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County of Monterey  
State of California

**MITIGATED NEGATIVE DECLARATION**

**FILED**

SEP 25 2024

XOCHITL MARINA CAMACHO  
MONTEREY COUNTY CLERK  
DEPUTY

<b>Project Title:</b>	Myhre Arvid J TR Et Al (Aera Energy LLC)
<b>File Number:</b>	PLN210174
<b>Owner:</b>	Myhre Arvid J Tr Et Al
<b>Project Location:</b>	66880 Sargents Road, San Ardo
<b>Primary APN:</b>	423-081-019-000
<b>Project Planner:</b>	Fionna Jensen, Senior Planner
<b>Permit Type:</b>	General Development Plan and Combined Development Permit
<b>Project Description:</b>	General Development Plan and Combined Development Permit consisting of a Use Permit to allow construction of an approximately 17.3-acre 11 megawatt alternating current solar photovoltaic facility and associated site improvements, and a Use Permit to allow development on slopes exceeding 25%.

THIS PROPOSED PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AS IT HAS BEEN FOUND:

- a) That said project will not have the potential to significantly degrade the quality of the environment.
- b) That said project will have no significant impact on long-term environmental goals.
- c) That said project will have no significant cumulative effect upon the environment.
- d) That said project will not cause substantial adverse effects on human beings, either directly or indirectly.

<b>Decision Making Body:</b>	Planning Commission
<b>Responsible Agency:</b>	County of Monterey
<b>Review Period Begins:</b>	September 25, 2024
<b>Review Period Ends:</b>	October 25, 2024

Further information, including a copy of the application and Initial Study are available at the Monterey County Housing & Community Development, 1441 Schilling Place South, 2<sup>nd</sup> Floor, Salinas, CA 93901/(831) 755-5025.

# COUNTY OF MONTEREY

## HOUSING AND COMMUNITY DEVELOPMENT

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Planning – Building – Housing  
1441 Schilling Place, South 2<sup>nd</sup> Floor  
Salinas, California 93901-4527  
(831) 755-5025

### NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION MONTEREY COUNTY PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that Monterey County Housing & Community Development has prepared a draft Mitigated Negative Declaration, pursuant to the requirements of CEQA, for a General Development Permit and Combined Development Permit (Myhre Arvid J Tr et. al. [Aera Energy LLC], File Number PLN210174) at 66880 Sargents Road, San Ardo (Assessor's Parcel Number 423-081-019-000) (see description below).

The Mitigate Negative Declaration and Initial Study, as well as referenced documents, are available for review at Monterey County Housing & Community Development – Planning, 1441 Schilling Pl South 2<sup>nd</sup> Floor, Salinas, California. The Mitigated Negative Declaration and Initial Study are also available for review in an electronic format by following the instructions at the following link:

<https://www.countyofmonterey.gov/government/departments-a-h/housing-community-development/planning-services/current-planning/general-info/recent-environmental-documents> .

The Planning Commission will consider this proposal at a meeting on November 13, 2024 in the Monterey County Board of Supervisors Chambers, 168 West Alisal St, Salinas, California. Written comments on this Mitigated Negative Declaration will be accepted from **September 25, 2024 to October 25, 2024**. Comments can also be made during the public hearing.

**Project Description:** General Development Plan and Combined Development Permit consisting of 1) a Use Permit to allow construction of an 11-megawatt alternating current solar PV facility and 2) a Use Permit to allow development on slopes exceeding 25 percent.

We welcome your comments during the 30-day public review period. You may submit your comments in hard copy to the name and address above. The Agency also accepts comments via e-mail or facsimile but requests that you follow these instructions to ensure that the Agency has received your comments. To submit your comments by e-mail, please send a complete document including all attachments to:

[CEQAcomments@countyofmonterey.gov](mailto:CEQAcomments@countyofmonterey.gov)

An e-mailed document should contain the name of the person or entity submitting the comments and contact information such as phone number, mailing address and/or e-mail address and include any and all attachments referenced in the e-mail. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do not wish to send a follow-up hard copy, then please send a second e-mail requesting confirmation of receipt of comments with enough information to confirm that the entire document was received. If you do not receive e-mail confirmation of receipt of comments, then please submit a hard copy of your comments to ensure inclusion in the environmental record or contact the Agency to ensure the Agency has received your comments.

Facsimile (fax) copies will be accepted with a cover page describing the extent (e.g. number of pages) being transmitted. A faxed document must contain a signature and all attachments referenced therein. Faxed document should be sent to the contact noted above at **(831) 757-9516**. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do not wish to send a follow-up hard copy, then please contact the Agency to confirm that the entire document was received.

**For reviewing agencies:** Housing & Community Development requests that you review the enclosed materials and provide any appropriate comments related to your agency's area of responsibility. The space below may be used to indicate that your agency has no comments or to state brief comments. In compliance with Section 15097 of the CEQA Guidelines, please provide a draft mitigation monitoring or reporting program for mitigation measures proposed by your agency. This program should include specific performance objectives for mitigation measures identified (CEQA Section 21081.6(c)). Also inform this Agency if a fee needs to be collected in order to fund the mitigation monitoring or reporting by your agency and how that language should be incorporated into the mitigation measure.

All written comments on the Initial Study should be addressed to:

County of Monterey  
Housing & Community Development  
Attn: **Fionna Jensen**  
1441 Schilling Pl South 2<sup>nd</sup> Floor  
Salinas, CA 93901

Re: Myhre Arvid J Tr et. al. [Aera Energy LLC]; File Number PLN210174

From: Agency Name: \_\_\_\_\_  
Contact Person: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

- \_\_\_ No Comments provided  
\_\_\_ Comments noted below  
\_\_\_ Comments provided in separate letter

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## DISTRIBUTION

1. State Clearinghouse (1 copy of the Executive Summary & Notice of Completion)
2. County Clerk's Office
3. CalTrans District 5 (San Luis Obispo office)
4. California Coastal Commission
5. Association of Monterey Bay Area Governments
6. Monterey Bay Air Resources District
7. California Department of Fish & Wildlife, Region 4, Renee Robison
8. Louise Miranda-Ramirez, C/O Ohlone/Costanoan-Esselen Nation
9. Fred Segobia, Salinan Tribe
10. Zach Nelson, California Department of Conservation Geologic Energy Management Division
11. South County Fire Protection District, Rick Rodewald C/O CSG
12. Monterey County Agricultural Commissioner
13. Monterey County Water Resources Agency
14. Monterey County HCD-Engineering Services
15. Monterey County HCD-Environmental Services
16. Monterey County Public Works, Facilities & Parks
17. Monterey County Environmental Health Bureau
18. Monterey County Sheriff's Office
19. Myhre Arvid J Tr Et Al, Owner
20. Michelle Geherty, Aera Energy LLC, Applicant
21. Ruben Magana, TotalEnergies Renewables USA, Agent
22. Jane Abrams, Adams Broadwell Joseph & Cardozo (**Notice of Intent only**)
23. Kevin Carmichael, Adams Broadwell Joseph & Cardozo (**Notice of Intent only**)
24. Janet Laurain, Adams Broadwell Joseph & Cardozo (**Notice of Intent only**)
25. Sheila Sannadan, Adams Broadwell Joseph & Cardozo (**Notice of Intent only**)
26. The Open Monterey Project
27. LandWatch Monterey County
28. Property Owners & Occupants within 300 feet (**Notice of Intent only**)

### **Distribution by e-mail only (Notice of Intent only):**

29. U.S. Army Corps of Engineers (San Francisco District Office: Katerina Galacatos: [galacatos@usace.army.mil](mailto:galacatos@usace.army.mil) )
30. Juan Barboza ([jbarboza@nccrc.org](mailto:jbarboza@nccrc.org) )
31. Molly Erickson ([Erickson@stamplaw.us](mailto:Erickson@stamplaw.us) )
32. Margaret Robbins ([MM\\_Robbins@comcast.net](mailto:MM_Robbins@comcast.net) )
33. Michael Weaver ([michaelrweaver@mac.com](mailto:michaelrweaver@mac.com) )
34. Monterey/Santa Cruz Building & Construction ([Office@mscbctc.com](mailto:Office@mscbctc.com) )
35. Garry Hofer ([garry.hofer@amwater.com](mailto:garry.hofer@amwater.com) )
36. Jack Wang ([Jack.Wang@amwater.com](mailto:Jack.Wang@amwater.com) )
37. Jeana Arnold ([jeana.arnold@pge.com](mailto:jeana.arnold@pge.com) )
38. Louise Miranda-Ramirez ([Ramirez.louise@yahoo.com](mailto:Ramirez.louise@yahoo.com) )
39. Mimi Sheridan ([mimisheridan@msn.com](mailto:mimisheridan@msn.com) )
40. California Department of Fish & Wildlife ([r4ceqa@wildlife.ca.gov](mailto:r4ceqa@wildlife.ca.gov) )
41. Michael Lozeau C/O Lozeau Drury LLP ([michael@lozeaudrury.com](mailto:michael@lozeaudrury.com) )
42. Juliana Lopez C/O Lozeau Drury LLP ([juliana@lozeaudrury.com](mailto:juliana@lozeaudrury.com) )
43. California Department of Fish & Wildlife, Marine Region ([r7ceqa@wildlife.ca.gov](mailto:r7ceqa@wildlife.ca.gov) )

# COUNTY OF MONTEREY

## HOUSING AND COMMUNITY DEVELOPMENT

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Planning – Building – Housing  
1441 Schilling Place, South 2<sup>nd</sup> Floor  
Salinas, California 93901-4527  
(831) 755-5025



### *INITIAL STUDY*

#### *I. BACKGROUND INFORMATION*

<b>Project Title:</b>	Myhre Arvid J Tr Et Al (Aera Energy LLC)
<b>File No.:</b>	PLN210174
<b>Project Location:</b>	66880 Sargents Road, San Ardo
<b>Name of Property Owner/Applicant:</b>	Myhre Arvid J Trust Et Al
<b>Assessor's Parcel Number(s):</b>	423-081-019-000
<b>Acreage of Property:</b>	159.7
<b>General Plan Designation:</b>	Mineral Extraction
<b>Zoning District:</b>	Heavy Industrial
<b>Lead Agency:</b>	County of Monterey
<b>Prepared By:</b>	Rincon Consultants, Inc.
<b>Date Prepared:</b>	June 2022, revised September 2024
<b>Contact Person:</b>	Fionna Jensen, Senior Planner, County of Monterey Housing and Community Development Department

## ***II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING***

### **A. Description of Project:**

#### **Project Overview**

The Proposed Project involves the construction of an 11-megawatt alternating current solar photovoltaic (PV) generating facility located in the unincorporated area of south Monterey County, approximately 4,500 feet east of the Salinas River (see Figure 1). The town of San Ardo is located approximately 5.4 miles north of the project site. The project would be built on approximately 40 acres of land within the 159.7-acre Assessor's Parcel Number 423-081-019-000, known as Ferrini Flats, within the existing 4,480-acre San Ardo Oil Field operated by Aera Energy, LLC (Aera Energy) at 66880 Sargents Road (see Figure 2) (Source IX.46).

The purpose of the Proposed Project is to support renewable energy initiatives established by the State of California; specifically, to reduce the need for imported power. The Proposed Project would be comprised of PV solar module blocks, as well as related and supporting facilities, including electrical collection lines, on-site service roads, two gates, and approximately 5,555 linear feet of security fencing, and temporary construction staging areas.

#### **Major Project Components**

A Draft General Development Plan (GDP) has been prepared for the Proposed Project in compliance with Title 20 section 21.28.030. The following information is derived from the draft GDP and project plans (Source: IX.46).

#### **Solar Arrays and Inverter Blocks**

The Proposed Project includes solar arrays and inverter blocks (Figure 3). The project would install approximately 23,348 solar PV panels to convert solar energy into direct current electricity. The generated solar power would be used solely at the Aera Energy oil field, and would partially offset Aera Energy's energy demand, which is currently supplied by the Pacific Gas and Electric Company. All energy generated from the project would be consumed on-site. The Proposed Project does not include battery storage.

The proposed solar panels would be manufactured with anti-reflective glass that minimizes the potential for glare. The solar panels would be mounted together in arrays on a fixed-tilt racking system such that the angle of the panels is held constant throughout the day. Solar panels would be mounted on a metal frame supported by a combination of driven pile foundations and ballasted foundations (concrete foundations set on grade). The maximum height of the panels will be approximately 8 feet. Ground disturbance associated with installation of the solar panels would occur to a maximum depth of approximately 3 feet below ground level.

Power generated by the Proposed Project will be routed from the solar array field to an existing point of interconnection (power line) using an underground medium voltage collection system. The point of interconnection would consist of a series of poles with pole-mounted metering and safety devices before connecting to the existing Aera Energy overhead power line, located just east of the Project site. The existing Aera Energy power line connects to the existing Aera Energy-owned and operated substation. Further, the energy generated from the Project's solar panels would be routed to three central inverters to be converted from DC to AC power. Three medium voltage transformers would increase the AC voltage from 600 volts to 12.47 kilovolts.



## **Site Access**

The project site is accessible from U.S. Route 101 (US 101) to Alvarado Road, then via Wunpost Road. Existing internal service roads would be used for ingress and egress to the project site. New 11-foot wide access isles would be provided between the solar array rows to access individual project components and facilitate the installation, maintenance, and cleaning of the solar panels. Additionally, a 20-ft wide all-weather access road would be built to access the inverter and transformer equipment pads.

## **Utilities**

### Water and Wastewater

During construction, approximately 150,000 to 250,000 gallons of non-potable water (approximately 0.8 acre-feet) is anticipated to be required for dust suppression and other purposes. Water would be pumped from two existing on-site non-potable wells.

Portable restroom facilities would be provided for workers during construction; no permanent sanitary facilities would be installed for project operation. Water use during operation would be less than 1.0 acre-foot per year for panel washing and general maintenance. The need for panel washing would be infrequent (e.g., months to years between washings) and determined based on the actual condition of the solar panels and any expected benefit from cleaning.

### Solid Waste

Most waste generated during construction would be non-hazardous and consist primarily of cardboard, wood pallets, copper wire, scrap metal, common trash, and wood wire spools. Construction waste materials, such as metal and wood, would be handled in accordance with the California Green Building Standards Code, separated from the waste stream, and recycled whenever feasible. Non-recyclable construction waste would be placed into commercial trash dumpsters located on site. Dumpsters would be collected as needed by Waste Management and delivered to the San Ardo #2 Transfer Station. Construction would generate approximately 100 cubic yards of solid waste over the entire construction period, with approximately five cubic yards of solid waste generated per week.

## **Construction**

Project construction would consist of two major stages. The first stage would include site preparation, grading, and preparing staging areas and on-site access routes. The second stage would involve assembling the racking system and constructing electrical interconnection facilities. Grubbing and grading would occur on the site to achieve the required surface conditions. Grading would consist of localized smoothing. Cuts and fills within 15-ft of abandoned oil well locations (see **Section II.B**) would be limited to a maximum depth of 3 feet to provide a safe buffer above the abandoned depth of the well heads (8-10 feet below the surface). Typical equipment during construction would include a pile foundation driver, skid steers, forklifts, bulldozers, backhoes, tractors, excavators, graders, front-end loaders, and semi-trucks.

The existing processing piping and the existing road would be abandoned. Some areas of the project site contain slopes that exceed 25 percent (see Figure 4). Approximately 5,000 square feet of proposed development would occur on these slopes. The Proposed Project would include 4.5 acres of grading, all of which was previously disturbed, and approximately 1,872 cubic yards of cut and 2,103 cubic yards of fill (see Figure 4). Outside of the grading and spoil areas,

minimal disturbance would be required (i.e., mowing and grubbing). Construction would be completed in approximately 5 months and start in the first quarter of 2025.

At the footing of the power conversion system pads, the existing soil would be scarified and recompact as recommended by the geotechnical engineer. Racking for the PV arrays would be supported by a combination of ballast foundations (concrete foundations set on grade), and driven piles. At locations where there is an abandoned oil well (see **Section II.B**), only ballasted foundations would be installed, and no driven piles would be installed within a 15ft radius of the oil well. This design approach would ensure no driven piles come in contact with an abandoned oil well.

#### Hours

Construction would occur primarily during daylight hours, Monday through Friday between 7:00 a.m. to 7:00 p.m., and, if necessary, between 8:00 a.m. to 8:00 p.m. on Saturdays and Sundays, in compliance with the Monterey County General Plan Safety Element and Monterey County Code (MCC). If the schedule has been delayed due to weather or other event, construction may require some nighttime activity for material and equipment delivery. Nighttime activities would be performed with temporary lighting, which would be directed downward to minimize impacts to neighboring properties and wildlife in the project vicinity.

#### Workforce and Construction Traffic

Approximately 20 construction workers would be present on site daily, with an expected peak of approximately 80 workers during the first month of construction. Approximately 4 daily truck trips and 60 maximum daily worker vehicle trips (assuming 33% of trips are carpooled) are anticipated during the peak of construction. Carpooling would be encouraged. Portable toilet facilities would be installed for use by construction workers.

#### Temporary Construction Staging Areas

Temporary construction staging areas within the project site would be graded with a gravel surface and temporarily fenced to provide space for trailers and storage for supplies, vehicles, and equipment during construction.

#### Stormwater and Dust Control

The project would not substantially modify the natural drainage pattern of the project site and no on-site stormwater detention facilities would be constructed. Monterey County conditions of approval require the applicant/owner to submit a Stormwater Pollution Prevention Plan (SWPPP) prior to issuance of any Building Services permits. All site preparation and construction activities would be performed in accordance with the SWPPP, which may include use of water trucks to manage

dust; silt fencing, straw bales and temporary catch basins, and inlet filters to control stormwater; and truck tire muck shakers, or similar devices, to prevent mud and debris from being carried onto roadways. During construction, approximately 150,000 to 250,000 gallons of non-potable water (approximately 0.8 acre-feet) is anticipated to be required for dust suppression and other purposes. Water would be pumped from an existing well, located approximately 0.2-mile northeast of the project site.

The Proposed Project includes stormwater best management practices (BMPs), such as the use of water trucks to manage dust; silt fencing, straw bales and temporary catch basins, and inlet filters

to control stormwater; and truck tire muck shakers, or similar devices, to prevent mud and debris from being carried onto roadways.

### Applicant Proposed Environmental Measures and Design Features

#### *Biological Resources:*

- **Work Timing.** All work activities shall be completed during daylight hours (between sunrise and sunset) and outside of rain events, to the greatest extent feasible.
- **Work Limits.** The Project impact area shall be clearly marked or delineated with stakes, flagging, tape, or signage prior to work. Areas outside of work limits shall be considered environmentally sensitive and shall not be disturbed.
- **Environmental Awareness Training.** A qualified biologist shall provide a Biological Awareness Training to Project personnel, detailing potentially occurring special status wildlife species and impact avoidance measures.
- **Vehicles and Equipment.** All equipment and vehicles shall be checked and maintained daily to prevent spills of fuel, oil, and other hazardous materials. A designated staging area shall be established for vehicle/equipment parking and storage of fuel, lubricants, and solvents. All fueling and maintenance activities shall take place in the staging area.
- **Pre-activity Biological Surveys.** A qualified biologist shall conduct biological surveys of the disturbance area no more than seven days prior to ground disturbing activities. Surveys shall include, installation of motion activated cameras at all burrows with potential to support American badger and/or San Joaquin kit fox. Cameras will be in place for a minimum of three consecutive nights to determine occupancy. Appropriate buffers around active burrows will be established in consultation with the Project biologist and relevant resource agencies.
- **Biological Monitoring.** Biological monitoring shall be completed by a qualified biologist for all initial ground disturbance (e.g., grading/excavation activities). For this task, the biologist shall survey/clear undisturbed work areas prior to start of work and then monitor the area while initial grading activities are completed. Any wildlife observed during monitoring shall be allowed to move out of work limits of their own volition or shall be captured and relocated to nearby suitable habitat by the biologist, as necessary and in compliance with state and federal Endangered Species Act regulations.
- **Nesting Bird Surveys.** If vegetation removal (i.e., tree trimming/removal activities) is scheduled between February 1 and August 31 (general nesting bird season), nesting bird surveys shall be completed by a qualified biologist within 48 hours prior to start of work. If any active nests are discovered within or adjacent to work limits, an appropriate buffer (i.e., 500 feet for raptors and 250 feet for other birds, or at the discretion of a qualified biologist based on biological or ecological reasons) shall be established to protect the nest until a qualified biologist has determined that the nest is no longer active and/or the young have fledged.
- **Wildlife Friendly Fencing.** Security fence design and materials shall be incorporated to increase the fence's visibility to wildlife and reduce the chance of entanglement. Project fencing shall also include gaps to enable non-flying wildlife to pass through.
- **Erosion Control.** A Storm Water Pollution Prevention Plan (SWPPP) for all activities conducted within the Project limits shall be implemented and maintained during construction. Where needed, erosion and sediment controls (e.g., silt fences, straw wattles) shall be installed properly to increase effectiveness and shall be maintained regularly. Other Best Management Practices (BMPs) shall also be implemented as necessary and/or as required by Project permits, such as avoid washing, refueling, and

maintenance of equipment within 50 feet (unless otherwise noted in Project-specific permits) from stream channels, regardless if water is present or absent in the channel.

