research facility and currently supports 45 acres of agricultural production. The parcel is under a Williamson Act Contract (69-351) and has a 45-acre conservation easement held by the Yolo County Land Trust and City of Woodland. The easement is a Swainson's hawk mitigation easement to serve as mitigation for the City of Woodland's Spring Lake development and must remain in agricultural production. The Project lies in the N½, NW¼, Sec. 19, T9N, R2E, Merritt quadrangle (USGS 7.5'-series topographic map) in Yolo County, California. Its flat surface is heavily disturbed by agricultural development (Figure 1).

Project Description

Wilbur-Ellis Company is proposing to close and consolidate its existing two agricultural retail facilities, located at 1785 E. Beamer Street, Woodland, California and 1850 N. First Street, Dixon, California, into a facility located at 38001 County Road 27, Woodland, California. The purpose of the consolidation is to construct a larger, more centralized facility to better serve the company's customer base. The proposed Project includes a plan to construct additional structures, equipment parking, and storage areas immediately adjacent to the existing buildings within the western portion of the property. Additionally, a small detention basin will be constructed, in the southeast portion of the area to be developed, to collect stormwater from the equipment parking areas. Drainage ditches will be constructed to connect the parking areas to the detention basin. The proposed Project will disturb a total of 20 acres and will occupy a total of approximately 24 acres of the existing 69-acre parcel. The County of Yolo is the lead agency under CEQA.

Jurisdiction

Regulatory Framework

State

The California Environmental Quality Act (CEQA) provides protection for paleontological resources through environmental legislation. Direction regarding significant impacts on paleontological resources is found in Appendix G of the CEQA Guidelines. The guidelines state, "A project will normally result in a significant impact on the environment if it will disrupt or adversely affect a paleontological resource or site or unique geologic feature, except as part of a scientific study." Per section 5097.5 of the Public Resources Code, removing paleontological remains without authorization is unlawful and can result in a misdemeanor. In addition, Section 622.5 of the California Penal Code sets the penalties for damage or removal of paleontological resources.

Local

County of Yolo. Action CO-A61of the Conservation and Open Spaces element of the Yolo County General Plan (County of Yolo, 2009b) requires cultural resources inventories of all new development projects in areas where a preliminary site survey indicates a medium or high potential for archaeological, historical, or paleontological resources. In addition, it requires a mitigation plan to protect the resource before the issuance of permits. Mitigation may include:

