

# Attachment K

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**From:** [Moreno, Edward 755-4585](mailto:Moreno.Edward@co.monterey.ca.us)  
**To:** [Fowler, Nicole 755-4584](mailto:Fowler.Nicole@co.monterey.ca.us); [Michie, Kristy 755-4503](mailto:Michie.Kristy@co.monterey.ca.us)  
**Cc:** [Krenz, Matthew 755-4724](mailto:Krenz.Matthew@co.monterey.ca.us); [Garcia, Nadia x5114](mailto:Garcia.Nadia@co.monterey.ca.us); [Encarnacion, Ricardo 755-4542](mailto:Encarnacion.Ricardo@co.monterey.ca.us); [Ramirez, John 755-4539](mailto:Ramirez.John@co.monterey.ca.us)  
**Subject:** RE: California Flats - BESS Modification (PLN120294-AMD1): Valley Fever Response  
**Date:** Sunday, May 24, 2020 12:27:40 PM

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Hi Nicki.

The risk of cocci exposure for employees at the site was known before the original project started. The article that was included in the opposition does not represent information about risk of exposure that was not already known to public health.

If the company follows the same hazard mitigation requirements used for the original project, then the proposed modification should not represent a risk of exposure to cocci that is different than the risk of exposure to cocci during the original project.

However, the risk of exposure is dependent in part on how well the company adheres to the mitigation requirements.

I think the response is satisfactory.

Ed

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**From:** Fowler, Nicole 755-4584 <FowlerNE@co.monterey.ca.us>  
**Sent:** Friday, May 22, 2020 11:21 AM  
**To:** Michie, Kristy 755-4503 <MichieKJ@co.monterey.ca.us>; Moreno, Edward 755-4585 <MorenoEL@co.monterey.ca.us>  
**Cc:** Krenz, Matthew 755-4724 <KrenzMT@co.monterey.ca.us>; Garcia, Nadia x5114 <GarciaN4@co.monterey.ca.us>; Encarnacion, Ricardo 755-4542 <EncarnacionR@co.monterey.ca.us>; Ramirez, John 755-4539 <ramirezj1@co.monterey.ca.us>  
**Subject:** California Flats - BESS Modification (PLN120294-AMD1): Valley Fever Response  
**Importance:** High

Good Morning, Dr. Moreno, Ms. Michie,  
I am writing to request your insights related to the Cal Flats project. In April 2020, the applicant applied for a minor amendment to the broader Cal Flats project to add a battery energy storage system within the “solar development area” footprint of the previously approved project. Accordingly, EHB staff did not raise this minor amendment to your attention during project review. EHB recommended approval of this minor amendment with no additional conditions of approval; however, all of the existing conditions of approval associated with the project would remain in effect and apply to this amendment as well. Specifically, various conditions related to Valley Fever management. A summary of the proposed amendment is attached as **IDR EHB PLN120294-AMD1 041620**.

The County has received a letter of opposition to the minor amendment, based on failure of the County to conduct additional environmental review that would address “the significant increase in Valley Fever identified since the publication of the prior EIR.” The document titled **4834-001acp**

– **2020-05-19 Cal Flats Solar Energy Storage Modification Comments with Attachment**, is a copy of the letter. In response, the County’s environmental consultant, Denise Duffy & Associates has prepared a response which indicates the reasons why additional environmental analysis is not warranted. The full DD&A response is attached as **CFS BESS Modification – Valley Fever Response 05212020.pdf** To summarize, DD&A opines the following:

As discussed in the attached, it is our opinion that the County of Monterey appropriately evaluated the effects associated with the Proposed Modification and that a supplemental or subsequent EIR is not warranted. Moreover, the Proposed Modification will comply with all applicable mitigation measures identified in the CFS Project EIR, including the comprehensive set of mitigation measures intended to address potential Valley Fever concerns. These measures include, among other things, that the Applicant prepare a detailed Valley Fever Management Plan in consultation with a licensed medical physician specializing in pulmonary epidemiology. This plan will be completed prior to the start of construction and will be subject to the review and approval of the Monterey County Health Department. Compliance with existing mitigation measures identified in the CFS Project EIR would ensure that the Proposed Modification would not result in any additional environmental effects beyond those identified in the CFS Project EIR. As a result, a supplemental or subsequent EIR is not warranted and the County appropriately evaluated the effects associated with the Proposed Modification consistent with CEQA Guidelines Sec. 15164.

The author of the letter, Mr. Tyler Potter, indicated to me via a phone call this morning that he will make himself available to speak with you if that would be helpful/preferable. His direct phone number is (805) 845-9589.

I am requesting on behalf of the EHB and RMA-Planning Department, your consideration of the DD&A response. Do you concur that the existing applicable mitigation measures to address potential Valley Fever concerns are adequate to protect health & safety? You can access the comprehensive list of conditions and mitigations assigned to this application by viewing the RESbos\_15-027\_Revised\_PLN120294\_021015, which is saved to the cloud due to its large size.. I do not expect you to make a determination on whether additional CEQA is warranted, but request your opinion on the adequacy of the existing mitigations and plans already in place. RMA has indicated their desire to respond by next Wednesday, May 27<sup>th</sup>. In light of your other priorities revolving around COVID-19, I am unsure if this will be a reasonable time frame for you, but please respond to let us know when may be able to assess this concern. I thank you in advance for your time.

Please note that Mr. Matt Krenz will be the primary point of contact on this matter for the EHB. He and I are both out of the office today; however, due to the pressing nature of this matter I wanted to get this information to you as quickly as possible.