#### *Air Quality:*

- Construction Emissions: All diesel-powered construction equipment used during Project construction shall use a minimum of Tier 3 construction equipment; Tier 4 Final construction equipment will be used when reasonably and locally available.
- Apply water to disturbed soils after demolition is completed or at the end of each day of cleanup.
- All trucks hauling dirt, sand, soil, or other loose materials are to be tarped with a fabric cover and maintain a freeboard height of 12 inches.

#### *Valley Fever:*

- A site-specific Valley Fever Management Plan (VFMP) will be developed for review and approval by the Monterey County Health Department prior to soil-disrupting activities. The VFMP will include procedures for worker hazard awareness training, dust management, and safety measures to minimize worker and public exposure to dust that may contain the *Coccidioides* fungus spore known to cause Valley Fever. Documentation of Valley Fever training for workers on the site will be provided to Monterey County HCD – Planning Department and the Monterey County Health Department. Implementation of and adherence to the plan will be monitored by project team safety managers in alignment with the Monterey County Health Department.

### **Operation and Maintenance**

Once constructed, the project would operate 7 days per week, 365 days per year. The facility would be operated by Aera Energy, Solar Star Light Park LLC, or an affiliated company. Only minimal, infrequent on-site maintenance activities would be required for panel washing (up to twice per year), equipment repair, replacement, and vegetation control. The expected maintenance would generate minimal traffic during operations. Heavy equipment would not be utilized during normal operation. Large or heavy equipment may be brought to the facility infrequently for equipment repair or replacement or vegetation control. The operation would not require any additional workers beyond those already employed by Aera Energy or Solar Star Light Park LLC.

### **Decommissioning**

At the end of the project's useful life (anticipated to be 20 to 35 years), the project would be decommissioned and restored. The proposed solar array is expected to be operational in 2025 and to remain in operation through 2045-2060.

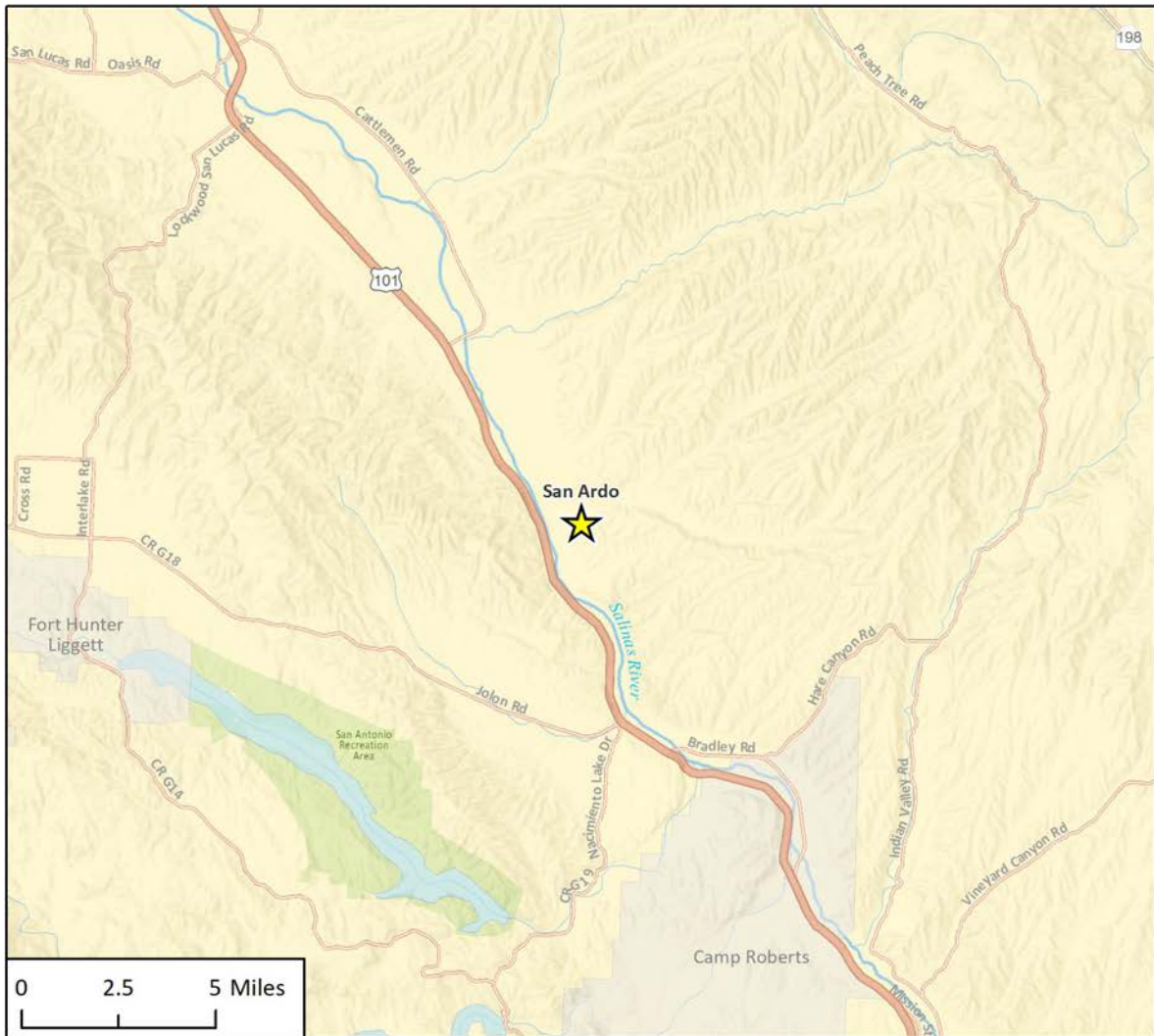
Pre-dismantling activities include de-energizing and isolating the project from external electrical lines and delineated staging areas. As reclamation and equipment removal can take a year or more, access roads, fencing, sanitary facilities, and electrical power may temporarily remain in place for use by the reclamation and restoration workers until no longer needed. Environmental protection measures installed during construction activities would be implemented during project reclamation and restoration (see Section IV.4 – *Biological Resources*). Consistent with current standard decommissioning practices, the PV solar modules and rack supports would be removed in their entirety from the site using cranes, dump trucks, and flat-bed and rear-loader garbage trucks. Some or all of the components (i.e., aluminum and steel components) would be salvaged

and/or recycled, as feasible. Components that cannot be salvaged would be removed and disposed of in accordance with applicable laws and regulations. The PV modules are not considered hazardous waste, and would be disposed of in an approved landfill near the project site or recycled by an approved module recycler. Electrical equipment including inverters, transformers, cables, overhead lines, and substation infrastructure would be reclaimed in accordance with local, state, and federal laws. Hazardous wastes are not anticipated to be on-site. If hazardous wastes do occur on-site, they would be removed and disposed of in accordance with local, state, and federal laws. Roads that will not be reused for future uses would be restored to preconstruction conditions. For the purposes of this Initial Study, decommissioning activities are assumed to be comparable to construction activities and are expected to require approximately 0.8 acre feet of water.

#### Restoration

Once the Proposed Project is decommissioned, the site would be restored to current conditions. This would include removal of roads, parking areas, and the substation, de-compaction of soils using disking, and reseeded of disturbed areas. Reseeding would be accomplished with manually operated cyclone-type bucket spreaders, mechanical seed spreaders, blowers, hydroseeders, rubber-tired all-terrain vehicles equipped with mechanical spreaders, or other similar or more effective measures. If site restoration through reseeded is not feasible due to lack of water or other environmental factors, the Applicant/Owner would work with Monterey County to identify and implement an alternate solution.

**Figure 1 Regional Setting**



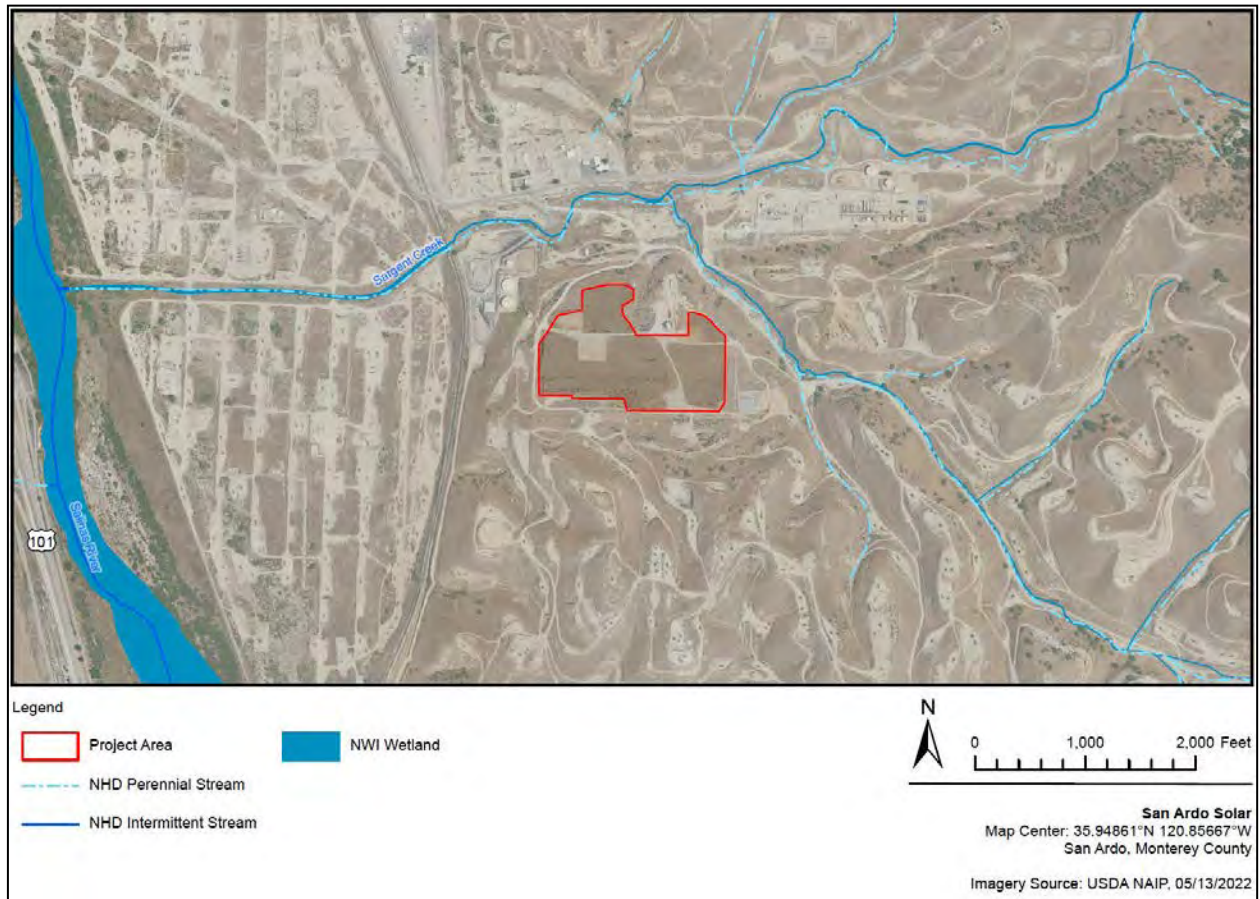
Imagery provided by Esri and its licensors © 2022.



Fig. 1 Regional Location



**Figure 2 Project Site**

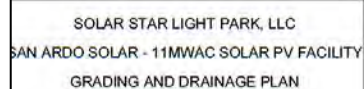


***Myhre Arvid J Trust Et Al (Aera Energy LLC) Initial Study  
PLN210174***





**Myhre Arvid J Trust et al. (DG WEST 1 LLC) Initial Study  
PLN210174**



**B. Surrounding Land Uses and Environmental Setting:**

The project site is located 5.4 miles south of the unincorporated community of San Ardo, approximately 450 feet west of Sargent Creek and 4,500 feet east of the Salinas River. The project site is within the portion of the San Ardo Oil Field known as Ferrini Flats and is confined within a single parcel of land. The project would be built on approximately 40 acres of land characterized by gently to moderately sloping terrain within an area containing topography that ranges from relatively flat to moderately steep, with rolling hills and mountainous topography, and interspersed vegetation. The primary entrances to the oil field, and thus the project site, are located east of US 101 on Wunpost Road or Sargent Canyon Road. The project site was previously developed with oil-gas facilities that were removed in 2013. The Project site contains an existing staging area, 60 oil wells, roads, concrete pads, transformers, processing piping, and fencing.

The Project site and adjoining properties were undeveloped land from at least 1919 through 1949. By the 1950s, the site area was gradually developed as the San Ardo Oil Field. During the 1950s into the early 2010s, the site, and immediate vicinity contained approximately 60 oil-gas wells, pits/sumps, pipelines, access roads, and related infrastructure. The configuration of the oil gas facilities continuously changed during this timeframe. By at least 1973, a generating station was operating to the immediate northeast of the site, and parts of this facility appeared to extend onto the northeast portion of the site from 1981 through 2012. This included three bulk storage tanks present from 1994 through 2009. In 2013, oil-gas facilities (and the portion of the generating station within the footprint of the site) were removed and closure of the Ferrini Flats area was completed by Aera Energy's remedial contractor to the standards of the regulatory agency at the time. The closure included bulk removal of oil-impacted soils and re-grading of the Project site. Within the Project site's subsurface conditions remain the 7- to 8-inch-diameter steel well bores from the 2013 remediation. During the abandonment process in 2013, the well bores were cut at least 5 feet below grade (no more than 10 feet) per California Department of Conservation, Geologic Energy Management Division (CalGEM) requirements. In addition, the wells were filled with concrete to the top of the cut well, capped, and backfilled with remediated soil. CalGEM monitored these well abandonments and signed off on the proper permits. Since 2013 the Project site has been used by Aera Energy for storage and other minor activities.

According to the CalGEM WellStar Finder, over 100 well bores and 20 idle wells occur within the Project's property, APN: 423-081-019-000. Of those 100 wells, an underground survey conducted in May 2024 detected and confirmed 60 abandoned well head locations within or near the limits of the Proposed Project, and noted that all detected well heads were between 8 feet to 10 feet below grade. The existing fencing, transformers, and equipment in the staging area located in the northeastern and northwestern portions of the project site would be removed, as well as the processing piping and the existing road would be abandoned. No damage or disturbance to the existing abandoned well heads would occur with implementation of the Proposed Project.

Views of the prominent Diablo Range and associated Cholame Hills can be seen in the background from the project site to the east and the southeast. The project site is bordered to the north and east by existing natural and/or man-made downhill slopes, containing undeveloped land and roads, with heights ranging from 60 to 70 feet. The site is adjoined by San Ardo Oil Field facilities, including oil-gas production wells and pipelines and a switch yard and transmission lines to the east. An Exxon-Mobil bulk oil storage facility exists to the northwest of

the site, at substantially lower elevations than the site. The project site is located within the Heavy Industrial (HI) Zoning District and has a land use designation of Mineral Extraction. The project site is surrounded by land uses within HI Zoning District (designated Mineral Extraction) and Heavy Commercial (HC) Zoning District (Source IX.1, IX.2).

### **C. Other Public Agencies Whose Approval is Required:**

The project site is governed by policies and regulations contained in the 2010 Monterey County General Plan (General Plan; Source IX.3) and the South County Area Plan (Source IX.4). The Proposed Project would require approval of a General Development Plan and Combined Development Permit consisting of 1) a Use Permit to allow construction of an 11-megawatt alternating current solar PV facility and 2) a Use Permit to allow development on slopes exceeding 25 percent.

Subsequent to obtaining the above discretionary permit approval, the project would require issuance of a grading and construction permit from the County's Building Services department. Additionally, decommissioning activities would require demolition permits from the County's Building Services department. The ministerial permits would require approval from the following agencies:

- Environmental Health Bureau
- Housing and Community Development (HCD)-Environmental Services
- HCD-Planning Services
- HCD-Engineering Services
- HCD-Building Services
- South County Fire Protection District (FPD)

In addition, any conditions of approval required by the discretionary permit would require compliance prior to issuance and final of ministerial permits. The Environmental Health Bureau has conditioned the project to require the preparation of a Valley Fever Management Plan prior to the issuance of grading/construction permits. In addition, HCD-Environmental Services has conditioned the project to comply with the Construction General Permit, which requires obtaining a SWPPP. HCD-Planning Services has conditioned the project to retain a qualified biologist to perform a nest survey if any ground disturbance is proposed within the typical nesting bird season, follow appropriate steps in the event of a cultural resource discovery during construction, and submit an exterior lighting plan for review and approval for all temporary (nighttime, if needed) and permanent fixtures. Approval of the SWPPP by the Central Coast Regional Water Quality Control Board (CCRWQCB) would also be required. Other agencies that could have permit or review authority over some aspect of the Proposed Project may include the California Department of Conservation, Geologic Energy Management Division ("CalGEM"), and the California Department of Fish & Wildlife ("CDFW"). No other public agency permits would be required.

### ***III. PROJECT CONSISTENCY WITH OTHER APPLICABLE LOCAL AND STATE PLANS AND MANDATED LAWS***

Use the list below to indicate plans applicable to the project and verify their consistency or non-consistency with project implementation.

General Plan/Area Plan	<input checked="" type="checkbox"/>	Air Quality Mgmt. Plan	<input checked="" type="checkbox"/>
Specific Plan	<input type="checkbox"/>	Airport Land Use Plans	<input type="checkbox"/>
Water Quality Control Plan	<input checked="" type="checkbox"/>	Local Coastal Program-LUP	<input type="checkbox"/>

#### **2010 Monterey County General Plan/South County Area Plan**

The Proposed Project was reviewed for consistency with the 2010 Monterey County General Plan and South County Area Plan. The project would be consistent with Policy OS-9.1, which encourages the use of solar renewable resources for industrial building applications, and Policy SC-3.1, which allows co-generation facilities in conjunction with other industrial uses and oil and gas removal, as a means of energy conservation, on lands designated for industrial use (Source IX.3, IX.4). In addition, the Proposed Project would obtain a Use Permit to allow construction of the 11-megawatt alternating current solar PV facility and would not require the alteration of any existing General Plan land use designations. **CONSISTENT.**

#### **Air Quality Management Plan**

The Air Quality Management Plan (AQMP, Source IX.5) for the Monterey Bay Region addresses attainment and maintenance of state and federal ambient air quality standards within the North Central Coast Air Basin (NCCAB), including the community of San Ardo. Consistency with the AQMP is an indication that the project avoids contributing to a cumulative adverse impact on air quality; not an indication of project specific impacts which are evaluated according to the Monterey Bay Air Resources District's (MBARD) adopted thresholds of significance (Source IX.6). Indirect emissions associated with industrial population-serving projects<sup>1</sup> are found consistent with the AQMP if any project-related population increase does not exceed the estimated cumulative population of the relevant forecast listed in the AQMP. The Proposed Project would not result in population growth, as the project does not include residential development and no new employees would be required during operation. Direct emissions associated with industrial population-serving projects are found consistent with the AQMP. Therefore, the Proposed Project would not result in a population increase not already accounted for in the AQMP. The project would not result in an exceedance in growth projections that would conflict or obstruct implementation of the AQMP. The project's construction emissions that would temporarily emit precursors of ozone are accommodated in the emission inventories of MBARD's AQMP. The project would not cause an increase of stationary emissions than what currently exists. **CONSISTENT.**

#### **Water Quality Control Plan**

The project site lies within Region 3 of the CCRWQCB which regulates sources of water quality related issues resulting in actual or potential impairment or degradation of beneficial uses, or the overall degradation of water quality. The Water Quality Control Plan for the CCRWQCB serves

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<sup>1</sup> Industrial projects intended to meet the needs of the population forecasted in the AQMP.



as the master water quality control planning document and designates beneficial uses and water quality objectives for waters of the State, including surface waters and groundwater, and includes programs of implementation to achieve water quality objectives (Source IX.7). Operation of the project would not generate pollutant runoff in amounts that would cause degradation of water quality. The Proposed Project has been conditioned by HCD-Environmental Services requiring the applicant to submit a SWPPP including the Waste Discharger Identification number, or in lieu of a SWPPP, a letter of exemption or erosivity waiver from the CCRWQCB. For additional discussion on hydrology and water quality, please refer to Section VI.10 of this Initial Study.

**CONSISTENT.**

#### ***IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION***

##### **A. FACTORS**

The environmental factors checked below would be potentially affected by this project, as discussed within the checklist on the following pages.