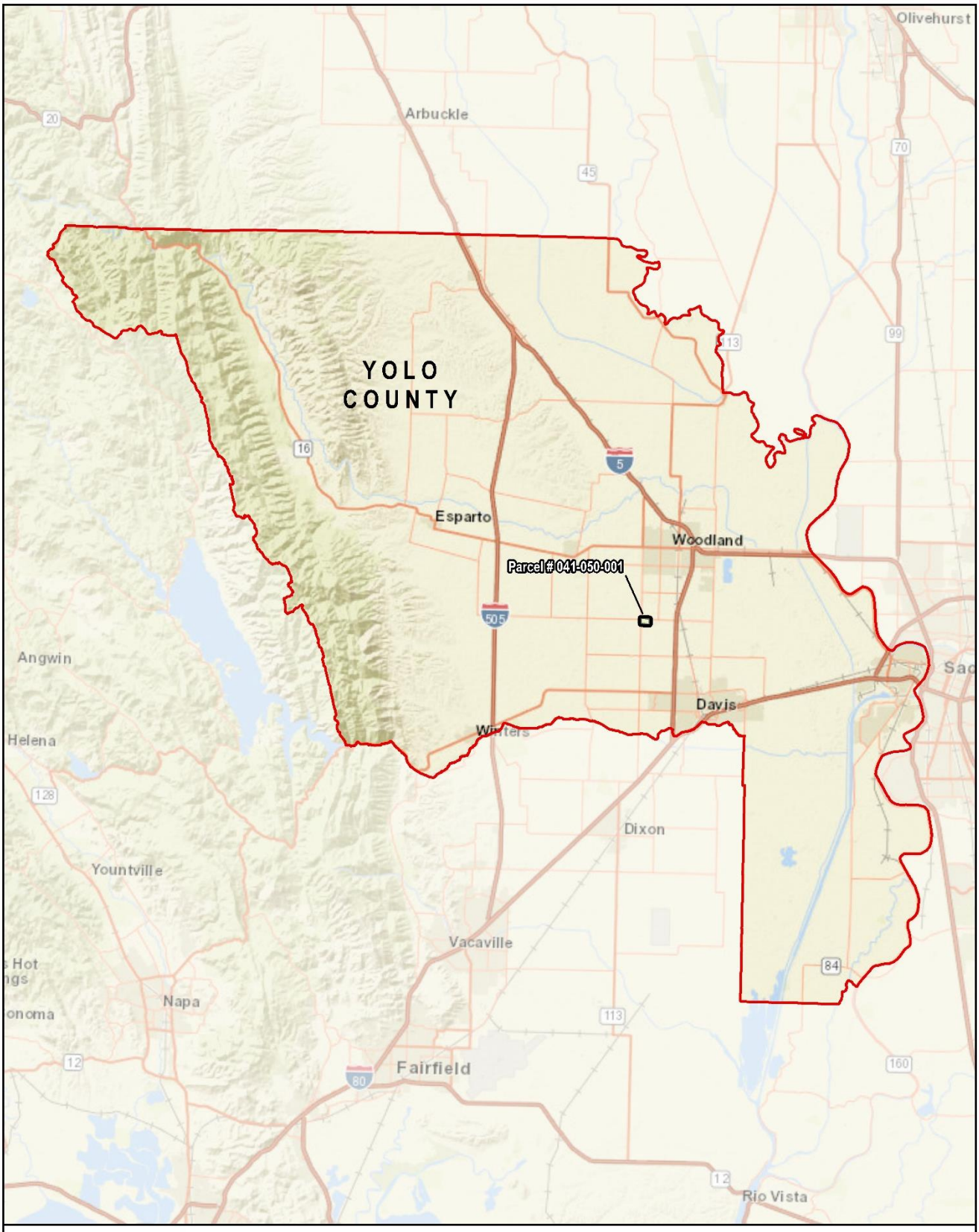


Figure 1.
Regional Vicinity

- Having a qualified paleontologist present during initial grading or trenching;
- Redesign of the project to avoid paleontological resources;
- Capping the site with a layer of fill; and/or
- Excavation and removal of the paleontological resources and curation in an appropriate facility under the direction of a qualified professional. (Policy CO-4.1, Policy CO-4.13)
- Action ion C)-A63 of the Conservation and Open Spaces element requires that when paleontological artifacts are encountered during site preparation or construction, all work within the vicinity of the discovery is immediately hated and the area protected from further disturbance.

Professional Standards

The Society of Vertebrate Paleontology (SVP) is an international professional organization of vertebrate paleontologists, and it has issued guidelines for adequate assessment and mitigation of adverse impact to paleontological resources (SVP, 2010). Fossils must be identifiable and must be at least 5,000 years old to be considered significant paleontological resources.

Project Geology

The geologic mapping of the Project area being used for this report is that of Helley and Harwood (1985). Only two geologic units are mapped in the vicinity of the Project: Holocene alluvium (Qa) and Holocene basin deposits, undivided (Qb) (Figure 2). These authors indicate that the former does not exceed 10 meters in thickness, and that the latter can attain a thickness of as much as 60 m.

Literature Search

There are no Yolo County localities in the Jefferson's 1991 volume on Pleistocene lower vertebrate and avian fossils of California (Jefferson, 1991a). His volume on mammalian taxa, however, lists six localities from Yolo County (Jefferson, 1991b). Three are from Davis, one is from a railroad stop known as Black's Station, one from Woodland, and one from Dixon. However, Dixon lies in Solano County, so that should be excluded from present consideration.

The Cultural Resources Section of the Yolo County General Plan EIR (County of Yolo, 2009a) lists one Pleistocene vertebrate fossil locality in the Red Bluff Formation, two localities in undifferentiated Pleistocene sediment, and three along Putah Creek. These might be in Yolo County or in Solano County.

Records Search

On January 12, Dr. Ken Finger provided a records search report from the records of the University of California Museum of Paleontology (Finger, Appendix B). The closest fossil locality he found was three miles southeast of the Project. That locality is in the Modesto Formation (Pleistocene Epoch) and produced seven mammal fossils and one reptile fossil.

Pedestrian Survey

A pedestrian survey is not necessary, as the Project footprint consists of disturbed agricultural land (Finger, Appendix B).

