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Addendum Pursuant to the California Environmental Quality Act ARTICLE 11 Section 15164

Property Owner: Hearst Corporation

**Lessee/Applicant: California Flats Solar LLC; Cal Flats BESS,
LLC; and Cal Flats Solar 130, LLC.**

Planning File No. PLN120294-AMD1

**Amendment to Use Permit for the California Flats Solar Project
(Battery Energy Storage System Modification)**

1. Introduction

This technical addendum has been prepared pursuant to Article 11 Section 15164 of the California Environmental Quality Act Guidelines to address a permit amendment to the approved and constructed California Flats Solar Project to include the installation and operation of a Battery Energy Storage System and associated substation improvements and grading.

On February 10, 2015, the Monterey County Board of Supervisors certified an EIR, adopted CEQA findings and a statement of overriding considerations, and approved a Use Permit (RMA-Planning File No. PLN120294; Board of Supervisors Resolutions No. 15-026 and 15-027) to allow, for the duration of 34 years, the construction of a 280 Megawatt solar generating facility on an approximately 3,000 acre site including: photovoltaic (PV) solar modules, two substations (approximately 6 acres each), a switching station (approximately 6 acres), a 4,000 square foot operations and maintenance building, and approximately 155 acre utility corridor, other infrastructure needed to serve the proposed project and grading of approximately 880,000 cubic yards of cut and 880,000 cubic yards of fill..

An Environmental Impact Report (SCH#2013041031) was prepared and certified for the project. (Board of Supervisors Resolutions No. 15-026.) None of the conditions described in Section 15162 calling for preparation of a subsequent EIR or negative declaration have occurred.

2. Scope and Purpose of this Addendum

The purpose of this addendum is to document the potential environmental effects associated with the proposed California Flats Solar Project-Battery Energy Storage System Modification (“Proposed Modification”-PLN120294-AMD1). The Proposed Modification consists of the construction of a Battery Energy Storage System and related infrastructure improvements within the Solar Development Area (“SDA”), which was previously evaluated for utility-scale infrastructure in the February 2015 Final EIR for the California Flats Solar Project (PLN120294). The BESS would allow the existing facility to store energy generated during low-peak periods and subsequently distribute energy during peak period demand. The Proposed Modification is located within the previously approved footprint of the California Flats Solar

Project and does not represent a substantial change from the project analyzed in the EIR certified for the California Flats Solar Project.

As previously noted, the proposed modification is an amendment to the approved and constructed California Flats Solar Project to include the installation and operation of a Battery Energy Storage System and associated substation improvements and grading. Construction of the Battery Energy Storage System would take a total of approximately four to seven months. The proposed modification is located entirely within the existing 2,120-acre Solar Development Area, as approved in the original California Flats Solar Project. The actual footprint of the California Flats Solar Project is considerably less at 1,684 acres of the 2,120-acre Solar Development Area, approximately 436 acres less. The Use Permit allowed 880,000 cubic yards cut and 880,000 cubic yards of fill. The total grading, inclusive of the proposed grading for the modification, at 893,880 cubic yards of cut and 540,299 cubic yards of fill, is in substantial conformance with the allowable grading. Grading (cut) is 1.5% over the 880,000 cubic yards analyzed in the EIR and approved in the Use Permit. This 1.5% overage does not result in new significant environmental impacts or more severe environmental impacts than those identified in the EIR as the grading and location for the proposed modification has been identified in the EIR. See below for components of the proposed project and their descriptions for the modification request for the installation of the Battery Energy Storage System:

Battery Energy Storage System: Installation of up to 85 Tesla Megapack battery units: Each group of four Megapack battery units would be installed on an approximately 75 foot long by 12 foot wide by two foot thick concrete pad. The concrete pad would be located entirely within a previously disturbed three (3) acre site located within the existing Solar Development Area evaluated in the California Flat Solar Project EIR. Each battery unit would be fully integrated with pre-installed components housed outside, in stand alone cabinets with air conditioning. Each battery unit would have six battery modules, stored in racks, capable of discharging 3,699 kW with a charge capacity of 3,162 kW. Surface excavation of approximately 2.3 acres with an approximate depth of up to six (6) feet would be required for the establishment of the concrete pads that would house the Megapack battery units.

CA Flats 60 Substation Modification: The modification also includes improvements to the existing norther substation (CA Flats 60 Substation) to allow for additional energy to be converted from the Battery Energy Storage System. The substation would be constructed on an approximately 104x160 foot area immediately adjacent to the existing northern substation.

Connection to the Existing Transmission System: Approximately 1,650 feet of overhead line comprised of seven steel poles would be installed between the Battery Energy Storage System and new CA Flats 60 Substation. A section of the overhead line will run underground, crossing transmission right of way for approximately 350 feet. The trench depth would be approximately 12 feet wide with 1:1 side slopes.

Grading: The modification is anticipated to disturb an area of approximately 2.5 acres, requiring approximately 7,243 cubic yards of cut and 1,489 cubic yards of fill. No grading material is expected to be hauled off-site. The balance of material, approximately 5,754 cubic yards, will be temporarily stockpiled on-site for future reuse by the property owner (Hearst Corporation). The

stockpiled material will be used as part of on-going ranch maintenance related activities. The final location for soil deposition will be determined based on discussions between Hearst and the Applicant and a Condition of Approval has been incorporated for the soil deposition to be on-site. There is an existing disturbed area south of the proposed Battery Energy Storage System Modification where soil was stockpiled previously. This area could be used for similar purposes as part of the project. Prior to any soil placement on-site, the applicant would conduct pre-construction surveys of the soil deposition area and identify any recommendations consistent with the requirements of the California Flats Project EIR.

3. Analysis

Sec. 15164 of the CEQA Guidelines governs the preparation of an Addendum to an EIR or Negative Declaration. Section 15164(a) states that the “lead agency... shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR have occurred.” CEQA Guidelines Sec. 15162(a) indicates that “no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

- 1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- 2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - a) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.”

The following discussion explains why a subsequent or supplemental EIR is not required under CEQA Guidelines Section 15162 in connection with the Proposed Modification and why an Addendum is the appropriate level of environmental review.

I. ANALYSIS

- a. **The Proposed Modification does not entail substantial changes which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.**

CEQA Guidelines Sec. 15162(a)(1) provides that no subsequent EIR shall be prepared unless the lead agency determines that “[s]ubstantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects of a substantial increase in the severity of previously identified significant effects.” As noted above, the Proposed Modification would not result in any new significant environmental effects or an increase in the severity of a previously identified significant impact. The Proposed Modification is located entirely within the existing, previously analyzed, 2,120-acre SDA.

As identified in **Exhibit 1**¹, only 1,684 acres of the 2,120-acre SDA were developed with utility-scale solar infrastructure. Nevertheless, the Final EIR evaluated the environmental effects associated with the development of the entire 2,120-acre SDA – i.e., the Final EIR assumed that the entire SDA would be developed. As a result, the existing Final EIR previously anticipated that the area of the Proposed Modification would be developed with utility-scale infrastructure improvements. Additionally, the area of the proposed Battery Energy Storage System modification was previously disturbed in connection with construction of the California Flats Solar Project. Similarly, the California Flats Solar Final EIR also evaluated the effects associated with the development of two (2) substations, each to be approximately six (6) acres in size. The actual footprint of each substation was 0.96 acres and 0.95 acres. As a result, the Proposed Modification to the existing northern substation would not exceed the total substation acreage evaluated in the Final EIR. Neither the Battery Energy Storage System modification nor the substation modification would result in additional environmental effects beyond those previously identified in the California Flats Solar Final EIR. In addition, as detailed in **Exhibit 1**, the Proposed Modification would be subject to the existing mitigation measures contained in the Final EIR, thereby ensuring that the Proposed Modification would not result in any additional environmental effects. The analysis as contained in **Exhibit 1**, as well as supporting technical documentation included as part of the amendment application, conclusively states that the Proposed Modification would not result in any new environmental effects or increase the severity of a previously identified impact.

Therefore, the Proposed Modification would not require major revisions of the previous information due to the involvement of new significant environmental effects or a substantial increase in the severity of a previously identified significant effect.

- b. **The Proposed Modification would not result in substantial changes with respect to the circumstances under which the project is undertaken which will require major revisions due to the involvement of new significant environmental effects or a substantial increase in the severity of a previously identified significant effect.**

¹ Exhibit 1 is a CEQA Checklist evaluating the environmental effects associated with construction and operation of the California Flats Solar Project- Battery Storage System Modification.

CEQA Guidelines Sec. 15162(a)(2) provides that no subsequent EIR shall be prepared unless the lead agency determines that “[s]ubstantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.” The Proposed Modification would not result in a substantial change with respect to the circumstances under which the project is undertaken such that there would be additional environmental effects or increase the severity of a previously identified effect beyond those previously identified in the California Flats Solar Final EIR.

As described above, the Proposed Modification would modify the existing California Flats Solar Project to allow for on-site energy storage. The Proposed Modification would allow the existing facility to store energy during low-peak period and subsequently distribute energy during peak period demand. Energy storage is an important component of energy conservation because it allows renewable energy sources to store power during periods when demand is low and subsequently provide clean, reliable, sources of energy during peak demand. This modification would not result in a substantial change with respect to the circumstances under which the California Flats Solar Project is being undertaken, meaning that there would be no additional environmental effects beyond those previously identified in the CFS Project Final EIR. The CFS Project would continue to produce solar-generated energy and the Proposed Modification would facilitate on-going energy production by allowing for on-site storage during non-peak demand periods. Moreover, as demonstrated in **Exhibit 1**, the Proposed Modification would not result in a new, previously unidentified, significant environmental effect or result in a substantial increase in the severity of a previously identified significant effect. In fact, the Proposed Modification, when considered in combination with the existing California Flats Solar Project, would still result in fewer environmental effects than those identified in the Project Final EIR. As discussed in the preceding section, the California Flats Solar Project Final EIR evaluated impacts associated with the buildout of the entire 2,120-acre SDA, including two substations totaling 12 acres in size. Only 1,648 acres of the 2,120-acre SDA was developed as part of the California Flats Solar Project and the actual substation footprint for the northern substations was less than one (1) acre.

Therefore, the Proposed Modification would not result in substantial changes with respect to the circumstances under which the Proposed Modification is undertaken which would require major revisions of the Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

c. The Proposed Modification does not entail new information of substantial importance.

CEQA Guidelines Sec. 15162(a)(3) provides that no subsequent EIR shall be prepared unless the lead agency determines that

“[n]ew information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

- a) the project will have one or more significant effects not discussed in the previous EIR;

- b) significant effects previously examined will be substantially more severe than shown in the previous EIR;
- c) mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents declined to adopt the mitigation measure or alternative; or,
- d) mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents declined to adopt the mitigation measure or alternative.”

No new information of substantial importance has been identified such that the California Flats Solar Project would result in: 1) significant environmental effects not identified in the California Flats Solar Project Final EIR; 2) more severe environmental effects than described in the California Flats Solar Project Final EIR; 3) mitigation measures or alternatives which were previously determined not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects, but the applicant declines to adopt the measure or alternative; or, 4) mitigation measures or alternatives which are considerably different from those analyzed in the California Flats Solar Project Final EIR would substantially reduce one or more significant effects on the environment, but the applicant declines to adopt the measures or alternatives.

The Proposed Modification would not result in any additional environmental effects or increase the severity of a previously identified significant effect. In fact, the Proposed Modification when considered with the constructed California Flats Solar Project would result in fewer environmental effects than those identified in the California Flats Solar Project Final EIR. Moreover, no additional mitigation measures beyond those identified in the California Flats Solar Project Final EIR are necessary to lessen the extent of impacts associated with the Proposed Modification. The Proposed Modification would implement all existing mitigation measures and related conditions of approval, to the extent they are applicable, to ensure that impacts associated with construction and operation of the Proposed Modification would not exceed the levels identified in the California Flats Solar Project Final EIR. Similarly, no additional mitigation measures that are considerably different from those analyzed in the California Flats Solar Project Final EIR have been identified as part of the supporting technical analyses, which conclusively determined that the Proposed Modification would not result in any additional environmental effects beyond those identified in the California Flats Solar Project Final EIR.

There is no new information of substantial importance showing any of the items listed in CEQA Guidelines Sec. 15162(a)(3).

4. Conclusion

This addendum serves to demonstrate the Proposed Modification qualifies for an addendum to the previously certified California Flats Solar Environmental Impact Report (SCH#) pursuant to CEQA Guidelines Section 15164 if some changes or additions are necessary but none of the conditions described in CEQA Guidelines Section 15162 calling for the preparation of a subsequent EIR have occurred. Based on the analysis contained in this Addendum, the Proposed

Modification would not: 1) result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects; 2) would not cause a substantial change with respect to the circumstances under which the California Flats Solar Project was originally undertaken, which would require major revisions to the previously certified Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or, 3) result in new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous Final EIR was certified as complete. Based on the foregoing analysis, as well as the supporting analysis contained in **Exhibit 1**, the appropriate level of environmental review for the Proposed Modification would be an Addendum.

5. Attachment

Exhibit 1- CEQA Checklist evaluating the environmental effects associated with construction and operation of the California Flats Solar Project- Battery Storage System Modification.