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Aesthetics              | <input type="checkbox"/> Agriculture and Forest Resources    | <input checked="" type="checkbox"/> Air Quality                        |
| <input checked="" type="checkbox"/> Biological Resources    | <input checked="" type="checkbox"/> Cultural Resources       | <input checked="" type="checkbox"/> Energy                             |
| <input checked="" type="checkbox"/> Geology/Soils           | <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards/Hazardous Materials        |
| <input checked="" type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning                   | <input type="checkbox"/> Mineral Resources                             |
| <input checked="" type="checkbox"/> Noise                   | <input type="checkbox"/> Population/Housing                  | <input type="checkbox"/> Public Services                               |
| <input type="checkbox"/> Recreation                         | <input checked="" type="checkbox"/> Transportation           | <input checked="" type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities/Service Systems          | <input checked="" type="checkbox"/> Wildfires                | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

Some proposed applications that are not exempt from CEQA review may have little or no potential for adverse environmental impact related to most of the topics in the Environmental Checklist; and/or potential impacts may involve only a few limited subject areas. These types of projects are generally minor in scope, located in a non-sensitive environment, and are easily identifiable and without public controversy. For the environmental issue areas where there is no potential for significant environmental impact (and not checked above), the following finding can be made using the project description, environmental setting, or other information as supporting evidence.

☐ Check here if this finding is not applicable

**FINDING:** For the above referenced topics that are not checked off, there is no potential for significant environmental impact to occur from either construction, operation or maintenance of the Proposed Project and no further discussion in the Environmental Checklist is necessary.

##### **EVIDENCE:**

1. Agriculture and Forest Resources. The project site located on a heavy industrial zoned site, surrounded by similarly zoned sites, and is designated as Other Land under the Department of Conservation Farmland Mapping and Monitoring Program. The site is not currently and has not been used in the past for agriculture. Project construction would not result in conversion of Important Farmland to non-agricultural uses. The project area is

not under a Williamson Act contract and is not located in or immediately adjacent to agriculturally designated lands. The California Public Resources Code (PRC) defines Forest Land as land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits (PRC Section 12220[g]). The areas of the project site where development would occur do not contain trees and is not considered to be forest land or timberland. *Therefore, the Proposed Project would not result in impacts to agriculture or forest resources* (Source IX.8, IX.9).

2. Land Use/Planning. The Proposed Project consists of the construction of a solar PV generating facility on a site that was previously used for oil-gas facilities within the San Ardo Oil Field. The town of San Ardo is the nearest community to the project site, located approximately 5.4 miles to the north. The project site is adjoined by San Ardo Oil Field facilities, including oil-gas production wells and pipelines a switch yard and transmission lines to the east. Given the distance between the project site and the nearest community, as well as oil-gas facilities surrounding the site, the Proposed Project would not physically divide an established community.

The Proposed Project would be consistent with the Monterey County General Plan and South County Area Plan, as detailed in Section III of this Initial Study. The Proposed Project would be an allowed use in the Heavy Industrial Zoning District and Mineral Extract land use designation. As proposed and designed, the project would avoid and minimize potential impacts to biological, visual, and cultural resources and all other environmental factors, as described in Sections IV and VI of this Initial Study, and therefore no Mitigation Measures would be required. The Proposed Project would not require the alteration of any existing General Plan or Area Plan policy and therefore, would not conflict with any land use plan, policy, or regulation. *As proposed and designed, the project will avoid environmental impacts and therefore, would not result in impacts to land use and planning.*

3. Mineral Resources. The project site is located within the Heavy Industrial (HI) Zoning District and has a land use designation of Mineral Extraction. The Proposed Project would not occur on land presently in use for mineral extraction and would not interfere with operations at the surrounding oil-gas facilities. The Proposed Project would be supportive of Aera Energy's existing oil operation by partially offsetting the energy demand. *Therefore, the Proposed Project would not result in impacts to mineral resources.*
4. Population/Housing. The Proposed Project would not construct housing or increase the total number of employees for project operation; therefore, it would not increase population in the area. Construction workers are anticipated to be sourced from the nearby areas and would not be required to relocate for the duration of project construction. Therefore, the project would not induce substantial unplanned population growth. In addition, the project would not demolish existing housing or require replacement housing to be constructed. The project would not otherwise alter the location, distribution, or density of housing in the area in any significant way or create demand for additional housing. *Therefore, the Proposed Project would not result in impacts related to population and housing.*

5. Public Services. The project site is served by the South County Fire Protection District (FPD), Monterey County Sheriff's Department, and the King City Joint Union and San Ardo Union School Districts. Given that the project would not increase population, as described above, it would not result in an increase in demand for public services, including fire and police protection, schools, parks, and other public facilities, and would not necessitate new or physically altered government facilities. *Therefore, the Proposed Project would not result in impacts related to public services.*
6. Recreation. Given that the project would not increase population, as described above, it would not result in an increase in use of existing recreational facilities that would cause substantial physical deterioration or require the construction or expansion of recreation facilities in the vicinity of the project. No parks, trail easements, or other recreational facilities would be permanently impacted by the Proposed Project. *Therefore, the Proposed Project would not result in impacts related to recreation.*
7. Utilities/Service Systems. During construction of the Proposed Project, up to 250,000 gallons of non-potable water (approximately 0.8 acre-feet) would be pumped from an existing well, located approximately 0.2-mile northeast of the project site, for dust suppression and other purposes. During operation, the average water use would be estimated to be less than 1 acre-foot per year for solar panel washing and general maintenance. Solar panel washing would be infrequent (e.g., months to years between washings) and determined based on the actual condition of the solar panels and any expected benefit from cleaning. The Proposed Project would result in a minimal increase in water supply demand during operation for infrequent solar panel washing and general maintenance and therefore, would not require relocation or construction of new or expanded water systems.

The Proposed Project would not result in an increase in employment that could otherwise place new demand on existing wastewater facilities. Portable restroom facilities would be provided for workers during construction. There are no permanent sanitary facilities proposed for project operation. The Proposed Project would not increase wastewater generation, would not require new or expanded wastewater facilities, and would not exceed the capacity of an existing wastewater system.

As described under Section VI.10 of this initial study, the Proposed Project would not modify the natural drainage pattern of the project site and no on-site stormwater detention facilities would be constructed. Therefore, the project would not exceed the capacity of existing stormwater drainage systems and would not require an expansion of existing stormwater facilities.

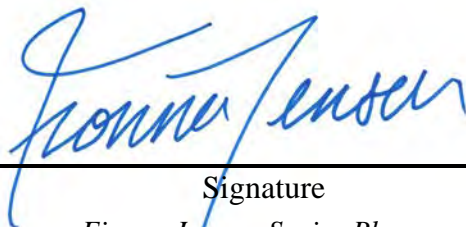
The Proposed Project would not increase demands for natural gas or electricity, and no new natural gas lines would be needed for construction or operation of the Proposed Project. Power from the solar array field would be routed to an existing substation to reduce the need for imported power. Solid waste generated by construction would be collected as needed by Waste Management and delivered to the San Ardo #2 Transfer Station. From the transfer station, the solid waste would be delivered to one of the surrounding landfills in the area, which includes the Johnson Canyon Sanitary Landfill, City of Paso Robles Landfill, and Camp Roberts Landfill. Construction materials would be handled in accordance with the California Green Building Standards Code, which

establishes standards for construction and demolition waste management and the recycling or salvage of a minimum of 65 percent of non-hazardous construction and demolition waste. The project would require small amounts of electricity for minimal exterior security lighting and small lighting features, as well as temporary lighting if construction nighttime activities are required. Given that the Proposed Project involves installation of a new solar PV generating facility and does not include the development of any new or permanent infrastructure typically associated with an increased demand for service utilities, such as residential or commercial development, the project would not increase demand for service utilities such that additional or relocated facilities would be required. *Therefore, the Proposed Project would not result in impacts related to utilities and service systems.*

## **B. 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.



Signature

*Fionna Jensen, Senior Planner*

*County of Monterey Housing & Community Development*

September 16, 2024

Date

## **V. EVALUATION OF ENVIRONMENTAL IMPACTS**

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.



- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

## VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista? (Source: IX.10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: IX.11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	In nonurbanized 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? (Source: IX.37)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: IX. 38, IX.46)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion/Mitigation:

This discussion incorporates the results provided in the Visibility Assessment (HCD-Library No. LIB210238) prepared by NextEra Energy Resources Development, LLC, dated September 17, 2021 (Source IX.37), and the Visual Analysis—Glare at the San Ardo Solar Project Technical Memorandum prepared by Tetra Tech, Inc., dated September 1, 2021 (Source IX.38).

### Aesthetics 1(a) – No Impact

Coastal views, agricultural fields, natural ridgelines, and oak woodlands are all prominent elements of Monterey County’s visual character. Scenic vistas within the county include the Gabilan Mountains near Pajaro, Castroville and Prunedale; Junipero Serra Peak near Chualar, San Lucas and Pine Canyon (King City); Carmel Valley; and Mt. Toro near River Road/Las Palmas, San Benancio/Corral de Tierra, and Toro Park/Serra Village (Source IX.10). The nearest scenic vista to the project site is Junipero Serra Peak, located 34 miles to the northwest.

The Proposed Project would change the appearance of the project site by constructing an 11-megawatt alternating current solar PV generating facility on a site consisting of vacant land, an existing construction staging area, oil well, road, concrete pad, transformers, processing piping, and fencing in the Ferrini Flats portion of the San Ardo Oil Field. The project site is not located in a visually sensitive area as designated by the County, and views of the project site are not readily available from identified scenic vistas due to distance and intervening rolling hills and mountainous topography between the project site and the scenic vistas. Therefore, the Proposed Project would not obstruct or affect scenic vistas and public views in the county. *No impact would occur.*

### **Aesthetics 1(b) – No Impact**

The project site is not located within two miles of a designated State scenic highway, as identified by the California Department of Transportation. The nearest designated State scenic highway is a portion of County Route G14 along Interlake Road from Jolon Road in Lockwood to the San Luis Obispo County line, approximately 12.5 miles to the west of the project site (Source IX.11). Due to the distance from the project site and intervening rolling hills and mountainous topography, the Proposed Project would not be visible from County Route G14. Furthermore, the project site does not contain any scenic resources such as trees or rock outcroppings, nor is it in proximity to any such resources. In addition, as described in Section VI.5 of this Initial Study, the project site does not contain any historic buildings. *Therefore, there would be no impacts related to scenic resources near a designated state scenic highway.*

### **Aesthetics 1(c) – Less Than Significant**

The project site is located in a non-urbanized area of the county and is largely surrounded by privately owned property used for oil-gas production. The project would include the installation of eight-foot solar panels, which would introduce low vertical, geometric elements into a landscape ranging from relatively flat to moderately steep, with rolling hills and mountainous topography, dominated by oil rigs, rural residential properties, and dispersed vegetation. The project would also include approximately 5,000 square feet of grading on slopes exceeding 25 percent to accommodate for a new perimeter road and level out natural depressions and elevations in the landscape. The resulting change in topography would be screened by existing vegetation and the Proposed Project. Views of the project site from US 101 are partially screened by existing vegetation and topography, while the project site is more visible from Wunpost and Los Lobos Roads as less existing vegetation occurs along these roadways.

The Proposed Project would introduce contrast into the landscape setting for viewers in proximity to the site, including rural residences, travelers, and recreationalists. Contrast levels are described as follows; *None* – The contrast is not visible or perceived; *Weak* – The contrast can be seen but does not attract attention; *Moderate* – The contrast begins to attract attention and begins to dominate the landscape); and *Strong* – The contrast demands attention and is dominant in the landscape. The following five viewpoints were addressed in the Visibility Assessment (Source IX.37) and represent project visibility by travelers and residences along US 101, Wunpost Road, Sargents Canyon Road, and Sargents Road (see Figure 5 and 6).

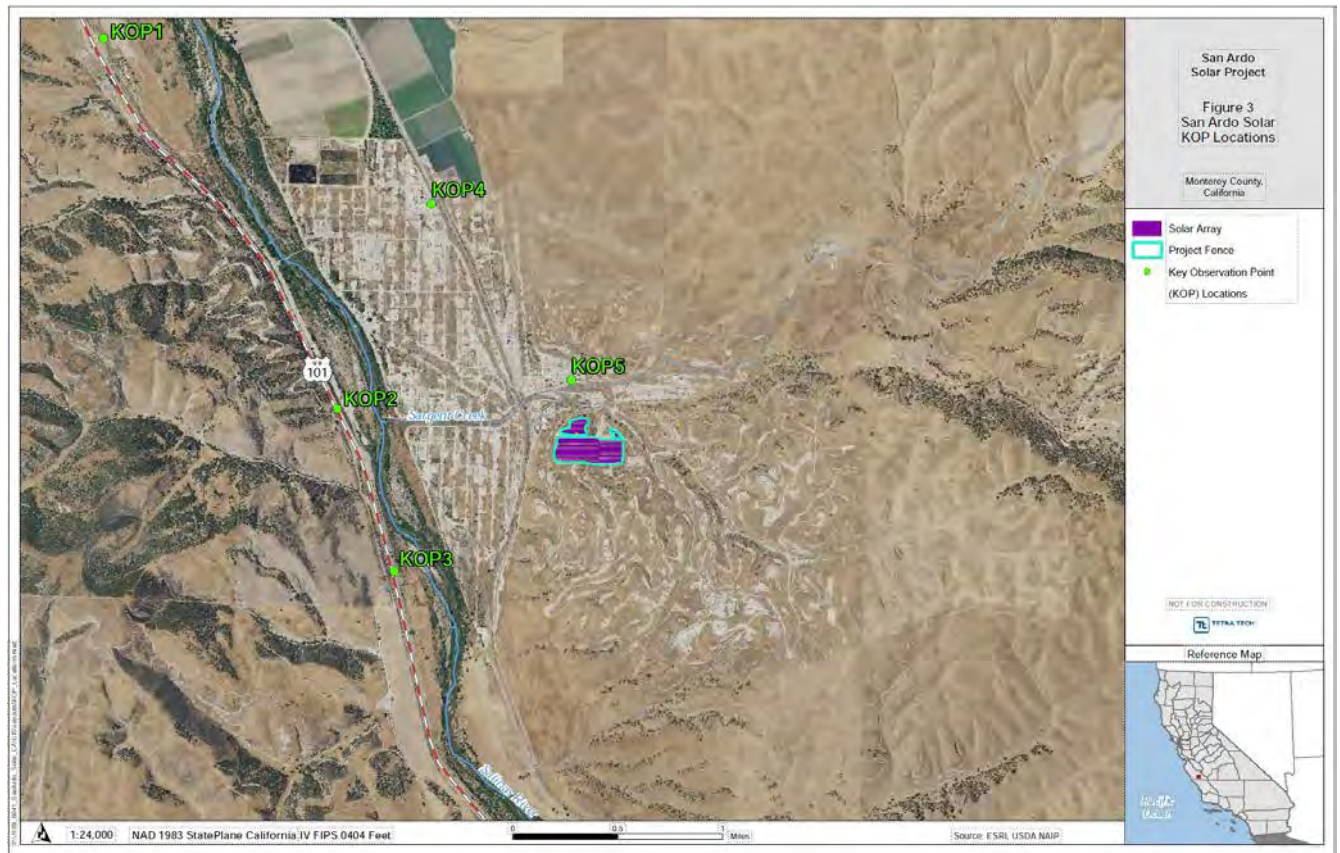
- **Viewpoint 1:** This viewpoint is located near residential properties at the intersection of Los Lobos Road and US 101, approximately 2.6 miles northwest of the project site. The existing landscape is flat in the immediate foreground and middleground, and mountainous in the background. The proposed solar arrays would potentially be visible; however, the terrain partially screens the project site and the distance from this viewpoint to the site is substantial. Therefore, the project would not be a dominant visual feature from this viewpoint.
- **Viewpoint 2:** This viewpoint is located along US 101 near Wunpost Road, approximately 0.9 mile west of the project site. The existing landscape is flat in the immediate foreground, rolling terrain in the middleground, and mountainous in the background. The proposed solar arrays would not likely be visible as terrain and vegetation partially to completely screen the project site. Therefore, the project would create a weak visual contrast from this viewpoint.
- **Viewpoint 3:** This viewpoint is located along US 101 and Wunpost Road, approximately 0.9 mile southwest of the project site. The existing landscape is characterized by

moderately rolling terrain in the immediate foreground and middleground, and mountainous in the background. The proposed solar arrays would potentially be visible; however, the distance from this viewpoint to the site is substantial. Therefore, the project would not be a dominant visual feature from this viewpoint.

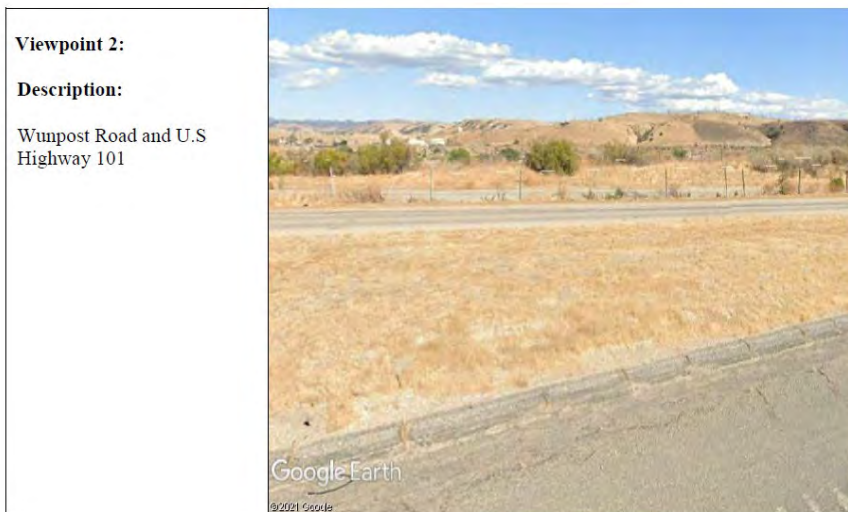
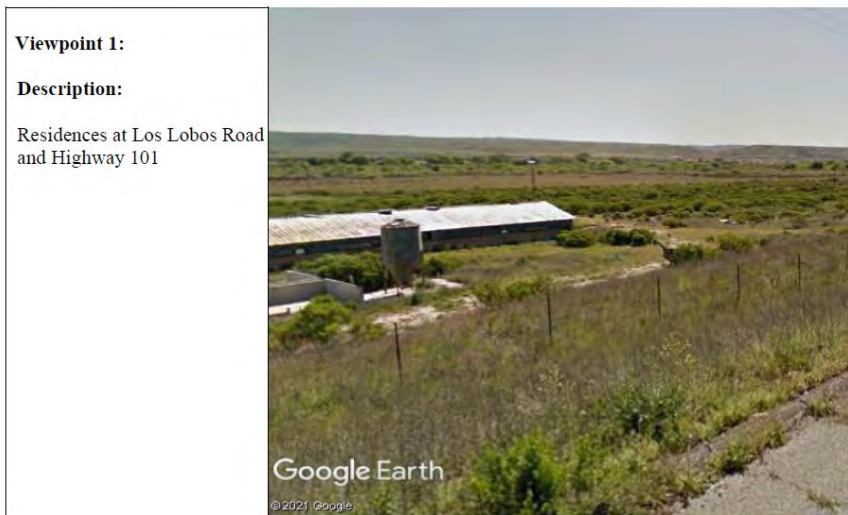
- **Viewpoint 4:** This viewpoint is located along Sargents Canyon Road in the parking lot of the Chevron – San Ardo Water Treatments Facility, approximately 1.2 miles northwest of the project site. The existing landscape is moderately flat in the foreground and moderately steeper in the middleground. The proposed solar arrays would potentially be visible; however, the terrain partially screens the project site. Therefore, the project would not be a dominant visual feature from this viewpoint.
- **Viewpoint 5:** This viewpoint is located along Sargents Road, approximately 0.2 mile north of the project site. The existing landscape is characterized by moderately flat to rolling hills in the foreground and middleground. The proposed solar arrays would be potentially visible. Due to proximity to the project site, project features may stand out more clearly from this location. Although the surrounding area is predominately industrial, industrial land uses would not be seen from this view. Therefore, the project would create strong visual contrast within an existing oil field setting.

Existing vegetation within and surrounding the project site would be left in place, to the extent practicable, and this vegetation would screen the project site from nearby rural residences, including the existing residence located approximately 0.7 mile to the northeast, and travel ways, including Sargents Road and Wunpost Road. Portions of the project that would be visible would be seen in the context of existing development along the roadways and would likely appear as a co-dominant feature in the landscape setting. With the exception of Viewpoint 5, visual contrast would be weak. The project would create a stronger visual contrast within the existing setting from Viewpoint 5 because the proposed solar arrays would be partially visible and none of the surrounding industrial uses are currently visible. However, travelers along Sargents Road that would experience views of the project from Viewpoint 5 are limited, as access in this area is restricted to Aera Energy staff. *Therefore, impacts related to the existing visual character or quality of public views would be less than significant.*

**Figure 5 Visual Assessment – Key Observation Points**



**Figure 6 Viewpoints 1-5**





**Viewpoint 3**

**Description:**

Wunpost Road and U.S  
Highway 101 South



**Viewpoint 4:**

**Description:**

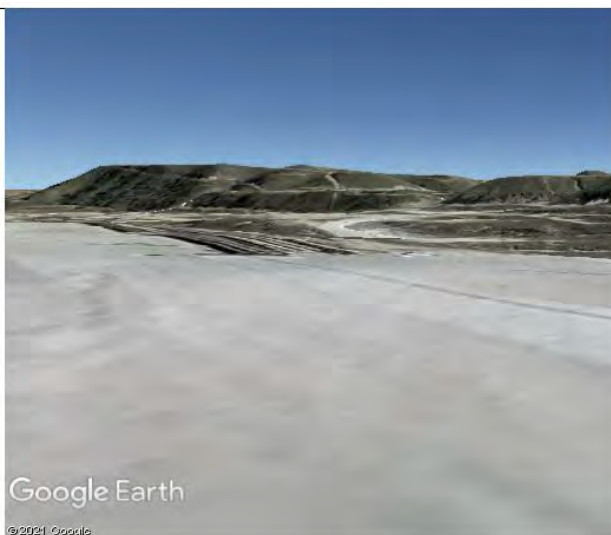
Sargents Canyon Road



**Viewpoint 5:**

**Description:**

Sargents Road



### **Aesthetics 1(d) – Less Than Significant**

The project is in a non-urbanized area of the county and is largely surrounded by privately owned property used for oil-gas production. As conditioned, if nighttime activities are required during the project construction and future decommissioning period, temporary lighting would be used and directed downward to minimize impacts to neighboring properties and wildlife in the project vicinity. Once operational, the project would include motion-activated security lighting and small lighting features equipped with motion detectors or on/off switches, which would be an incremental increase from existing conditions. The proposed solar panels would not produce light.