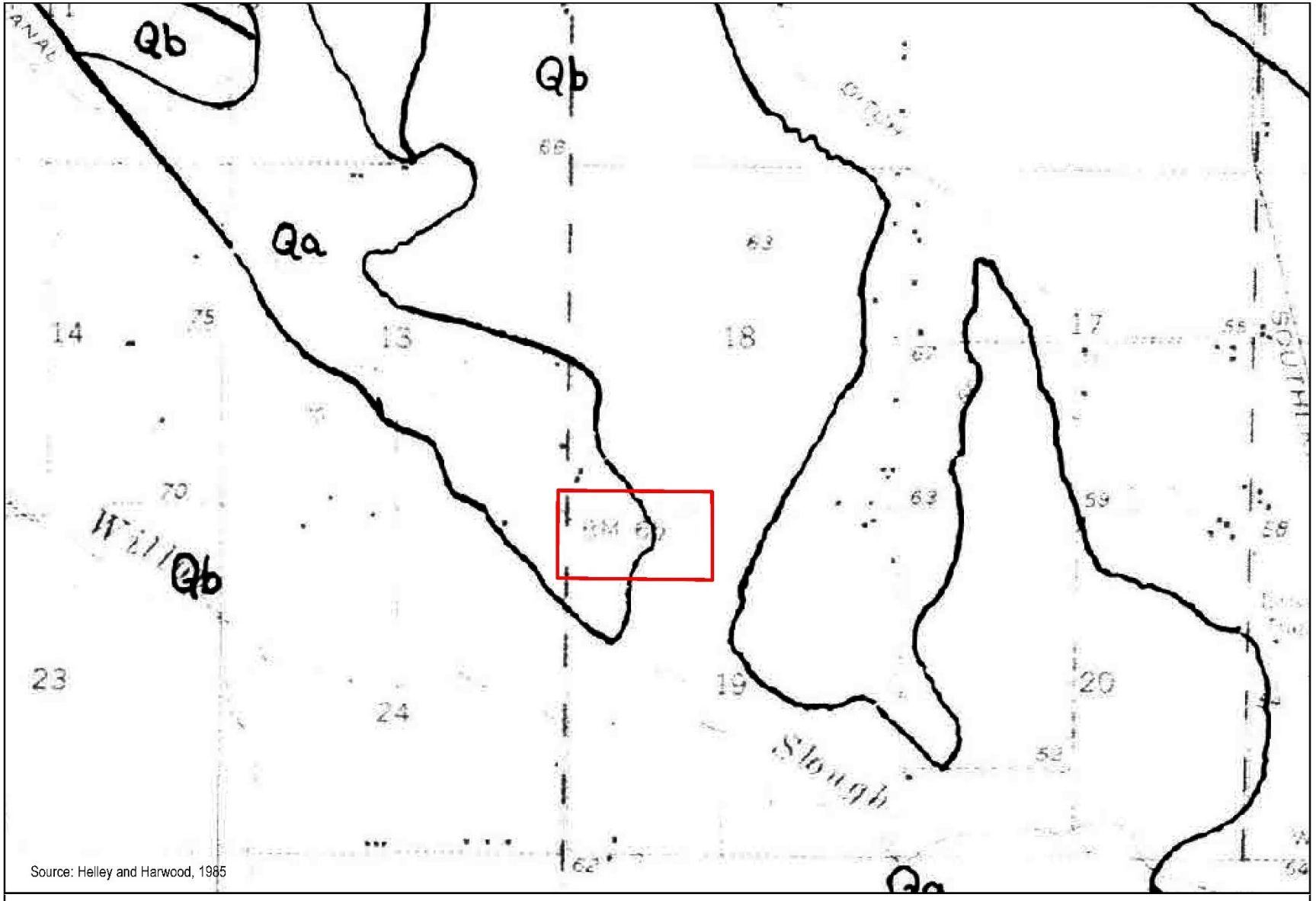


Figure 2.
Geologic Units

Conclusions

The records search report from (Finger, Appendix B) implied that the Holocene age of the deposits within the Project footprint demonstrated that no monitoring was required. He did state, however, that, should any significant paleontological resources (e.g., bones, teeth) be unearthed by the construction crew, their activities should be diverted at least 15 feet from the find. until a professional paleontologist has assessed it and, if deemed significant, salvaged it in a timely manner. Salvaged fossils should be deposited in an appropriate repository, such as the UCMP, where they will be properly curated and made available for future research.

MM PAL-1 In the event that paleontological resources such as bones or teeth be unearthed by the construction crew, their activities should be diverted at least 15 feet from the find. until a professional paleontologist has assessed it and, if deemed significant, salvaged it in a timely manner. Salvaged fossils should be deposited in an appropriate repository, such as the UCMP, where they will be properly curated and made available for future research

References

County of Yolo. 2009a. County of Yolo 2030 Countywide General Plan, Conservation and Open Spaces Element.

_____. 2009b. Cultural Resources Section, Yolo County 2030 Countywide General Plan Environmental Impact Report. P. 515-550.

Helley, E. J., and D. S. Harwood. 1985. Geologic map of Late Cenozoic deposits of the Sacramento Valley and northern Sierran Foothills, California. USGS Miscellaneous Field Studies Map 1790, Sheet 1 (Southern Sacramento Valley). Scale 1:62,500.

Jefferson, G.T. 1991a. A catalogue of Late Quaternary Vertebrates from California: Part One, nonmarine lower vertebrate and avian taxa. Natural History Museum of Los Angeles County Technical Reports No. 5.

_____. 1991b. A catalogue of Late Quaternary Vertebrates from California: Part Two, Mammals. Natural History Museum of Los Angeles County Technical Reports No. 7.

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