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Exhibit 1

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Exhibit 1 to Attachment B

CEQA Checklist evaluating the environmental effects associated with construction and operation of the California Flats Solar Project- Battery Storage System Modification

ENVIRONMENTAL ANALYSIS

A. Aesthetics

CHECKLIST

| Except as provided in Public Resources Code Section 21099, would the project: | No New Impact or Increase in Severity of a Previously Identified Impact | Significant Impact (Unchanged) | Less than Significant with Mitigation Incorporated (Unchanged) | Less than Significant Impact (Unchanged) | No Impact |
|---|---|--------------------------------|--|--|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input checked="" type="checkbox"/> | <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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

IMPACTS IDENTIFIED IN THE CFS PROJECT EIR

The CFS Project EIR analyzed aesthetics-related impacts that would occur as part of the CFS Project. Construction-related impacts would result in temporary effects on motorist views from SR 41 (see Impact AES-1, Draft EIR, pg. 4.1-21 through 4.1-22). The CFS Project EIR also identified that the CFS Project would visually transform the character of the project site (see Impact AES-2, Draft EIR, pg. 4.1-22 through 4.1-24; see also Final EIR, pg. 4-28) and introduce new sources of light that would adversely affect existing visual resources in the area (see Impact AES-3, Draft EIR, pg. 4.1-25 through 4.1-26). These impacts were identified as less than significant with the implementation of certain mitigation measures. Below is a brief description of the findings of the CFS Project EIR regarding aesthetic-related effects.

- The CFS Project EIR identified a potentially significant construction impact to scenic vistas from SR 41. However, this impact would be reduced to less than significant with the implementation of the following mitigation measure: *AES-1: Temporary Fencing at SR 41 Staging Areas*. No significant operational impacts to scenic vistas and resources were identified. The Proposed Modification does not entail any construction staging along SR 41; as a result, there would be no impact due to the Proposed Modification.
- The CFS Project EIR identified potentially significant construction impacts to the existing visual character due to construction staging off of SR 41. However, this impact would be reduced to less than significant with the implementation of the following mitigation measure: *AES-1: Temporary Fencing at SR 41 Staging Areas*. Less than significant operational impacts to the visual character of the project site were identified.
- The CFS Project EIR also identified a potentially significant impact due to new sources of light. However, this impact would be reduced to less than significant with the implementation of the

following mitigation measure: *AES-3 Minimize Construction Lighting*. In addition, the CFS Project EIR identified less than significant impact due to glint and glare from the PV modules.

IMPACTS OF THE PROPOSED MODIFICATION

As discussed above, the Proposed Modification is located entirely within the existing 2,120-acre SDA. The CFS Project EIR previously evaluated the aesthetic-related effects associated with the construction of utility-scale solar infrastructure in the SDA. While the CFS Project EIR did not specifically consider the potential effects associated with the Proposed Modification, the CFS Project EIR did consider the environmental effects associated with the construction of infrastructure improvements in the location of the Proposed Modification. The potential aesthetic-related effects associated with the Proposed Modification, as described below, would be consistent with the findings of the CFS Project EIR and no new or more severe effects would occur beyond those identified in the EIR.

a, b) No Impact. The CFS Project EIR identified potential aesthetic-related impacts due to the staging of construction equipment off SR 41. As a result, the CFS Project EIR identified mitigation to minimize the temporary aesthetic-related impacts due to construction staging. The Proposed Modification, which is not visible from a scenic vista or visible from an eligible state scenic highway, does not entail the staging of construction equipment off SR 41. As a result, the Proposed Modification would not result in a substantial adverse effect on a scenic resource or substantially damage a scenic resource within view of a state scenic highway. There would be no impact. As a result, the Proposed Modification would result in less environmental effects than the CFS Project. Nevertheless, the Proposed Modification would continue to adhere to the requirements of mitigation measures *AES-1: Temporary Fencing at SR 41 Staging Areas* identified in the CFS Project EIR regarding temporary aesthetic-related impacts in the unlikely event that temporary staging off SR 41 would be necessary.

c) No Impact. The Proposed Modification would not substantially degrade the existing visual character or quality of public views of the site and its surrounding. The Proposed Modification is located entirely within the existing footprint of the CFS Project (i.e., SDA) and is surrounded by existing utility-scale solar infrastructure. Moreover, the Proposed Modification would not be visible for any publicly accessible vantage point. As a result, there would be no impact from the Proposed Modification. The extent of potential environmental effects associated with the Proposed Modification would be less than those associated with the CFS Project.

d) Less than Significant Impact with Mitigation. The Proposed Modification would result in the construction and operation of additional utility-scale solar infrastructure within the existing CFS Project footprint. As noted above, the site is currently improved with energy production infrastructure that is part of the CFS Project. The construction and operation of the Proposed Modification would result in the introduction of additional lighting for security purposes. The CFS Project EIR previously identified potential aesthetic-related effects due to increased lighting and glare. However, the Proposed Modification would not substantially increase lighting and/or glare on-site beyond levels associated with the existing CFS Project. The Proposed Modification could result in temporary construction-related lighting similar to the CFS Project. The Proposed Modification would implement existing mitigation measures to ensure that potential aesthetic-related effects would be minimized to a less than significant level. More specifically, the Proposed Modification would comply with the requirements of mitigation measure *AES-3 Minimizing Construction Lighting* to ensure that temporary construction-related light would be minimized. As a result, the Proposed Modification would not result in any additional environmental effects beyond those identified in the CFS Project EIR.

CONCLUSION

The Proposed Modification would not result in any new significant impacts or cause an increase in severity of any significant impacts identified in the CFS Project EIR related to aesthetics. The Proposed Modification would implement the following mitigation measures, consistent with the CFS Project EIR, to ensure that potential impacts would be less than significant: *AES-3 Minimize Construction Lighting*. The implementation of existing mitigation measures would ensure that potential impacts associated with the Proposed Modification would be consistent with the findings of the CFS Project EIR.

B. Agricultural Resources

EXISTING SETTING

CFS Project EIR includes a detailed description of the existing environmental setting for agricultural resources.¹ As identified in Section 4.2, Agricultural Resources, the CFS Project site was historically dry land farmed and used for ranching and grazing purposes. The site is currently developed with utility-scale solar infrastructure as part of the CFS Project. According to the Farmland Mapping and Monitoring Program (“FMMP”), the CFS Project site is classified as Grazing Land, and Other Land. A small portion of the utility corridor included Prime Farmland and Unique Farmland. The Proposed Modification is designated Grazing Land according to the FMMP.

CHECKLIST

| 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: | No New Impact or Increase in Severity of a Previously Identified Impact | Significant Impact (Unchanged) | Less than Significant with Mitigation Incorporated (Unchanged) | Less than Significant Impact (Unchanged) | 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 checked="" type="checkbox"/> | <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 checked="" type="checkbox"/> | <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 checked="" type="checkbox"/> | <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 checked="" type="checkbox"/> | <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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IMPACTS IDENTIFIED IN THE CFS PROJECT EIR

As described in the CFS Project EIR, the CFS Project would not: 1) result in the permanent conversion of Prime Farmland and Unique Farmland, as designated by the California Department of Conservation’s FMMP, to a non-agricultural use (see Impact AG-1, Draft EIR, pg. 4.2-8); 2) conflict with the existing

¹ Please refer to the Section 4.2, Agricultural Resources, of the CFS Project Draft EIR for more information.

zoning for agricultural use or a Williamson Act Contract (see Impact AG-2, Draft EIR, pg. 4.2-9; see also Final EIR, pg. 4-29 through 4-30); or, 3) result in the permanent conversion of adjacent agricultural land (i.e., Prime, Unique, or Statewide Importance) to a non-agricultural use (see Impact AG-3, Draft EIR, pg. 4.2-9 through 4.2-11). Below is a brief description of the findings of the CFS Project EIR regarding agricultural-related effects.

- The CFS Project EIR did not identify any significant impacts to Prime and Unique Farmland, as designated by the California Department of Conservation's FMMP. This impact would be less than significant with no mitigation measure required because the CFS Project would not permanently convert Prime or Unique farmland to non-agricultural use.
- The CFS Project EIR did not identify any significant impacts associated with the allowable uses on the CFS Project site. The EIR concluded that the use of the site for renewable energy purposes would not conflict with existing zoning for agricultural use or an existing Williamson Act contract.
- The CFS Project EIR did not identify any significant impacts associated with the loss or conversion of forest land on the CFS Project site. Similarly, the CFS Project EIR determined that the CFS Project would not result in the loss or conversion of timberland. The CFS Project site is not zoned for forest land or timber land production and the Proposed Modification would not require the removal of native tree species.
- The CFS Project EIR did not identify any significant impacts associated with the construction, operation, and potential future decommissioning of the CFS Project related to the permanent conversion of adjacent farmland to non-agricultural use. The CFS Project EIR identified that the CFS Project could indirectly affect adjacent agricultural use due to temporary construction-related effects, but it would not impair agricultural use, including grazing, of nearby properties such that adjacent farmland would be converted to a non-agricultural use. Therefore, impacts would be less than significant.

IMPACTS OF THE PROPOSED MODIFICATION

The Proposed Modification is located entirely within the existing 2,120-acre SDA, which was proposed to be improved with utility-scale solar infrastructure as part of the CFS Project. As a result, the CFS Project EIR evaluated the potential agricultural resource-related impacts associated with the construction of infrastructure within the area of the Proposed Modification. As described below, the Proposed Modification would not result in any additional environmental effects or increase the severity of a previously identified impact beyond those identified in the CFS Project EIR.

a-e) No Impact The Proposed Modification would not convert prime, unique or farmland of statewide importance to non-agricultural use or involve any other changes that would result in the conversion of farmland, impact a Williamson Act contract or disrupt any agricultural operations (Monterey County, 2010a). Moreover, the Proposed Modification would not convert forest land or timberland or involve any other changes that would result in the conversion or loss of forest land. In addition, the Proposed Modification does not 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.

CONCLUSION

The Proposed Modification would not result in any new significant impacts or cause an increase in severity of a significant impact beyond the levels identified in the CFS Project EIR related to agricultural resources.

C. Air Quality

EXISTING SETTING

Much of the information in this section was provided by the technical memorandum prepared by Ambient Air Quality and Noise Consulting, dated February 13, 2020. This report was prepared specifically to assess the potential environmental effects of the Proposed Modification in comparison to the findings of the CFS Project EIR.

The CFS Project EIR includes a comprehensive description of the existing setting for air quality.² As described in Section 4.3, Air Quality, of the CFS Project EIR, the CFS Project is located in the North Central Coast Air Basin (“Air Basin”), adjacent to the South Central Coast Air Basin (“SCCAB”), and the San Joaquin Valley Air Basin (“SJVAB”). The site is located in the southeastern corner of the Air Basin, which covers an area of 5,159 square miles along the central coast of California and is generally bounded by the Monterey Bay to the west, the Santa Cruz Mountains to the northwest, and the Diablo Range on the northeast.

This area typically has average maximum and minimum winter (i.e., January) temperatures of 65 degrees Fahrenheit (°F) and 43 °F, respectively, while average summer (i.e., July) maximum and minimum temperatures are 108 °F and 83 °F, respectively. The CFS Project is located inland where temperatures can be rather extreme during the summer months. Precipitation averages approximately 6 inches per year.

The Monterey Bay Air Resources District (“MBARD”) is the regional agency tasked with managing air quality in the region. Existing levels of air pollutants in the area can generally be inferred from ambient air quality measurements conducted by MBARD at its closest station, the King City - Pearl monitoring station. This is the closest monitoring station located in the Air Basin, located in Kings City, west of South Vanderhurst Ave and south of Pearl Street approximately 60 miles from the project site. Data monitored at this station shows that although the area currently does not meet state standards for ozone, the number of days per year in exceedance of ozone standards has been decreasing and the region is on course to meet these standards in the future.

CHECKLIST

| 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: | No New Impact or Increase in Severity of a Previously Identified Impact | Significant Impact (unchanged) | Less than Significant with Mitigation Incorporated (unchanged) | Less than Significant Impact (unchanged) | No Impact |
|---|---|--------------------------------|--|--|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input checked="" type="checkbox"/> | <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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Expose sensitive receptors to substantial pollutant concentrations? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

² . For a description of the existing setting, please refer to Section 4.3, Air Quality, of the CFS Project Draft EIR.

| 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: | No New Impact or Increase in Severity of a Previously Identified Impact | Significant Impact (unchanged) | Less than Significant with Mitigation Incorporated (unchanged) | Less than Significant Impact (unchanged) | No Impact |
|---|---|--------------------------------|--|--|-------------------------------------|
| d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IMPACTS IDENTIFIED IN THE CFS PROJECT EIR

The CFS Project EIR analyzed potential air quality impacts associated with the construction and operation of the CFS Project. The CFS Project EIR identified that construction would result in several air quality impacts, including a significant and unavoidable impact associated with temporary construction-related air quality emissions that would exceed applicable MBARD thresholds of significance (see Impact AQ-2, Draft EIR, pg. 4.3-22 through 4.3-27; see also Final EIR, pg. 4-30 through 4-51). The CFS Project EIR also identified temporary air quality effects during construction associated with the potential exposure of construction personnel to human health hazards in connection with Valley Fever (see Impact AQ-6, Draft EIR, pg. 4.3-32 through 4.3-36). Mitigation measures were identified to ensure that potential temporary Valley Fever-related hazards would be reduced to a less than significant level. Below is a brief description of the findings of the CFS Project EIR regarding air quality-related effects.

