Print Form

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Solano
675 Texas St, Ste 1900
Fairfield, CA 94533

From: (Public Agency): Solano Transportation Authority
423 Main St, Suisun City, CA 94585
(Address)

Project Title: CALIFORNIA RED-LEGGED FROG HABITAT PROTECTION, - POND 1 SPILLWAY REPAIR AND CHANNEL RESTORATION

Project Applicant: Solano Transportation Authority

Project Location - Specific:
Swett Ranch, Vallejo California

Project Location - City: Vallejo Project Location - County: Solano

Description of Nature, Purpose and Beneficiaries of Project:

Pond 1, a historic pond on the Vallejo Swett property estimated to be built in the late 1940's, is well documented as an important CRLF breading area. Pond 1 provides good quality breeding and rearing habitat, but is threatened by erosion of its spillway. Without repairs, the dam is likely to be breached during storms, and the pond would then be lost as CRLF breeding and rearing habitat. In addition, the eroded spillway has resulted in channel incision and loss of creek habitat downstream of the dam.

Name of Public Agency Approving Project: Solano Transportation Authority

Name of Person or Agency Carrying Out Project: Solano Land Trust

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: Class 33
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The project meets the requirements of Class 33 Categorical exemption as it is a restoration project under 5 acres, affecting approximately 1 acre. The project would provide significant benefit for an endangered species (California Red Legged Frog) and its habitat. The project will occur on the Vallejo Swett Ranch which is manged by the Solano Land Trust for a variety of conservation purposes, including restoration and protection of habitat for listed animal species. As such, there are no hazardous materials at or around the project site that may be disturbed or removed, and the project will not result in impacts that are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

Lead Agency Contact Person: Nicholas Burton Area Code/Telephone/Extension: 707-424-6075

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____ Date: July 31, 2025 Title: Director of Projects

▪ Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____



CALIFORNIA RED-LEGGED FROG HABITAT PROTECTION, VALLEJO SWETT RANCH: PROJECT DESCRIPTION FOR POND 1 SPILLWAY REPAIR AND CHANNEL RESTORATION PLANNING

Prepared by Solano Land Trust, March 25, 2025

Background

Solano Land Trust (SLT) owns the Vallejo Swett Ranch within Vallejo city limits, and manages the ranch for a variety of conservation purposes, including restoration and protection of habitat for listed animal species. The ranch currently provides habitat for federally listed as threatened California red-legged frogs (CRLF; U.S. Fish and Wildlife Service, 2002). CRLF are limited by restricted breeding and rearing habitats owing to relatively short periods of inundation in local ponds and pools (Ford and others, 2013). CRLF are also at risk of predation by non-native bullfrogs.

Fidenci and Hanes (2007) cited a 1996 memo from biologist Dr. Sam McGinnis: "In summary, the Swett Ranch CRF pond complex as viewed on July 2, 1996, is one of the most prolific habitat site[s] for this subspecies which I have seen during over three decades of field work in the Bay Area. It is my professional opinion that preservation of this system should be a major consideration for any future plans for the Sweet [sic] Ranch property."

Pond 1, one of two artificial ponds on the Vallejo Swett property, currently provides good quality breeding and rearing habitat, but is threatened by erosion of its spillway. Without repairs, the dam is likely to be breached during storms, and the pond would then be lost as CRLF breeding and rearing habitat. In addition, the eroded spillway has resulted in channel incision and loss of creek habitat downstream of the dam.

SLT has developed plans for repairs to Pond 1 and at nearby Pond 5 (SLT and PG&E, 2007; Nomad Ecology, 2007; Fidenci and Hanes, 2007). Pond 5 was

repaired and enhanced using funds from a grant from the Natural Resources Conservation Service in 2015, but Pond 1 has not been repaired owing to lack of funds.

Site Description

Pond 1 (Figures 1 and 2) is a stock pond with an earth fill dam near the headwaters of the western branch of Sulphur Springs Valley Creek. The pond has an area of 0.9 acres, with depths ranging from 0 to 6 feet when the water level is at the spillway crest. Unlike nearby Pond 5, Pond 1 has very little native emergent vegetation. A mature eucalyptus stands on the north side of the spillway and several Himalayan blackberry vines grow on the dam and on the south shore. Around the remainder of the shoreline, vegetation consists of exotic annual grasses typical of rangelands in western Solano County. CRLF were observed in the pond as recently as 2007 (Nomad Ecology, 2007). Western pond turtles may reside in the pond also.

