

5.6 Land Use

This section provides an inventory of existing and designated land uses, including agricultural uses, in the vicinity of the CPV Vaca Station (CPVVS). For the purposes of this analysis, the affected environment study area is defined as those areas within 1 mile of the CPVVS project site. Section 5.6.1 describes the environment that could be affected by the proposed project. Section 5.6.2 presents an environmental analysis of project development. Section 5.6.3 discusses potential cumulative effects. Section 5.6.4 discusses possible mitigation measures. Section 5.6.5 presents the laws, ordinances, regulations, and standards (LORS) applicable to land use. Section 5.6.6 provides the agencies and agency contacts for land use issues. Section 5.6.7 provides a discussion of permits; and Section 5.6.8 lists the references used in preparing this section.

5.6.1 Affected Environment

5.6.1.1 Existing Land Uses within the Study Area

The project site is located on a single 24-acre parcel (Assessor's Parcel Number [APN] 0142-200-040) to the east of the City of Vacaville (City), within rural Solano County, California on City-owned land. A 24-acre parcel located north of and adjacent to the project site is planned to be the project construction laydown area. The project site and adjacent laydown area are currently vacant and unused parcels that are owned by the City of Vacaville. The new 6-acre substation site, the proposed electrical transmission line route, and the proposed natural gas pipeline route would be located land that is currently in agricultural production.

Existing uses adjacent to the project site include agricultural and undeveloped open space uses. The City's Easterly Wastewater Treatment Plant (EWTP) is located approximately 250 feet northwest of the project site. The closest residential land use is located on Lewis Road approximately 800 feet southeast of the project site.

A search to determine if schools (elementary, middle, and high), churches, child care/day centers, parks and recreation centers, historic areas, and mines and quarries are located in the vicinity of the project site revealed that one school and one church are located within 1 mile of the project site. Table 5.6-1 lists the name of the entity in each of these facility categories that is located closest to the project site. Figure 5.6-1 shows existing land uses within 1 mile of the project site, including sensitive receptors, such as residential and school uses.

5.6.1.2 Agricultural Lands within the Study Area

The Farmland Mapping and Monitoring Program (FMMP) of the California Department of Conservation (CDC) provides statistics on conversion of farmland to nonagricultural uses for Solano County where the project site is located. In 2006, Solano County had approximately 157,736 acres of Important Farmlands (including Prime Farmland, Farmland of Statewide and Local Importance, and Unique Farmlands) and an additional 202,826 acres of grazing land. In the period between 2004 and 2006, Important Farmlands had shown a net decrease of 3,137 acres (2.0 percent) within the county (CDC, 2006a). A review of the

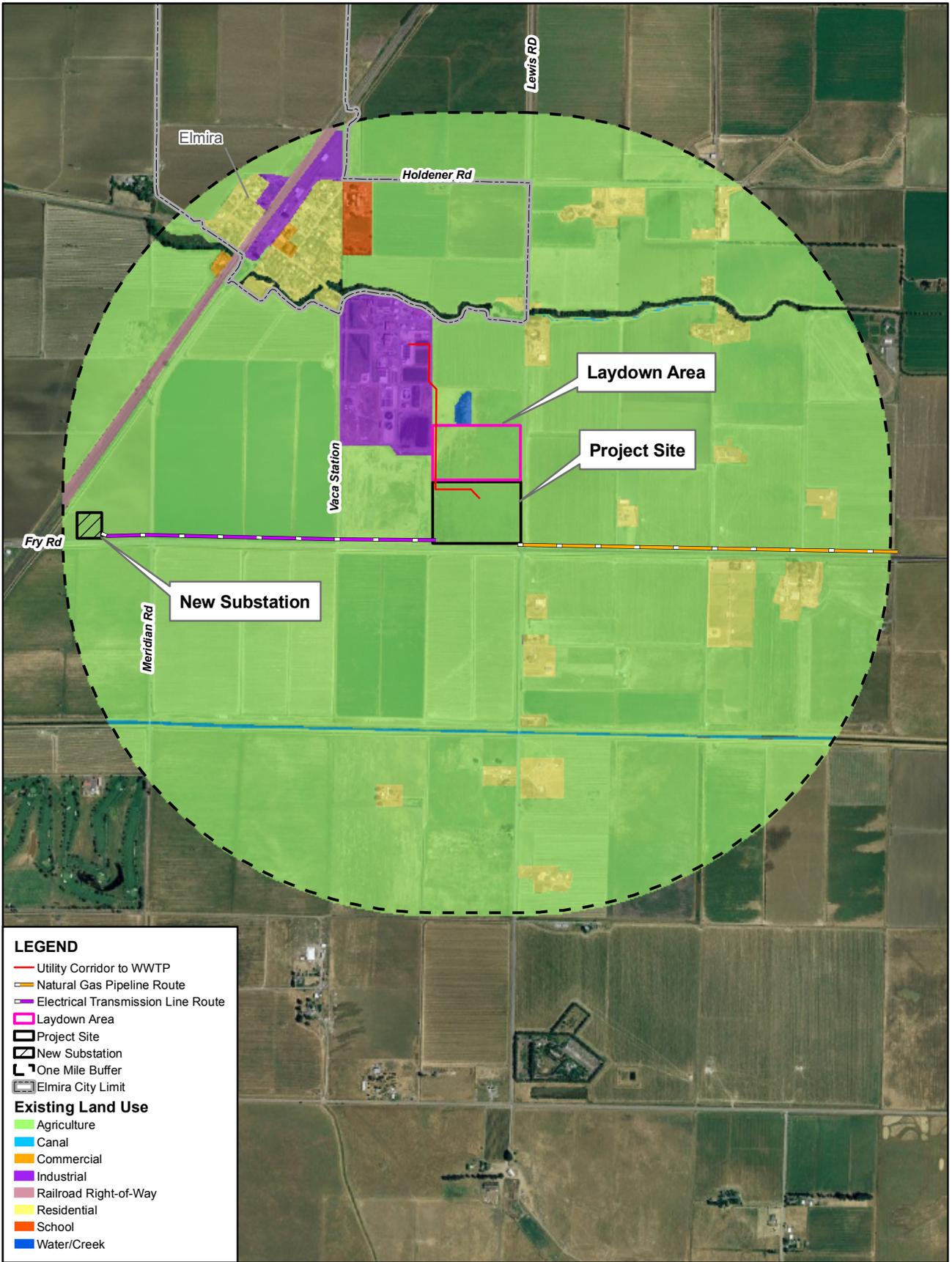
TABLE 5.6-1
Distance from Project Site to Facility by Facility Type

Name of Facility	Approximate Distance from Project Site (miles)
Schools	
Sierra School Holdener Road, Elmira, CA	0.5
Jean Callison Elementary 6261 Vanden Road, Vacaville, CA	2.5
Vaca Pena Middle School 200 Keith Way, Vacaville, CA	3.2
Will C. Wood High School 998 Marshall Road, Vacaville, CA	4.3
Churches	
Oasis Foursquare Church 6101 B Street, Vacaville, CA	1.0
Child Care/Daycare Centers	
Solano Family & Children's Services 421 Executive Ct. North, Fairfield, CA	14.4
Karen's Family Daycare 1072 Notre Dame Circle, Vacaville, CA	2.9
Parks and Recreation Centers	
Patwin Park Elmira & Leisure Town Roads, Vacaville, CA	2.2
Maplewood Recreation Center 680 Sweet Bay Circle, Vacaville, CA	3.1
Historic Areas	
Dixon Historic Mason's Hall 159 N 1st Street, Dixon, CA	8.5

Source: Mapquest, 2008.