- The CFS Project EIR did not identify any significant impacts associated with population growth and the Air Quality Management Plan (“AQMP”). Similarly, implementation of the Proposed Modification would not obstruct implementation of an air quality plan because no direct growth inducement is expected to occur due to the Proposed Modification.
- The CFS Project EIR identified a significant and unavoidable impact associated with the generation of temporary air pollutants, which would affect local air quality. Short-term emissions of nitrogen oxide (“NO_x”) and Particulate Matter (“PM₁₀”) during construction would exceed the MBARD thresholds. In order to minimize these significant impacts, the CFS Project EIR identified the following mitigation measures: *AQ-2(a): Dust Control Measures and, AQ-2(b): Idling Restrictions*. Despite the implementation of the mitigation measures, temporary construction emissions would exceed MBARD thresholds for NO_x and PM₁₀. Therefore, the CFS Project EIR identified that impacts would be significant and unavoidable during construction. It is important to note, however, that potential temporary air quality effects would not result in a significant impact. As a result, impacts associated with the Proposed Modification would be less than those identified in the CFS Project EIR.
- The CFS Project EIR did not identify any significant impacts associated with the exposure of sensitive receptors to substantial pollutant concentration. No mitigation measures were required, but the implementation of the following mitigation measures would further minimize potential air quality effects: *AQ-2(a): Dust Control Measures, AQ-2(b): Idling Restrictions, and AQ-2(c): Tier 3 Construction Equipment*. The CFS Project EIR concluded that there would be no significant impacts to sensitive receptors.
- The CFS Project EIR did not identify any significant impacts related to the creation of objectionable odors that would affect neighboring properties.
- The CFS Project EIR identified a potentially significant impact related to the generation of dust and exposure of receptors to potential health hazards associated with the *Coccidioides* fungus (Valley Fever). However, the CFS Project EIR concluded that this impact would be reduced to less than significant with the implementation of the following mitigation measures: *AQ-2(a): Dust Control Measures, AQ-6(a): Valley Fever Management Plan, AQ-6(b): Additional Valley Fever*

Dust Suppression Measures, AQ-6(c): Monterey County Health Department Notification, AQ-6(d): Valley Fever Worker Training Program and Safety Measures, and AQ-6(e): Valley Fever Information Handout. As a result, the CFS Project EIR concluded that impacts would be less than significant.

- The CFS Project EIR identified a potentially significant impact related to temporary air quality impacts as a result of the decommissioning of the CFS Project. These impacts would remain significant and unavoidable despite the implementation of the following mitigation measures: *AQ2(a): Dust Control Measures, AQ-2(b): Idling Restrictions, and Mitigation Measure AQ-2(c): Tier 3 Construction Equipment.* Therefore, the CFS Project EIR concluded that emissions from decommissioning of the CFS Project would be significant and unavoidable.
- The CFS Project EIR identified a potentially significant impact due to short-term emissions of ozone precursors and PM₁₀ during construction which would exceed San Luis Obispo County Air Pollution Control District (“SLOAPCD”) thresholds. In an attempt to reduce the impacts, *Mitigation Measures AQ2(a): Dust Control Measures, AQ-2(b): Idling Restrictions, Mitigation Measure AQ-2(c): Tier 3 Construction Equipment, and Mitigation Measure AQ-9: Construction Management Plan Requirements (per the requirements of SLOAPCD)* would be implemented; however, the CFS Project EIR concluded that temporary emissions would exceed applicable ambient air quality standards within the SCCAB. Therefore, the CFS Project EIR concluded that impacts would be significant and unavoidable. It is important to note, however, that the Proposed Modification does not entail the construction of improvements within the SCCAB. As a result, the Proposed Modification would not result in an exceedance of applicable SLOAPCD thresholds of significance.

IMPACTS OF THE PROPOSED MODIFICATION

As discussed above, Ambient Air Quality and Noise Consulting prepared a detailed technical memorandum evaluating the potential environmental effects associated with the Proposed Modification. More specifically, Ambient evaluated whether the Proposed Modification would result in any additional environmental effects or would increase the severity of a previously identified significant impact beyond those previously identified in the CFS Project EIR. Based on Ambient’s analysis, the potential air quality effects associated with the Proposed Modification would be less than those described in the CFS Project EIR. The following represents the results of the site-specific technical analysis prepared by Ambient which conclusively determined that the Proposed Modification would not result in any additional environmental effects or an increase in the severity of a previously identified impact beyond the levels identified in the CFS Project EIR.

a) Less than Significant Impact: CEQA Guidelines Sec. 15125(b) requires that a project is evaluated for consistency with applicable regional plans, including the AQMP. The MBARD is required to update their AQMP once every three years; the most recent update was approved in March of 2017. This plan addresses attainment of the State ozone standard and federal air quality standard. The AQMP accommodates growth by projecting growth in emissions based on population forecasts prepared by the Association of Monterey Bay Area Governments (“AMBAG”) and other indicators. Consistency determinations are issued for commercial, industrial, residential, and infrastructure related projects that have the potential to induce population growth. A project is considered inconsistent with the AQMP if it has not been accommodated in the forecast projections considered in the AQMP. The Proposed Modification would be consistent with the MBARD AQMP based upon the low number of employees and lack of large stationary sources. In addition, the Proposed Modification would not cause and/or otherwise induce population growth because the modifications would simply allow additional energy produced at the existing solar facility to be stored for transmission. As a result, the Proposed Modification would not induce growth nor would it conflict with and/or otherwise obstruct the implementation of MBARD’s AQMP. For these reasons, the Proposed

Modification would have a less than significant impact related to conflicts with air quality plans and would be consistent with the findings of the CFS Project EIR.

b) Less than Significant Impact: The MBARD 2016 CEQA Air Quality Guidelines (Guidelines) contains standards of significance for evaluating potential air quality effects of projects subject to the requirements of CEQA. According to MBARD, a project will not have a significant air quality effect on the environment, if the following criteria are met:

Construction of the project will:

- Emit (from all sources, including exhaust and fugitive dust) less than;
 - 137 pounds per day of oxides of nitrogen (NO_x);
 - 137 pounds per day of reactive organic gases (ROG);
 - 82 pounds per day of respirable particulate matter (PM₁₀);
 - 55 pounds per day of fine particulate matter (PM_{2.5}); and,
 - 550 pounds per day carbon monoxide (CO).

Operation of the project will:

- Emit (from all project sources, mobile, area, and stationary) less than;
 - 137 pounds per day of oxides of nitrogen (NO_x)
 - 137 pounds per day of reactive organic gases (ROG)
 - 82 pounds per day of PM₁₀
 - 55 pounds per day of PM_{2.5}
 - 550 pounds per day carbon monoxide (CO)
- Not cause or contribute to a violation of any California or National Ambient Air Quality Standard;
- Not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment;
- Not exceed the health risk public notification thresholds adopted by the MBARD;
- Not create objectionable odors affecting a substantial number of people; and,
- Be consistent with the adopted federal and state Air Quality Plans (MBAPCD, 2016).

The MBARD CEQA Guidelines state that if a project generates less than 82lb/day of PM₁₀ emissions during construction, the project is considered to have a less than significant impact (see Table 5-1, MBARD, 2016). MBARD CEQA Guidelines also state that a project will result in less than significant impacts if daily ground-disturbing activities entail less than 8.1 acres of minimal earthmoving, or less than 2.2 acres of grading and excavation. Construction projects below these acreage thresholds would be below the applicable MBARD 82 lb/day threshold of significance and would constitute a less than significant effect for the purposes of CEQA (MBARD, 2016). The total construction area of the Proposed Modification is a maximum of approximately 2.5 acres, however, construction on any given day is likely to be much less. As noted above, the CFS Project EIR identified that construction of the CFS Project would result in a significant and unavoidable air quality impact due to temporary construction-related activities. The CFS Project EIR identified mitigation measures to minimize the extent of impacts, but the implementation of these measures would not reduce impacts to a less than significant level. However, the Proposed Modification would result in considerably less air quality effects than the CFS Project due to the limited nature of construction activities. As a result, the Proposed Modification is not anticipated to exceed applicable MBARD thresholds of significance for construction-related emissions. Nevertheless, the Proposed Modification would implement the existing mitigation measures, including the following mitigation measures identified in the CFS Project EIR, to minimize potential air quality effects: *AQ-2(a): Dust Control Measures* and *AQ-2(b): Idling Restrictions*. These mitigations, together with the relatively small construction area, would ensure that potential impacts associated with the Proposed Modification would be less than significant.

The Proposed Modification would result in temporary increases in emissions of inhalable particulates (PM_{2.5} and PM₁₀), VOC, and NO_x associated with construction-related activities, see **Table 1. Construction Air Quality Emissions** below for detailed information on these emissions. For more information, please refer to the technical memorandum prepared by Ambient Air Quality and Noise Consulting (February 2020). Construction-related fugitive dust emissions associated with the Proposed Modification would be generated from site grading and construction. In addition to construction-related fugitive dust, exhaust emissions associated with construction vehicles and equipment would also be generated.

Table 1
Construction Air Quality Emissions

| | Emissions in Pounds/Day | | | |
|--|-------------------------|-------------------|------------------|------|
| | NO _x | PM _{2.5} | PM ₁₀ | ROG |
| Significance Threshold (MBARD) | 137* | 55 | 82 | 137* |
| Emissions generated by the modifications | 24.1 | 4.7 | 10.1 | 0.74 |
| Exceed Threshold? | No | No | No | No |

Emissions Source: Technical Memo prepared by Ambient Air Quality and Noise Consulting for the Battery Energy Storage System Modification dated February 13, 2020.

Significance Threshold Source: MBARD, 2016

* Applies to non-typical construction equipment (i.e., well drilling) MBARD has identified that construction projects using typical construction equipment such as dump trucks, scrapers, bulldozers, compactors and front-end loaders that temporarily emit precursors of ozone (i.e., VOC or NO_x), are accommodated in the emission inventories of State- and federally-required air plans. Temporary emissions associated with the operation of construction equipment have been accommodated in State- and federally-required air plans.

The construction emissions generated by the Proposed Modification would not overlap with construction of other components of the CFS Project because all physical components of the CFS Project have already been constructed. Therefore, the emissions associated with the construction of the Proposed Modification would not add to the construction emissions of the CFS Project, and would not increase the severity of the air quality impacts identified in the CFS Project EIR. Construction would last approximately four (4) to seven (7) months. As shown in **Table 1. Construction Air Quality Emissions**, construction emissions would not exceed applicable MBARD thresholds. As a result, the Proposed Modification would not result in a new or substantially more severe significant impact due to air quality emissions during construction.

The Proposed Modification would result in operational air quality emissions. **Table 2. Operational Air Quality Emissions** identifies anticipated operational emissions. The increase in operational emissions associated with the Proposed Modification would not increase the severity of impacts identified in the CFS Project EIR. Moreover, all operational emissions would be below applicable MBARD thresholds. As a result, the Proposed Modification would not result in emissions that would result in any new significant impacts or cause an increase in severity of a previously identified impact beyond the levels identified in the CFS Project EIR based on an exceedance or violation of the applicable air quality standards.

Table 2.
Operational Air Quality Emissions

| | Emissions in Pounds/Day | | | |
|--|-------------------------|-------------------|------------------|------|
| | NO _x | PM _{2.5} | PM ₁₀ | ROG |
| Significance Threshold (MBARD) | 137* | 55 | 82 | 137* |
| Emissions generated by the modifications | 6.51 | 0.99 | 0.09 | 3.56 |
| Exceed Threshold? | No | No | No | No |

Emissions Source: Technical Memo prepared by Ambient Air Quality and Noise Consulting for the Battery Energy Storage System Modification dated February 13, 2020.

Significance Threshold Source: MBARD, 2016

* Applies to non-typical construction equipment (i.e., well drilling) MBARD has identified that construction projects using typical construction equipment such as dump trucks, scrapers, bulldozers, compactors and front-end loaders that temporarily emit precursors of ozone (i.e., VOC or NO_x), are accommodated in the emission inventories of State- and federally-required air plans. Temporary emissions associated with the operation of construction equipment have been accommodated in State- and federally-required air plans.

c) Less than Significant Impact with Mitigation: The CFS Project EIR identified that construction could result in the exposure of sensitive receptors to potential hazards associated with Valley Fever. As identified in the CFS Project EIR, standard construction Best Management Practices (“BMPs”) to minimize fugitive dust emissions, as well as standard erosion control measures, would minimize potential hazards associated with the release of fungal spores. These measures are consistent with the recommendations of the California Department of Public Health. The Proposed Modification would implement BMPs throughout construction

to minimize fugitive dust and potential erosion-related impacts, and post-construction revegetation that would reduce potential Valley Fever hazards. Construction of the Proposed Modification would result in ground-disturbing activities that could similarly expose construction personnel to Valley Fever related health hazards. In order to minimize these potential effects, the Proposed Modification would implement all mitigation measures identified in the CFS Project EIR, including the following: *AQ-2(a) Dust Control Measures*, *AQ-6(a) Valley Fever Management Plan*, *AQ-6(b) Additional Valley Fever Dust Suppression Measures*, *AQ-6(c) Monterey County Health Department Notification*, *AQ-6(d) Valley Fever Training Program and Safety Measures*, and *AQ-6(e) Valley Fever Information Handout*. Moreover, California Flats Solar, LLC worked closely with the County of Monterey to develop a rigorous Valley Fever program in connection with construction of the CFS Project, as required pursuant to the mitigation identified above. Those measures would continue to be implemented in connection with the Proposed Modification to ensure that potential Valley Fever impacts are minimized to less than significant consistent with the findings of the CFS Project EIR. Finally, the extent of construction-related activities associated with the Proposed Modification are considerably less than those associated with the CFS Project. As a result, the Proposed Modification is not anticipated to result in any additional effects related to Valley Fever beyond those previously identified in the CFS Project EIR.

d) No Impact. No substantial odors would be emitted from the Proposed Modification site based upon the type of construction activities and project operations proposed.