It should be noted that the County does not protect private views; therefore, only public views of the site are discussed herein. The proposed solar panels would be angled to the south, facing away from major roads including US 101, Wunpost Road, Sargents Canyon Road, and Sargents Road and therefore, would create little to no glare for travelers traversing the project area from public roads. While traveling northbound on US 101, there is a limited timeframe when potential glare from the proposed solar panels would be visible due to the hill directly south of the project site. The proposed solar panels are designed to capture rather than reflect sunlight, and would have a lower index of refraction/reflectivity than common sources of glare in residential environments. The proposed solar panels would also have anti-reflective coatings and stippled glass, which further reduces reflected light (Source IX.38). Overall, the proposed solar panels would have a low reflectivity. Nighttime lighting impacts would be minimized by including only small lighting features that are equipped with on/off switches or motion detectors so that the amount of light emitted would be comparable to that emitted from domestic fixtures on local homes. Therefore, the proposed PV modules are not expected to cause visual impairment or an experience of glare for motorists on area roadways. *Impacts related to light and glare would be less than significant.*

## 2. AGRICULTURAL AND FOREST 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 Dept. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion/Conclusion/Mitigation:

See Section IV.A.1 of this Initial Study.

### 3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management 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? (Source: IX.5)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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? (Source: IX:46)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Expose sensitive receptors to substantial pollutant concentrations? (Sources: IX.12, IX.13, IX.14, IX.47)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (Source: IX:47)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### Discussion/Conclusion/Mitigation:

##### Air Quality 3(a) – Less than Significant

The California Air Resources Board (CARB) coordinates and oversees both state and federal air quality control programs in California. CARB has established 14 air basins statewide. The project site is in the North Central Coast Air Basin (NCCAB), which is under the jurisdiction of Monterey Bay Air Resources District (MBARD). The NCCAB is currently designated as nonattainment for the state PM<sub>10</sub> standard and nonattainment-transitional for the state one-hour and eight-hour ozone standards. The NCCAB is designated as attainment for all federal standards and other state standards (Source IX.5). MBARD is responsible for enforcing the state and federal air quality standards and regulating stationary sources through the 2012-2015 AQMP for the Monterey Bay Region, adopted on March 15, 2017 (Source IX.5).

The Proposed Project would not involve a residential use or otherwise induce population growth, as no new employees for operations and maintenance would be required. Construction workers would be sourced from the existing local or regional workforce, with an average of 20 workers and a maximum of 80 workers on site per construction day. Construction would last for approximately five months; therefore, construction worker trips would result in temporary air quality emissions from mobile trips. *The project would be consistent with the 2012-2015 AQMP because it would not cause an exceedance of the growth projections that underlie its air pollutant emission forecasts, and impacts would be less than significant.*

##### Air Quality 3(b) – Less than Significant

Air quality standards define the maximum concentration of pollutants, averaged over a specified period of time, that can be present in outdoor air without significant harmful effects on people or the environment. As discussed under criterion 3(a), the NCCAB is currently designated as nonattainment for the state PM<sub>10</sub> standard and nonattainment-transitional for the state one-hour and eight-hour ozone standards. With respect to federal standards, the NCCAB has either

achieved attainment or is unclassified. MBARD's *CEQA Air Quality Guidelines* include criteria air pollutant emissions thresholds, which are used to determine whether a project would result in a cumulatively considerable net increase of criteria air pollutants during operations and/or construction. **Table 2, Thresholds of Significance for Criteria Air Pollutants** summarizes thresholds for criteria air pollutants. Impacts for construction and operation of the Proposed Project are discussed below.

**Table 2**  
**Thresholds of Significance for Criteria Air Pollutants**

<b>Pollutants</b>	<b>Threshold(s) of Significance (lb./day)</b>
VOC	137
NO <sub>x</sub>	137
PM <sub>10</sub>	82
CO	590
SO <sub>2</sub>	150

(Source: 5)

**Construction.** Construction activities with grading and excavation that disturb more than 2.2 acres per day are assumed to be above the 82 pounds of particulate matter per day threshold. The Proposed Project would disturb approximately 35.5 acres of land. However, only 4.5 acres of grading (over 5 months) would occur (e.g., less than one acre per month). Further, the project plans limit grading to less than 2.2 acres per day (sheet C-300). Therefore, because construction activities would disturb less than 2.2 acres per day, the Proposed Project would not result in PM<sub>10</sub> emissions that exceed MBARD thresholds. During construction, approximately 150,000 to 250,000 gallons of non-potable water (approximately 0.8 acre-feet) is anticipated to be required for dust suppression and other purposes. *Impacts would be less than significant.*

**Operation.** The Proposed Project would not increase long-term operational criteria air pollutant emissions. The solar PV generating facility would collect and store energy but would not itself be a source of air pollutant emissions. The Proposed Project would not result in a significant increase of operational mobile source emissions as only occasional, on-site maintenance is expected to be required following commissioning and no additional workers beyond those already employed by Aera Energy would be required. Therefore, operation of the Proposed Project would not generate a significant amount of operational criteria air pollutants. *Impacts would be less than significant.*

**Decommissioning.** For the purposes of this Initial Study, future decommissioning activities are assumed to be comparable to construction activities. As described previously, construction activities on the project site would occur over approximately five months and would not result in PM<sub>10</sub> emissions that exceed MBARD thresholds. Therefore, future decommissioning activities are presumed to result in similar air quality impacts. *Impacts would be less than significant.*

*As a result, construction, operation, and decommissioning of the Proposed Project would not result in the cumulatively considerable net increase of any criteria air pollutant for which the region is non-attainment, resulting in a less than significant impact.*

### **Air Quality 3(c) – Less than Significant with Mitigation**

The nearest sensitive receptor to the project site is a residence located approximately 0.7 miles to the northeast along Sargents Road (Source IX.47). The exhaust generated by diesel construction equipment would result in increased toxic air contaminants (TAC) exposure. CARB “In-Use Off-Road Diesel-Fueled Fleet” Regulations prohibit adding vehicles to fleets with older tier engines (The engine tier correlates with the emission standard established by the U.S. Environmental Protection Agency (U.S. EPA) and CARB). If new vehicles (non-CARB registered or certified) are added to the fleet to construct or demolish any component of the Proposed Project, they shall meet Tier 4 Final standards. The 2022 CARB “In-Use Off-Road Diesel-Fueled Fleet” Regulations do not retroactively require existing construction equipment to meet higher-tier standards. Receptor exposures to TACs would be influenced by the duration of activity, use of construction equipment that conforms to the United States Environmental Protection Agency’s Tier 4 emissions standards, the distance between the activity and the receptor, and by the location of the receptor and construction areas relative to prevailing wind direction. Emissions generated during construction activities would be temporary; therefore, prolonged exposures would not occur. The distance between the nearest receptor and the project site is greater than the 500-foot screening distance recommended by CARB for the preparation of health risk assessments (Source IX.12), indicating that TACs are dispersed enough to be below the emissions threshold. However, given the project’s larger disturbance footprint of approximately 35.5 acres, construction of the Proposed Project could expose sensitive receptors to TACs, which is a potentially significant impact. Operation of the Proposed Project would require minimal heavy machinery and thus would have a less than significant potential to expose sensitive receptors to TACs. However, for the purposes of this Initial Study, future decommissioning activities are assumed to be comparable to construction activities and thus could expose sensitive receptors to TACs. *Implementation of mitigation measures AQ-1 through AQ-3 would reduce the potential exposure of nearby sensitive receptors to pollutant concentrations during the construction and decommissioning of the Proposed Project to a less-than-significant level.*

**Mitigation Measure AQ-1: Dust Control.** To reduce the exposure of nearby sensitive receptors to dust emissions from grading, construction, and decommissioning activities on the project site, the following language shall be included on all grading, construction, and demolitions plans for the project prior to issuance of grading permits, subject to review and approval by County of Monterey HCD:

Dust control measures shall be employed to reduce visible dust leaving the site. The following measures recommended by the air district, or equally effective substitute measures shall be used:

- a. Use non-potable on-site well water to add moisture to the areas of disturbed soils twice a day, every day until all grading activities are complete and disturbed soils are revegetated and/or developed, to prevent visible dust from being blown by the wind;
- b. Apply chemical soil stabilizers or dust suppressants on disturbed soils that will not be actively graded for a period of four or more consecutive days;
- c. Apply non-toxic binders to and/or hydroseed disturbed soils where grading is completed and on disturbed soils that are unused for at least four consecutive days prior to paving, foundation construction, or placement of other permanent cover.

- d. Cover or otherwise stabilize stockpiles that will not be actively used for a period of four or more consecutive days, or water at least twice daily as necessary to prevent visible dust leaving the site, using raw or recycled water when feasible;
- e. Maintain at least 12 inches of freeboard and cover all trucks hauling dirt, sand, or loose materials;
- g. Stop grading and earth moving if winds exceed 15 miles per hour or peak daily temperatures exceed 95 degrees Fahrenheit for three consecutive days;
- h. Pave or lay down gravel on roads, driveways, and parking areas at the earliest point feasible within the construction schedule;
- i. Post a publicly visible sign on the nearest public road intersection with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours of receiving the complaint. The phone number of MBARD shall also be visible to ensure compliance with Rule 402 (Nuisance); and
- j. Limit the area under construction at any one time.

**Mitigation Measure AQ-1 Compliance Actions:**

Prior to issuance of any grading and/or building permit, the Applicant shall include a note on the construction plans that includes the language contained in Mitigation Measure AQ-1.

The applicant/contractor shall adhere and implement the measures contained in Mitigation Measure AQ-1 until completion of grading and construction of the Project.

Prior to final of any grading and/or building permit, the Applicant shall provide evidence to County of Monterey HCD that Mitigation Measure AQ-1 has been successfully implemented.

**Mitigation Measure AQ-2:** *Construction Staging Management Plan.* Prior to the issuance of any grading and/or building permits, the Applicant shall prepare a Construction Staging Management Plan. The Construction Staging Management Plan shall be provided to Monterey County HCD for review and approval. The plan shall include the following restrictions:

- a. Heavy-duty diesel vehicles shall be required to have 2010 or newer model year engines, in compliance with the California Air Resources Board's Truck and Bus Regulation; and
- b. Construction equipment and heavy-duty diesel trucks idling shall be avoided, where feasible, and if idling is necessary, it shall not exceed five minutes or beyond regulatory requirements – saves fuel and reduces emissions.

**Mitigation Measure AQ-2 Compliance Action:**

Prior to issuance of any grading and/or building permit, the HCD-Planning and Engineering Services shall review and approve the Construction Staging Management Plan to ensure that it contains the restrictions on construction equipment identified in Mitigation Measure AQ-2.

**Mitigation Measure AQ-3: Vehicle Emissions.** Prior to the issuance of any grading and/or building permits (construction and demolition), the following language shall be included in all construction or demolition plans: “All construction or demolition equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications and shall be checked by a certified visible emissions evaluator. All non-road diesel construction equipment shall, at a minimum, meet Tier 3 emission or Tier 4 emission standards (depending on when year vehicle was added to the fleet) listed in the Code of Federal Regulations Title 40, Part 89, Subpart B, §89.112. Further, where feasible, construction equipment shall include the use of alternative fuels such as compressed natural gas, propane, electricity or biodiesel.”

**Mitigation Measure AQ-3 Compliance Action:**

Prior to issuance of any grading and/or building permit, HCD-Planning shall review and approve the construction documents to ensure that they contain the language contained in Mitigation Measure AQ-3.

Ground-disturbing construction activities and extended periods of high heat or unusually windy conditions at the project site could increase fugitive dust and expose sensitive receptors (i.e., construction personnel and nearby residents) to *Coccidioidomycosis*, or San Joaquin Valley Fever (Valley Fever). Valley Fever is an infectious disease caused by the fungus *Coccidioides immitis*. Valley Fever is a disease of concern in arid and semiarid areas of the western United States, including in the dry, inland regions of California. Infection is caused by inhalation of *Coccidioides immitis* spores that become airborne when dry, dusty soil or dirt is disturbed by natural processes such as wind or earthquakes, or by human-induced ground-disturbing activities such as construction, farming, or other activities (Source IX.13). Inhalation of these spores can cause fever, chest pain, and coughing, among other signs and symptoms (Source IX.14). The Proposed Project has the potential to result in elevated levels of the incidence of Valley Fever cases resulting from uncontrolled fugitive dust during construction activities. Construction workers on site would be the most affected as the nearest residence is located approximately 0.7 miles northeast of the project site.

California Department of Public Health’s guidelines for reducing worker exposure to Valley Fever include but are not limited to, providing construction workers with a training program, limiting workers’ exposures to outdoor dust, wetting soils prior to excavation, positioning workers upwind, and providing workers with, at minimum, NIOSH-approved half-faced respirators (Source: IX. 51). Further, state law, specifically Section 6709 of the Labor Code, requires employers to provide effective Valley Fever Awareness and Prevention Training for all construction employees at risk of prolonged exposure to dust in Fresno, Kern, Kings, Madera, Merced, Monterey, San Joaquin, San Luis Obispo, Santa Barbara, Tulare, and Ventura Counties annually and again before an employee begins work that is reasonably anticipated to cause exposure to substantial dust disturbance. As a regulatory measure, the Proposed Project would be required to comply with these requirements.

The Monterey County Environmental Health Bureau (EHB) and its Health Officer have reviewed the Proposed Project and the submitted public comment raising concerns about Valley Fever. EHB does not recommend soil sampling as a reliable indicator for Valley Fever disease risk; the spores are likely present, regardless of test results, and the result does not predict the risk of exposure and/or likelihood of illness. Further, the California Department of Public Health’s “*Preventing Work-Related Coccidioidomycosis (Valley Fever)*” document states



“Valley Fever fungal spores are too small to be seen by the naked eye, and there is no reliable way to test the soil for spores before working in a particular place.” (Source: IX. 51)

To ensure compliance with Labor Code Section 6709 and California Department of Public Health’s guidelines, EHB has applied a non-standard condition of approval (EHSP01 – VALLEY FEVER MANAGEMENT PLAN) to the project. Implementation of this condition would require that the Applicant/Owner prepare and submit to HCD-Planning and EHB for review and approval a Valley Fever Management Plan that includes the following components and/or provisions:

- Developed in consultation with a licensed occupational medicine physician specializing in pulmonary epidemiology;
- Include a job hazard analysis [in compliance with California Occupational Safety and Health Administration (Cal/OSHA) regulations] for any worker that will be exposed to dust;
- Describe the roles and the responsibilities of construction personnel to apply appropriate Valley Fever safety procedures and dust control measures to minimize potential worker and public exposure to dust;
- Include specific measures to reduce the potential for exposure to Valley Fever, including but not limited to the following:
  - Model Valley Fever Worker Training Program and Safety Measures
  - Dust suppression measures, including specific measures that must be taken if daily wind speeds exceed 15 mph or peak daily temperatures exceed 95 degrees Fahrenheit for three consecutive days.
  - Provide National Institute for Occupational Safety and Health-approved half-face respirators equipped with a minimum N-95 protection factor for use during soil-disturbing activities.

After construction, ongoing maintenance-related activities would not be expected to occur frequently with the implementation of the Proposed Project and would not result in substantial ground disturbance. Additionally, future decommissioning activities are assumed to be comparable to construction activities; therefore, decommissioning is presumed to result in similar TAC impacts as construction activities. Condition EHSP01 would require that the Applicant/Owner adheres to the Valley Fever Management Plan for the duration of all construction and future decommissioning activities. *Therefore, Valley Fever-related effects of dust emissions generated during construction activities would not expose sensitive receptors to substantial concentrations of TACs and impacts would be less than significant with the implementation of Mitigation Measures AQ-1 through AQ-3 and non-standard condition of approval EHSP001, and compliance with regulatory requirements.*

### **Air Quality 3(d) – No Impact**

During construction and future decommissioning activities temporary odors from vehicle exhaust and equipment engines would occur. However, odors would disperse and dissipate and would not cause substantial odors at the closest sensitive receptor (located approximately 0.7-mile northeast of the project site) (Source IX.47). In addition, odors would be temporary and would cease upon completion of construction and future decommissioning. Operation of the Proposed Project would not result in odors or other emissions adversely affecting a substantial number of people. *Therefore, the Proposed Project would result in no impact related to other emissions, including those leading to odors.*

<b>4. BIOLOGICAL RESOURCES</b>				
<b>Would the project:</b>	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 Game or U.S. Fish and Wildlife Service? (Source IX.40).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source IX.40).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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? (Source IX. 3, IX. 4, IX.40).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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? (Source IX.40).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source IX.40).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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? (Source IX.40).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### **Discussion/Conclusion/Mitigation:**

This discussion incorporates the results provided in the Biological Resources Habitat Assessment (HCD-Library No. LIB210235) prepared by Tetra Tech, Inc., dated March 15, 2021 (Source IX.39), the Preliminary Federal Aquatic Resources Delineation and State Aquatic Resource Delineation Report (HCD-Library No. LIB210237) prepared by Padre Associates, Inc., dated May 2021 (Source IX.40), and the Biological Survey Report for Solar Start Light Park (HCD-Library No. LIB240194 Source: IX.52) prepared by Althouse and Meade, Inc., dated June 30, 2024. Althouse and Meade, Inc will serve as the Project Biologist during construction and implementation of the Proposed Project. On July 17, 2024, Jason Dart, Principal Investigator of Althouse and Meade, Inc was issued a Specific Use Scientific Collecting Permit (SCP; No. S-190420011-19351-001-01) pursuant to Fish and Game Code Section 1002(a) and California Code of Regulations (CCR) Title 14 Section 650 (Source: IX.53). This SCP authorizes Jason Dart to take (*capture, measure, weigh, release, and salvage*) amphibians, reptiles, and small mammals, including certain Amphibian and Reptile Species of Special Concern such as the

Northern legless lizard, Western spadefoot, Coast horned lizard, and other species. The following discussion is based on the above-mentioned sources and technical reports.

#### **Biological Resources 4(a) – Less than Significant with Mitigation**

Special status species include those plants and wildlife species that have been formally listed, are proposed as endangered or threatened, or are candidates for such listing under the Federal Endangered Species Act or California Endangered Species Act. The federal Bald and Golden Eagle Protection Act also provides broad protections to both eagle species that in some regards are similar to those provided by the Federal Endangered Species Act. In addition, the California Department of Fish and Wildlife (CDFW) Species of Special Concern, CDFW California Fully Protected Species, United States Fish and Wildlife Service Birds of Conservation Concern, and CDFW Special Status Invertebrates are all considered special status species. In addition to regulations for special status species, most native birds in the United States (including non-status species) are protected by the federal Migratory Bird Treaty Act of 1918 and the California Fish and Game Code (i.e., Sections 3503, 3503.5 and 3513). Under these laws, deliberately destroying active bird nests, eggs, and/or young is illegal. Plant species on the California Native Plant Society Rare and Endangered Plant Inventory with California Rare Plant Ranks of 1 and 2 are also considered special status plant species and must be considered under CEQA.

Potential occurrence of special status species on the project site was first evaluated by determining which special status species occur in the vicinity of the project site through a database search, including the California Native Plant Society's electronic inventory and the California Natural Diversity Database. In addition, field surveys of the project site were conducted on February 25, 2021, by Tetra Tech and in May 2024 by Althouse and Meade, Inc. to determine the likelihood of any special status plant or wildlife species that may inhabit the project site.

The project site has been previously graded and currently supports annual grassland, coyote brush scrub, and ruderal vegetation, which is similar to the surrounding area used for oil and gas production facilities. Tree tobacco is also found scattered throughout the project site. Nearby native communities include those along the Salinas River and small areas of native oak woodlands on slopes not developed for oil and gas production. These native communities are located outside of the project site and would not be disturbed by the construction or operation of the Proposed Project. In addition, it is likely that invasive plants that are of concern to the California Invasive Plant Council are present on the project site, including Taurian thistle (*Onopordum tauricum*) and skeleton weed (*Chondrilla juncea*). No USFWS Critical Habitat for listed species occurs within or near the Project site.