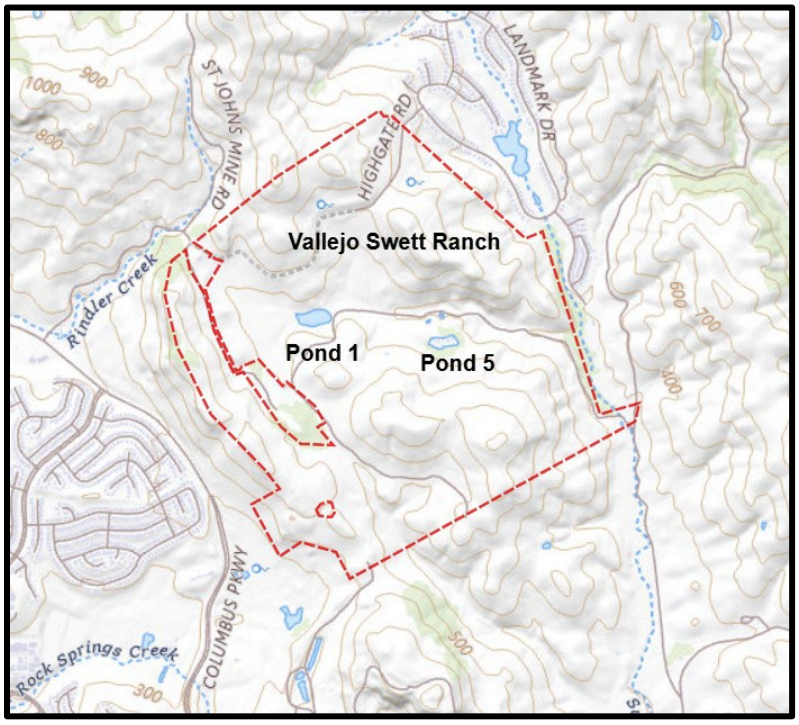


Figure 1: Map showing location of Pond 1



Figure 2: Photograph of Pond 1 taken in 2024

Proposed Project

SLT proposes to repair the spillway of Pond 1 at the Vallejo Swett Ranch to prevent erosion of the dam, loss of the pond and associated habitat for CRLF, and downstream erosion of the stream channel. Repairs will involve removal of the existing damaged concrete spillway, repair of the eroded section of earth fill dam, installation of a siphon to allow draining of the pond, construction of a new armored spillway, and restoration of the creek from the spillway downstream 200 yards.

Spillway, dam, and creek repairs and siphon installation will occur over a period of approximately four weeks between September and mid-October, after the reservoir has stopped spilling and there is minimal chance for significant rainfall. We anticipate that the reservoir level at this time of year will be sufficiently drawn down by natural processes (seepage and evaporation), which will allow access to the entire work site without having to release water from the reservoir. The construction footprint for the project includes areas where ground-disturbing activities are likely to occur (access roads, dam spillway, soil spreading areas, and equipment staging area).

A siphon constructed of a 6" diameter steel pipe will be installed to allow water to pass downstream of the dam outside of the diversion season. The siphon will also provide a means of draining the reservoir to eradicate bullfrogs if necessary.

SLT will excavate a small stilling basin at the base of the spillway to reduce flow velocities and minimize stream channelization in the meadow downstream of Pond 1. SLT will spread the excavated earth material at nearby non-environmentally sensitive locations. The volume of excavation is estimated to be approximately 100 cubic yards, and the limits of work within the channel are estimated to extend from approximately 80 feet upstream of the present spillway crest to approximately 200 yards (600 feet) downstream.

Rip-rap will be placed in the new channel and stilling basin for erosion and scour protection. Additional rip-rap will be imported to complete channel lining. The channel will be rock-lined from approximately 10 feet upstream of the crest to the end of the stilling basin, for erosion and scour protection.

SLT will clear existing vegetation on the upstream face of the dam embankment above the water level, regrade using excavated earth material to repair existing wave-wash erosion, and place rip-rap slope protection on the finished dam face to protect against future erosion due to wave action.

Geotextile fabric will be placed below all rip rap for erosion protection. Willow sprigs will be planted between rocks in rip rap to form a durable barrier to protect underlying areas from erosion.

Native riparian trees, shrubs, forbs, and graminoids will be planted around the pond and along the channel downstream of the dam to enhance CRLF habitat. A wildlife-friendly wire fence will be constructed to exclude livestock from the dam and roughly half of the pond both to protect the dam and to allow emergent vegetation important for CRLF cover to flourish.

Proposed STA Mitigation

A CEQA determination and permits will be required for the project, including a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers, a Clean Water Act Section 401 Water Quality Certification from the San Francisco Bay Regional Water Quality Control Board, a Lake and Streambed Alteration Agreement from the California Department of Fish and Wildlife, and a major grading permit from the County of Solano. An incidental take permit from the California Department of Fish and Wildlife may also be required. SLT holds a stockpond certificate (C001905) water right for Pond 1, so an application for a water right is not needed.

SLT proposes that STA fund CEQA, engineering, and permitting for the spillway repairs and habitat enhancement effort at Pond 1 plus a contribution to a long-term conservation endowment for the Vallejo Swett Ranch. Environmental

compliance and engineering costs are estimated at $230,000. SLT proposes an endowment contribution of $270,000, for a total mitigation cost of $500,000.

References

Fidenci, P., and Hanes, T., 2007, California Red-Legged Frog Habitat Assessment, Protocol Surveys, and Enhancement Opportunities Analysis for the Vallejo and Eastern Swett Ranches, Garcia and Associates, San Anselmo, CA, 168 pp.

Ford, L.D., P.A. Van Hoorn, D.R. Rao, N.J. Scott, P.C. Trenham, and J.W. Bartolome, 2013, Managing Rangelands to Benefit California Red-legged Frogs and California Tiger Salamanders. Livermore, California: Alameda County Resource Conservation District, 68 pp.

Nomad Ecology, 2011, Wetland Delineation and Jurisdictional Determination, Vallejo Swett Ranch Stock Pond and Erosion Control Projects, Solano Land Trust, Solano County, CA, Martinez, CA, 111 pp.

Solano Land Trust and Pacific Gas and Electric Company, 2007, Initial Baseline Survey, Vallejo Swett, Eastern Swett, and King Ranches, Solano County, CA, 159 pp.

U.S. Fish and Wildlife Service, 2002, Recovery Plan for the California Red-Legged Frog, Portland, OR, 180 pp.