CONCLUSION

The Proposed Modification would not result in any new significant impacts or cause an increase in severity of any significant impacts identified in the CFS Project EIR related to air quality. The Proposed Modification would implement the following mitigation measures, consistent with the CFS Project EIR, to ensure that potential impacts associated with Valley Fever would be less than significant: *AQ-2(a) Dust Control Measures*, *AQ-2(b): Idling Restrictions*, *AQ-6(a) Valley Fever Management Plan*, *AQ-6(b) Additional Valley Fever Dust Suppression Measures*, *AQ-6(c) Monterey County Health Department Notification*, *AQ-6(d) Valley Fever Training Program and Safety Measures*, and *AQ-6(e) Valley Fever Information Handout*. In addition, the Proposed Modification would also implement all existing mitigation measures identified in the CFS Project EIR to ensure that impacts would be less than significant.

D. Biological Resources

EXISTING SETTING

The CFS Project EIR includes a comprehensive description of the existing setting for biological resources.³ As described in the CFS Project EIR, the CFS Project is in southeast Monterey County, California near the borders of Monterey, San Luis Obispo, Kings, and Fresno Counties. The Biological Study Area (“BSA”) for the CFS Project EIR consisted of approximately 5,033 acres, including an approximately 4,184-acre study area around the SDA (also referred to as Solar Generated Facility Area in the CFS Project EIR), an approximately 698-acre study area around the Access Road, and an approximately 155-acre study area around the Utility Corridor (of which four acres overlap with the Solar Generating Facility Area Study Area). The BSA extended beyond the footprint of the CFS Project and included the 2,120-acre SDA, which the CFS Project EIR assumed would be developed with utility-scale infrastructure improvements.

In 2020, Althouse and Meade prepared a supplemental, site-specific, technical memorandum evaluating the effects of the Proposed Modification as compared to the findings contained in the CFS Project EIR. That analysis described the existing vegetation community, botanical resources, wildlife resources, and other biological features within a defined study area. The study area, which consists of the Proposed Modification site with an approximate 100-foot buffer, is 43.1 acres. The study area is located entirely within the BSA described above. The following is a brief overview of results of Althouse and Meade’s supplemental analysis. For a complete description of the environmental setting for the Proposed Modification, please refer to Althouse and Meade’s technical memorandum, which was submitted to the County of Monterey as part of the minor permit application.

Vegetation Communities

The study area for the Proposed Modification is defined by five (5) different vegetation classifications/communities: California annual grassland (24.6 acres), wildflower field (9.0 acres), grassland riparian (1.3 acres), serpentine bunchgrass grassland (0.2 acres), and developed (8.0 acres). Each habitat type was field inspected and described by species composition and modified by the current CFS Project development footprint. Two (2) drainage features traverse the Proposed Modifications study area in association with the grassland riparian habitat.

Botanical Resources

Research on special status plant occurrences conducted within the study area determined that 40 special status plant species are known to occur in the region. Figure 5a of the biological technical memorandum shows the location of special status plants found within the study area and Figure 5b of the biological technical memorandum depicts the current special status plants mapped within a 5-mile radius of the study area by the California Natural Diversity Database (CNDDDB).

Potential Special Status Plant Species

Based on an analysis of known ecological requirements for the special status plant species reported from the region and the habitat conditions that were observed in the Proposed Modification study area, it was determined that a total of eleven special status plant species either occur or potentially occur in the study area. Plant species potential to occur was determined by which appropriate habitat and/or soils exist, an/or was historically known to occur onsite or in the vicinity. See the biological technical memorandum included

³ For a detailed description of the existing environmental setting, please refer to Section 4.4, Biological Resources, of the CFS Project Draft EIR.

in **Section 10** of the *Minor Permit Amendment Application for the CFS Project BESS Modification*, for more details about individual plant species with the potential to occur in the study area.

Preliminary 2020 Botanical Survey Results

Preliminary botanical surveys conducted by Althouse and Meade in March 2020 identified 37 species of vascular plant taxa and 2 lichens in the study area. See Table 4 on page 28 of the biological technical memorandum for a summary of these species. Native plant species account for approximately 75 percent of the study area, and preliminary flora and introduced species account for approximately 25 percent.

Wildlife Resources

Research on special status animal occurrences conducted within the study area determined 32 special status animal species are known to occur in the region.

Potential Special Status Animal Species

Based on an analysis of known ecological requirements for the special-status wildlife species reported or known from the region and the habitat conditions that were observed, a total of nine special status animal species potentially occur in the study area. Animal species potential was determined by which appropriate habitat and/or conditions exist, and/or historical occurrence in the vicinity. See the biological technical memorandum included in **Section 10** of the *Minor Permit Amendment Application for the CFS Project BESS Modification*, for more details about individual animal species with the potential to occur in the study area.

Wildlife Survey Results

A total of 17 wildlife taxa were observed within the study area during the January and March 2020 surveys performed by Althouse and Meade; 1 invertebrate, 2 reptiles, 9 birds, and 5 mammals. Table 6 on page 39 of the biological technical memorandum provides a list of the wildlife observed in the study area.

Habitat Connectivity and Wildlife Movement

Wildlife movement corridors are considered sensitive by resource and conservation agencies. While the study area does not function as a significant regional corridor, it is located in a grazed agricultural area that is generally contiguous with undeveloped land in all directions. Wildlife could move through the study area while traveling through the Proposed Modification and surrounding areas. The study area represents moderately suitable foraging and dispersal habitat for the San Joaquin kit fox. See the biological technical memorandum included in **Section 10** of the *Minor Permit Amendment Application for the CFS Project BESS Modification*, for more details about this potential habitat for San Joaquin kit fox.

CHECKLIST

| | No New Impact or Increase in Severity of a Previously Identified Impact | Significant Impact (unchanged) | Less than Significant with Mitigation Incorporated (unchanged) | Less than Significant Impact (unchanged) | No Impact |
|--|---|--------------------------------|--|--|--------------------------|
| Would the project: | | | | | |
| 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 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | No New Impact or Increase in Severity of a Previously Identified Impact | Significant Impact (unchanged) | Less than Significant with Mitigation Incorporated (unchanged) | Less than Significant Impact (unchanged) | No Impact |
|--|---|--------------------------------|--|--|--------------------------|
| Would the project: | | | | | |
| California Department of Fish and Game or U.S. Fish and Wildlife Service? | | | | | |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

IMPACTS IDENTIFIED IN THE CFS PROJECT EIR

The CFS Project EIR analyzed potential impacts to biological resources associated with the construction and operation of the CFS Project. The CFS Project EIR identified that construction would result in potentially significant construction-related impacts to species identified as candidate, sensitive or special status in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service (see Impact B-1, Draft EIR, pg. 4.4-84 through 4.4-155; see also Final EIR, pg. 4-51 through 4-111). The CFS Project EIR also identified potential impacts to riparian habitat or other sensitive natural community identified in applicable plans, policies and regulations (see Impact B-2, Draft EIR, pg. 4.4-155 through 4.4-173). Mitigation measures were identified to ensure potential impacts to protected species and wildlife habitat would be reduced to less than significant levels. Impacts to wetlands and waters subject to federal jurisdiction, as defined by Section 404 of the Clean Water Act, were identified as potentially significant but mitigable (see Impact B-3, Draft EIR, pg. 4.4-173 through 4.4-180). In addition, the CFS Project EIR identified that the CFS Project could potentially interfere with the movement of 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 (see Impact B-4, Draft EIR, pg. 4.4-180 through 4.4-188). The following is a brief summary of the findings of the CFS Project EIR related to biological resources.

- The CFS Project EIR identified a potentially significant impact due to potential adverse effects on 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. However, the CFS Project EIR concluded that this impact would be reduced to less than significant with the implementation of the following mitigation measures:

- *B-1(a): Nested Compensatory Mitigation, B-1(b): Habitat Mitigation and Monitoring Plan, B-1(c): Pre-Construction Special Status Plant Surveys, B-1(d): Special Status Plant Species Avoidance and Minimization, B-1(e): Compensatory Mitigation for Special Status Plant Species, B-1(f): Pre-Construction Surveys for American Badger, B-1(g): American Badger Avoidance and Minimization, B-1(h): Pre-Construction Surveys for San Joaquin Kit Fox, B-1(i): San Joaquin Kit Fox Den Avoidance and Minimization Measures, B-1(j): Compensatory Habitat Mitigation for San Joaquin Kit Fox, B-1(k): Remove Wild Animal And Livestock Carcasses, B-1(l): Pre-Construction Surveys for Burrowing Owl, B-1(m): Burrowing Owl Avoidance and Minimization Measures, B-1(n): Compensatory Habitat Mitigation for Burrowing Owl, B-1(o): Pre-Construction Surveys for Coachwhip and Coast Horned Lizard, B-1(p): Wildlife-Friendly Fence Design, B-1(q): Bat Pre-Construction Surveys and Avoidance, B-1(r): Pre-Construction Surveys for Raptors and Other Special Status Bird Species, B-1(s): Special Status Bird Species Impact Avoidance and Minimization, B-1(t): Pre-Construction Surveys and Avoidance of Western Pond Turtle, B-1(u): Pre-Construction Surveys and Avoidance of Western Spadefoot, B-1(v): Compensatory Mitigation for Western Spadefoot Toad, B-1(w): California Tiger Salamander and California Red-Legged Frog Relocation Sites, MM B-1(x): California Red-Legged Frog Construction Barriers, B-1(y): Construction Timing, Pre-Construction Surveys and Avoidance Measures for California Red-Legged Frog, B-1(z): Compensatory Mitigation for California Red-Legged Frog, B-1(aa): California Tiger Salamander Construction Barriers, B-1(bb): California Tiger Salamander Daily Pre-activity Surveys, B-1(cc): Compensatory Mitigation for California Tiger Salamander, B-1(dd): Vernal Pool Branchiopod Avoidance and Mitigation, B-1(ee): Construction Biological Monitoring, B-1(ff): Special Status Animal Species General Avoidance Measures and Construction Best Management Practices, B-1(gg): Worker Environmental Awareness Program.* With the implementation of the aforementioned mitigation measures, potential impacts to sensitive plant and animal species would be reduced to a less than significant level.
- The CFS Project EIR identified a potentially significant impact due to impacts on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. However, this impact would be reduced to less than significant with the implementation of the following mitigation measures: *B-2(a): Valley Needlegrass Grassland and Wildflower Field Habitat Mitigation, B-2(b): Habitat Restoration and Revegetation Plan, B-2(c): Project Vegetation and Invasive Species Management Plan, B-2(d): Mixed Oak Woodland Avoidance and Minimization, B-2(e): Riparian/Stream Habitat Setbacks, B-2(f): Stream Channel Avoidance and Minimization, B-2(g): Directional Boring Avoidance and Minimization, B-2(h): Show streams and riparian habitat, and associated setbacks, on construction drawings, and B-2(i): Riparian/Stream Mitigation.* With implementation of these mitigation measures, the CFS Project EIR concluded that impacts would be less than significant.
- The CFS Project EIR identified a potentially significant impact due to impacts to federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. However, this impact would be reduced to less than significant with the implementation of the following mitigation measures: *B-3(a): Wetland Avoidance and Minimization, B-3(b): Well Placement Hydrology Study, B-3(c): Monitor Well Impacts to Wetlands, and B-3(d): Wetland Habitat Mitigation.* With implementation of the above mitigation measures, the CFS Project EIR concluded that impacts would be less than significant.
- The CFS Project EIR identified a potentially significant impact due to the interference with the movement of native residents or migratory fish or wildlife species or with established native

residents or migratory wildlife corridors or impede the use of native wildlife nursery sites. However, this impact would be reduced to less than significant with the implementation of the following mitigation measures: *B-4(a): Pronghorn Calving Ground Avoidance and Minimization* and *B-4(b): Pronghorn-Friendly Fence Design*. With the implementation of these mitigation measures, the CFS Project EIR concluded that impacts would be less than significant.

- The CFS Project EIR identified a potentially significant impact associated with the implementation of the CFS Project conflicting with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. However, this impact would be reduced to less than significant with the implementation of the following mitigation measure: *B-5(a): Oak/Riparian Tree Protection Zone* and *B-5(b): Oak/Riparian Tree Mitigation*. With the implementation of these mitigation measures, the CFS Project EIR concluded that impacts would be less than significant.
- The CFS Project EIR concluded that the CFS Project is not located within an area subject to an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or State HCP. Therefore, the CFS Project EIR concluded that impacts would be less than significant.

IMPACTS OF THE PROPOSED MODIFICATION

As discussed above, Althouse and Meade prepared a detailed biological technical memorandum evaluating the potential environmental effects associated with the Proposed Modification. As noted previously, the Proposed Modification is located entirely within the existing 2,120-acre SDA – therefore, the CFS Project EIR previously evaluated the potential environmental effects associated with the construction of utility-scale infrastructure within the area of the Proposed Modification. The following represents the results of the site-specific technical analysis prepared by Althouse and Meade which conclusively demonstrates that the Proposed Modification would not result in any additional environmental effects or an increase in the severity of a previously identified impact beyond the levels identified in the CFS Project EIR.

a) Less than Significant Impact with Mitigation: Althouse and Meade mapped three (3) sensitive plant species from the CFS Project EIR within the study area for the Proposed Modification. However, only one (1) sensitive plant species is located within the footprint because the Proposed Modification does not propose any impacts to hogwallow starfish and California macrophylla was delisted from their rare plant rank. Therefore, shining navarretia is the only sensitive plant species considered impacted by the Proposed Modification. In addition, 11 sensitive plant species have the potential to occur within the study area.

The CFS Project EIR considered direct and indirect impacts to special status plant species as significant but mitigable and was addressed through implementation of the following mitigation measures: *B-1(a) Nested Compensatory Mitigation*, *B-1(b) Habitat Mitigation and Monitoring Plan*, *B-1(c) Pre-construction Special Status Plant Surveys*, *B-1(d) Special Status Plant Species Avoidance and Minimization*, and *B-1(e) Compensatory Mitigation for Special Status Plant Species*. The implementation of these mitigation measures would reduce impacts to a less than significant level. Impacts associated with the Proposed Modification would be limited to the boundaries of the SDA and would be mitigated.