The California Natural Diversity Database (CNDDB) and California Native Plant Society (CNPS) identified 50 special status plants and 26 special status animals within a 9-quadrant search area. Although the historic and current land use preclude potential presence of most listed species within the Project site, habitat is present for several species that may still have the potential to occupy or forage within the Project site.

#### **Special Status Plant Species**

Although the 2021 and 2024 biological surveys did not identify any special status plant species, the 2024 biological report determined that eight special status plant species have the potential to occur on-site. These species' potential presence was based on an analysis of known ecological requirements for special status plant species reported from the region, and the habitat conditions that were observed in the Project Site (Source: IX. 39 and 52). CDFW has informed the

Applicant/Owner and the County of Monterey that the project site is known to and/or has the potential to support special-status plant species, such as the pale yellow layia (*Layia heterotricha*), small flowered gypsum loving larkspur (*Delphinium gypsophilum ssp. parviflorum*), and Abbott's bush mallow (*Malacothamnus abbottii*). In addition to eight plant species identified by the Project Biologist, the species of concern identified by CDFW are detailed below.

Common Name	Scientific Name	Habitat Preference	Potential to occur
Douglas' fiddleneck	<i>Amsinckia douglasiana</i>	Valley and foothill grassland. Dry habitats with unstable shaly sedimentary slopes. Elevations: 150-1600 m.	Low: Sedimentary slope on northern portion of Project site has a low potential to support this species.
Dwarf calycadenia	<i>Calycadenia villosa</i>	Dry, rocky hills, ridges, grassland, openings in foothill woodland	Low: Some suitable grassland present but too heavily disturbed.
Lemmon's jewelflower	<i>Caulanthus lemmonii</i>	Grassland, chaparral, scrub	Low: Grassland slopes of the northern portion of the Project site have moderately suitable soils but are unlikely to support this species.
Jolon clarkia	<i>Clarkia jolonensis</i>	Dry woodland	Low: Marginal potential to occur in blue oak woodland areas.
Elegant wild buckwheat	<i>Eriogonum elegans</i>	Cismontane woodland, valley and foothill grassland. Usually in sandy or gravelly substrates; often in washes, sometimes roadsides.	Moderate: Sandy soils present in Ferrini Flats are moderately suitable. This species tolerates disturbance.
San Benito poppy	<i>Eschscholzia hypocoides</i>	Grassy areas in woodland or chaparral	Moderate: Grassland habitats in the Project site may support this species.
Pale-yellow layia	<i>Layia heterotricha</i>	Open clayey or sandy soil, sometimes +/- alkaline sites	Very Low: Some patches of open soil present in grasslands, but heavy disturbance makes presence unlikely. Recent records are from 1994 with unspecific location information in the vicinity of Hames Valley School (over 5 miles south of the Project site).
Shining navarretia	<i>Navarretia nigelliformis subsp. radians</i>	Grassland and cismontane woodland. Often on clay and alkaline sites, sometimes vernal pools. Elevations: 65-1,000 m.	Low: Grassland of the Ferrini Flats area has low potential, but soils are not ideal for this species.
Small flowered gypsum loving larkspur	<i>Delphinium gypsophilum ssp. parviflorum</i>	Open oak woodlands, chaparral, and grassland	Very low. Moderate soils, unlikely to support this species. Recent records are from 1994 with unspecific location information in the vicinity of Hames Valley School (over 5 miles south

			of the Project site).
Abbott's bush mallow	<i>Malacothamnus abbottii</i>	Sandy soils, streambanks, chaparral	None: Sargent creek ~600 ft to the north supports this species, but ephemeral drainage in Project site is not suitable habitat.

The Project Biologist confirmed that a number of the above-listed botanical species have a very low, low, or no potential to occur on the Project site due to the site's disturbed nature from past activities. As these species have an unlikely presence within the Project site, impacts would be less than significant. No mitigation measures would be required for these species. Two species with moderate potential to occur are discussed below.

**San Benito Poppy** (*Eschscholzia hypaeoides*) is a California Rare Plant Rank (CRPR) 4.3 species that occurs in scattered localities throughout much of California but has been most commonly documented in the interior Coast Ranges. It is known to occur on serpentinite clay in cismontane woodland, chaparral, and grassland habitats between 200 and 1,500 meters elevation. It is an annual herb that typically blooms between February and May. The closest known record is approximately 6 miles west of the Project site (Source: IX.52). The soil and grassland habitat in the Project site is moderately suitable for this species as it is tolerable to disturbance. Although the San Benito poppy has moderate potential to occur on site, it was not detected during an appropriately timed survey and is considered absent from the Project site. No impacts would occur with implementation of the project.

**Elegant Wild Buckwheat** (*Eriogonum elegans*) is a CRPR 4.3 species endemic to the central coast of California. It is known to occur on sandy or gravelly soil in cismontane woodlands, grasslands; and washes between 200 and 1,525 meters in elevation. It is an annual herb that typically blooms between May and November. The closest known record is approximately 7 miles south of the Study Area (Source: IX. 52)). The bare areas within the onsite mixed grassland habitat contain suitable sandy soils. Elegant wild buckwheat has a moderate potential to occur based on habitat and soil suitability. Elegant wild buckwheat was not observed in the Project site during the May 2024 survey. Per the Project Biologist, although it typically blooms in summer, it is detectable in vegetative conditions and would have been identified if present. No impacts would occur with the implementation of the project.

#### Special Status Animal Species

CNDDDB review determined 26 special status wildlife species are reported from the region. Two special status wildlife species: American badger and bald eagle were observed during the May 2024 survey (Source: IX.52). An additional 16 special status species were not observed during either the 2021 or 2024 survey but have been determined to have some potential to occur. In addition, CDFW has informed the Applicant/Owner and the County of Monterey that the project site is known to and/or has the potential to support special-status plant and animal species, including CESA-listed species, such as the State threatened and federally endangered San Joaquin kit fox (*Vulpes macrotis mutica*; SJKF), the State threatened tricolored blackbird (*Agelaius tricolor*; TRBL), the State and federally Least Bell's vireo (*Vireo bellii pusillus*, LBV), the California species of special concern Northern California legless lizard (*Anniella pulchra*, NCLL).

**Vernal Pool Fairy Shrimp** (*Branchinecta lynchi*; VPFS) is a small federally threatened freshwater crustacean. The species is typically associated with smaller and shallower vernal

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pools (typically about 6 inches deep) that have relatively short periods of inundation and low to moderate alkalinity. Reported occurrences and USFWS identified critical habitat for VPFS exist approximately 6 miles southeast of the Project site. Aquatic features on-site were dry during the May survey but may provide suitable ephemeral VPFS earlier in the year. The historical heavy disturbance of the area including grading activities make the presence of viable cysts unlikely. VPFS has a low potential to occur within the Project site.

**San Joaquin Kit Fox** (*Vulpes macrotis mutica*; SJKF) is federally endangered and state threatened mammal. The SJKF is primarily nocturnal and typically occurs in annual grassland or mixed shrub/grassland habitats throughout low, rolling hills and valleys. They need loose sandy soils in order to dig their burrows and a prey population of black-tailed jackrabbits, rodents, desert cottontails, insects, some birds, reptiles and vegetation. Female SJKF begin preparing natal dens in September and October and breed from December through February. The closest reported occurrence of the SJKF is located approximately 3.8 miles northeast of the Project site, and a was reported in 1975. CDFW noted that SJKF forage in fallow and agricultural fields and may utilize streams such as Sargent Creek, which runs directly north of the Project site (Source: IX. 49). Per the Project Biologist, the CNDDDB's two records for SJKF near the project site are over 45 years old with unspecific location data. The Project Biologist consulted with ecologists Howard Clark and Dr. Brian Cypher, who both indicated that it is unlikely that SJKF remain in the vicinity of the Project site due to habitat fragmentation and increased levels of human activity in the immediate vicinity (Source: IX. 50). While the Project site has abundant suitable habitat and is within the SJKF historic range, the Project Biologist concluded that they are "suspected extirpated from the region as no nearby records have been confirmed since 2007". Protocol surveys for SJKF were conducted in 2015 and no foxes or signs were observed. SJKF has a very low potential to occur on the Project site and therefore adverse impacts would not occur. However, per the draft General Development Plan, the Applicant/Owner proposes to conduct pre-construction surveys for SJKF. To ensure implementation of the Applicant/Owner's proposed pre-construction SJKF survey, **Mitigation Measure BIO-1** includes this requirement.

**Northern California legless lizard** (*Anniella pulchra*; NCLL) are found primarily in areas with sandy or loose organic soils or where there is plenty of leaf litter. NCLL are fossorial and inhabit chaparral habitat with sandy or loose loamy soils. Review of aerial imagery and soil characteristics indicates that portions of the Project site are comprised of and surrounded by these requisite habitat features. Habitat loss is a primary threat to NCLL. CDFW concluded that the Project area is within the range of NCLL and portions of it are composed of and bordered by suitable habitat (i.e., chaparral with friable soils) (Source: IX. 49). The most recent CNDDDB record of an NCLL is from 1895 with unspecific location information. Per the Project Biologist, the June 2024 biological survey determined habitat suitability (loose soils, tree/shrub canopy, leaf litter) is poor at the Project site and NCLL have a low to very low potential of being present on-site.

The above-mentioned special status animal species with a low, very low, or no potential to occupy the project site have a less than significant potential of being adversely impacted with the implementation of the project; no mitigation measures would be required for these species. Five species with moderate potential to occur are discussed below.

**American Badger** (*Taxidea taxus*; AB) is a California Species of Special Concern with a

widespread range across the state. The American badger requires friable soil in order to dig burrows for cover and breeding. The main food source for the species is fossorial rodents, mainly ground squirrels and pocket gophers. The breeding season for badgers is in summer and early fall, and females give birth to litters usually in March and April. The closest reported occurrence of the American badger is located approximately 7 miles south of the subject property. An American badger adult was observed during the May 2024 survey at the fringe of the mixed grassland and coyote brush scrub habitat on the western portion of the Study Area. A potential badger den was also observed approximately 140 feet north of the animal sighting. American badger was confirmed present in the Study Area and is suspected to occur regularly. Accordingly, ground-disturbing activities associated with the installation or decommissioning of the Proposed Project could potentially impact AB burrows or individuals. Implementation of **Mitigation Measure BIO-1** would reduce the severity of this potential impact to a level less than significant.

**Coast Horned Lizard** (*Phrynosoma blainvillii*; CHL) is a small reptile that is a California Species of Special Concern. The coast horned lizard is distributed from northern Baja California through Northern California occurring in a variety of habitats including annual grassland and coastal scrub. The nearest recorded occurrence of coast horned lizard is approximately 8 miles south of the Study Area. Both the grassland habitats and coyote brush scrub habitats present in the Project site are suitable for foraging horned lizards. Coast horned lizard has a high potential to occur, but was not observed during the May 2024 survey. Accordingly, ground-disturbing activities associated with the installation or decommissioning of the Proposed Project could potentially impact CHL habitat or individuals. Implementation of **Mitigation Measure BIO-1** would reduce the severity of this potential impact to a level less than significant.

**Western Spadefoot** (*Spea hammondi*; WS) is a federally proposed threatened species and a California Species of Special Concern. This species is endemic to California and northern Baja California, Mexico. Western spadefoot is primarily an inland species, occurring in grassland habitats with friable soils and seasonal rain pools for breeding. Typical breeding season is from December to March and development of the larvae from egg to metamorphosis can be very quick (3-11 weeks), depending upon water temperature and food resources. The nearest reported occurrence of breeding western spadefoot is approximately 8 miles south of the Project site. Aquatic habitats adjacent to the Project site were dry during the May 2024 survey but may provide suitable pools for breeding spadefoot during wet years. Western spadefoot has a moderate potential to occur in the Project site. Ground-disturbing activities associated with the installation or decommissioning of the Proposed Project could potentially impact the Western Spadefoot burrows or individuals. Implementation of **Mitigation Measure BIO-1** would reduce the severity of this potential impact to a level less than significant.

**Salinas Pocket Mouse** (*Perognathus inornatus psammophilus*; SPM) is a rare pocket mouse that is a California Species of Special Concern. This subspecies is known to occur in the Salinas River valley in annual grasslands with friable soils. The nearest recorded occurrence is 9.5 miles south of the Study Area along the Salinas River. Salinas pocket mouse or signs of the species were not observed during the May 2024 survey. However, a portion of the Project site provides excellent habitat within the known range of Salinas pocket mouse, and it was determined to have a high potential to occur. Accordingly, ground-disturbing activities associated with the installation or decommissioning of the Proposed Project could potentially impact SPM habitat or individuals.

Implementation of **Mitigation Measure BIO-1** would reduce the severity of this potential impact to a level less than significant.

**Burrowing Owl** (*Athene cunicularia*; BO) is a California Species of Special Concern that has been recently petitioned for state listing. It is a small diurnal (day-active) owl that occupies abandoned mammal burrows, most notably those of the California ground squirrel (*Otospermophilus beecheyi*). Suitable habitat types include dry, open annual or perennial grasslands and deserts with an abundance of burrows for nesting and roosting.

The closest reported occurrence of the burrowing owl is approximately 12 miles south of the Project site (Source: IX.52). Due to the lack of nearby records but suitable habitat on site, the Project Biologist determined that burrowing owls have a moderate potential to forage and nest in the Project site. Burrowing owls were not observed during the May 2024 survey but the grassland habitat on site is considered suitable with abundant rodent burrows present.

Accordingly, ground-disturbing activities associated with the installation or decommissioning of the Proposed Project could potentially impact BO burrows or individuals. Implementation of **Mitigation Measure BIO-1** would reduce the severity of this potential impact to a level less than significant.

**Mitigation Measure BIO- 1: Project Biologist.** To ensure grading, construction, and decommissioning activities do not adversely affect the special-status species that may inhabit the Project site or its surroundings, including but not limited to the Coast Horned Lizard (CHL), Salinas Pocket Mouse (SPM), Western Spadefoot (WS), American Badger (AB), and Burrowing Owl (BO), the Applicant/Owner shall contract with an Althouse and Meade, Inc or another qualified biologist ("Project Biologist") with appropriate scientific collection/handling permits, to prepare and implement a Biological Education Program for Employees ("BEPE"), monitor of initial ground disturbing and trenching activities, and conduct pre-construction surveys for CHL, SPM, WS, SJKF, AB, and BO. All survey results shall be submitted to HCD-Planning. After initial ground-disturbing project activities are complete, the qualified biologist will train an individual from the construction crew to act as the on-site construction biological monitor. The construction biological monitor will be the contact for any special-status wildlife species encounters, will conduct daily inspections of equipment and materials stored on site and any holes or trenches prior to the commencement of work, and will ensure that all installed fencing stays in place throughout the construction and decommissioning period. The qualified biologist and the construction monitor shall complete a daily log summarizing activities and environmental compliance throughout the duration of the project. Any handling and relocation protocols of special-status wildlife species will be conducted by a qualified biologist with appropriate scientific collection/handling permits. Upon completion of construction and decommissioning activities, a final report shall be submitted to HCD-Planning for review and approval.

- 1) The BEPE training session shall be conducted prior to ground disturbance and with all project staff and construction personnel. The BEPE shall instruct attendees on habitat sensitivity, identification of special-status species, required practices prior to start of construction, general measures that are being implemented to conserve these species as they relate to the project, guidelines to avoid impacts to these species during the construction period, penalties for non-compliance, and the ability for the Project Biologist to halt work.



- 2) 14-days prior to the start of ground-disturbing activities (construction and decommissioning), the Project Biologist shall conduct a pre-construction survey for CHL, SPM, WS, SJKF, AB and their habitat.
  - a. If CHL or SPM are found in work areas, the Project Biologist will first attempt to allow the individuals to move out of the work area on their own accord, but if conditions do not allow this, the Project Biologist will capture individuals and relocate them to the nearest suitable habitat outside the work area, as allowed under the Scientific Collecting Permit.
  - b. If any areas are determined to be occupied by WS, these areas shall be staked or fenced with a minimum 50-foot buffer. No construction/maintenance activities shall occur within the buffer area until the individuals and/or larvae have left of their own accord or are relocated to a suitable habitat by the Project Biologist, as allowed under the Scientific Collecting Permit.
  - c. If occupied SJKF dens or AB burrows are present with either adults or pups, exclusionary fencing with a minimum buffer of 100 feet shall be installed and maintained until the den/burrows are vacant. If dens or burrows are not occupied, they may be collapsed under the supervision of the Project Biologist, and no further mitigation is necessary.
- 3) The Project Biologist shall conduct a standard burrowing owl survey, per the guidelines set forth by the 1993 CDFW Burrowing owl survey protocol, prior to the start of construction. If the Burrowing owl is determined to be present, then the Project Biologist shall follow the guidelines of the 1993 CDFW Burrowing owl survey protocol and set forth mitigation to avoid and minimize impacts. If the results of the pre-construction surveys are negative for Burrowing owls, no further mitigation is required.
- 4) The Project Biologist shall be retained to monitor initial grading and trenching activities. Any special status wildlife observed during monitoring shall be allowed to move out of work limits of their own volition or shall be captured and relocated to nearby suitable habitat by the qualified biologist, as necessary and in compliance with state and federal Endangered Species Act regulations.
- 5) Upon completion of construction and decommissioning activities, a final report shall be submitted to HCD-Planning for review and approval that is sufficient in detail to explain how protection objectives have been met and any impacts incurred outside those previously analyzed including, though not limited to deviation from measures, modifications required in the field, occurrences of halting construction and/or any other issues identified.

**Mitigation Measure BIO- 1 Compliance Actions:**

Prior to issuance of permits from Building Services, the Applicant/Owner shall submit to HCD-Planning for review and approval a copy of a contract with a qualified biologist detailing the requirements of this mitigation measure.

14 days prior to project-related ground disturbance, the project biologist shall submit the CHL, SPM, WS, SJKF, AB, and BO pre-construction survey results to HCD-Planning. If occurrences were documented, the Project Biologist shall adhere to the requirements of this mitigation.

Prior to project-related ground disturbance, the project biologist shall conduct a worker training session for all project staff, and upon completion of the training session, the

Applicant/Owner shall provide to HCD-Planning a copy of the form signed by all training attendees.

Prior to final inspection of grading, construction, or demolition permits from Building Services, Owner/Applicant/Project Biologist shall submit to HCD-Planning for review and approval a final report detailing how protection objectives have been met and any impacts incurred outside those previously analyzed including, though not limited to deviation from measures, modifications required in the field, occurrences of halting construction and/or any other issues identified.

#### Avian Special of Concern Species

**Bald Eagle** (*Haliaeetus leucocephalus*) is a state-listed endangered species and a federally protected species under the Bald and Golden Eagle Protection Act. It requires ocean shores, lakes or rivers and usually nests in large trees with open branches within 1 mile of water. Bald eagles are known to be sensitive to human disturbance and have abandoned nests due to human activity. The nearest recorded bald eagle nest is approximately 13 miles south of the Study Area along the Nacimiento River on Camp Roberts. One immature second-year bald eagle was observed flying over the southern portion of the Project site being mobbed by an adult red-tailed hawk. The subject property is located approximately one mile from the Salinas River and contains suitable nesting trees. The heavy disturbance and oil production activities of the area likely dissuade breeding pairs from nesting. A Bald eagle was observed flying over the Project site but has very low potential to nest on site. Further, no trees are proposed for removal.

**Golden Eagle** (*Aquila chrysaetos*) is designated a Fully Protected species by the CDFW and is federally protected by the Bald and Golden Eagle Protection Act. The Golden eagle prefers open habitat and in California, it extensively utilizes grazed grasslands and open shrublands for preying on its main food source of hares or rabbits and marmots or ground squirrels. Golden eagles nest in large trees and the breeding season in California is generally from late January through August. The Golden eagle is highly sensitive to anthropogenic presences and will avoid nesting near urban areas. No nearby records of nesting golden eagles exist within the region, but they are suspected to be breeding pairs nearby based on habitat of the region. Blue oaks on the northern portion of the Project site are suitable for golden eagles but high oil production activities likely dissuade pairs from nesting. Golden eagle was determined to have a high potential to forage in the Project site but a low potential to nest. No golden eagles or potential nests were observed on or near the Project site during the May 2024 survey. Further, no trees are proposed for removal.