"Important Farmlands" mapping by the FMMP shows that the power plant site, substation site, and the electrical transmission line route are designated as "Prime Farmland." The construction laydown area is designated both "Prime Farmland" and "Unique Farmland," and the natural gas pipeline route is on land designated as both "Prime Farmland" and "Other Land" (CDC, 2006b). Figure 5.6-2 shows the important farmland designations within 1 mile of the project site and linear appurtenances.

The project site would be located on APN 0142-200-040. The substation would be located on APN 0135-090-050. No Williamson Act contract is associated with either of these parcels (Serrano, pers. comm., 2008).



LEGEND

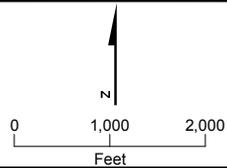
- Utility Corridor to WWTP
- Natural Gas Pipeline Route
- Electrical Transmission Line Route
- Laydown Area
- Project Site
- New Substation
- One Mile Buffer
- Elmira City Limit

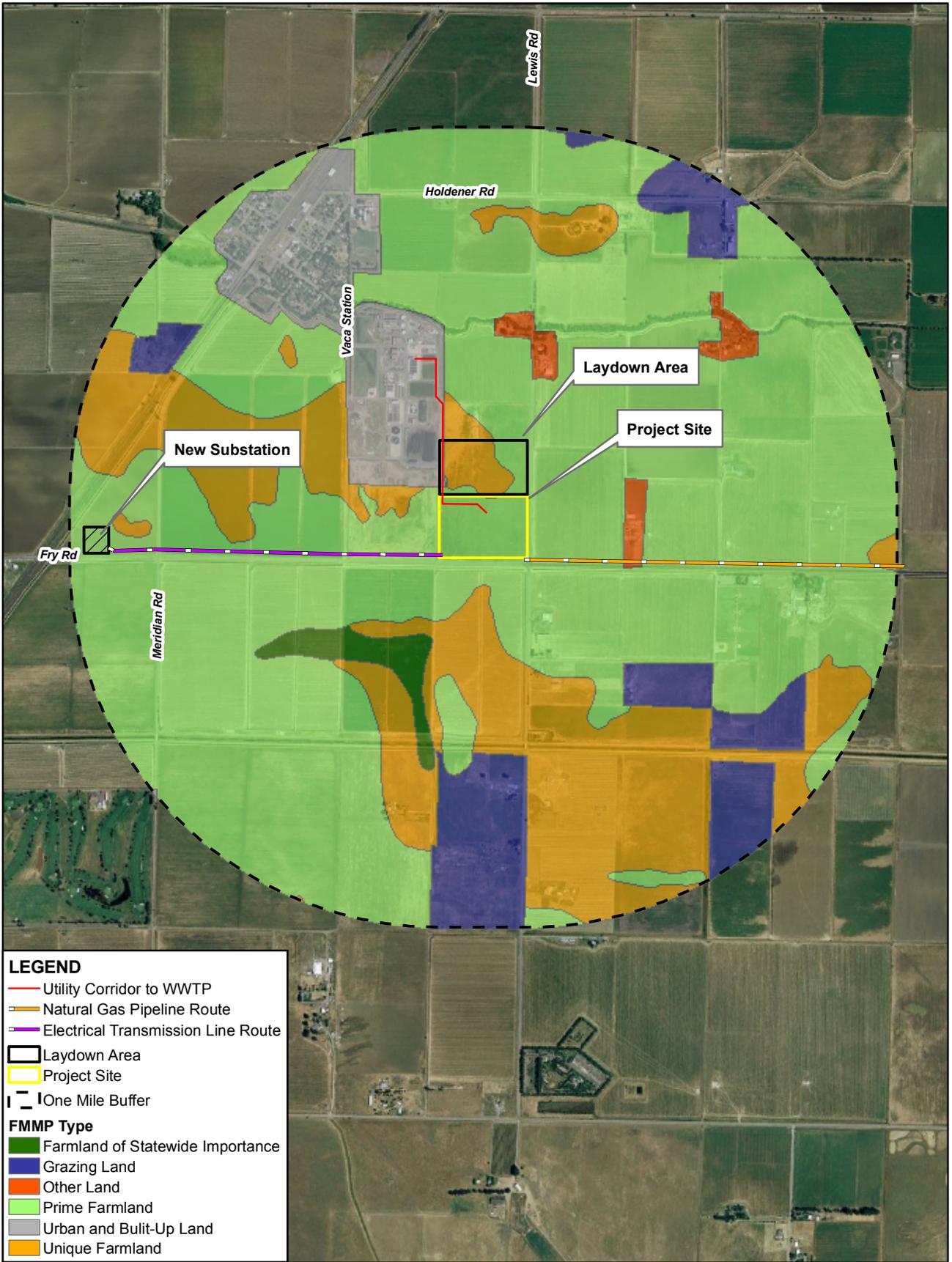
Existing Land Use

- Agriculture
- Canal
- Commercial
- Industrial
- Railroad Right-of-Way
- Residential
- School
- Water/Creek

FIGURE 5.6-1
EXISTING LAND USE WITHIN ONE
MILE OF SITE
 CPV VACA STATION
 VACAVILLE, CA

This map was compiled from various scale source data and maps and is intended for use as only an approximate representation of actual locations.





Notes:
 1. Source: FMMP Dataset for Solano County, California Department of Conservation, 2006.

This map was compiled from various scale source data and maps and is intended for use as only an approximate representation of actual locations.

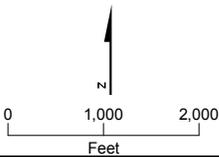


FIGURE 5.6-2
IMPORTANT FARMLAND WITHIN
ONE MILE OF PROJECT
 CPV VACA STATION
 VACAVILLE, CA

5.6.1.3 Current Land Use Plans for the Study Area

Plans and policies governing physical development within the project study area include the City of Vacaville General Plan, City of Vacaville Title 14 Land Use and Development Code, the Solano County (County) General Plan,¹ Solano County Zoning Regulations (Chapter 28), and the Solano Multispecies Habitat Conservation Plan. Project conformity with current land use plans, policies, and regulations is addressed in greater detail in Section 5.6.5.