Respectfully,

-

Nicki

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**From:** Garcia, Nadia x5114 <[GarciaN4@co.monterey.ca.us](mailto:GarciaN4@co.monterey.ca.us)>  
**Sent:** Thursday, May 21, 2020 5:26 PM  
**To:** Fowler, Nicole 755-4584 <[FowlerNE@co.monterey.ca.us](mailto:FowlerNE@co.monterey.ca.us)>  
**Cc:** Krenz, Matthew 755-4724 <[KrenzMT@co.monterey.ca.us](mailto:KrenzMT@co.monterey.ca.us)>; Swanson, Brandon xx5334 <[SwansonB@co.monterey.ca.us](mailto:SwansonB@co.monterey.ca.us)>; Dugan, John x6654 <[DuganJ@co.monterey.ca.us](mailto:DuganJ@co.monterey.ca.us)>  
**Subject:** RE: California Flats - BESS Modification (PLN120294-AMD1): Valley Fever Response

Nicki,

Thank you for your email update. Attached is opposition letter received on Tuesday, May 19.

Please let me know if you have any questions,

Nadia

Nadia Garcia, Associate Planner  
County of Monterey  
Resource Management Agency- Planning Division  
1441 Schilling Place- South 2<sup>nd</sup> Floor  
Salinas, CA 93901  
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[Garcian4@co.monterey.ca.us](mailto:Garcian4@co.monterey.ca.us)

To access our website, please go to: [www.co.monterey.ca.us/rma/](http://www.co.monterey.ca.us/rma/)

**Attention:** The Monterey County Planning Department is currently operating with limited in-office staff to reduce the risk of COVID-19 transfer to and among its workforce. During this time, responses may be delayed, but staff is checking email and will respond to you. If you have an urgent issue that requires immediate attention, please contact our main line at: 831-755-5114.

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**From:** Fowler, Nicole 755-4584 <[FowlerNE@co.monterey.ca.us](mailto:FowlerNE@co.monterey.ca.us)>  
**Sent:** Thursday, May 21, 2020 5:13 PM  
**To:** Garcia, Nadia x5114 <[GarciaN4@co.monterey.ca.us](mailto:GarciaN4@co.monterey.ca.us)>  
**Cc:** Krenz, Matthew 755-4724 <[KrenzMT@co.monterey.ca.us](mailto:KrenzMT@co.monterey.ca.us)>; Swanson, Brandon xx5334 <[SwansonB@co.monterey.ca.us](mailto:SwansonB@co.monterey.ca.us)>; Dugan, John x6654 <[DuganJ@co.monterey.ca.us](mailto:DuganJ@co.monterey.ca.us)>  
**Subject:** RE: California Flats - BESS Modification (PLN120294-AMD1): Valley Fever Response

Hi Nadia,

EHB will need to present the opposition letter and the DD&A response to the Health Officer (or his delegated staff person) for consideration. Can you please send a copy of the opposition letter? I was not included on the initial correspondence and missed it. Once received, EHB will bring them both to the attention of the Health Officer right away.

Respectfully,  
**Nicki**

**Nicki Fowler, Supervising REHS**  
Environmental Health Review (Land Use) Services  
Environmental Health Bureau  
Monterey County Health Department  
(831) 755-4584

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**From:** Tyler Potter <[tpotter@ddaplanning.com](mailto:tpotter@ddaplanning.com)>  
**Sent:** Thursday, May 21, 2020 4:01 PM  
**To:** Garcia, Nadia x5114 <[GarciaN4@co.monterey.ca.us](mailto:GarciaN4@co.monterey.ca.us)>  
**Cc:** Krenz, Matthew 755-4724 <[KrenzMT@co.monterey.ca.us](mailto:KrenzMT@co.monterey.ca.us)>; Fowler, Nicole 755-4584 <[FowlerNE@co.monterey.ca.us](mailto:FowlerNE@co.monterey.ca.us)>; Swanson, Brandon xx5334 <[SwansonB@co.monterey.ca.us](mailto:SwansonB@co.monterey.ca.us)>; Dugan, John x6654 <[DuganJ@co.monterey.ca.us](mailto:DuganJ@co.monterey.ca.us)>; Plasha <[plashawill@gmail.com](mailto:plashawill@gmail.com)>; Jason Dart <[Jason@althouseandmeade.com](mailto:Jason@althouseandmeade.com)>; Mike Grunow <[MGrunow@arevondc.com](mailto:MGrunow@arevondc.com)>  
**Subject:** California Flats - BESS Modification (PLN120294-AMD1): Valley Fever Response  
**Importance:** High

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Nadia,

Thank you for taking the time to speak with me today. Per our discussion, please find attached a letter prepared by DD&A responding to the comments submitted by Adams, Broadwell, Joseph, and Cardozo on behalf of California Unions for Reliable Energy ("CURE").

As discussed in the attached, it is our opinion that the County of Monterey appropriately evaluated the effects associated with the Proposed Modification and that a supplemental or subsequent EIR is not warranted. Moreover, the Proposed Modification will comply with all applicable mitigation measures identified in the CFS Project EIR, including the comprehensive set of mitigation measures intended to address potential Valley Fever concerns. These measures include, among other things, that the Applicant prepare a detailed Valley Fever Management Plan in consultation with a licensed medical physician specializing in pulmonary epidemiology. This plan will be completed prior to the start of construction and will be subject to the review and approval of the Monterey County Health Department. Compliance with existing mitigation measures identified in the CFS Project EIR would ensure that the Proposed Modification would not result in any additional environmental effects beyond those identified in the CFS Project EIR. As a result, a supplemental or subsequent EIR is not warranted and the County appropriately evaluated the effects associated with the Proposed Modification consistent with CEQA Guidelines Sec. 15164.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Tyler Potter, J.D., AICP  
**Project Manager/Senior Planner**  
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