**Tricolored blackbird** (TRBL) and **Least Bell's vireo** (LBV). Suitable nesting habitat for TRBL colonies require freshwater, while their foraging habitat include semi-natural grasslands, agricultural croplands or alkali scrub. Suitable LBV habitat includes rivers and streams with dense riparian vegetation. Riparian vegetation often used includes shrubs and trees including willows, mulefat, wild roses, cottonwoods, and other dense vegetation. Further, although LBV inhabit riparian woodlands, the species has also been found to benefit from nonriparian systems including brushy fields, second-growth forest or woodland, scrub oak, coastal chaparral, and mesquite brushlands (Source: IX. 49). Based on a review of aerial imagery, CDFW indicated that Sargent Creek and the 1.4-acre wetland area adjacent to the Project site may provide suitable habitat for TRBL and LBV (Source: IX. 49). The most recent record of a TRBL colony is from 2008 at a nearby oil facility, whereas the most recent record of LBV is from 1916 with

unspecific location information. Per the Project Biologist, the small wetland adjacent to the Project site is unlikely to provide habitat for this species due to the type of vegetation present (Source: IX. 50). Further, TRBL and LBV have not been observed since their respective sitings in 2008 and 1916. However, if present with the Project site or adjacent area, ground-disturbing activities could disturb TRBL and LBV and result in the loss of fertile eggs, and nestlings, or otherwise lead to nest abandonment, and would represent a significant impact. This potentially significant impact would be reduced to a less than significant level with application of the County's standard "RAPTOR/MIGRATORY BIRD NESTING" condition of approval, as described below in more detail. Further, detailed in the draft General Development Plan, the proposed security fencing would incorporate design measures that increase the fence's visibility to reduce the potential for wildlife entanglement. Application of a non-standard condition of approval would ensure this design component is implemented prior to final inspection by HCD-Building Services.

The Proposed Project would not require any tree removal. Fence posts would be capped to prevent the potential entrapment of birds or other small species. The proposed use of motion-activated security lighting as well as temporary lighting would be directed downward during nighttime construction and future decommissioning activities, as required by condition of approval, thereby reducing adverse impacts to nocturnal species. For compliance with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act, and to avoid potential impacts to raptors and migratory birds, the County requires standard conditions of approval for project proponents to retain a qualified biologist to perform a nest survey if any ground disturbance or tree removal is proposed within the typical nesting bird season (February 1 through September 15). The project does not include any tree removal and therefore, the survey shall be performed within 30 days of the commencement of ground-disturbing activities. The purpose of the survey is to determine if any active raptor or migratory bird nests occur within the project site or the nearby vicinity. If nests occur, an appropriate buffer plan would be established by a qualified biologist. Suitable buffers include 660 feet for golden eagle nets, 300 feet for common raptor nets; 100 feet for passerine nets. Additionally, compliance with the County's standard conditions of approval would ensure that construction would not have a substantial adverse effect on nocturnal species and protected migratory or nesting birds. The Proposed Project would have a less than significant impact on nesting birds with the implementation of this standard permit condition.

#### **Biological Resources 4(b-c) – Less than Significant**

Sensitive biological communities include habitats that fulfill special functions or have special values, such as wetlands, streams, or riparian habitat. These habitats are protected under federal regulations such as the Clean Water Act; state regulations such as the Porter-Cologne Act and CDFW Streambed Alteration Program; or local ordinances or policies such as city or county tree ordinances and general plan elements.

The project site was evaluated through a literature review to determine if any wetlands and waters potentially subject to jurisdiction by the Army Corps of Engineers, Regional Water Quality Control Board (RWQCB), or CDFW were present and two potential wetland features and one drainage feature were identified (Source IX.40). A field survey for the delineation of these features was conducted on May 5, 2021, by Padre Associates, Inc., within the project site and along the ephemeral drainage northeast of the project disturbance area. It was determined that one aquatic feature occurs within the project site, a depressional feature. In addition, one

man-made drainage basin and ephemeral drainage were identified adjacent to the project ground disturbance area to the east and northeast, respectively. The Preliminary Federal Aquatic Resources Delineation and State Aquatic Resource Delineation Report (Source IX.40) concluded that the on-site depressional feature was a non-jurisdictional aquatic feature as it did not meet the three-parameter wetland criteria with respect to hydrophytic vegetation, wetland hydrology, and hydric soils. However, the report concluded that both the man-made drainage basin and ephemeral drainage, totaling approximately 1.4 acres, meet the definitions for State wetlands and waters as the basin meets the three-parameter wetland criteria and the drainage includes the presence of a bed and bank. The Proposed Project has been designed with a 100 foot buffer from this wetland feature (as shown in Figure 3). Although all proposed site disturbance is located outside of the 100-foot buffer and no impacts to this wetland are anticipated, the draft General Development Plan proposes the installation of protective construction fencing and fiber rolls. These protective measures would be installed prior to construction and decommissioning activities along the development boundaries adjacent to the identified basin and drainage features. A non-standard condition of approval would be applied that requires the Applicant/Owner to submit evidence to HCD-Planning confirming the installation of this design/project component. Adherence to this non-standard condition of approval would reduce potential impacts on the basin and drainage features during construction and operation to a less of less than significant.

No sensitive habitats such as wetlands, streams, riparian areas, maritime chaparral, or dunes are present within the development area of the project site. As proposed, designed, and conditioned, the 100-foot buffer and protective fencing between the project site and the above-described State wetland and water features would ensure that potential impacts are less than significant (Source IX.40). The project would not have a substantial adverse effect on any riparian habitat, sensitive natural community, or state or federally protected wetlands. *Impacts would be less than significant.*

#### **Biological Resources 4(d) – Less than Significant**

Wildlife corridors are generally defined as connections between habitat patches that allow for physical and genetic exchange between otherwise isolated animal populations. Such linkages may serve a local purpose, such as between foraging and breeding areas, or they may be regional in nature, allowing movement across the landscape. Some habitat linkages may serve as migration corridors, wherein animals periodically move away from an area and then return. Examples of barriers or impediments to movement include housing and other urban development, roads, fencing, unsuitable habitat, or open areas with little vegetative cover. Regional and local wildlife movements are expected to be concentrated near topographic features that allow convenient passage, including drainages and ridgelines.

The project site is currently developed with a construction staging area, oil well, road, concrete pad, transformers, processing piping, and fencing. These existing on-site features act as barriers to wildlife movement through the site. In addition, the surrounding land is developed with industrial oil field facilities, including oil-gas production wells and a switch yard. The Proposed Project would construct additional industrial uses on the project site. However, the installation of solar panels and ancillary facilities would not impede wildlife movement compared to the existing setting. Although individual wildlife species may traverse the project site and could at times be present, the site is not considered to provide a wildlife corridor for any species, and the addition of Proposed Project features would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or

migratory wildlife corridors. Public comments have been received claiming that the proposed solar panels would reduce the available stopover and staging habitat for birds and in turn lengthen the distance that wildlife must travel before finding an alternative stopover habitat. When measured in any direction from the proposed exterior fencing, only 0.35 miles of solar panels would be installed with the implementation of this project. At 0.35 miles, the Proposed Project would not significantly increase avian flight lengths. Further, no design component of the proposed solar panels would prohibit avian species from landing on the infrastructure or hurt such species if used as a stopover habitat. Finally, detailed in the draft General Development Plan, the proposed security fencing would be designed with gaps in the fencing to enable non-flying wildlife to pass through. Application of a non-standard condition of approval would ensure this design component is implemented prior to final inspection by HCD-Building Services. *Therefore, impacts to wildlife movement through the project site would be less than significant.*

#### **Biological Resources 4(e) – Less than Significant with Mitigation**

The project site is located within the HI Zoning District and has a General Plan land use designation of Mineral Extraction. The project site is subject to the goals and policies of the Monterey County General Plan, the South County Area Plan, and MCC, Title 21 - Inland Zoning. The Monterey County General Plan has policies for the protection of watersheds and recharge areas, preservation of vegetation, protection of threatened plant communities, and protection of important wildlife habitats. The Proposed Project includes mitigation measures to reduce impacts to biological resources. The Proposed Project would implement **Mitigation Measure BIO-1** to reduce potentially significant impacts on biological resources, specifically sensitive and special status species, to a less than significant level. Further, as proposed, designed, and conditioned, the 100-foot buffer and protective fencing between the project site and above-described State wetland and water features would ensure that potential impacts are avoided. The Proposed Project would not conflict with local policies or ordinances protecting biological resources. This represents a less than significant impact with mitigation incorporated.

*Therefore, with implementation of Mitigation Measure BIO-1, the project would not conflict with local policies or regulations protecting biological resources.*

#### **Biological Resources 4(f) – No Impact**

The project site is not included in an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. *No impact would occur.*

5. CULTURAL RESOURCES				
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? (Source: IX.41, IX.42)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?(Source: IX.41, IX.42)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries? (Source: IX.41, IX.42)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion/Mitigation:

This discussion incorporates the results provided in the Cultural Resource Record Search Letter Report (HCD-Library No. LIB210234) prepared by Tetra Tech, Inc., dated September 8, 2021 (Source IX.41), and the Response to Comment: Cultural Resources Memorandum prepared by Tetra Tech, Inc., dated December 16, 2021 (Source IX.42). The Cultural Resource Record Search Letter Report included a records search at the Northwest Information Center of the California Historical Resources Information System in Rohnert Park that included the project site and a 0.25-mile buffer for resources and cultural studies. The assessment identified two previously conducted reports within the project site and 10 previously conducted surveys in the 0.25-mile buffer area. One previously recorded cultural resource (CA-MNT-2259), which consists of a prehistoric lithic scatter, was identified within 0.25 miles of the project site, but no cultural resources have been identified within the project site itself. The Phase II subsurface testing was previously conducted in 2008 at CA-MNT-2259 to determine the site's boundary, integrity, and assess the sites significance for listing on the California Register of Historical Resources (CRHR)/National Register of Historic Places (NRHP). Based on the surveys and subsurface excavations at CA-MNT-2259 and negative results, the archaeologists and Native American monitors concluded that site CA-MNT-2259 appears to be destroyed or mistakenly identified as a prehistoric lithic scatter because the observed fragments were associated with modern imported fill used for road base.

### **Cultural Resources 5(a-b) – Less than Significant**

While the project site and surrounding area do contain some built environment features, none were determined to be potentially historic resources (Source IX.41). The County requires standard conditions of approval for project proponents to halt construction work immediately if cultural, archaeological, historical or paleontological resources are uncovered at the site until a qualified professional archaeologist can evaluate it. *Compliance with the County's standard conditions of approval would ensure that potential impacts to historical resources would remain at a less than significant level.*

The project site has an overall low sensitivity for intact surface or subsurface cultural resources based on the past historic use of the project site, extensive ground disturbance at depths of four feet or more, and the negative Phase II testing results for CA-MNT-2259 (Source IX.42).

However, if project excavation occurs in undisturbed native soils (e.g., Holocene age deposits), which is proposed at depths of up to approximately five feet, there would be a possibility that



buried archaeological deposits may be encountered. Compliance with the County's standard condition of approval, which outlines steps to take in the event of a discovery during construction, would protect unanticipated cultural, archaeological, historical, or paleontological resources uncovered at the site. *Implementation of this standard condition of approval would reduce potential impacts to these previously unidentified resources to a less than significant level.*

#### **Cultural Resources 5(c) – Less than Significant**

No human remains are known to exist within the project site. The County requires a standard condition of approval for project proponents to halt ground disturbing activities if unanticipated human remains are unearthed, until the County Coroner has made the necessary findings as to the origin and disposition pursuant to State Health and Safety Code Section 7050.5 and PRC Section 5097.98. If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC), which would determine and notify a most likely descendant. The most likely descendant shall complete the inspection of the site and make recommendations to the landowner within 48 hours of being granted access. The find shall be treated in accordance with Public Resources Code Sections 5097.9 and 5097.933. *Compliance with the County's standard condition of approval would ensure that project impacts related to human remains would be less than significant.*

6. ENERGY				
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (Source: IX.46)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (Source: IX.46)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion/Mitigation:

#### **Energy 6(a-b) – Less than Significant**

The Proposed Project would use energy resources primarily for construction and future decommissioning activities, as project operation would generate electricity for use at surrounding Aera Energy facilities within the oil field. Energy use during construction and future decommissioning would be temporary in nature, and construction equipment used would be typical of similar-sized construction projects in the region. In addition, construction contractors would be required to comply with the provisions of California Code of Regulations Title 13 Sections 2449 and 2485, which prohibit diesel-fueled commercial motor vehicles and off-road diesel vehicles from idling for more than five minutes and would minimize unnecessary fuel consumption. Construction equipment would be subject to the United States Environmental Protection Agency Construction Equipment Fuel Efficiency Standard, which would also minimize inefficient, wasteful, or unnecessary fuel consumption. These practices would result in efficient use of energy necessary to construct the project. In the interest of cost-efficiency, construction contractors also would not utilize fuel in a manner that is wasteful or unnecessary.

Many state regulations have been established to reduce energy use and its associated greenhouse gas (GHG) emissions as a result of the passage of Assembly Bill (AB) 32, the “California Global Warming Solutions Act of 2006” and the subsequent Senate Bill (SB) 32, which extended AB 32 by requiring the State to further reduce GHG emissions to 40 percent below 1990 levels by 2030. The Proposed Project would support the State’s energy and GHG reduction goals by collecting and generating energy during project operation. The Proposed Project would consume only a nominal amount of energy for ancillary functions, such as security lighting and facility maintenance equipment. Operational energy consumption associated with operations and maintenance activities, such as fuel consumed by Aera Energy staff vehicle trips, would be minimal and would be subject to compliance with existing local, state, and federal regulations that minimize the potential for wasteful, inefficient, or unnecessary energy consumption (Source IX.46).

The project would consume minimal energy during operation, energy use during construction and future decommissioning would be consistent with typical practices, and the project supports the State’s energy and GHG regulations. Therefore, the Proposed Project would not result in inefficient, wasteful, and unnecessary consumption of energy or conflict with state or local plans for renewable energy or energy efficiency. *Impacts would be less than significant.*

7. GEOLOGY AND SOILS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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. (Sources: IX.15, IX.16, IX.17, IX.43)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii)	Strong seismic ground shaking? (Sources: IX.15, IX.16, IX.17)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	Seismic-related ground failure, including liquefaction? (Sources: IX.43)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv)	Landslides? (Source: IX.17)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Result in substantial soil erosion or the loss of topsoil? (Source: IX.46)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Be located on a geologic unit 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? (Source: IX.17, IX.46)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Be located on expansive soil, as defined in Chapter 18A of the 2007 California Building Code, creating substantial risks to life or property? (Source: IX.18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 wastewater? (Source: IX.46)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Directly or indirectly destroy a paleontological resource or site or unique geologic feature? (Source: IX.19)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion/Mitigation:

This discussion incorporates the results provided in the Geotechnical Engineering Investigation (HCD-Library No. LIB210236) prepared by Krazan & Associates, Inc., dated August 13, 2021 (Source IX.43). Additional review of publicly available maps, including the U.S. Geological Survey Quaternary fault map (Source IX.15), California Geological Survey fault map (Source IX.16), and California Geological Survey Alquist-Priolo Earthquake Fault Map (Source IX.17), was conducted.

### **Geology and Soils 7(a.i) – No Impact**

The project site is situated in a region that is considered to have a relatively moderate seismicity based on the proximity to several dominant active faults, as well as the historic seismic record. No active fault zones traverse the project site (Source IX.15, IX.16, IX.17). The nearest fault zone is the Quaternary Rinconada Fault Zone, located approximately one mile west of the project site. Further, the project site is not located within an earthquake fault zone and no evidence was observed that indicates surface faulting has occurred across the site during the Holocene period (approximately 10,000 years ago) (Source IX.43). *No impacts related to fault rupture would occur as the project site is not located within an earthquake fault zone or on top of the Rinconada Fault.*

### **Geology and Soils 7(a.ii) – Less than Significant**

The Proposed Project could be subject to potential strong seismic ground shaking from the Rinconada Fault, located approximately one mile west of the project site, which could result in damage to the solar PV generating facility. However, project design and construction would be completed in accordance with the 2022 California Building Code (CBC), thus minimizing the potential for seismically-induced damage. Compliance with the 2022 CBC would ensure that the project would not expose people and structures to potential substantial adverse effects, including the risk of loss, injury, or death related to ground shaking. The Proposed Project itself would not increase ground shaking hazards at adjacent properties. In addition, the Proposed Project would not increase the potential for fault rupture to occur as the project would not require deep excavation into existing bedrock and would not be located on an existing fault. Therefore, the Proposed Project would not directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death as a result of fault rupture. *Impacts related to rupture of a known earthquake fault and strong seismic ground shaking would be less than significant.*

### **Geology and Soils 7(a.iii) – Less than Significant**

Soil liquefaction is a phenomenon in which saturated, cohesionless soils and some low-plasticity cohesive soils lose their strength due to the build-up of excess pore water pressure during cyclic loading such as that induced by earthquakes. The primary factors affecting the liquefaction potential of a soil deposit include: 1) intensity and duration of earthquake shaking; 2) soil type and relative density; 3) overburden pressure; and 4) depth to groundwater. Soils most susceptible to liquefaction are clean, loose, fine-grained sands, and silts that are saturated and uniformly graded. If liquefaction occurs, foundations resting on or within the liquefiable layer may undergo settlements. This would result in reduction of foundation stiffness and capacities.

The predominant soils within the project site consist of various medium dense to dense silty and sandy soils. These soil types are disturbed, have low strength characteristics and are highly compressible when saturated. Groundwater in the vicinity of the project site is typically deep and is expected to be encountered at depths greater than 100 feet below site grade (Source IX.43). Due to the low strength characteristics of the soils on the project site, there is the potential for soil settlement associated with liquefaction to occur on site, which could result in damage to the proposed structures and equipment. The Geotechnical Report for the project (Source IX.43) recommends over-excavation and recompaction of the upper loose native soil and fill material, which would reduce the potential for significant settlement associated with soil liquefaction within the project site. As required by Monterey County Code section 16.08.110.D, all recommendations from a project's geotechnical and/or geological report shall be incorporated into the approved grading plans prior to issuance of the grading permit. *Therefore, impacts related to liquefaction would be less than significant.*

#### **Geology and Soils 7(a.iv) – Less than Significant**

The project site is characterized by gently to moderately sloping terrain and is surrounded by topography that ranges from relatively flat to moderately steep, with rolling hills and mountains. The project site is bordered to the north and east by existing natural and/or man-made downhill slopes with heights ranging from 60 to 70 feet. The California Geological Survey has mapped potential earthquake-induced landslide areas in many regions of California. No potential seismically-induced landslides have been mapped within the project site (Source IX.17). Compliance with the 2022 CBC as well as accepted excavation engineering practices in accordance with Occupational Safety and Health Administration standards would ensure that project construction would not cause landslides to occur on or in the vicinity of the project site. If excavation near existing structures or roads would be performed in a vertical position due to space limitation, a properly designed and installed shoring system would be required for support. Therefore, the Proposed Project would not directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death as a result of landslides. *Impacts would be less than significant.*

#### **Geology and Soils 7(b) – Less than Significant**

Project construction, particularly during site preparation, excavation, and grading, could result in erosion and loss of topsoil from the site. The Proposed Project entails 4.5 acres of grading, with 1,872 cubic yards of cut and 2,103 cubic yards of fill (Source IX.46). The Proposed Project would be required to comply with Monterey County Code Chapter 16.12, *Erosion Control*, which sets forth required provisions for project planning, preparation of erosion control plans, runoff control, land clearing, and winter operations; and establishes procedures for administering those provisions. As stated in **Section II.C** of this Initial Study, the project applicant would also be required to obtain a SWPPP, which would reduce erosion and topsoil loss from stormwater runoff during construction. Therefore, the project would not result in substantial erosion or loss of topsoil. *Impacts would be less than significant.*

#### **Geology and Soils 7(c) – Less than Significant**

Lateral spreading is a potential hazard commonly associated with liquefaction where extensional ground cracking and settlement occur as a response to lateral migration of subsurface liquefiable material. These phenomena typically occur adjacent to free faces such as slopes and creek channels. As described under criterion 7(a.iv), the project site is characterized by gently to moderately sloping terrain and is not mapped within an area that is potentially prone to seismically-induced landslides. As described under criterion 7(a.iii), the predominant soils within the project site are disturbed, have low strength characteristics and are highly compressible when saturated. Due to the existing slopes and the low strength characteristics of the soils on site, there is the potential for liquefaction-induced lateral spreading to occur on site, which could result in damage to the proposed structures and equipment. Implementation of the recommendations contained within the Geotechnical Report, per standard County requirements for grading permits, would reduce the potential for liquefaction-induced lateral spreading to occur at the project site. Therefore, the Proposed Project would not be located on geologic units that are unstable, or subject to landslide, lateral spreading, liquefaction, or collapse. *Impacts would be less than significant.*

#### **Geology and Soils 7(d) – Less than Significant**

Expansive soil undergoes volume changes (shrinkage and swelling) with changes in moisture content. As expansive soil dries, the soil shrinks. When the moisture content increases, expansive

soil swells. This behavior causes distress and damage to structures that are constructed on expansive soils. The project site is comprised of Snelling-Greenfield complex soils (SpD), which has a low expansive potential (Source IX.18). *Therefore, impacts resulting from development on expansive soils would be less than significant.*

#### **Geology and Soils 7(e) – No Impact**

The Proposed Project would not install any sewer infrastructure or septic systems. *No impact would occur.*

#### **Geology and Soils 7(f) – Less than Significant**

Geologic units underlying the project site and surrounding area include QTp, Qt, and Qfp (Source IX.19). These units may have the potential to contain paleontological resources. Ground disturbance for installation of the solar panels would occur approximately five feet below ground level. Given the relatively shallow depth, ground disturbing activities within the project site are not expected to reveal paleontological resources; however, there always remains the potential to encounter buried or possibly redeposited paleontological resources. *In the event of unanticipated discovery of paleontological resources, impacts would be reduced to a less than significant level with implementation of the County's standard condition of approval to halt construction work immediately if cultural, archaeological, historical or paleontological resources are uncovered at the site.*



8. GREENHOUSE GAS EMISSIONS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Source: IX.20, IX:46)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Source: IX.20)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion/Mitigation:

Neither the State, MBARD, or the County have adopted GHG emissions thresholds. The CARB 2017 Scoping Plan, which provides a framework for reducing GHG emissions to 40 percent below 1990 levels by 2030, does not provide specific guidance to local jurisdictions for determining the amount of emission reductions to be achieved from land use plans or projects. Instead, it recommends local governments adopt policies and locally appropriate thresholds consistent with the statewide goal (Source IX.20). While the County does have a GHG emissions reduction plan for reductions out to 2020, it does not identify a locally appropriate threshold; in addition, MBARD has not provided thresholds to evaluate GHG impacts associated with land use projects. The potential for the project to generate GHG emissions that may have a significant impact on the environment or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of GHG was assessed by examining the project's consistency with the GHG goals and reduction measures detailed in SB 100 and CARB's 2017 Scoping Plan. A project would not have a significant GHG impact if it is consistent with applicable plans, policies, and regulations to reduce GHG emissions.