5.6.1.3.1 General Plan Land Use Designations within the Study Area

Land use provisions included in every California city and county general plan (California State Planning Law, Government Code §65302 et seq.) reflect the goals and policies that guide the physical development of land in their jurisdiction. For the purposes of this Application for Certification (AFC), because the power plant site is located on land that is owned by the City of Vacaville that is surrounded by unincorporated Solano County land, the project is analyzed in terms of its conformity with the land use designations and policies described in the City and County general plans. Because the Solano County General Plan is being updated, the project is analyzed in terms of its conformity with the existing County General Plan (1980). This AFC also identifies policies from the Draft 2008 General Plan that are applicable to the proposed project and that differ from the 1980 General Plan. Figure 5.6-3 shows the General Plan Designations within 1 mile of the project sites.

The project site is located in the City of Vacaville. The project site and construction laydown area are designated by the City as Public/Institutional (City of Vacaville, 2005). The substation site, electric transmission line route, and gas pipeline route are designated by Solano County as Agriculture (Solano County, 2006). Most of the land within the 1-mile buffer around the project site is designated for agricultural uses. Table 5.6-2 lists General Plan designations within 1 mile of the project sites.

5.6.1.3.2 Zoning Designations within the Study Area

The zoning ordinance is a regulatory tool used to implement the General Plan. It defines zones that dictate permitted uses and design requirements such as setbacks and height limits. The city zoning ordinances are enforced by their respective planning and building departments.

The project site and construction laydown area is zoned CF (Community Facilities) by the City. This zoning allows for medical facilities, other public facilities, large institutions, and utilities determined by the Planning Commission to be of the same general character as other uses in the area. On March 4, 2008, an amendment to the City Land Use and Development Code to Add Gas-Fired Thermal Power Plants as a Permitted Use in the CF Zone District was unanimously approved. The County zoning of the substation site, electrical transmission line alignment, and gas pipeline alignment is A40 (Agricultural [40 Acres]). These proposed uses are allowed in this zone.

¹ The General Plan that is in effect for Solano County is dated 1980. Solano County is currently updating its General Plan, and a Draft 2008 General Plan has been prepared. The 1980 General Plan is used as the basis for the purposes of this analysis. In addition, the policies in the Draft 2008 General Plan that are applicable to the project that differ from those listed in the 1980 General Plan are presented in this report.

The zoning designations for land that is within a 1-mile radius of the project sites are listed in Table 5.6-3 and shown in Figure 5.6-4.

TABLE 5.6-2
General Plan Land Use Designations and Allowable Uses Within a 1-mile Radius of the Project

Land Use Designation	Allowable Uses
City of Vacaville	
Public/Institutional	Includes the Civic Center, Cultural Center, California Medical Facility, California State Prison, Solano, Vaca Valley Hospital and related medical facilities, other public facilities, large institutions, and utilities. The Floor Area Ratio (FAR) shall generally be limited to 0.3; it may be adjusted in specific cases, based on the intensity of use and availability of services, infrastructure, and projected traffic levels of service.
Agriculture	Lands for agricultural purposes during the planning period. Primarily consists of irrigated croplands and pasture outside the City limits but within the City's planning area.
Solano County	
Intensive Agriculture	Composed generally of highly fertile soils brought into intensive production through irrigation. It is the intent of the 1980 General Plan to protect these areas from the intrusion of non-agricultural uses and further urban encroachment to preserve them exclusively for agricultural purposes. The 2008 Draft General Plan also allows agriculture-related housing in these areas to provide farm residences and necessary residences for farm labor housing.
Suburban Residential	1 to 4 units per acre. This designation is applied to existing subdivisions located outside city urban growth areas where previous single-family residential development has occurred at higher densities than is currently allowed by County policy and regulations. It is not intended that the suburban designation be applied to areas where new or expanded residential development in the County is to occur but rather to preserve the character and quality of the existing suburban communities. The 2008 Draft General Plan identifies this residential density as Traditional Community Residential.

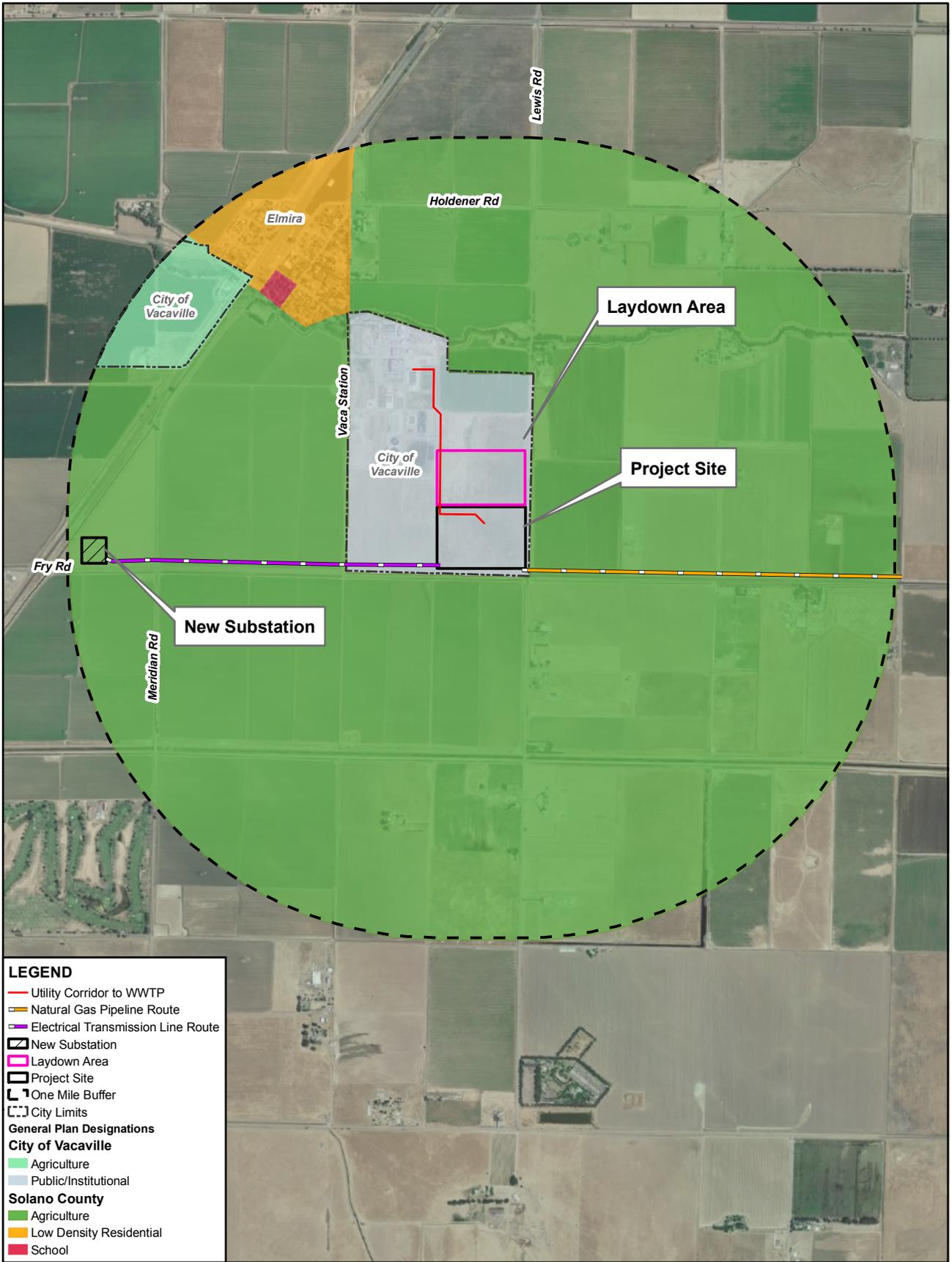
Sources: City of Vacaville, 2005, 2007a; and Solano County, 1980, 2006, 2008a.