Therefore, the Proposed Modification would not result in any additional environmental effects to sensitive plant species beyond those previously identified in the CFS Project EIR or increase the severity of a previously identified impact. No additional mitigation measures are necessary.

Nine (9) sensitive animal species are considered to potentially utilize the study area for the Proposed Modification: the San Joaquin coachwip, golden eagle, burrowing owl, American badger, San Joaquin kit fox, and raptors and other special status birds including the prairie falcon, loggerhead shrike, grasshopper sparrow, and the tri-colored blackbird. Impacts to these species would be addressed through the implementation of Mitigation Measures *B-1(f) Pre-construction Surveys for American Badger*, *B-1(g) American Badger Avoidance and Minimization*, *B-1(h) Pre-construction Surveys for San Joaquin Kit Fox*,

B-1(i) San Joaquin Kit Fox Den Avoidance and Minimization Measures, B-1(j) Compensatory Habitat Mitigation for San Joaquin Kit Fox, B-1(k) Remove Wild Animal and Livestock Carcasses, B-1(l) Pre-construction Surveys for Burrowing Owl, B-1(m) Burrowing Owl Avoidance and Minimization Measures, B-1(n) Compensatory Habitat Mitigation for Burrowing owl, B-1(o) Pre-construction Surveys for Coachwhip, B-1(p) Wildlife Friendly Fence Design, B-1(r) Pre-construction Surveys for Raptors and Other Special Status Bird Species, B-1(s) Special Status Bird Species Impact Avoidance and Minimization, B-1(ee) Construction Biological Monitoring, B-1(ff) Special Status Animal Species General Avoidance Measures and Construction Best Management Practices, and B-1(gg) Worker Environmental Education Program. As a result, impacts associated with the Proposed Modification would be limited to the boundaries of the SDA and would be mitigated.

b, d) Less than Significant Impact with Mitigation: The Proposed Modification is anticipated to permanently disturb approximately 2.6 acres, comprised of 2.2 acres of California annual grassland and 0.4-acre of wildflower fields. The transmission line would result in minor areas of temporary disturbance to California annual grassland, wildflower fields, and riparian grassland habitats. Additional small areas of temporary disturbance are anticipated around the Tesla Megapack and substation modification areas in annual grassland and wildflower field habitats. No impacts are proposed to serpentine bunchgrass. Due to its abundance and non-native species composition, California annual grassland and riparian grassland are not considered a sensitive natural community. However, wildflower fields are considered a sensitive natural community because it supports a diverse native flora and special status plant species composition. The CFS Project EIR considered permanent and temporary impacts to wildflower fields significant but mitigable. These impacts would be reduced to a less than significant level through the incorporation of the following mitigation measures: *B-2(a) Wildflower Field Habitat Mitigation, B-2(b) Habitat Restoration and Revegetation Plan, and B-2(c) Project Vegetation and Invasive Species Management Plan.* Impacts associated with the Proposed Modification would be entirely within the boundaries of the area that was considered impacted in the CFS Project EIR analysis and would be mitigated to less than significant levels through the incorporation of existing mitigation.

Additionally, construction of the proposed substation expansion is not anticipated to result in any additional impacts to wildflower fields beyond those previously identified in the CFS EIR. As noted above, the Proposed Modification, including the substation expansion, is located entirely in the SDA. The CFS Project EIR accounted for permanent impacts to wildflower fields via Mitigation Measure *B-2(a) Wildflower Field Habitat Mitigation.* The CFS Project EIR had a 394-acre mitigation obligation for wildflower field impacts (1:1 ratio). The CFS Project previously compensated for impacts to wildflower fields through the permanent conservation of 394 acres off-site. This 394-acre mitigation obligation included impacts associated with the development of the area of the Proposed Modification. As a result, the 0.4-acres of permanent impact to wildflower fields from the Proposed Modification, which are entirely within the SDA, have already been fully mitigated pursuant to mitigation measure *B-2(a) Wildflower Field Habitat Mitigation;* no additional compensatory mitigation is required. Similarly, the 394-acre mitigation obligation includes an excess of 10 acres of Valley Needlegrass (also a sensitive habitat). Thus 0.4-acre mitigation obligation for the Proposed Modification's permanent impacts to wildflower fields is compensated through preservation of the 10-acre excess of sensitive habitat located offsite in the Conservation Lands. Impacts created by the overhead/underground transmission line would result in temporary impacts to small areas of wildflower fields. However, this area was considered temporarily impacted, and mitigated for via Mitigation Measures *B-2(b) Habitat Restoration and Revegetation Plan and B-2(c) Project Vegetation and Invasive Species Management Plan.*

Therefore, the Proposed Modification would not result in any additional environmental effect to wildflower fields beyond those previously identified in the CFS Project EIR or increase the severity of a previously identified impact. No additional mitigation measures are necessary.

c) Less than Significant Impact with Mitigation: Proposed Modification construction activities would involve trenching and boring underground transmission lines that would temporarily impact an ephemeral stream that is a non-wetland waters of the U.S. Applicable federal and state agency permits and amendments would be acquired.

The CFS Project EIR considered temporary impacts to ephemeral streams for crossing used only for construction, significant but mitigable and was addressed through Mitigation Measures B-2(b) *Habitat Restoration and Revegetation Plan*, B-2(c) *Project Vegetation and Invasive Species Management Plan*, and B-2(g) *Directional Boring Avoidance and Minimization* to less than significant levels. Impacts associated with the Proposed Modification would be entirely within the boundaries of the area that was considered impacted in the CFS Project EIR analysis and would be mitigated.

e, f) Less than Significant Impact: With the implementation of the mitigation measures included above, the Proposed Modification would not conflict with local policies protecting biological resources. No tree removal would be associated with the Proposed Modification. Additionally, there are not any approved local, regional, or state habitat conservation plans within the area of the Proposed Modification site.

CONCLUSION

The Proposed Modification would not result in any new significant impacts or cause an increase in severity of any significant impacts identified in the CFS Project EIR related to biological resources. The Proposed Modification would implement the following mitigation measures, consistent with the CFS Project EIR, to ensure that potential impacts would be less than significant: B-1(a) *Nested Compensatory Mitigation*, B-1(b) *Habitat Mitigation and Monitoring Plan*, B-1(c) *Pre-construction Special Status Plant Surveys*, B-1(d) *Special Status Plant Species Avoidance and Minimization*, B-1(e) *Compensatory Mitigation for Special Status Plant Species*, B-1(f) *Pre-construction Surveys for American Badger*, B-1(g) *American Badger Avoidance and Minimization*, B-1(h) *Pre-construction Surveys for San Joaquin Kit Fox*, B-1(i) *San Joaquin Kit Fox Den Avoidance and Minimization Measures*, B-1(j) *Compensatory Habitat Mitigation for San Joaquin Kit Fox*, B-1(k) *Remove Wild Animal and Livestock Carcasses*, B-1(l) *Pre-construction Surveys for Burrowing Owl*, B-1(m) *Burrowing Owl Avoidance and Minimization Measures*, B-1(n) *Compensatory Habitat Mitigation for Burrowing owl*, B-1(o) *Pre-construction Surveys for Coachwhip*, B-1(p) *Wildlife Friendly Fence Design*, B-1(r) *Pre-construction Surveys for Raptors and Other Special Status Bird Species*, B-1(s) *Special Status Bird Species Impact Avoidance and Minimization*, B-1(ee) *Construction Biological Monitoring*, B-1(ff) *Special Status Animal Species General Avoidance Measures and Construction Best Management Practices*, B-1(gg) *Worker Environmental Education Program*, B-2(a) *Wildflower Field Habitat Mitigation*, B-2(b) *Habitat Restoration and Revegetation Plan*, B-2(c) *Project Vegetation and Invasive Species Management Plan*, and B-2(g) *Directional Boring Avoidance and Minimization*. The implementation of existing mitigation measures would ensure that potential impacts associated with the Proposed Modification would be consistent with the findings of the CFS Project EIR.

E. Cultural Resources

EXISTING SETTING

The CFS Project EIR includes a comprehensive description of the existing setting for cultural resources.⁴ The following discussion provides additional, site-specific, information related to the area of the Proposed Modification based on the results of a technical memorandum prepared by Applied Earthworks (February 2020). As noted previously, the Proposed Modification is in an area that was previously evaluated as part of the CFS Project EIR. For a more detailed description of the existing environmental setting, as well as survey methodology and results, please refer to the Cultural Resources Technical Memorandum in **Section 11** of the *Minor Permit Amendment Application for the CFS Project BESS Modification*.

The CFS Project is within the Coast Ranges geomorphic province⁵ of California. The oldest known rocks in the Coast Ranges consist of the Franciscan Assemblage basement complex and the Salinian Block crystalline basement rocks. The area of the present-day Coast Ranges was covered by marine waters through the Mesozoic and into the Cenozoic. During the Late Miocene to the Late Pliocene, an orogenic (i.e., mountain-building) episode occurred in the vicinity of the present-day Coast Ranges, resulting in their uplift above sea level. Subsequently, from the Late Pliocene to Pleistocene, extensive deposits of terrestrial material, including alluvial fans and fluvial sediments, were deposited in the southern Coast Ranges (Norris and Webb 1976).

The CFS Project lies in a rugged and remote interior portion of California that has been virtually unstudied archaeologically and is thus poorly understood. Applied Earthwork's subsurface investigations for the CFS Project found evidence of prehistoric human occupation dating from the early Holocene into the historic period, with the bulk of occupation in the Middle Archaic (approximately 5000–600 calibrated years [cal.] B.C.) (Price et al. 2013). Prehistoric site types in the area range from habitation and tool manufacturing locations to quarries and small lithic scatters. Due to the abundance of Franciscan and Temblor chert tool stone in the immediate vicinity, along with adequate natural resources and access to water, prehistoric use of this region is varied and complex.

The Proposed Modification area falls principally into the territory of the Salinan group, although two other native groups, the Tachi Yokuts and Northern Chumash, also have ties to the region (Price et al. 2013). During the Mission Period, Spanish use of the Cholame Valley was much less intensive than in coastal areas of Monterey and San Luis Obispo counties. Rather, this region was a passage to inland areas such as the Carrizo Plain and the Central Valley that served as refuge for those natives who escaped from mission oversight (Price et al. 2013).

Applied Earthworks conducted an in-house record search of its extensive California Flats data and site records on January 13, 2020. The in-house record search focused on the Proposed Modification and a 0.25-mile buffer. In addition, a pedestrian archaeological survey of the entire Proposed Modification study area was completed on January 15, 2020. The in-house records search identified five previous cultural resource studies conducted in association with the CFS Project that cover the Proposed Modification. Of those five cultural resource studies one falls within the Proposed Modification study area 0.25-mile search buffer, and one covers the whole CFS Project area.

⁴ For a detailed description of the existing environmental setting, please refer to Section 4.5, Cultural and Paleontological Resources, of the CFS Project Draft EIR.

⁵ A geomorphic province is a region of unique topography and geology that is readily distinguished from other regions based on its landforms and diastrophic history.

CHECKLIST

| Would the project: | No New Impact or Increase in Severity of a Previously Identified Impact | Significant Impact (unchanged) | Less than Significant with Mitigation Incorporated (unchanged) | Less than Significant Impact (unchanged) | No Impact |
|--|---|--------------------------------|--|--|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of dedicated cemeteries? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

IMPACTS IDENTIFIED IN THE CFS PROJECT EIR

The CFS Project EIR identified that the CFS Project could potentially affect cultural and paleontological resources. More specifically, construction could potentially affect National Register of Historic Places (“NRHP”)/California Register of Historic Resources (“CRHR”)-eligible prehistoric or historic archaeological resources (see Impact CR-1, Draft EIR, pg. 4.5-35 through 4.5-38; see also Final EIR, pg. 4-115 through 4-116), previously unidentified cultural resources (See Impact CR-2, Draft EIR, pg. 4.5-38 through 4.5-39), previously unidentified human remains (see Impact CR-3, Draft EIR, pg. 4.5-39 through 4.5-40), and paleontological resources (See Impact CR-4, Draft EIR, pg. 4.5-40 through 4.5-41). The following is a brief overview of the findings of the CFS Project EIR related to cultural resources.

- The CFS Project EIR concluded that the construction and eventual decommissioning of the CFS Project could result in a potentially significant impact to NRHP/CRHR-eligible prehistoric or historic archaeological resources. However, this impact would be reduced to less than significant with the implementation of the following mitigation measures: *CR-1(a): Archaeological Site Avoidance*, *CR-1(b): Site Capping and Data Indexing*, *CR-1(c): Data Recovery Excavation*, *CR-1(d): Archaeological Resource Worker Environmental Awareness Program*, *CR-1(e): Archaeological Resource Construction Monitoring*, and *CR-1(f): Native American Construction Monitoring*. The CFS Project EIR concluded that the implementation of these mitigation measures would ensure that impacts would be less than significant.
- The CFS Project EIR identified that the CFS Project could result in a potentially significant impact to previously unidentified cultural resources. However, this impact would be reduced to less than significant with the implementation of the following mitigation measure: *CR-2: Previously Unidentified Archaeological Resources*. The CFS Project EIR concluded that the implementation of these mitigation measures would ensure that impacts would be less than significant.
- The CFS Project EIR stated that the CFS Project would involve surface excavation, which has the potential to unearth or adversely impact previously unidentified human remains. The CFS Project EIR identified that the compliance with the requirements of Sec. 7050.5 of the Health and Safety Code for the treatment and disposition of human remains would ensure that any potential impacts due to the discovery of previously unidentified human remains would be less than significant.
- The CFS Project EIR identified that the CFS Project would involve surface excavation, which could unearth previously unidentified paleontological resources. However, this impact would be reduced to less than significant with the implementation of the following mitigation measures: *CR-4(a): Paleontological Resources Mitigation Plan* and *CR-4(b): Paleontological Resources Construction*

Monitoring. The CFS Project EIR concluded that the implementation of these mitigation measures would ensure that impacts would be less than significant.