### Greenhouse Gas Emissions 8(a) – Less than Significant

Construction and future decommissioning of the project would generate temporary GHG emissions from the use of construction equipment on site, from vehicles transporting construction workers to and from the project site, and from trucks delivering equipment and materials for the project. Operation of the project would generate GHG emissions primarily from operation of maintenance equipment on site and vehicles transporting employees to and from the project site. However, the operation of the Proposed Project would not require any additional workers beyond those already employed by Area Energy, Total Energies, or Solar Star Light Park, LLC; therefore, vehicle trips for the operation of the site would be combined with existing vehicle trips. Operation of the Proposed Project would not be expected to generate a substantial source of GHG emissions as the project would require minimal vehicle trips for on-site maintenance activities including panel washing, equipment repair, replacement, and vegetation control.

Additional solar-generated energy from the project would be added to the power grid and be used in place of electricity generated by fossil-fuel sources. As such, GHG emissions generated during construction, operation, and future decommissioning of the project would be offset fully by GHG emission reductions associated with project operation. In addition, the Proposed Project would support the State's GHG reduction goals as during operation, the solar panels would collect energy and generate electricity, but would not themselves consume electricity. *Therefore,*

*the Proposed Project would result in a beneficial impact to regional, statewide, and global GHG emissions, and impacts would be less than significant.*

### **Greenhouse Gas Emissions 8(b) – Less than Significant**

The primary plans, policies, and regulations adopted for the purposes of reducing GHG emissions applicable to the Proposed Project consist of SB 100 and the 2017 Scoping Plan. SB 100 accelerated the state's Renewables Portfolio Standard Program by increasing California's procurement of electricity from renewable sources to 60 percent by 2030 and 100 percent by 2045. The additional solar-generated energy from the Proposed Project would be added to the State's power grid and would offset electricity generated by fossil-fuel sources, thereby directly furthering the goals of SB 100. In addition, the project would be consistent with the following goals outlined in CARB's 2017 Scoping Plan for the electricity sector:

- Per SB 350, increase the Renewable Portfolio Standard to 50 percent of retail sales by 2030 and ensure grid reliability.
- Per SB 350, efforts to evaluate, develop, and deploy regionalization of the grid and integration of renewables via regionalization of the California Independent System Operator shall continue while maintaining the accounting accuracy and rigor of California's GHG policies.

Furthermore, as discussed under criterion 8(a), the Proposed Project would offset the use of fossil fuel energy sources with renewable solar energy generation, which would result in a net reduction in GHG emissions over the project's lifetime. This net reduction would further the State's overall goal of the 2017 Scoping Plan to reduce GHG emissions by 40 percent below 1990 levels by 2030. Therefore, the Proposed Project's impacts related to GHG emissions would be beneficial and the project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. *Impacts would be less than significant.*

<b>9. HAZARDS AND HAZARDOUS MATERIALS</b>				
<b>Would the project:</b>	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? (Source: IX.25)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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? (Source: IX.25)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: IX.47)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which 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? (Sources: IX.26, IX.27, IX.28, IX.29)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two 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? (Source: IX.47)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: IX.30)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (Source: IX.31)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### **Discussion/Conclusion/Mitigation:**

#### **Hazards and Hazardous Materials 9(a-b) – Less than Significant with Mitigation**

During construction of the project, hazardous materials such as fuels, lubricants, solvents, paints, and pre-emergent herbicides may be used at the project site. The use of these hazardous materials would be temporary and would only be used primarily during the construction phase of the project. The transport, use, and storage of hazardous materials during construction of the project would be subject to all applicable state and federal laws, including the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, California Hazardous Material Management Act, and CCR Title 22.

During project operation, little to no hazardous materials are anticipated to be used. No new employees would be required for project operation, and existing employees would continue to comply with established hazardous materials regulations designed to substantially reduce hazards

from the routine transport, use, and disposal of hazardous materials, and from accidents/actions that could otherwise elevate the risk of such materials being released into the environment. Further, as detailed in the draft General Development Plan, “*All equipment and vehicles shall be checked and maintained daily to prevent spills of fuel, oil, and other hazardous materials. A designated staging area shall be established for vehicle/equipment parking and storage of fuel, lubricants, and solvents. All fueling and maintenance activities shall take place in the staging area.*” In addition, the Proposed Project has been reviewed by the Monterey County Environmental Health Bureau and the South County FPD during the discretionary permitting process to ensure that the project is consistent with their applicable regulations (Source IX.25).

An underground survey conducted in May 2024 detected and confirmed 60 abandoned well head locations within or near the limits of the Proposed Project, and noted that all detected well heads were between 8 feet to 10 feet below grade. As described in **Section II.A**, cuts and fills within 15-ft of abandoned oil well locations would be limited to a maximum depth of 3 feet to provide a safe buffer above the abandoned depth of the well heads (8-10 feet below the surface). Limiting the excavation to 3 feet in depth would reduce well head depths to 5 to 7 feet below grade. This would be consistent with CalGEM requirements, which mandate that well heads are capped or cut off and welded closed with steel plates at least 5 feet below grade, but no more than 10 feet (California Code of Regulations Title 14 § 1723.5 - Surface Plugging).

At the footing of the power conversion system pads, the existing soil would be scarified and recompact as recommended by the geotechnical engineer. Racking for the solar arrays would be supported by a combination of ballast foundations (concrete foundations set on grade), and driven piles. At locations where an abandoned oil well is known to exist, only ballasted foundations would be installed, and no driven piles would be installed within a 15ft radius of the oil well. This design approach would ensure no driven piles come in contact with an abandoned oil well. As proposed, the Project includes design measures to reduce potential impacts on known oil wells to a level of less than significant. However, if impacts to known or unknown wells were to occur, hydrogen sulfide steam, methane gas, or other toxic gasses could be released and pose a potential hazard to the construction workers or nearby occupants. Although unlikely, if impacts to wells were to occur during construction or decommissioning activities or excavation (cut) within 15 feet of a well head exceeds the proposed 3 feet, the Proposed Project would be required to comply with applicable CalGEM requirements and Public Resources Code section 3208.1, which establishes well re-abandonment responsibility when a previously plugged and abandoned well is impacted by planned property development or construction activities. If impacts to wells occur during ground disturbing activities and to ensure compliance with Public Resources Code section 3208.1 and California Code of Regulations Title 14 section 1723.5, the Applicant/Owner would be required to re-abandon or re-cap impacted or leaking well(s) in accordance with applicable CalGEM requirements. CalGEM is the appropriate body to determine whether impacts to wells have occurred. Implementation of Mitigation Measure HM-1 would reduce this potentially significant impact to less than significant.

**Mitigation Measure HM-1: Emergency Action Plan And Well Re-Abandonment.** Sixty abandoned wells are within or near the limits of the Proposed Project, and have well heads between 8 feet to 10 feet below grade. If impacts to known or unknown wells were to occur, hydrogen sulfide steam, methane gas, or other toxic gasses could be released and pose a potential hazard to the construction workers or nearby occupants. Therefore, the Applicant/Owner shall prepare and implement an Emergency Action Plan (EAP) that contains emergency contact

information, procedures to follow if toxic gasses or other substances are released, construction crew safety zones, and remediation measures. If impacts to wells were to occur during construction or decommissioning activities or excavation (cut) within 15 feet of a well head exceeds the proposed 3 feet, the Proposed Project shall comply with applicable CalGEM requirements, Public Resources Code section 3208.1, and California Code of Regulations Title 14 section 1723.5, which establishes well re-abandonment responsibility when a previously plugged and abandoned well is impacted and requires impacted/leaking wells to re-abandoned or re-capped. CalGEM is the appropriate body to determine whether impacts to wells have occurred. The Applicant/Owner shall also enter into an agreement with the County of Monterey explaining that the Applicant/Owner/Project Operator is responsible for any costs associated with damaging or impacting on-site oil well(s), including but not limited to the removal of solar panels necessary to access the impacted well sites, re-abandonment of impact well(s), re-installation of solar panels (and associated equipment), etc. If no impacts or leaks occur during construction, general maintenance, and/or decommissioning activities, re-abandoning or re-capping of wells is not be required.

**Mitigation Measure HM-1 Compliance Actions:**

Prior to the issuance of construction permits from HCD-Building Services, the Applicant/Owner shall submit an EAP to HCD-Planning for review and approval. This EAP shall be adhered to on an on-going basis during ground-disturbing activities.

Prior to the issuance of construction permits from HCD-Building Services, the Applicant/Owner shall enter into an agreement with the County of Monterey explaining that the Applicant/Owner/Project Operator is responsible for any costs associated with damaging or impacted on-site oil well(s), including but not limited to the removal of solar panels necessary to access the impacted well sites, re-abandonment of impact well(s), re-installation of solar panels (and associated equipment), etc.

Prior to final inspection, the Applicant/Owner shall submit a report to HCD-Planning detailing whether oil wells were impacted during construction, compliance with the EAP and CalGEM requirements, and what remediation measures were implemented, if any.

In conclusion and as mitigated, the Proposed Project would not pose a significant hazard to the public or the environment through the release of hazardous materials and would comply with applicable hazardous materials handling, transportation, and storage regulations during construction activities. *With the implementation of Mitigation Measure HM-1, impacts would be less than significant.*

**Hazards and Hazardous Materials 9(c) – No Impact**

The nearest school to the project site is San Ardo School, located approximately 5.4 miles northwest of the project site. *Therefore, no impact would occur.*

**Hazards and Hazardous Materials 9(d) – Less than Significant**

The project site previously included oil-gas facilities, which were removed in 2013, and the project site was re-graded. The project site is not included on the California Department of Toxic Substances Control's (DTSC) EnviroStor database, the State Water Resources Control Board's GeoTracker database, the State Water Resources Control Board's list of solid waste disposal sites, or California Environmental Protection Agency's list of "active" cease and desist orders

and clean-up and abatement orders (Source IX.26, IX.27, IX.28, IX.29), which are lists compiled pursuant to Government Code Section 65962.5. Therefore, the project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and does not have a history of hazardous materials contamination. *Therefore, impacts would be less than significant.*

#### **Hazards and Hazardous Materials 9(e) – No Impact**

The nearest airport to the project site is the Paso Robles Municipal Airport, located approximately 22.5 miles to the southeast. *Therefore, no impact would occur.*

#### **Hazards and Hazardous Materials 9(f) – No Impact**

Monterey County Office of Emergency Services has developed an Emergency Operations Plan, last updated in 2014, which contains response and recovery protocols for several types of natural, technical, and human-caused emergencies. The Emergency Operations Plan outlines the roles and responsibilities of the County and partnering entities during emergency responses (Source IX.30). Construction of the Proposed Project would not result in lane closures on any roadways and would not create new obstructions that could interfere with the County's Emergency Operations Plan. In addition, the Proposed Project would not result in inadequate emergency access as it would be subject to approval by the South County FPD during the ministerial permit process. The grading and construction plans would require implementation of fire protection safety features, including emergency access. Therefore, the Proposed Project would not impair implementation of or physically interfere with an adopted emergency response or evacuation plan. *No impact would occur.*

#### **Hazards and Hazardous Materials 9(g) – Less than Significant**

The project site is within the service area of the South Monterey County FPD – San Ardo Station #44, located approximately 5.5 miles northwest of the site. The project site is characterized by gently to moderately sloping terrain within an area containing topography that ranges from relatively flat to moderately steep, with rolling hills and mountainous topography, and interspersed vegetation. The area surrounding the project site includes Moderate and High Fire Hazard Severity Zones (FHSZ) (Source IX.31). The project does not include housing or occupied structures. Project operation would include vegetation control to ensure that vegetation is maintained adequately to prevent wildfire spread, and to ensure no interference with on-site solar production. In addition, the Proposed Project would be developed in compliance with local building code and fire code standards. *Therefore, impacts related to wildland fires would be less than significant.*

10. HYDROLOGY AND WATER QUALITY		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? (Source: IX.46)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (Source: IX.7, IX.46)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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? (Source: IX.24)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite? (Source: IX.24)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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? (Source: IX.24)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv)	impede or redirect flood flows? (Source: IX.24)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (Source: IX.24)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Source: IX.7, IX.46)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Discussion/Conclusion/Mitigation:

This discussion incorporates the results provided in the Preliminary Federal Aquatic Resources Delineation and State Aquatic Resource Delineation Report (HCD-Library No. LIB210237) prepared by Padre Associates, Inc., dated May 2021 (Source IX.40), and the Preliminary Drainage Review Memorandum prepared by LaBella Associates, dated October 7, 2021 (Source IX.44).

The project site is located within the lower watershed of the Salinas River, in Hydrological Unit Code Sargent Creek HUC12, which encompasses an area of 33,859 acres. The lower watershed extends from the Bradley narrows to Monterey Bay and overlies the Salinas Valley Groundwater Basin, within the Central Coast Hydrologic Region (Source IX.40).



### **Hydrology and Water Quality 10(a) – Less than Significant**

Construction of the Proposed Project would involve 4.5 acres of grading, as well as on-site road improvements and the scarification and recompaction of soil at the footing of the proposed inverter pads. The project site naturally drains towards an off-site wetland and drainage. Ground-disturbing activities have the potential to increase erosion and subsequent sediment transport downstream either overland or within watercourses. Disturbed sediment could enter watercourses and increase turbidity and alter of channel characteristics which could contribute to water quality impairments and reduce beneficial uses. Trash and debris from construction could be left and transported to watercourses to the detriment of surface water quality. Construction would involve the use of hazardous materials such as vehicle fuel, hydraulic fluid, oil, grease, pre-emergent herbicides, solvents, and concrete that if spilled or otherwise discharged to the ground surface could contaminate stormwater, surface water, and groundwater.

The Proposed Project would disturb more than one acre of soil and, therefore, would be required to obtain coverage under the National Pollutant Discharge Elimination System General Construction Permit. The County requires standard conditions of approval for projects to comply with the Construction General Permit, which requires the preparation of a SWPPP prior to the issuance of any grading or construction permits. The SWPPP would include the Waste Discharger Identification and require implementation of construction BMPs to prevent and minimize potential erosion, sedimentation, and spills. Protective construction fencing and fiber rolls would be installed along the development boundaries adjacent to the identified basin and drainage features to further avoid potential impacts to nearby water sources, including streams and potential waters of the state. *Compliance with the County's standard condition of approval and adhering to the protective measures detailed on the plans would reduce potential construction impacts to a less than significant level.*

Project operation activities would be similar to those for the existing oil-gas facilities and would consist of inspections, repairs, and washing of the solar panels, as well as vegetation control and other routine activities. These same activities are currently ongoing within the project area and would occur infrequently. *Therefore, operational impacts would be less than significant.*

### **Hydrology and Water Quality 10(b) and 10(e) – Less Than Significant**

The project site overlies the Salinas Valley Groundwater Basin and is largely undeveloped. The project site lies within Region 3 of the CCRWQCB which regulates sources of water quality related issues resulting in actual or potential impairment or degradation of beneficial uses, or the overall degradation of water quality. The project would minimally increase impervious surface areas on the site through the introduction of solar panels and associated electrical equipment, as well as a new access road. However, the land below the solar panels would remain undeveloped and the proposed and existing access roads would be unpaved. Precipitation falling onto the solar panels would run off to the pervious ground below where it would follow existing drainage patterns and/or infiltrate into the groundwater basin. In addition, the Proposed Project would require the minimum water usage necessary for dust suppression (approximately 150,000 to 250,000 gallons, or 0.8 acre-feet) during construction and operation and therefore would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project would impede sustainable groundwater management of the basin. The water quality objectives in the Water Quality Control Plan for the CCRWQCB are enforced through state and RWQCB policies with which the project would be required to comply, such as the implementation of a SWPPP with BMPs that would limit indirect discharges to groundwater. Consequently, the Proposed Project would not conflict with or obstruct implementation of a

water quality control plan or sustainable groundwater management plan. *Therefore, impacts would be less than significant.*

**Hydrology and Water Quality 10(c.i-c.iv) – Less than Significant**

As discussed under criterion 10(b), the Proposed Project would result in a minimal alteration of drainage patterns at the project site by introducing solar panels and associated electrical equipment, as well as a new access road. As discussed in criterion 7(b), project construction would not result in substantial erosion as the project would be required to prepare a SWPPP and comply with MCC Chapter 16.12, *Erosion Control*. The project would leave a majority of the site as pervious surfaces because impervious surfaces would only be added at the footings for solar panels, fencing, and inverter pads. Precipitation that falls on the solar panels would run off to the pervious ground below where it would follow existing drainage patterns. In addition, the project would not interfere with flooding patterns because the bottom of the solar modules, inverters, and all electrical equipment would be located above the base line flood elevation (Source IX.24). As a result, the project would not alter existing drainage patterns of the project site in a manner which would result in substantial erosion, increase flooding on or off site, provide substantial additional sources of pollutant runoff, or impede or redirect flood flows. *Therefore, impacts related to existing drainage patterns would be less than significant.*

**Hydrology and Water Quality 10(d) – No Impact**

The Proposed Project is not located near a coast or a large inland body of water and is therefore not subject to potential effects from tsunamis and seiches. The project site is located in a floodplain designated as Zone X (Source IX.24). Zone X is characterized as an area of minimal flood hazard. *Therefore, the Proposed Project would not have the potential to risk release of pollutants due to project inundation, and no impact would occur.*

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**11. LAND USE AND PLANNING**

<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See Section IV.A.2 of this Initial Study.

12. MINERAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See Section IV.A.3 of this Initial Study.

13. NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
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? (Sources: IX.3, IX.33)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels? (Source: IX.32, IX.33)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 two 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? (Source: IX.47)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion/Conclusion/Mitigation:

#### Noise

Noise is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). In general, a 3 dBA change in the ambient noise level is noticeable, while 1-2 dBA changes generally are not perceived. Noise levels from point sources, such as those from individual pieces of machinery, typically attenuate (or drop off) at a rate of 6 dBA per doubling of distance from the noise source (Source IX.32). The equivalent noise level ( $L_{eq}$ ) metric for noise measurements is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time (essentially, the average noise level).

Chapter 10.60, *Noise Control*, of Monterey County Code states that at any time of the day, it is prohibited within the unincorporated area of the Monterey County to produce noise levels that exceed 70 dBA at 50 feet, unless noise-generating equipment is operated more than 2,500 feet from any occupied dwelling unit. This would apply to construction equipment.

The County's noise level standards allow an average noise level of 45 dBA  $L_{eq}$  and maximum noise level of 65 dBA from 9:00 p.m. to 7:00 a.m. for all zones within the County. In addition, for low-density residential land uses, the County considers noise levels at 60 dBA or lower as "normally acceptable" and 55 to 70 dBA as "conditionally acceptable" (Source IX.3).

#### Vibration

Groundborne vibration can be intrusive and annoying to building occupants at vibration-sensitive land uses and may cause structural damage. Ground-borne vibration generated by manmade activities attenuates rapidly as distance from the source of the vibration increases. Vibration amplitudes are expressed in peak particle velocity (PPV), described in inches per second (in/sec) (Source IX.32).

Vibration that may cause damage to nearby building or structures is associated with blasting, pile-driving, vibratory compaction, demolition, drilling, or excavation activities. The most

restrictive threshold for structural damage from vibration is 0.1 in/sec PPV (Source IX.32). The threshold for distinct perception of vibration is 0.24 in/sec PPV (Source IX.32).