5.6.1.3.3 Solano Multispecies Habitat Conservation Plan

The Solano County Water Agency (SCWA) and the member agencies² developed a Habitat Conservation Plan (HCP) for the Solano Project³ contract service area. The HCP includes conservation measures to ensure the protection of threatened and endangered species and their habitat within the contract service area.

² The member agencies are the Cities of Vacaville, Fairfield, and Vallejo; Suisun City; Solano Irrigation District; Maine Prairie Water District; University of California, Davis; and the California Medical Facility/California State Prison, Vacaville.

³ The Solano Project is a U.S. Bureau of Reclamation Project that makes water available to SCWA and its contractors for agricultural, municipal, and industrial purposes throughout the SCWA contract service area.



Notes:
 1. Source: City of Vacaville, 2005, Solano County, 2006.

This map was compiled from various scale source data and maps and is intended for use as only an approximate representation of actual locations.

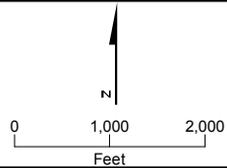
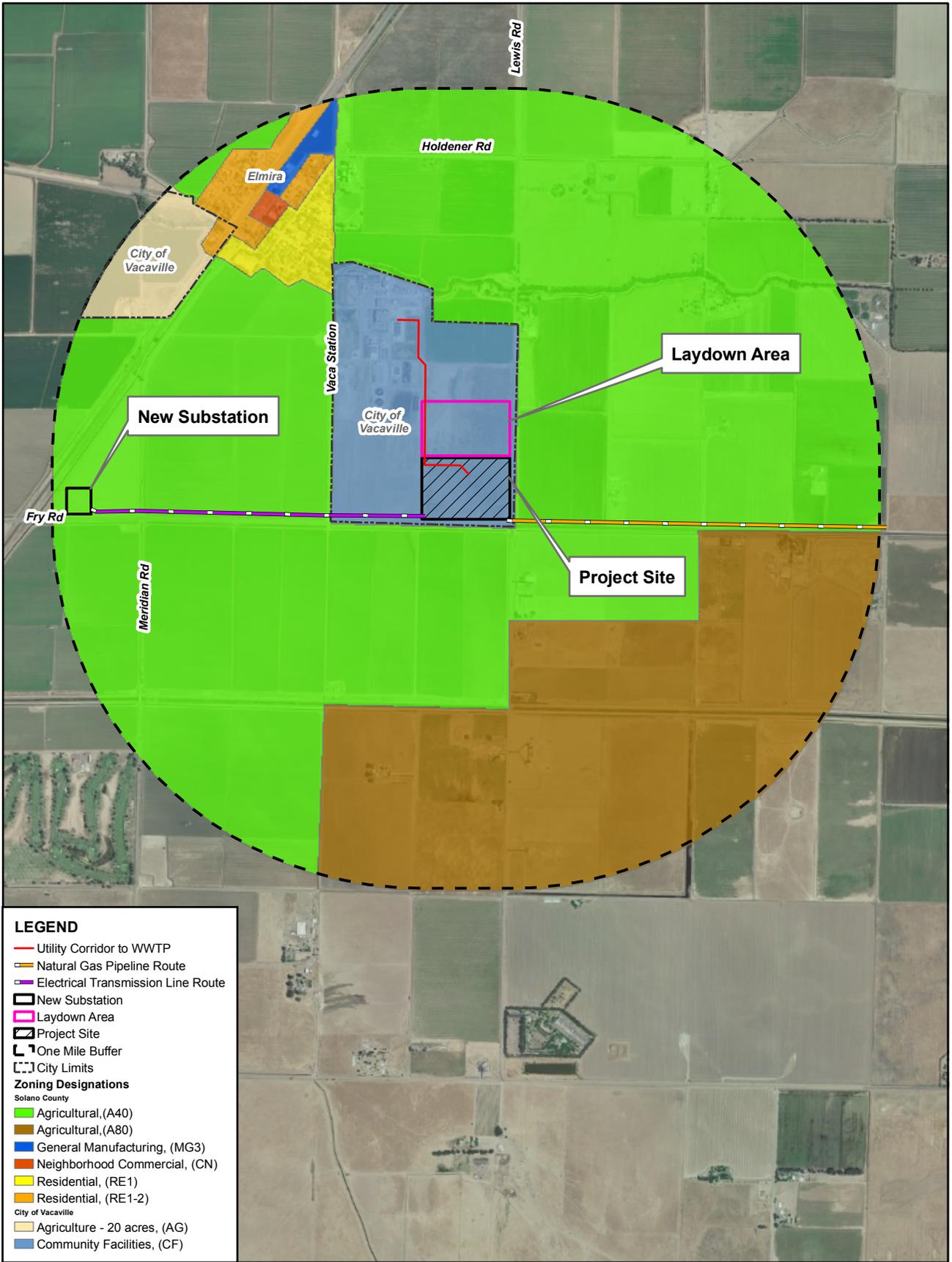


FIGURE 5.6-3
GENERAL PLAN DESIGNATIONS
WITHIN ONE MILE OF PROJECT
 CPV VACA STATION
 VACAVILLE, CA



Notes:
 1. Source: City of Vacaville, 2007, Solano County, 2008.

This map was compiled from various scale source data and maps and is intended for use as only an approximate representation of actual locations.