IMPACTS OF THE PROPOSED MODIFICATION

Applied Earthworks prepared a detailed technical memorandum evaluating the potential environmental effects associated with the Proposed Modification. As noted previously, the Proposed Modification is located entirely within the existing 2,120-acre SDA – therefore, the CFS Project EIR previously evaluated the potential environmental effects associated with the construction of utility-scale infrastructure within the area of the Proposed Modification. The following represents the results of the site-specific technical analysis prepared by Applied Earthworks which conclusively demonstrates that the Proposed Modification would not result in any additional environmental effects or an increase in the severity of a previously identified significant impact beyond the levels identified in the CFS Project EIR.

a, b) Less than Significant Impact with Mitigation: Ground disturbing activities could potentially unearth unknown archaeological resources. Background research found two previously recorded resources within 0.25-miles search radius of the Proposed Modification site and no previously recorded resources within the study area. One previous study has occurred within the 0.25-mile search radius and one study has covered the full CFS Project area/Area of Potential Effect (APE), including the location of the Proposed Modification. Overall, the Proposed Modification is located within the SDA, which was previously analyzed and disturbed as part of the original CFS Project. As a result, Applied Earthworks concluded that the Proposed Modification would not result in any additional impacts or effects beyond those previously identified in the CFS Project EIR or in the Memorandum of Agreement (MOA) and Historic Properties Treatment Plan (HPTP) for Section 106 compliance. Moreover, the implementation of existing mitigation measures identified in the CFS Project EIR, including *CR-1(a) Archaeological Site Avoidance, CR-1(b) Site Capping and Data Indexing, CR-1(c) Data Recovery Excavation, CR-1(d) Archaeological Resource Worker Environmental Awareness, CR-1(e) Archaeological Resource Construction Monitoring, CR-1(f) Native American Construction Monitoring, and CR-2 Previously Unidentified Archaeological Resources* would ensure that impacts would remain less than significant. As a result, the Proposed Modification would not result in any additional environmental effects beyond those identified in the CFS Project EIR.

c) Less than Significant Impact: No cemeteries are known to occur within or adjacent to the Proposed Modification and no evidence of a cemetery or burial areas was identified within or adjacent to the Proposed Modification area during the data research and fieldwork performed as part of the CFS Project EIR. However, consistent with the findings of the CFS Project EIR, excavation and soil removal of any kind, irrespective of depth, could potentially affect previously unidentified human remains. Compliance with Health and Safety Code Sec. 7050.5 would ensure that potential impacts would be less than significant.

California Health and Safety Code Sec. 7050.5 requires that:

“in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlay adjacent remains, until the County Coroner has examined the remains. If the Coroner determines the remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner shall contact by telephone within 24 hours the NAHC. In addition, any person who mutilates or disinters, wantonly disturbs, or willfully removes any human remains in or from any location other than a dedicated cemetery without authority of law is guilty of a misdemeanor.”

Compliance with these existing requirements would ensure that impacts would be less than significant.

CONCLUSION

The Proposed Modification would not result in any new significant impacts or cause an increase in severity of any significant impacts identified in the CFS Project EIR related to cultural resources. The Proposed Modification would implement the following mitigation measures, consistent with the CFS Project EIR, to ensure that potential impacts would be less than significant: *CR-1(a) Archaeological Site Avoidance, CR-1(b) Site Capping and Data Indexing, CR-1(c) Data Recovery Excavation, CR-1(d) Archaeological Resource Worker Environmental Awareness, CR-1(e) Archaeological Resource Construction Monitoring, CR-1(f) Native American Construction Monitoring, and CR-2 Previously Unidentified Archaeological Resources Mitigation Measures CR-1: Stop Work If Buried Cultural Deposits are Encountered during Construction; and CR-2: Stop Work If Human Remains are Encountered during Construction Activities.* The implementation of existing mitigation measures would ensure that potential impacts associated with the Proposed Modification would be consistent with the findings of the CFS Project EIR.

F. Energy

EXISTING SETTING

Gas and electric service in the region is provided by Pacific Gas and Electric Company (“PG&E”). PG&E operates a grid distribution system that transmits electricity with a vast network of transmission and distribution lines throughout the service area to the users.

CHECKLIST

| Would the project: | No New Impact or Increase in Severity of a Previously Identified Impact | Significant Impact (unchanged) | Less than Significant with Mitigation Incorporated (unchanged) | Less than Significant Impact (unchanged) | No Impact |
|---|---|--------------------------------|--|--|--------------------------|
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with or obstruct state or local plan for renewable energy or energy efficiency? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

IMPACTS IDENTIFIED IN THE CFS PROJECT EIR

The CFS Project EIR did not specifically evaluate energy related effects as a separate CEQA section because at the time the County of Monterey prepared the CFS Project EIR the CEQA Guidelines had not been updated to require a separate evaluation of energy resources. The CFS Project EIR did, however, evaluate potential energy related impacts within the context of potential impacts related to greenhouse gas emissions and climate change. Moreover, it is also important to recognize that while the CFS Project EIR did not directly evaluate potential energy related effects as a separate topical CEQA item, the CFS Project consists of a renewable energy facility that is intended to increase the availability of renewable energy sources. As a result, the CFS Project, by its very nature, is intended to improve energy availability and would not result in the wasteful, uneconomical, or unnecessary usage of energy.

- The CFS Project EIR concluded that the CFS Project would not result in the wasteful, uneconomical, and unnecessary use of energy.

IMPACTS OF THE PROPOSED MODIFICATION

a, b) Less than Significant Impact: The Proposed Modification would not result in a potential significant environmental impact due to the wasteful, inefficient, or unnecessary consumption of energy resources during construction or operation. Moreover, the Proposed Modification would not result in a potential significant impact due to potential conflicts with state or local plans for renewable energy or energy efficiency. The Proposed Modification would improve the reliability of the CFS Project by modifying the existing facility to allow energy storage on-site. Energy storage is an important component of energy conservation because it allows renewable energy sources to store power during periods when demand is low and subsequently provide clean, reliable, sources of energy during peak demand. Accordingly, the Proposed Modification does not entail the wasteful or inefficient use of energy, but rather ensures the reliability of renewable energy production. Moreover, given the nature of the modification it is also not anticipated to conflict with any goals related to renewable energy production or energy efficiency. This represents a less than significant impact.

CONCLUSION

The Proposed Modification would not result in any new significant impacts or cause an increase in severity of any significant impacts identified in the CFS Project EIR related to energy consumption.

G. Geology and Soils

EXISTING SETTING

The CFS Project EIR includes a detailed description of the existing environmental setting for geology and soils.⁶ As discussed in the CFS Project EIR, Kleinfelder, Inc. prepared a Preliminary Geotechnical & Geologic Hazard Evaluation for the CFS Project in 2012, as well as an Addendum to the Preliminary Geotechnical & Geologic Hazard Evaluation in 2013. Kleinfelder's analysis described the existing geotechnical and geologic setting and evaluated the potential geologic related impacts associated with the CFS Project. That analysis covered the entire CFS Project site, including the 2,120-acre SDA. The geotechnical analyses described the CFS Project site as consisting of extensive alluvial terraces forming wide level planes (less than 10% slope), situated between steeply rolling hills to the northeast and southwest. The SDA, which includes the site of the Proposed Modification, is predominantly flat land that gently slopes to the west and is transected by several southwestward seasonally flowing drainages and the perennial Cottonwood Creek. Sims (1988) mapped the SDA as Pleistocene alluvial fan deposits (composed of silt, sand, and gravel) underlain by Tertiary Monterey and Temblor formations. These formations are mainly composed of sandstone, claystone, shale and siltstone.

CHECKLIST

| | No New Impact or Increase in Severity of a Previously Identified Impact | Significant Impact (unchanged) | Less than Significant with Mitigation Incorporated (unchanged) | Less than Significant Impact (unchanged) | No Impact |
|--|---|--------------------------------|--|--|-------------------------------------|
| Would the project: | | | | | |
| a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) Landslides? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input checked="" type="checkbox"/> | <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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? | <input checked="" type="checkbox"/> | <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 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

⁶ Please refer to Section 4.6, Geology and Soils, of the CFS Project Draft EIR.

| | No New Impact or Increase in Severity of a Previously Identified Impact | Significant Impact (unchanged) | Less than Significant with Mitigation Incorporated (unchanged) | Less than Significant Impact (unchanged) | No Impact |
|---|---|--------------------------------|--|--|--------------------------|
| Would the project: | | | | | |
| systems where sewers are not available for the disposal of wastewater? | | | | | |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

IMPACTS IDENTIFIED IN THE CFS PROJECT EIR

The CFS Project EIR identified that construction of the CFS Project could result in potential impacts due to seismic hazards (see Impact GEO-1, Draft EIR, pg. 4.6-14 through 4.6-16), landslide hazards (see Impact GEO-2, Draft EIR, pg. 4.6-16 through 4.6-17; see also Final EIR, pg. 4-116 through 4-119), erosion (see Impact GEO-3, Draft EIR, Pg. 4.6-17 through 4.6-19), expansive soils (see Impact GEO-4, Draft EIR, pg. 4.6-19 through 4.6-20), and wastewater (i.e., septic disposal) (see Impact GEO-5, Draft EIR, pg. 4.6-20 through 4.6-22). Construction related impacts would be limited to temporary increases in erosion due to ground-disturbing activities. The following is a brief overview of the findings of the CFS Project EIR related to geology and soils.

- The CFS Project EIR identified that the CFS Project could be exposed to potential seismically induced hazards due to the proximity of the site to existing faults, including the San Andreas Fault, the Jack Ranch Fault, and the Gold Hill Thrust Fault. The CFS Project EIR identified that the active San Andreas Fault could expose people or structures to potential adverse effects involving surface rupture hazards, strong seismic shaking, or seismic-related ground failure, including liquefaction. The CFS Project EIR, however, concluded that these impacts would be less than significant, and no mitigation was warranted.
- The CFS Project EIR identified a potentially significant impact related to moderate landslide potential in the utility corridor due to its steep slopes. In addition, the site contains several deeply incised channels that are subject to moderate landslide potential. Landslides have the potential to damage and destroy roadways, structures and other improvements as well as alter or block drainage channels, causing further damage and erosion. However, this impact would be reduced to less than significant with the implementation of the following mitigation measure: *GEO-2: Landslide Avoidance and Hazard Minimization*.
- The CFS Project EIR did not identify any significant impacts due to soil erosion or the loss of topsoil. Moreover, compliance with the NPDES construction stormwater program and implementation of measures promoting infiltration, as identified in a final, design-level drainage analysis, would minimize erosion. Compliance with Monterey County requirements for erosion control and grading would also minimize the extent of potential erosion-related effects. Compliance with the recommendations of a design-level drainage analysis, and compliance with the project's SWPPP would ensure that potential impacts would be less than significant.
- The CFS Project EIR did not identify any significant impacts associated with expansive soils, which could expose people or structures to potential adverse effects. The CFS Project EIR concluded that compliance with the California Building Code and Monterey County Grading Ordinance would ensure that potential impacts would be less than significant.
- The CFS Project EIR did not identify any significant impacts associated with the improper septic system design resulting in inadequate infiltration, ground or surface water contamination, and/or other health hazards. The CFS Project EIR identified that the CFS Project would generate a relatively minor amount of wastewater in connection with the operation of the O&M facility. Therefore, the CFS Project EIR concluded that this impact would be less than significant.