### **Noise 13(a) – Less than Significant**

#### **Construction**

Construction of the Proposed Project would generate a temporary noise increase in the vicinity of the site due to the use of heavy equipment. The nearest noise-sensitive receiver to the project site is single a residence located approximately 0.7-mile to the northeast along Sargents Road, which is more than 1,000 feet from proposed construction activities and more than 2,000 feet from active construction areas. Construction of the Proposed Project would include use of a pile foundation driver, skid steers, fork-lift, bulldozers, grader, front end loaders, and semi-trucks. According to the Federal Transit Administration's Transit Noise and Vibration Impact Assessment Manual, the pile driver would be the loudest piece of equipment used for project construction, with a typical noise level of 101 dBA at 50 feet away (Source IX.33). Using an attenuation rate of 6 dBA per doubling of distance, construction noise generated by pile drivers on the construction site would be less than 64 dBA at the nearest noise-sensitive use (0.7 mile) (Source IX.45), which would be lower than the County's maximum noise level standard of 70 dBA (Source IX.3). *Therefore, noise generated during project construction would be less than significant.*

Approximately 4 daily truck trips and 60 maximum daily worker vehicle trips are anticipated during the peak of construction, which would generate noise along the proposed haul route (US 101) and access route (Alvarado and Wunpost Roads). However, no residences are located directly adjacent to the Proposed Project's haul or access routes, and the nearest noise-sensitive use is located along a segment of Sargents Road that is not a part of the site access route. *Therefore, project construction would not generate a substantial increase in ambient noise levels in the vicinity of the project site, and impacts would be less than significant.*

#### **Operational**

Operationally, as a solar PV generating facility, the project would not create a significant source of noise. The PV modules would not be expected to generate noise and the electrical collection lines would be undergrounded. In addition, expected maintenance and solar panel washing at the project site would not generate significant sources of noise as they would occur infrequently (e.g., months to years between washings) for a short duration of time and would generate few vehicle trips. Furthermore, due to the distance between the project site and the nearest noise-sensitive receiver (0.7 mile), operational noise would not generate a substantial increase in ambient noise levels. *Given the distance between the active construction areas and the nearest noise-sensitive use, noise generated during project construction would be less than significant.*

#### **Decommissioning.**

For the purposes of this Initial Study, future decommissioning activities, as listed in Section 11.A, are assumed to be comparable to construction activities. As described previously, construction would not generate a substantial increase in ambient noise levels in the vicinity of the project site. Therefore, future decommissioning activities are presumed to result in similar noise impacts. *Impacts would be less than significant.*

### **Noise 13(b) – Less than Significant**

Construction of the solar PV generating facility would include the use of skid steers, fork-lifts, bulldozers, graders, front end loaders, and semi-trucks which could produce some localized

vibration. In addition, project construction would use a pile driver, which is considered a major groundborne vibration-inducing activity. According to the Federal Transit Administration's Transit Noise and Vibration Impact Assessment Manual, pile drivers typically generate 0.644 in/sec PPV at a distance of 25 feet (Source IX.33). Construction vibration generated by pile drivers on the construction site would be approximately 0.003 in/sec PPV at the nearest noise-sensitive use (0.7 mile) (Source IX.45), which would be below the threshold for perceptibility (0.04 in/sec PPV) and below the threshold for structural damage due to vibration (0.1 in/sec PPV) (Source IX.32). Therefore, any temporary groundborne vibration associated with installation of the solar PV generating facility would not be anticipated to be perceptible to this receptor. In addition, such effects would be temporary, and limited to a short portion of the construction period. *Construction vibration impacts would be less than significant.*

As a solar PV generating facility, the Proposed Project would not include significant stationary sources of vibration, such as manufacturing or heavy equipment operations. Therefore, no operation-related vibration impacts would occur.

### **Noise 13(c) – No Impact**

The nearest airport to the project site is the Paso Robles Municipal Airport, located approximately 22.5 miles to the southeast. The site is not within two miles of a public use airport or within an airport land use plan. Therefore, the Proposed Project would not expose people or structures to airport noise. *No impact would occur.*

<b>14. POPULATION AND HOUSING</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See Section IV.A.4 of this Initial Study.



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**15. PUBLIC SERVICES**

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project result in:</b>					
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See Section II and IV.A.5 of this Initial Study.

16. RECREATION		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See Section IV.A.6 of this Initial Study.

17. TRANSPORTATION	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? (Source: IX.46)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)? (Source: IX.34)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: IX.46)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access? (Source: IX.46)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion/Conclusion/Mitigation:

#### **Transportation 17(a) – Less than Significant**

Regional and local plans and policies addressing the circulation system include the Monterey County General Plan Circulation Element and the Association of Monterey Bay Area Governments Metropolitan Transportation Plan and Sustainable Communities Strategy. Access to the project site during construction and operation would be provided by Sargents Road, which is a two-lane road. No transit stops are located adjacent to the project site. There are no sidewalks or bicycle lanes along Sargents Road. Maximum daily construction traffic would consist of approximately 4 daily truck trips and 60 daily worker vehicle trips. Construction traffic would be temporary and limited to the duration of the construction schedule (approximately five months). After construction is complete, operation of the project would not generate substantial amounts of traffic. Minimal, infrequent vehicle trips would occur to the project site for vegetation maintenance, repairs, and panel washing. The minimal level of additional trips generated by the Proposed Project would not result in a conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. *Impacts would be less than significant.*

#### **Transportation 17(b) – Less than Significant**

SB 743 requires an analysis of vehicle miles traveled (VMT) for the purpose of analyzing transportation impacts. The County has not adopted VMT thresholds at this time; therefore, the Technical Advisory published by the California Office of Planning and Research in December 2018 (Source IX.34) is used for this analysis. The Technical Advisory includes a suggested screening threshold of 110 trips per day to presume less than significant impacts for operational VMT, and provides no thresholds for construction VMT. As stated previously, the Proposed Project would not increase the number of employees on the project site during operation of the project, and expected maintenance would be incorporated into the existing Aera Energy operation and maintenance activities, generating minimal vehicle trips during project operation. Therefore, a minimal increase in vehicle trips and VMT would occur during project operation. *As the project would generate fewer than 110 trips per day for maintenance during operation, additional analysis is not required, and the impact is presumed to be less than significant.*

### **Transportation 17(c-d) – No Impact**

The Proposed Project includes the construction of a 12-foot-wide gravel service road around the southern portion of the project site to allow access between the rows of solar panels. The proposed road design would be reviewed during the ministerial permit process by the South County FPD to ensure that sufficient emergency road access is provided. As discussed under criterion 17(b), construction and operational traffic would be minimal. No geometric design features or incompatible land uses would be introduced to the project site and local roadway network as a result of the project. In addition, the project does not include modifications to the local roadway network that could result in inadequate emergency access, and construction of the 12-foot-wide gravel service road around the southern portion of the project site, as well as the existing gravel service roads, would allow for on-site emergency access. Therefore, the Proposed Project would not substantially increase hazards due to a geometric design feature or incompatible use or result in inadequate emergency access. *No impact would occur.*

18. TRIBAL CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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 section 5020.1(k), or (Source: IX.2, IX.41, IX.46)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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 § 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. (Source: IX.3, IX.4, IX.41, IX.46)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### Discussion/Conclusion/Mitigation:

PRC Section 21074 (a)(1)(A) and (B) defines tribal cultural resources as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe” and is:

1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k), or
2. 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 PRC Section 5024.1. In applying these criteria, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified. Under AB 52, lead agencies are required to “begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the Proposed Project.” Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

#### **Tribal Cultural Resources 18(a.i-a.ii) – Less than Significant with Mitigation**

No Tribal cultural resources, as defined in Public Resources Code Section 21074, are listed or eligible for listing in the California Register of Historic Resources, or in a local register of historic resources, are known to exist at the Project site. The Proposed Project does not include demolition of any existing structure. Furthermore, the Proposed Project would be located within

a portion of the subject property that has been extensively disturbed in connection with the previous oil extraction operation. No impact would occur to resources defined in Public Resources Code Section 21074.

On February 4, 2022, the following local Native American tribal groups were formally notified that the County initiated environmental review of the Proposed Project and were invited to provide AB 52 consultation:

- Salinan Tribe
- The Esselen Tribe of Monterey County

Pursuant to AB 52, local Native American tribal groups have 30 days to request formal consultation. No responses or formal consultation were requested during the 30-day period. However, on July 27, 2022, the Salinas Tribe commented on the project, stating “ We have concerns that unknown buried resources may be impacted. We consider this area sacred. We visited this place prehistorically and historically to collect tar for cultural uses.” The Salinas Tribe also requested that all ground disturbance be monitored by a tribal member.

While no known Tribal cultural resources exist at the Project site, construction-related activities could potentially affect a buried Tribal cultural resource or a previously unknown Tribal cultural resource. This represents a potentially significant impact that would be reduced to a less than significant level through the incorporation of the following mitigation.

As described in Section VI.5 of this Initial Study, a standard County Condition of Approval for the protection of cultural resources, PD003(A), would be applied to address the potential inadvertent discovery of cultural resources. **Mitigation Measure TR-1** (described below) would require tribal monitoring during initial ground disturbance and that, if tribal cultural artifacts or human remains are discovered, these resources are treated with appropriate dignity and respect. With implementation of the County’s condition of approval for cultural resources (PD003A) and **Mitigation Measure TR-1**, the potential impact to Tribal Cultural Resources would be less than significant.

**Mitigation Measure TR-:** *On-Site Tribal Monitor.* To ensure that Tribal Cultural Resources incur a less than significant impact if encountered, a Tribal Monitor approved by the appropriate tribe traditionally and culturally affiliated with the vicinity of the subject parcel and that has consulted with the County and designated one lead contact person in accordance with AB 52 requirements, or other appropriately California Native America Heritage Commission (NAHC)-recognized representative, shall be on-site and observe all project-related grading and excavation to identify findings with tribal cultural significance. This Tribal Monitor shall have the authority to temporarily halt work in order to examine any potentially significant cultural materials or features. If resources are discovered, the Applicant/Owner/contractor shall refer to and comply with Condition PD003(A) as applicable. This mitigation is not intended to alleviate the responsibility of the owner or its agents from contacting the County Coroner and complying with State law if human remains are discovered.

**Mitigation Measure TR-1 Compliance Actions:**

Prior to the issuance of construction permits from HCD-Building Services, the Applicant/Owner shall submit evidence to the satisfaction of the Chief of HCD-Planning that a monitor traditionally and culturally affiliated with the vicinity of the subject parcel and that has consulted with the County and designated one lead contact person in

accordance with AB 52 requirements, or other appropriately NAHC-recognized representative, has been retained to monitor the appropriate construction activities. This Tribal Monitor shall be retained for the duration of initial project-related grading.

Any artifacts found that are not associated with a finding of human remains shall be cataloged by both the Tribal Monitor and the qualified archaeological monitor. Once cataloged, the qualified archaeological monitor will take temporary possession of the artifacts for testing and reporting purposes. Upon completion of these testing and reporting activities, all artifacts, at the discretion of the Property Owner, shall be returned within one (1) year to a representative of the appropriate local tribe as recognized by the Native American Heritage Commission, or the Monterey County Historical Society. A final technical report containing the results of all analyses shall be completed within one year following completion of the fieldwork. This report shall be submitted to HCD-Planning and the Northwest Regional Information Center at Sonoma State University prior to final of construction permits. Artifacts associated with a finding of human remains shall be reburied in accordance with State Law and the penalty for violation pursuant to PRC section 5097.994.

Prior to final inspection from HCD-Building Services, the Tribal Monitor or other appropriately NAHC-recognized representative shall submit a letter to HCD-Planning confirming participation in the monitoring and provide a summary of archaeological and/or cultural finds or no finds, as applicable.

19. UTILITIES AND SERVICE SYSTEMS					
		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See Section IV.A.7 of this Initial Study.



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**20. WILDFIRE**

<b>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Substantially impair an adopted emergency response plan or emergency evacuation plan? (Source: IX.3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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? (Source: IX.3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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? (Source: IX. 48)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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? (Source: IX.3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

The project site is not located in a Very High FHSZ. The nearest Very High FHSZ is located approximately four miles to the northwest, across US 101. However, the project site is located in a Moderate FHSZ within a State Responsibility Area (Source IX.31). The area surrounding the project site ranges from relatively flat to moderately steep, with rolling hills and mountainous topography, and interspersed vegetation. During the fire season, prevailing winds in the project area blow to the southeast (Source IX.35).

**Wildfire 20(a-b) and 20(d) – Less than Significant**

The project does not include housing or occupied structures. Construction on the project site would not modify the natural drainage pattern of the site, which currently drains towards the off-site wetland, and no roads would be permanently closed during construction or operation of the Proposed Project. The project would improve emergency access to the project site by providing gravel access, perimeter, and internal roadways with sufficient ingress/egress for vehicles that would use the road. Therefore, the project would not physically interfere with evacuation routes, adopted emergency response plans, or adopted evacuation plans, or increase the potential for flooding or landslides.

The hillsides adjacent to the project site present a fire risk, as wildfires more easily spread along slopes. Project operation would include vegetation control to ensure that vegetation is maintained adequately to prevent negative impacts to adjacent properties from wildfire spreading, and to ensure no interference with on-site solar production. Therefore, the project would not exacerbate wildfire risks due to factors such as slope.

Therefore, implementation of the Proposed Project would not interfere with existing emergency evacuation plans or emergency response plans in the area, would not exacerbate wildfire risk,

and would not expose people or structures to downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes. *Impacts would be less than significant.*

**Wildfire 20(c) – Less than Significant**

The project would involve the construction of a solar PV generating facility and gravel service road. Heavy duty equipment used during project construction equipment may produce sparks that could ignite vegetation. However, PRC Section 4442 mandates the use of spark arrestors, which prevent the emission of flammable debris from exhaust, on earth-moving and portable construction equipment with internal combustion engines that are operating on any forest-covered, brush-covered, or grass-covered land. Furthermore, PRC Sections 4427 and 4431 specify standards for conducting construction activities on days when a burning permit is required, and PRC Section 4428 requires construction contractors to maintain fire suppression equipment during the highest fire danger period (April 1 to December 1) when operating on or near any forest-covered, brush-covered, or grass-covered land. Compliance with applicable PRC provisions would ensure that project construction would not exacerbate wildfire risk. *Impacts would be less than significant.*

## VII. MANDATORY FINDINGS OF SIGNIFICANCE

Does the project:	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? (Source: IX.3, IX.40, IX. 41, IX.42)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.)? (Source: IX.36)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: IX.3, IX.32, IX.33, IX.47)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion/Mitigation:

#### **Mandatory Findings of Significance (a) – Less than Significant with Mitigation**

As discussed in this Initial Study, the Proposed Project would expand the industrial uses on an existing heavy industrial site that is developed with a construction staging area, oil well, road, concrete pad, transformers, processing piping, and fencing and does not provide substantial habitat for wildlife. Based on the analysis provided in this Initial Study, the Proposed Project would not 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, or substantially reduce the number or restrict the range of a rare or endangered plant or animal. The Project site does not contain any historic resources and thus, would not eliminate important examples of the major periods of California's history. Further, the project would have no impact on mineral resources.

To ensure grading, construction, and decommissioning activities do not adversely affect the special-status species that may inhabit the Project site or its surroundings, Mitigation Measure BIO-1 was incorporated. This mitigation measure would that the Applicant/Owner enter into a contract with a qualified biologist, who would monitor initial ground disturbance, conduct pre-construction surveys, and implement a Biological Education Program for Employees. Implementation of this mitigation would reduce potential impacts to biological resources to a

less than significant impact (see Section VI.4). A non-standard condition of approval would be applied to ensure that the project's 100-foot buffer and protective fencing around the nearby wetland is implemented. The project would have the potential to impact tribal cultural resources, see Sections VI.18 above. Mitigation Measure TR-1 has been incorporated to require that an on-site tribal monitor be present for excavation. Implementation of this mitigation would reduce potential impacts on tribal cultural resources to a less than significant impact. The unanticipated discovery of important cultural resources would comply with the County's standard condition of approval to halt construction work immediately if cultural, archaeological, historical or paleontological resources are uncovered at the site. *Impacts would be less than significant with mitigation measures implemented.*

#### **Mandatory Findings of Significance (b) – Less than Significant with Mitigation**

As discussed in this Initial Study, the project would have no impact, a less than significant impact, or a less than significant impact after mitigation with respect to all environmental issues. No development is proposed within the Proposed Project vicinity that would contribute to cumulative impacts.

Cumulatively considerable impacts could occur if the construction of other projects occurs at the same time as the Proposed Project and in the same vicinity, such that the effects of similar impacts of multiple projects combine to expose adjacent sensitive receptors to greater levels of impact than would occur under the Proposed Project. For example, if the construction of other projects in the area occurs at the same time as construction of the Proposed Project, potential impacts associated with noise and traffic to residents in the project area may be more substantial. There are no other planned or pending projects within the immediate vicinity of the project site that could combine with the project to result in cumulative construction-related impacts (Source IX.36).

The project would not require permanent on-site personnel during operation; therefore, it would not contribute to cumulative impacts related to direct or indirect population growth, such as impacts to public services, recreation, and population and housing. Impacts related to cultural resources, geology and soils, hazards and hazardous materials, land use and planning, mineral resources, and tribal cultural resources are generally limited to the project site and immediately adjacent area and would not contribute to cumulative impacts associated with existing and future developments. In addition, air quality and GHG impacts are cumulative by nature, and as discussed in Section VI.3 and Section VI.8 of this Initial Study, the project would not generate air pollutant emissions in excess of MBARD thresholds. However, Mitigation Measures AQ-1, AQ-2, and AQ-3 were incorporated to reduce the project's potential to expose sensitive receptors to toxic air contaminants to a level of less than significant. These mitigation measures would require: 1) project-specific dust control measures be implemented during construction and decommissioning activities, 2) compliance with California Air Resources Board's Truck and Bus Regulations, 3) prohibiting idling longer than 5 minutes, and 4) the use of Tier 3 or Tier 4 construction equipment. Mitigation Measure HM-1 would reduce the potential for workers and nearby sensitive receptors to be exposed to toxic gasses that may be released if an oil well is damaged during construction by requiring implementation of an Emergency Action Plan and adherence to CalGEM and other state requirements. To ensure compliance with Labor Code Section 6709 and reduce potential valley fever exposure, a non-standard condition of approval (EHSP01 – VALLEY FEVER MANAGEMENT PLAN) would be applied to the project and require that the Applicant/Owner prepare and submit to HCD-Planning and EHB for review and approval a Valley Fever Management Plan. Therefore, it would not contribute to the existing

significant cumulative air quality impacts related to the NCCAB's nonattainment status for ozone and PM<sub>10</sub> or the existing significant cumulative climate change impact. Furthermore, the project's operational impacts to resources such as aesthetics, agriculture and forestry resources, hydrology and water quality, noise, transportation, and utilities and service systems would be minimal and would not have the potential to constitute a cumulatively considerable contribution to cumulative impacts that may occur due to existing and future development in the region. Section VI.4 incorporated Mitigation Measure BIO-1 to ensure impacts on biological resources are less than significant and would not have the potential to constitute a cumulatively considerable contribution to cumulative impacts. Therefore, the Proposed Project would not result in a cumulatively considerable contribution to a significant impact. *Impacts would be less than significant with mitigation measures implemented.*

#### **Mandatory Findings of Significance (c) – Less than Significant with Mitigation**

Effects on human beings are generally associated with impacts related to issue areas such as aesthetics, air quality, geology and soils, noise, hazards and hazardous materials, traffic, and wildfire. The nearest sensitive receptor/receiver to the project site is a residence located approximately 0.7 mile to the northeast, along Sargents Road. As detailed under Section VI.3, Section VI.9, and Section VI.13 of this Initial Study, the Proposed Project would not result, either directly or indirectly, in substantial adverse effects related to aesthetics, geology and soils, traffic, wildfire, hazardous materials, and noise at this residence due to distance and surrounding topography with the implementation of Mitigation Measures AQ-1, AQ-2, AQ-3, and HM-1. Further, compliance with the County's condition of approval to prepare and receive approval Valley Fever Management Plan prior to the issuance of grading/construction permit(s) would ensure that Valley Fever-related effects of dust emissions generated during construction activities would not expose sensitive receptors to substantial concentrations of TACs. *Therefore, impacts to human beings would be less than significant with mitigations implemented.*

## ***VIII. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE ENVIRONMENTAL DOCUMENT FEES***

### **Assessment of Fee:**

The State Legislature, through the enactment of Senate Bill (SB) 1535, revoked the authority of lead agencies to determine that a project subject to CEQA review had a “de minimis” (minimal) effect on fish and wildlife resources under the jurisdiction of the California Department of Fish and Wildlife. Projects that were determined to have a “de minimis” effect were exempt from payment of the filing fees.

SB 1535 has eliminated the provision for a determination of “de minimis” effect by the lead agency; consequently, all land development projects that are subject to environmental review are now subject to the filing fees, unless the California Department of Fish and Wildlife determines that the project will have no effect on fish and wildlife resources.

To be considered for determination of “no effect” on fish and wildlife resources, development applicants must submit a form requesting such determination to the California Department of Fish and Wildlife. A No Effect Determination form may be obtained by contacting the Department by telephone at (916) 653-4875 or through the Department’s website at [www.wildlife.ca.gov](http://www.wildlife.ca.gov).

**Conclusion:** The project will be required to pay the fee unless the applicant can obtain a “no effect” determination from the California Department of Fish and Wildlife.

**Evidence:** Based on the record as a whole as embodied in the HCD-Planning files pertaining to PLN210174 and the attached Initial Study/Mitigated Negative Declaration.

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