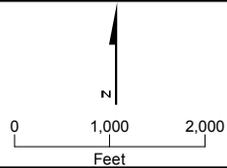


FIGURE 5.6-4
ZONING DESIGNATIONS
WITHIN ONE MILE OF PROJECT
 CPV VACA STATION
 VACAVILLE, CA

TABLE 5.6-3
Zoning Designations and Allowable Activities Within a 1-mile Radius of the Project

Zoning Designation	Allowable Uses
City of Vacaville	
CF	Community Facilities. Allows for a wide range of community uses on a minimum site area of 2 acres. Permitted uses include large public facilities including, but not limited to, thermal power plants, livestock grazing, detention basins, growing of trees, hospitals and related facilities, public safety facilities, recreation facilities, water wells and pump stations and other similar utility facilities with an enclosed structure or below ground, when located on the same site as a permitted use. Conditional uses include cemeteries, parks, community centers, maintenance or storage yards, telecommunication facility, reservoirs and municipal water storage tanks, transportation facilities, and water and wastewater treatment facilities.
AG	Agriculture. Provides for the long-term commercial raising of produce and farm animals and associated or similar uses related to the operation of a farm or ranch in areas designated for agricultural use by the General Plan. Permitted uses include, but are not limited to, agricultural uses, livestock grazing, growing trees, single-family dwellings with raising animals, stables, and telecommunication facilities. Conditional uses include, but are not limited to agricultural uses, equestrian facilities, farm equipment service and repair establishments, golf courses, kennels, plant nurseries, public utility structures and facilities, veterinarian offices, and telecommunication facilities.
Solano County	
A40	Agriculture – 40 acres. Intensive agriculture on property with high-quality soils that is brought into intensive production through irrigation. Utilities such as transmission lines and substations are allowed uses in this zone.
A80	Agriculture – 80 acres. Intensive agriculture on property with high-quality soils that is brought into intensive production through irrigation.
RE1	Residential Estates – 1 acre. The RE designation is only used for suburban single-family homes and the community services appurtenant thereto. Allowed uses include, but are not limited to, one-family dwelling or manufactured dwelling, growing of plants/crops, small animal husbandry, buildings accessory or incidental to a permitted use, and a public service facility.
RE1-2	Residential Estates – 1-2 acres. The RE designation is only used for suburban single-family homes and the community services appurtenant thereto. Allowed uses include, but are not limited to, one-family dwelling or manufactured dwelling, growing of plants/crops, small animal husbandry, buildings accessory or incidental to a permitted use, and a public service facility.
CN	Neighborhood Commercial. Designed to provide an area for a limited number of small retail and service establishments to provide for businesses serving the daily needs of nearby residential neighborhoods or rural community. Includes, but is not limited to, retail stores and services, businesses, and professional offices.
MG3	General Manufacturing. The purpose of this district is to permit the normal operations of almost all industries, subject only to those regulations needed to control congestion and to protect the surrounding area or adjoining premises.

Sources: City of Vacaville, 2007b, 2008a; Solano County, 2008b, No Date.

Guiding principles of the HCP that are relevant to the proposed project and land use include:

- Reduce conflicts between listed species and economic development, agriculture, and other land use activities to promote conservation of biological diversity and, to the maximum extent practicable, contribute to recovery of plant and animal species addressed in the HCP.
- Promote retention and establishment of open space buffers and green belts consistent with the goals of local governments in order to: provide habitat linkages; separate designated urban area; minimize the loss, fragmentation, and degradation of natural habitats; protect and enhance important habitats for covered species; and provide movement corridors and connectivity between the various habitat associations or eco-regions in the county.
- Foster the continuation of land uses (e.g., agriculture and open space recreation) that are compatible with the protection of important habitats for covered species and, to the maximum extent practicable, maintain existing agricultural values on those lands that are affected by the HCP.

The HCP includes conservation goals, objectives, and measures for identified natural communities within the contract service area, and provisions for adaptive management and monitoring (implementation [compliance] monitoring, biological effectiveness monitoring, and targeted studies) (SCWA, 2007).

5.6.1.4 Recent Proposed Zone Changes and General Plan Amendments

The City of Vacaville City Council and Planning Commission meeting minutes from January 2008 to the present were reviewed to determine if those entities had considered changes to zoning regulations. The City of Vacaville City Council and Planning Commission have considered several changes to zoning regulations in the past several months, as shown in Table 5.6-4. The table lists the item that was considered, the meeting it was considered at, and the status of the item.

TABLE 5.6-4
City of Vacaville Recent Proposed Zone Changes and General Plan Amendments

Date	Meeting Name	Item	Status
5/13/2008	City Council and Redevelopment Agency	Ordinance Amending Sections 14.19.240.030, 14.19.242.030, 14.19.242.110, 14.19.244.010, and 14.20.251.010 of the Vacaville Municipal Code Relating to the Adoption of Appendix J of the California Building Code and Modifying Existing Grading Ordinance Language	Second Reading; Unanimously Approved
5/6/2008	Planning Commission	Amendment to Chapter 14.09.116, Land Use Permits and Approvals, Density Bonus Ordinance to incorporate updated provisions in state density bonus law.	Unanimously Approved

TABLE 5.6-4
City of Vacaville Recent Proposed Zone Changes and General Plan Amendments

Date	Meeting Name	Item	Status
4/22/2008	City Council and Redevelopment Agency	Ordinance Amending Sections 14.19.240.030, 14.19.242.030, 14.19.242.110, 14.19.244.010, and 14.20.251.010 of the Vacaville Municipal Code Relating to the Adoption of Appendix J of the California Building Code and Modifying Existing Grading Ordinance Language	Unanimously Approved
4/22/2008	City Council and Redevelopment Agency	Ordinance of the City Council of the City of Vacaville Adding Chapter 9.61 to the Vacaville Municipal Code Relating to the Possession and Consumption of Alcohol by Persons Under the Age of Twenty-One at Gatherings Occurring on Public or Private Property	Unanimously Approved
4/22/2008	City Council and Redevelopment Agency	Ordinance 1798; Ordinance amending certain sections of Chapter 14.09.131 of the Land Use and Development Code Pertaining to the Tree Preservation Ordinance	Second Reading; Approved
4/8/2008	City Council and Redevelopment Agency	Adoption of the City of Vacaville Opportunity Hill Master Plan and Design Guidelines and Initiation of Amendments to the General Plan and Land Use and Development Code	Unanimously Approved
4/8/2008	City Council and Redevelopment Agency	Ordinance Amending Certain Sections of Chapter 14.09.131 of the Land Use and Development Code Pertaining to the Tree Preservation Ordinance	Introduced; Unanimously Approved
4/1/2008	City Planning Commission	Ordinance Amending Divisions 14.19 and 14.20 of the Land Use and Development Code Related to Grading and Construction and Fire Standards	Unanimously Approved
3/11/2008	City Council and Redevelopment Agency	Resolution No. 2008-25: Resolution Adopting a Negative Declaration for Amending the Land Use and Development Code to Add Gas-Fired Thermal Power Plants as a Permitted Use in the Community Facilities (CF) Zone District	Unanimously Approved
3/4/2008	City Planning Commission	Amendment to the Land Use and Development Code to Add Gas-Fired Thermal Power Plants as a Permitted Use in the Community Facilities (CF) Zone District	Unanimously Approved
2/26/2008	City Council and Redevelopment Agency	Ordinance No. 1795: Ordinance Amending Section 2.36.120 of the Vacaville Municipal Code Relating to Mobile Home Rent Arbitration and Judicial Review of the Arbitrator's Decision	Second Reading; Approved