- The CFS Project EIR discussed the impacts related to paleontological resources and sites with unique geological features in Section 4.5, Cultural and Paleontological Resources. Although unlikely, these impacts were related to construction activities involving surface excavation that have the potential to unearth or impact previously unidentified paleontological resources. The CFS Project EIR concluded that these impacts would be reduced to less than significant with the implementation of the following mitigation measures: *Mitigation Measure CR-4(a): Paleontological Resource Mitigation Plan and Mitigation Measure CR-4(b): Paleontological Resource Construction Monitoring.*

IMPACTS OF THE PROPOSED MODIFICATION

The Proposed Modification is located entirely within the existing 2,120-acre SDA, which was proposed to be improved with utility-scale infrastructure as part of the CFS Project. As a result, the CFS Project EIR evaluated the potential geologic and soils related impacts associated with the construction of infrastructure within the area of the Proposed Modification. Moreover, the underlying technical analysis prepared by Kleinfelder also evaluated the potential geologic and geotechnical hazards associated with the development of the site with utility-scale infrastructure. Although that analysis did not specifically contemplate the Proposed Modification, Kleinfelder's overall conclusions and findings are nevertheless relevant and applicable to the Proposed Modification. As described below, the Proposed Modification would not result in any additional environmental effects or increase the severity of a previously identified significant impact beyond those identified in the CFS Project EIR.

a, c) Less than Significant Impact: The CFS Project site is located in a seismically active region and therefore it is reasonable to expect that the Proposed Modification would be exposed to significant seismic shaking during the design lifetime of the facility. This could result in seismically induced liquefaction and landslide hazards, as well as other related seismically induced hazards. Potential impacts would be addressed through compliance with the applicable requirements of the California Building Code ("CBC") and standard County of Monterey policies, which require site specific geotechnical analysis. Surface rupture and strong seismic ground shaking can also lead to ground failure near the fault, including from liquefaction. According to the Preliminary Geotechnical & Geologic Hazard Evaluation (Kleinfelder, July 2012), the aged, consolidated soils on the CFS Project site limit the potential for liquefaction despite the presence of shallow groundwater. Consistent with the recommendations of the Preliminary Geotechnical & Geologic Hazard Evaluation, additional site-specific geotechnical borings should be conducted as part of the design-level geotechnical analysis (Kleinfelder, July 2012). The final design of the Proposed Modification would be required to comply with the recommendations of a design-level geotechnical analysis which will ensure that all potential geologic related hazards would be less than significant.

b) Less than Significant Impact: The Proposed Modification could result in a localized increase in soil erosion or loss of topsoil due to construction-related activities. However, the Proposed Modification is not located in an area that is identified as having a high erosion hazard (see Figure 4.6.3 in the CFS Project Draft EIR). In fact, the Proposed Modification is located in an area with a low erosion hazard level. Nevertheless, construction activities could result in localized erosion. More specifically, grading activities and the removal of vegetation during construction could result in erosion. Areas of grading and surface disturbance could become susceptible to wind and water erosion that could result in the loss of soil. The CFS Project EIR identified that the implementation of a NPDES-compliant Stormwater Pollution Prevention Plan ("SWPPP"), as well as mitigation measures *AQ-2(a): Dust Control Measures* and *BIO-2(b): Revegetation* would ensure that temporary erosion related impacts would be minimized. Moreover, the CFS Project EIR also identified that compliance with existing Monterey County requirements, including Monterey County Code Chapters 16.08 (Grading) and 16.12 (Erosion Control) would ensure that impacts would be minimized. These Ordinances require dust suppression measures, re-vegetating temporarily disturbed areas, and minimizing areas of disturbance to only those required for construction, and the

preparation and approval of an Erosion Control Plan and Grading Plan prior to construction. The Proposed Modification would be required to comply with these requirements thereby ensuring that the Proposed Modification would not result in any additional impacts beyond those previously identified in the CFS Project EIR. In addition, it is also worth noting that the Proposed Modification would result in considerably less ground disturbance than the CFS Project. As a result, potential impacts associated with the Proposed Modification would be less than those identified in the CFS Project EIR.

d) Less than Significant Impact: The Proposed Modification would not create a substantial direct or indirect risk of life or property due to being located on expansive soils. As identified in the CFS Project EIR, expansive soils have a clay content and mineralogy that renders them susceptible to volume increase upon absorption of water and volume decrease upon drying. Repeated cycles of wetting and drying of expansive soils can cause severe distress to roadways, foundations, and concrete flatwork. The CFS Project EIR identified that some of the on-site soils are expansive. Structures and facilities constructed on these soils could be exposed to hazards related to expansive soils. As a result, the Proposed Modification could be exposed to hazards related to expansive soils consistent with the findings of the CFS Project EIR. These impacts would not, however, be significant. As identified in the CFS Project EIR, these impacts would be addressed through the compliance with the applicable requirements of the California Building Code (CBC) and standard County of Monterey policies, which require site-specific geotechnical analysis. Moreover, as noted throughout this analysis, the Proposed Modification is located within the existing 2,120-acre SDA, which was previously evaluated by the County of Monterey. Compliance with existing regularly requirements, including the recommendations of a design-level geotechnical analysis, would ensure that the Proposed Modification would not result in any additional environmental effects beyond those identified in the CFS Project EIR. This represents a less than significant impact.

e) No Impact: The Proposed Modification does not involve septic or alternative wastewater disposal systems. No impact would result from the Proposed Modification.

f) Less than Significant Impact with Mitigation: The paleontological sensitivity assessment identified three (3) geological formations within the BESS study area. Excavations and grading that extends beyond the depth of surface soils (typically 3 to 5 feet) could disturb geologic units with high paleontological sensitivity. This could potentially affect paleontological resources. However, consistent with the findings of the CFS Project EIR, these impacts would be reduced to less than significant with the implementation of the following mitigation measures: *CR-4(a): Paleontological Resource Mitigation Plan* and *CR-4(b): Paleontological Resource Construction Monitoring*.

CONCLUSION

The Proposed Modification would not result in any new significant impacts or cause an increase in severity of any significant impacts identified in the CFS Project EIR. The Proposed Modification would implement the following mitigation measures, consistent with the CFS Project EIR, to ensure that potential impacts would be less than significant: Mitigation Measures *GEO-2: Landslide Avoidance and Hazard Minimization*, *CR-4(a): Paleontological Resource Mitigation Plan* and, *CR-4(b): Paleontological Resource Construction Monitoring*. The implementation of existing mitigation measures would ensure that potential impacts associated with the Proposed Modification would be consistent with the findings of the CFS Project EIR.

H. Greenhouse Gas Emissions

EXISTING SETTING

The CFS Project EIR includes a detailed description of the existing environmental setting related to greenhouse gas emissions.⁷ As discussed in the CFS Project EIR, global temperatures are affected by naturally occurring and anthropogenic-generated atmospheric gases, such as water vapor, carbon dioxide, methane, and nitrous oxide (Intergovernmental Panel on Climate Change, 2007). Gases that trap heat in the atmosphere are called greenhouse gases (“GHGs”). Solar radiation enters the earth’s atmosphere from space, and a portion of the radiation is absorbed at the surface. The earth emits this radiation back toward space as infrared radiation. Greenhouse gases, which are mostly transparent to incoming solar radiation, are effective in absorbing infrared radiation and redirecting some of this back to the earth’s surface. As a result, this radiation that otherwise would have escaped back into space is now retained, resulting in a warming of the atmosphere. This is known as the greenhouse effect. The greenhouse effect helps maintain a habitable climate. Emissions of GHGs from human activities, such as electricity production, motor vehicle use, and agriculture, are elevating the concentration of GHGs in the atmosphere, and are reported to have led to a trend of unnatural warming of the earth’s natural climate, known as global warming or global climate change.

Climate change is a cumulative impact; a project contributes to this impact through its incremental contribution of GHG emissions combined with the cumulative increase of all other sources of GHGs. The MBARD’s GHG threshold is defined in terms of carbon dioxide equivalent (CO₂e), a metric that accounts for the emissions from various GHGs based on their global warming potential. If annual emissions of GHGs exceed these threshold levels, the Proposed Modification would result in a cumulatively considerable contribution of GHG emissions and must implement mitigation measures.

CHECKLIST

| | No New Impact or Increase in Severity of a Previously Identified Impact | Significant Impact (unchanged) | Less than Significant with Mitigation Incorporated (unchanged) | Less than Significant Impact (unchanged) | No Impact |
|--|---|--------------------------------|--|--|-------------------------------------|
| Would the project: | | | | | |
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input checked="" type="checkbox"/> | <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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IMPACTS IDENTIFIED IN THE CFS PROJECT EIR

The CFS Project EIR concluded that the CFS Project would not result in any significant adverse greenhouse gas (“GHG”) emissions or climate change related effects. In fact, the CFS Project EIR concluded that the CFS Project would have a beneficial cumulative effect due to the displacement of GHG emissions by creating a new source of renewable energy (see Impact GHG-1, Draft EIR, pg. 4.7-12 through 4.7-15; see also Ambient 2015; see also Final EIR, pg. 4-119 through 4-121). In addition, the CFS Project would not

⁷ Please refer to Section 4.7, Greenhouse Gas Emissions/Climate Change, of the CFS Project Draft EIR for more information.

conflict with any State GHG reduction goals, or any applicable plan, policy, or regulation adopted for the purposes of reducing GHG emissions (See Impact GHG-2, Draft EIR, pg. 4.7-15 through 4.7-17). The following is a brief overview of the findings of the CFS Project EIR related to GHG emissions. For more detailed information, please refer to Section 4.7, Greenhouse Gas Emissions/Climate Change, of the CFS Project EIR.

- The CFS Project EIR identified that the CFS Project would introduce a renewable energy source, which would displace emissions that would otherwise occur at traditional natural gas and coal-fired power plants. Overall, the CFS Project would result in a net reduction in long-term regional GHG emissions, making the impacts from the project beneficial.
- The CFS Project EIR did not identify any significant impacts associated with a conflict with State GHG reduction goals, or any applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. The project would help attain, and would not hinder, Monterey County and the State's GHG reduction goals, thereby resulting in a less than significant impact related to compliance with GHG reduction plans.

IMPACTS OF THE PROPOSED MODIFICATION

As discussed above, Ambient Air Quality and Noise Consultants prepared a detailed technical memorandum evaluating the potential environmental effects associated with the Proposed Modification. The following represents the results of the site-specific technical analysis prepared by Ambient which conclusively demonstrates that the Proposed Modification would not result in any additional environmental effects or an increase in the severity of a previously identified impact beyond the levels identified in the CFS Project EIR.

a) Less Than Significant Impact: The MBARD has determined that if a project emits less than 10,000 metric tons per year (MT/yr) CO₂e that its impact will be less than significant. This calculation is made by combining the estimated greenhouse gas emissions generated by construction, amortized over a 30-year period, with the estimated annual GHG emissions resulting from operation of the project.

Construction of the Proposed Modification would result in a one-time emission total of up to 376.44 MT/yr of CO₂e during the four to seven-month construction period; therefore, the annual amortized GHG emissions for the construction phase would be 12.55 MT/year (Ambient, 2020). The estimated annual greenhouse gas emissions generated by operation of the Proposed Modification would be approximately 1,246.41 MT/year. Therefore, the estimated annual emissions for the entire project would be 1,258.96 MT/year. This falls well below the threshold of 10,000 MT/year and is therefore considered to be less than significant. Moreover, it is also important to recognize that the Proposed Modification would improve the reliability of the CFS Project by modifying the existing facility to allow energy generated during low-peak periods to be stored on-site and subsequently distribute energy during peak period demand. This would have the effect of making clean, renewable, energy available during peak period demand when energy consumption is highest and solar produced energy is typically not available. Moreover, as noted elsewhere in this analysis, energy storage is an important component of energy conservation and would help achieve GHG emissions reduction goals by ensuring that renewable energy is available during peak period demand.

b) No Impact: The Proposed Modification would not conflict with any plan, policies, or regulations adopted for the purpose of reducing greenhouse gas emissions. The Proposed Modification is part of the CFS Project, which would have a beneficial impact to greenhouse gas emissions as a whole by providing a source of renewable energy.

CONCLUSION

The Proposed Modification would not result in any new significant impacts or cause an increase in severity of any significant impacts identified in the CFS Project EIR. The Proposed Modification would have an overall beneficial effect by increasing the availability of renewable energy during peak period demand when solar generated energy is typically not available.

I. Hazards and Hazardous Materials

EXISTING SETTING

The CFS Project EIR includes a detailed description of the existing environmental setting for hazardous material.⁸ As discussed in the CFS Project EIR, there are no documented releases of hazardous materials or hazardous wastes within one-half mile of the CFS Project site (DTSC, 2013; SWRCB, 2013). The CFS Project EIR did not identify any open or closed investigations for spills or releases, including leaking underground storage tanks, land disposal sites, military sites or other cleanup sites (SWRCB, 2013). The closest recorded hazardous materials site is located 5.6 miles to the south of the CFS Project site, at a lower elevation and down gradient of the project site, at the intersection of SR 41 and SR 46 in San Luis Obispo County (SWRCB, 2013). There have been no documented releases of hazardous materials on the project site or within one mile of the site per the Envirostor or Geotracker databases (DTSC, 2013; SWRCB, 2013). Additionally, the CFS Project site is not within one-quarter mile of an existing or proposed school. There is no public airport within two miles of the project site, and no private air strips are within the vicinity.

CHECKLIST

| | No New Impact or Increase in Severity of a Previously Identified Impact | Significant Impact (unchanged) | Less than Significant with Mitigation Incorporated (unchanged) | Less than Significant Impact (unchanged) | No Impact |
|---|---|--------------------------------|--|--|-------------------------------------|
| Would the project: | | | | | |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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? | <input checked="" type="checkbox"/> | <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? | <input checked="" type="checkbox"/> | <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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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? | <input checked="" type="checkbox"/> | <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? | <input checked="" type="checkbox"/> | <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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

⁸ Please refer to Section 4.8, Hazards and Hazardous Materials, of the CFS Project Draft EIR for more information.

IMPACTS IDENTIFIED IN THE CFS PROJECT EIR

According to the CFS Project EIR, construction of the CFS Project would not occur in an area historically used for croplands and impacts related to exposure to agricultural chemicals would be less than significant (see Impact HAZ-1, Draft EIR, pg. 4.8-14 through 4.8-15; see also Final EIR, pg. 4-121 through 4-122). In addition, the CFS Project EIR also concluded that the CFS Project would not result in a significant impact due to the use, storage, and/or transport of hazardous materials (see Impact HAZ-2, Draft EIR, pg. 4.8-15 through 4.8-17). The CFS Project could result in the accidental release or pose a potential risk of hazard due to the accidental release of a hazardous material due to the potential presence of existing public utilities that transverse the site, as well as several existing abandoned oil and natural gas wells that are located on the site. These impacts would be reduced through the implementation of mitigation contained in the CFS Project EIR. Moreover, the CFS Project EIR also identified potential wildland fire hazards and identified mitigation to lessen the extent of those impacts to a less than significant level (see Impact HAZ-4, Draft EIR, pg. 4.8-18 through 4.8-20). The following is a brief overview of the findings of the CFS Project EIR related to hazards and hazardous conditions.