TABLE 5.6-4
City of Vacaville Recent Proposed Zone Changes and General Plan Amendments

Date	Meeting Name	Item	Status
2/26/2008	City Council and Redevelopment Agency	Initiation of an Amendment to the Allison Business Area Policy Plan to Expand the Residential Overlay (RO) Zone to Approximately 20 Acres of Vacant Land Located Between Allison and Harbison Drives, North of Ulatis Drive	Initiated, Approved
2/19/2008	City Planning Commission	Land Use and Development Code Amendment – Tree Preservation	Unanimously Approved
1/8/2008	City Council and Redevelopment Agency	Ordinance Adopting the Zone Change for the Alamo Plaza Shopping Center from General Commercial (CG) to General Commercial – Special Standards Overlay 9 (CG SS-9)	Second Reading; Unanimously Approved
1/8/2008	City Council and Redevelopment Agency	Ordinance of the City Council of the City of Vacaville Amending Chapter 9.20 of the Vacaville Municipal Code Relating to Community Safety	Second Reading; Unanimously Approved

Source: City of Vacaville, 2008b.

5.6.1.5 Recent Discretionary Review by Public Agencies

The City of Vacaville has jurisdiction over land use planning within the City limits, which includes the project site and construction laydown area would be located. The City does not maintain a database of discretionary approvals for the past 18 months.

Appendix 5.6A includes Tables 5.6A-1, 5.6A-2, and 5.6A-3. These tables list the projects that have been proposed within the City of Vacaville and Solano County since January 2007, where such data are available. The City of Vacaville was not able to provide 18 months of project data. It provided a residential development list as of March 31, 2008 that included 22 subdivisions, 15 custom lots, and 2 apartment buildings. It also provided an 817-entry list of building, electrical, and mechanical improvements activity between December 24, 2007 and May 16, 2008 (Boteilho, pers. comm., 2008). In Solano County between January 2007 and the present, 410 projects have been or are undergoing processing at the County Building Department (Frasier, pers comm., 2008). Most of these projects appear to be remodels, repairs, and building expansions. Project status ranges from preliminary review to complete.

5.6.1.6 Population and Growth Trends

Land use and growth trends identified for the study area are based on population estimates, projections, and current land use plans. The City's 2000 population was 88,625 (U.S. Census Bureau, 2000). In 2006, it was estimated to be 87,171 (U.S. Census Bureau, 2006). The City's population is expected to increase to 111,000 in 2010 (City of Vacaville, 2003).

5.6.2 Environmental Analysis

5.6.2.1 Significance Criteria

Significance criteria for impacts on land use were determined through review of applicable state and local regulations. Because of the California Energy Commission's (CEC's) Site Certification Process pursuant to the Warren-Alquist Act, a certified agency program pursuant to the California Environmental Quality Act (CEQA), the following criteria developed from the CEQA Guidelines and the CEQA Checklist were used to evaluate the potential environmental impacts of the project:

- Will the project physically divide an established community?
- Will the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- Will the project conflict with any applicable habitat conservation plan or natural community conservation plan?
- Will 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 nonagricultural use?
- Will the project involve other changes in the existing environment which, given their location and nature, could result in conversion of farmland to nonagricultural use?

5.6.2.2 Potential Effects on Land Use During Project Construction and Operation

5.6.2.2.1 Divide an Established Community

The project would not physically divide an established community within the City or County. The project involves the construction and operation of a new power plant on undeveloped land owned by the City and adjacent to the City's wastewater treatment plant. The project would not involve the displacement of any existing development; nor would it result in new development that would physically divide an existing neighborhood.

5.6.2.2.2 Conflict with an Applicable Land Use Plan, Policy, or Regulation

The project site is situated on City-owned land that is designated Public/Institutional by the City of Vacaville General Plan, and is designated Community Facilities according to City zoning. Permitted uses include large public facilities and include but are not limited to thermal power plants, livestock grazing, detention basins, growing of trees, hospitals and related facilities, public safety facilities, recreation facilities, water wells and pump stations, and other similar utility facilities with an enclosed structure or below ground, when located on the same site as a permitted use. Conditional uses include cemeteries, parks, community centers, maintenance or storage yards, telecommunication facilities, reservoirs and municipal water storage tanks, transportation facilities, and water and wastewater treatment facilities. The project would not require any change in either the City of Vacaville General Plan or zoning designations for the property, and it would be consistent with other uses that currently occur on the remainder of the City-owned property, such as the EWTP.

The project would be consistent with City and County General Plan policies for this area. The project would be sited on City-owned land adjacent to an existing industrial land use (wastewater treatment plant), is a permitted use in its zoning district, and would be a compatible land use with existing uses. Minimal land would be taken out of potential agricultural production, and the proposed linears (electric transmission line and gas pipeline) would be aligned in the Fry Road right-of-way, an existing road, and these are allowed utility uses within their zoning districts. The project's conformity with the City's and County's General Plan policies is outlined in detail in Table 5.6-5.

5.6.2.2.3 Conflict with an Applicable Habitat Conservation Plan

The project would be located within the Solano Multispecies HCP area. The project would not conflict with the land use-related guiding principles that are included in the HCP. The project was sited and is designed to be compatible with its adjacent developed land uses. Project implementation would not adversely affect SCWA's ability to implement the HCP.

5.6.2.2.4 Convert Farmland to Nonagricultural Uses

The project site is currently designated by the CDC as Prime Farmland and the project would represent a non-agricultural use. However, this land has been redesignated and rezoned for public institutional or community facility use, has not been in agricultural production for more than a decade, and hence should no longer be considered agricultural land.

Development of the construction laydown area would result in temporary impacts on land designated as Prime Farmland and Unique Farmland. This is also land that has been redesignated and rezoned for public institutional and community facility use and has not been in agricultural production for many years and hence should no longer be considered agricultural land.

Installation of the electric transmission line and gas pipeline would result in negligible impacts on land designated as Prime Farmland and Other Land.

The new substation would be sited on Prime Farmland, which would result in a conversion from agricultural use of 6-acres. This is less than 0.004 percent of the County's agricultural land, however, and would represent a less-than-significant impact on agricultural land.

5.6.2.2.5 Cause Changes that would Result in the Conversion of Farmland

The project would not cause land use changes that would induce other land use changes resulting in the long-term conversion of farmland. The new power plant and substation would not attract residential or commercial development or other uses to the project area that would result in farmland conversion.

5.6.2.3 Compatibility with Existing and Designated Land Uses and Applicable Planning Policies

Table 5.6-5 lists applicable local plans and policies and describes the project's conformity with them.

TABLE 5.6-5
Project Conformity with Local Land Use Plans and Policies

Goal/Objective/Policy	Project Consistency
City of Vacaville General Plan	
Land Use Element	
Guiding Policy 2.1-G 4: Minimize conflicts between agriculture and urban uses and provide for a transitional area or buffer between agricultural and urban uses.	The project would be sited on City-owned land adjacent to the EWTP. It would be compatible with its surrounding land uses.
Open Space Element	
Open Space Guiding Policy 3.5-G 5: Maintain a compact urban form and locate growth areas to minimize loss of agricultural resources.	The project would be sited adjacent to other industrial uses (the wastewater treatment plant) in an otherwise agricultural area, which would meet the intent of this guiding policy.
Open Space Guiding Policy 3.5-G 6: Minimize conflicts between urban and agricultural uses by establishing agricultural buffers and community separators.	The project would be sited adjacent to other industrial uses (the wastewater treatment plant) in an otherwise agricultural area, which would meet the intent of this policy.
Solano County General Plan (1980)	
Land Use and Circulation Element (1980, as amended through June 15, 2001)	
Overall Land Use Planning Goal 1: Provide for orderly growth which assures a harmonious relationship of land uses both rural and urban and maintains the distinctive character of each community in Solano County.	The project is sited in the City of Vacaville on land adjacent to an existing industrial land use. The electrical transmission line and natural gas pipeline are located in unincorporated rural areas and are compatible with rural uses.
Community Buffers Development Strategy Policy 1: Urban development shall be confined to land use patterns which retain essential agricultural lands of the County and minimize energy consumption.	The project is sited in the City of Vacaville on land adjacent to an existing industrial land use. The electrical transmission line and natural gas pipeline are located in unincorporated rural areas and would not conflict with maintenance of community buffers.
Community Buffers Development Strategy Policy 2: Rural and suburban development shall be confined to non-essential marginal agricultural lands with a low capability of agricultural production and in a manner which minimizes conflicts with surrounding agricultural activities.	The project is sited in the City of Vacaville on land adjacent to an existing industrial land use. The electrical transmission line and natural gas pipeline are located in unincorporated rural areas and would not conflict significantly with agricultural activities.
Utility Facilities Policy 1: New gas, electric, and telephone utility alignments shall use or parallel existing rights-of-way, where practical and feasible, and in a manner which avoids heavily developed areas.	The project's proposed electric transmission line and gas pipeline would be routed along Fry Road in its right-of-way, which would meet the intent of this policy.
Utility Facilities Policy 4: The County shall support the development of local energy sources including the use of solar, wind, and cogeneration facilities.	The project would be considered a local energy source, which would meet the intent of this policy.
Public Service Proposals General Policy 1: Residential, commercial, and industrial development shall be designed and located in such a manner as to maximize the use of existing facilities and services and to minimize the need for additional County services.	The project is sited in the City of Vacaville on land adjacent to an existing industrial land use. The electrical transmission line and natural gas pipeline are located in unincorporated rural areas and would not require additional County services.

TABLE 5.6-5
Project Conformity with Local Land Use Plans and Policies

Goal/Objective/Policy	Project Consistency
<p>Public Service Proposals General Policy 3: Development requiring urban services shall be confined within city urban growth lines in areas where services can be provided most efficiently.</p>	<p>The project is sited in the City of Vacaville on land adjacent to an existing industrial land use but would not require urban services.</p>
Solano County Draft General Plan (2008)	
Land Use Chapter	
<p>Land Use Goal: Sustaining diverse land uses that define the character and identity of Solano County.</p>	<p>Implementation of the project would have no effect on the County's ability to sustain diverse land uses in the county.</p>
<p>LU.G-1: Preserve and protect the current development pattern of distinct and identifiable cities and communities.</p>	<p>Implementation of the project would have no effect on the County's ability to preserve and protect the development pattern of its cities and communities.</p>
<p>LU.G-2: Encourage a development pattern that first seeks to maintain existing communities, second to develop vacant lands within existing communities presently served by public services, and third to develop lands immediately adjacent to existing communities where services can easily be provided.</p>	<p>The project would be sited adjacent to other industrial uses (the wastewater treatment plant) in an otherwise agricultural area, which would meet the intent of this policy. The project is an industrial use that would provide electrical service to the communities in Solano County.</p>
<p>LU.G-4: Encourage land use development patterns and circulation and transportation systems that promote health and wellness and minimize adverse effects on agriculture and natural resources, energy consumption, and air quality.</p>	<p>The project would be sited adjacent to existing industrial uses (the wastewater treatment plant) to help minimize negative effects on surrounding uses. The project would have a negligible impact on circulation and transportation systems.</p>
<p>LU.P-21: Locate, design, and site commercial and industrial development, including locations near ferries, rail, and ports, in a manner that minimizes traffic congestion and other negative effects on surrounding residential and agricultural uses.</p>	<p>The project would be sited adjacent to existing industrial uses (the wastewater treatment plant) to help minimize negative effects on surrounding uses. The project would have a negligible impact on traffic congestion, as discussed in Section 5.12.</p>
<p>LU.P-26: Locate and develop industrial uses in a manner that does not conflict with adjacent and surrounding agricultural activities and protects water quality and marshland and wetland habitats.</p>	<p>The project would be sited adjacent to other industrial uses (the wastewater treatment plant). Project construction and operation be consistent with LORS and would use BMPs related to water quality conservation and would have no adverse effects on water quality, marshland, or wetland habitats (see AFC Sections 5.2 and 5.15).</p>
Agriculture Chapter	
<p>AR.G-2: Preserve and protect the county's agricultural lands as irreplaceable resources for present and future generations.</p>	<p>The project is sited in the City of Vacaville on vacant land adjacent to an existing industrial land use. The electrical transmission line and natural gas pipeline are located in unincorporated rural areas and are compatible with rural uses. The substation would remove 6 acres from agricultural production, but this effect would not be significant.</p>

TABLE 5.6-5
Project Conformity with Local Land Use Plans and Policies

Goal/Objective/Policy	Project Consistency
AR.G-5: Reduce conflict between agricultural and nonagricultural uses in Agriculture-designated areas.	The project is sited in the City of Vacaville on land adjacent to an existing industrial land use. The electrical transmission line and natural gas pipeline are located in unincorporated rural areas and are compatible with rural uses.
Resources Chapter	
RS.G-1: Manage and preserve the diverse land, water, and air resources of the county for the use and enrichment of the lives of present and future generations.	Implementation of the project would have no effect on the County's ability to manage and preserve its natural resources.
Public Facilities and Services Chapter	
PF.P-48: Use parallel or existing rights-of-way for gas, electric, and telephone utility alignments in a manner that avoids heavily developed areas.	The proposed electric transmission line and gas pipeline would be aligned along Fry Road's right-of-way, which would meet the intent of this policy.
PF.P-49: Locate, design, and construct transmission lines in a manner that minimizes disruption of natural vegetation, agricultural activities, scenic areas, and avoids unnecessary scarring of hill areas.	The proposed electric transmission line and gas pipeline would be aligned along Fry Road's right-of-way. In addition, no project facilities would be located in hill areas. The project has been sited to meet the intent of this policy.

Source: City of Vacaville, 2007a; Solano County, 1980, 2008a.

5.6.3 Cumulative Effects

A cumulative impact refers to a proposed project's incremental effect together with other closely related past, present, and reasonably foreseeable future projects whose impacts may compound or increase the incremental effect of the proposed project (Public Resources Code § 21083; California Code of Regulations, title 14, § 15064(h), 15065(c), 15130, and 15355). Projects currently under consideration in the City include new residential projects and building, electrical, and mechanical improvements to existing structures. Projects in the County include remodels, repairs, and expansions to existing buildings.

Because the CPVVS is a permitted use in its current location and would not result in significant adverse impacts that cannot be mitigated, and because the CPVVS's location is removed from the City limits (i.e., the CPVVS site is a City-owned "island" in unincorporated County area), impacts from the CPVVS would not likely combine with those from the projects being processed in the City limits to result in cumulative significant impacts. Similarly, because the CPVVS site is located in a largely undeveloped area of the County, it is unlikely that the CPVVS's project impacts would combine with those of the projects being processed in the County to result in cumulatively significant impacts. The CPVVS is sited on land that was at one time in agricultural use. This land has been out of production for more than a decade, however, and has been redesignated for public institutional/community facility use. The substation would involve a conversion of 6 acres of agricultural land to non-agricultural use, which is a negligible amount. Therefore, the CPVVS would not contribute significantly to cumulative impacts involving agricultural conversion.

5.6.4 Mitigation Measures

Since there are no significant adverse impacts caused by the project, no land use-specific mitigation measures are proposed.

5.6.5 Laws, Ordinances, Regulations and Standards

This section lists and discusses the land use LORS that apply to the project. Consistent with AFC requirements, all plans and polices applicable to the 1-mile area surrounding the proposed power plant site are summarized below. The site, including all project components (plant site, natural gas, water, and sewer lines, substation, and the transmission line), are located in the City of Vacaville and Solano County.

5.6.5.1 Federal LORS

No federal LORS for land use are applicable to the site or the proposed project.

5.6.5.2 State LORS

The AFC process is the CEQA-equivalent pursuant to the Warren-Alquist Act and, therefore, fulfills the requirements of CEQA. CEQA is codified in the California Public Resources Code, Section 21000-21178.1. Guidelines for implementation of CEQA are codified in the California Code of Regulations, Sections 15000-15387.

5.6.5.3 Local LORS

Land use provisions that are included in every California city and county General Plan (California State Planning Law, Government code §65302 et seq.) reflect the goals and policies that guide the physical development of land in their jurisdiction. The city and county zoning ordinances are enforced by their respective planning and building departments. Table 5.6-6 lists the LORS, the agencies that administer them, and the AFC section that discusses the project's conformance with the LORS.

TABLE 5.6-6
Laws, Ordinances, Regulations, and Standards for Land Use

LORS	Requirement/Applicability	Administering Agency	AFC Section Explaining Conformance
State			
CEQA California Public Resources Code, Sections 21000-21178.1, including Guidelines for implementation of CEQA are codified in the CCR Sections 15000-15387.	Establishes policies and procedures for review of proposed power plants in California.	California Energy Commission	Section 5.6.5.2
Warren-Alquist Act (Public Resources Code Section 25000 et seq.)	Legislation that created and gives statutory authority to the California Energy Commission.	California Energy Commission	Section 5.6.5.2

TABLE 5.6-6
Laws, Ordinances, Regulations, and Standards for Land Use

LORS	Requirement/Applicability	Administering Agency	AFC Section Explaining Conformance
Local			
City of Vacaville General Plan (2007)	Comprehensive long-range plan to serve as the guide for the physical development of the City.	City Of Vacaville Community Development Department 650 Merchant Street Vacaville, CA 95688	Table 5.6-5
City of Vacaville Municipal Code (2008)	Establishes zoning districts governing land use and the placement of buildings and district improvements.	City Of Vacaville Community Development Department 650 Merchant Street Vacaville, CA 95688	Table 5.6-3
Solano County General Plan (1980 and 2008 Draft)	Comprehensive long-range plan to serve as the guide for the physical development of the County.	Solano County Resource Management Department, Planning Services 675 Texas Street Fairfield, CA 94533	Table 5.6-5
Solano County Zoning Regulations	Establishes zoning districts governing land use and the placement of buildings and district improvements.	Solano County Resource Management Department, Planning Services 675 Texas Street Fairfield, CA 94533	Table 5.6-3

5.6.6 Agencies and Agency Contacts

Agencies and contacts are provided in Table 5.6-7.

TABLE 5.6-7
Agency Contacts for Land Use

Issue	Agency	Contact
Land Use Plans and Permits	City of Vacaville	Mary Page Planning Technician City of Vacaville Community Development Department Planning Division (707) 449-5140 Email: mpage@ci.vacaville.ca.us

TABLE 5.6-7
Agency Contacts for Land Use

Issue	Agency	Contact
Building Permits	City of Vacaville	Jay Salazar, P.E. Chief Building Official City of Vacaville Building Division (707) 449-5152 Email: jsalazar@cityofvacaville.com
Land Use Plans and Permits	Solano County	Eric Wilburg Planning Technician Solano County Resource Management Department, Planning Services (707) 784-3171 Email: ejwilburg@solanocounty.com
Building Permits	Solano County	Kathy Frasier Building Permit Technician Solano County Resource Management Department, Building and Safety Division (707) 784-6765 Email: kfrasier@solanocounty.com

5.6.7 Permits and Permit Schedule

Due to the exclusive jurisdiction of the CEC, no other land use permits are required for this project.

5.6.8 References

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Solano County. 2008a. Solano County Draft General Plan (including the Land Use, Agriculture, Resources, and Public Facilities and Services chapters), and Land Use Map.

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Solano County. 2006. Solano County General Plan Land Use Map.

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