- The CFS Project EIR did not identify any significant impacts related to exposure to agricultural chemicals in on-site soils. The CFS Project would not occur in an area historically used for croplands. Furthermore, the CFS project EIR concluded that the likelihood that construction workers, operational staff, and/or adjacent sensitive receptors could be exposed to residual agricultural chemicals would be unlikely; therefore, impacts would be less than significant.
- The CFS Project EIR did not identify any significant impacts associated with use, storage, and/or transport of hazardous materials. The CFS Project EIR identified that compliance with existing laws and regulations governing the transport, use and storage of hazardous materials and wastes as well as use of appropriately trained employees for PV module installation would ensure that impacts would be less than significant.
- The CFS Project EIR identified a potentially significant impact associated with the release of hazardous materials into the environment. Although no public utilities provide services to the project site, an unknown number of public utilities traverse the site, which may pose a risk of upset or accident conditions leading to the release of hazardous materials. The CFS Project EIR concluded that this impact would be reduced to less than significant with the implementation of the following mitigation measure: *HAZ-3: Locate Underground Utilities*.
- The CFS Project EIR identified potential hazards due to the site's location in a high fire hazard severity zone. As a result, the CFS Project could expose people or structures to a risk of loss, injury, or death involving wildland fires. However, the CFS Project EIR concluded that this impact would be reduced to less than significant with the implementation of the following mitigation measures: *HAZ-4(a): Final Fuel Management Plan* and *Mitigation Measure HAZ 4(b): Emergency Access*.
- The CFS Project EIR identified a potentially significant impact associated with repowering or decommissioning due to the improper disposal of hazardous waste, including used PV solar modules. However, this impact would be reduced to less than significant with the implementation of the following mitigation measures: *HAZ-5: Disposal of PV Modules and Support Structures*.
- The CFS Project EIR did not identify any significant impacts related to development on an active cattle ranch, which could expose workers and nearby sensitive receptors to diseases transmitted from the cattle grazing operations, including anthrax, coccidiosis, and/or anaplasmosis. Impacts related to the creation of a significant hazard to the public or environment through reasonably foreseeable upset and accident conditions (i.e. transmission of animal borne diseases) would be less than significant.

IMPACTS OF THE PROPOSED MODIFICATION

The Proposed Modification is located entirely within the existing 2,120-acre SDA, which was proposed to be improved with utility-scale solar infrastructure as part of the CFS Project. As a result, the CFS Project EIR evaluated the potential hazards and hazardous materials related impacts associated with the construction of infrastructure within the area of the Proposed Modification. As described below, the Proposed Modification would not result in any additional environmental effects or increase the severity of a previously identified impact beyond those identified in the CFS Project EIR.

a, b) Less than Significant Impact with Mitigation: Consistent with the analysis contained in the CFS Project EIR, the Proposed Modification would entail the use of hazardous materials during construction and operation. This could create a potential hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. As identified in the CFS Project EIR, the implementation of an operation and maintenance and a chemical handling and emergency response plan would ensure that potential operational effects would be less than significant. Moreover, these effects would be further reduced through the implementation of a hazardous materials management plan, as required by the County of Monterey. The Proposed Modification, consistent with the approved CFS Project, would be required comply with these requirements, which would ensure that impacts would be less than significant.

The Proposed Modification site is not served by any public utilities due to its remote location. As identified in the CFS Project EIR, there are several utility lines which traverse the site, including an underground gas line. Grading and excavation during construction of the Proposed Modification could inadvertently strike an unidentified or improperly identified underground utility, such as the PG&E gas line, resulting in potential hazards to construction workers or other members of the public through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. As such, construction activities could result in potentially significant impacts related to underground utilities. Mitigation Measure *HAZ-3 Location Underground Utilities* would reduce this impact to a less-than significant-level.

c) No Impact: The Proposed Modification is not located within the vicinity of any schools.

d) No Impact: The Proposed Modification is not located on or near a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Sec. 65962.5.

e) No Impact: The Proposed Modification is not located within two (2) miles of a municipal or private airport. Therefore, no impacts would result due to airport related safety hazards.

f) No Impact: The Proposed Modification is in a remote location and would not interfere with any established evacuation route.

g) Less than Significant Impact with Mitigation: The CFS Project EIR identified that construction related activities, specifically welding, could increase risk of fire due to the ability of wind to carry sparks and start a fire. However, the CFS Project EIR identified that compliance with OSHA standards, specifically, standards 1910 and 1926 for construction activities related to welding, cutting, and brazing would ensure that impacts would be minimized. In addition to existing County and OSHA requirements, the CFS Project EIR also identified that vegetation management and other fire suppression measures proposed as part of the CFS Project would ensure impacts would be limited. While the Proposed Modification is not anticipated to require the same degree of construction related activities as the CFS Project, the Proposed Modification could potentially increase fire related hazards during construction due to operation of construction-related equipment in a high fire hazard severity zone. The extent of impacts would, however, be less than those identified in the CFS Project EIR due to the limited duration of construction and the limited scope of construction-related activities. Nevertheless, the implementation of existing mitigation measures contained

in the CFS Project EIR would ensure impacts would be less than significant. More specifically, the implementation of Mitigation Measures *HAZ-4(a): Final Fuel Management Plan* and *HAZ 4(b): Emergency Access*, as well as adherence with applicable regulatory requirements, would ensure that impacts would be less than significant. For more information, please also refer to the discussion of potential Wildfire hazards below.

CONCLUSION

The Proposed Modification would not result in any new significant impacts or cause an increase in severity of any previously identified significant impacts. The Proposed Modification would implement the following mitigation measures, consistent with the CFS Project EIR, to ensure that potential impacts would be less than significant: *HAZ-3 Location Underground Utilities*, *HAZ-4(a): Final Fuel Management Plan*, *HAZ 4(b): Emergency Access*, and *HAZ-5 Disposal of Modules and Support Structures*. The implementation of existing mitigation measures would ensure that potential impacts associated with the Proposed Modification would be consistent with the findings of the CFS Project EIR.

J. Hydrology and Water Quality

EXISTING SETTING

The CFS Project EIR includes a detailed description of the existing environmental setting for hydrology and water quality.⁹ As identified in Section 4.9, Hydrology and Water Quality, of the CFS Project Draft EIT, the analysis contained in the CFS Project EIR is based in part on a Preliminary Drainage Analysis prepared by RBF Consulting, Inc. (August 2013). The Preliminary Drainage Analysis covered the entirety of the CFS Project site, including the area of the Proposed Modification. The drainage analysis included a preliminary evaluation of potential hydrology and water quality effects associated with the construction and operation of utility scale infrastructure on the CFS Project site and identified general recommendations to lessen the extent of potential effects based on the results of preliminary hydrologic modeling. While the Preliminary Drainage Analysis did not specifically contemplate the Proposed Modification, the overall conclusions and findings are nevertheless relevant and applicable to the Proposed Modification. Moreover, as identified below, the Proposed Modification would comply with existing mitigation measures identified in the CFS Project EIR, as well as other applicable Monterey County requirements. As a result, the Proposed Modification would not result in any additional environmental effects or an increase in severity of a previously identified significant impact beyond the levels identified in the CFS Project EIR. The following is a brief description of the existing environmental setting based on the information contained in the Preliminary Drainage Analysis prepared by RBF Consulting, Inc.

As discussed in the CFS Project EIR, the CFS Project site is sloped with an elevation between 1,100 feet at the southern end and 1,700 feet. The site is characterized as consisting of relatively flat land that was historically used for ranching purposes and is located within the Cholame Creek Watershed. The CFS Project site, which encompasses the Proposed Modification area is located on relatively flat (or gently sloping) land downstream from larger watersheds. The entire area consists of undeveloped rangeland. The area of the Proposed Modification is primarily covered with natural grasses. The Proposed Modification is not within a FEMA designated Special Flood Hazard Area.

The CFS Project EIR described the CFS Project site as consisting of three distinct naturally occurring drainage areas, referred to as Area 1, Area 2, and Area 3. A large watercourse referred to as Cottonwood Creek separates Areas 2 and 3. Other smaller watercourses with varying tributary areas flow through Areas 1 and 3. The northern area (Area 1) lies directly downstream from a 17.8 square mile steeply sloping tributary area. Much of the tributary area drains directly across Area 1, while a portion bypasses it to the east and west. Area 1 does not drain to one point of concentration. Instead, there are many outflow points at the base of the hills that direct flows onto Area 1. Area 2 is between Area 1 and Area 3 on high ground between two watercourses and essentially has no tributary area. Area 3 is located to the south of Area 2, but the two areas are not hydrologically connected. A 1.5-square-mile steeply sloping area drains to Area 3. Most of the runoff across Area 3 is concentrated into one watercourse. The Proposed Modification is located in Area 1.

The CFS Project site is underlain by the Cholame Valley Groundwater Basin, which covers approximately 62 square miles.

⁹ Please refer to Section 4.9, Hydrology and Water Quality, for more information.

CHECKLIST

| | No New Impact or Increase in Severity of a Previously Identified Impact | Significant Impact (unchanged) | Less than Significant with Mitigation Incorporated (unchanged) | Less than Significant Impact (unchanged) | No Impact |
|--|---|--------------------------------|--|--|-------------------------------------|
| Would the project: | | | | | |
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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: | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i) result in substantial erosions or siltation on- or off-site; | <input checked="" type="checkbox"/> | <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; | <input checked="" type="checkbox"/> | <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; or | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) impede or redirect flood flows? | <input checked="" type="checkbox"/> | <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? | <input checked="" type="checkbox"/> | <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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IMPACTS IDENTIFIED IN THE CFS PROJECT EIR

The CFS Project EIR (see Final EIR, pgs. 4-122 through 4-127) includes an evaluation of potential environmental effects associated with the construction and operation of the CFS Project. Specifically, the CFS Project EIR identified that the CFS Project could: 1) potentially degrade water quality due to erosion and sedimentation due to ground disturbing activities (see Impact HYD-1, Draft EIR, pg. 4.9-15 through 4.9-16); 2) result in the accidental release of a hazardous material that could degrade water quality (see Impact HYD-2, Draft EIR, pg. 4.9-17 through 4.9-18); 3) alter the existing drainage pattern of the site that could result in increased runoff (see Impact HYD-4, Draft EIR, pg. 4.9-23 through 4.9-24); and, 4) result in the exposure of project-related improvements to potential flooding hazards (see HYD-5, Draft EIR, pg. 4.9-25 through 4.9-27). The CFS Project EIR also identified that the Project would not substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or lowering of the local groundwater table (see Impact HYD-3, Draft EIR, pg. 4.9-18 through 4.9-22). The following is a brief overview of the findings of the CFS Project EIR related to hydrology and water quality.

- The CFS Project EIR did not identify any significant impacts associated with the degradation of water quality due to erosion and sedimentation due to temporary ground-disturbing activities. Compliance with existing federal, state and local requirements would ensure that impacts remain less than significant.
- The CFS Project EIR identified a potentially significant impact due to the accidental release of hazardous materials during construction and operation that could degrade water quality. However, this impact would be reduced to less than significant with the implementation of the following mitigation measures: *HYD-2(a): Accidental Spill Control and Environmental Training* and *HYD-2(b): Maintain Vehicles and Equipment*.
- The CFS Project EIR did not identify any significant impacts due to the depletion of groundwater supplies or interference with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. In addition, the CFS Project EIR concluded that there were sufficient water supplies available from existing resources and no new or expanded entitlements would be needed. Therefore, impacts would be less than significant.
- The CFS Project EIR did not identify any significant impacts associated with the altering of the existing drainage pattern.
- The introduction of impervious surfaces associated with the CFS Project would increase runoff, potentially resulting in flooding or increased erosion downstream. The impacts associated with the alteration of drainage patterns and introduction of impervious surfaces would be less than significant.
- The CFS Project EIR did not identify any significant impacts associated with the project site's potential flooding hazards. The CFS Project EIR concluded that this would represent a less than significant impact.

IMPACTS OF THE PROPOSED MODIFICATION

As noted previously, the Proposed Modification is located within the existing 2,120-acre SDA, which the CFS Project EIR assumed would be developed with utility-scale infrastructure. As a result, the CFS Project EIR evaluated the potential impacts associated with the construction of infrastructure on the site of the Proposed Modification. As documented below, the Proposed Modification would not result in any additional or more severe environmental effects beyond those identified in the CFS Project EIR. Moreover, the Proposed Modification would comply with all existing mitigation measures identified in the CFS Project EIR thereby ensuring that impacts would be less than significant.

a) Less Than Significant Impact with Mitigation: The Proposed Modification, consistent with the findings of the CFS Project EIR, could potentially result in the accidental release of a hazardous material or materials during construction and/or operation. This could potentially degrade water quality within the Cholame Creek Watershed or the Cholame Valley Groundwater basin. As identified in the CFS Project EIR, potentially hazardous materials may include diesel fuel, gasoline, lubricant oils, hydraulic fluid, antifreeze, transmission fluid, lubricant grease, cement slurry, and other fluids required for the operation of construction vehicles and equipment. Motorized equipment used during construction or operation could also leak hazardous materials such as motor oil, transmission fluid, or antifreeze due to inadequate or improper maintenance, unnoticed or unrepaired damage, improper refueling, or operator error.

The Proposed Modification could adversely affect water quality due to the improper handling and use of hazardous materials, and operation of construction and maintenance equipment. Compliance with existing regulatory requirements, including Department of Toxic Substance Control ("DTSC") regulations related to the generation, treatment, disposal, and transportation of hazardous materials, NPDES construction-phase requirements, as well as other local regulatory requirements would minimize the extent of potential impacts. The implementation of mitigation identified in the CFS Project EIR would ensure that potential impacts would be less than significant. These measures include *HYD-2(a) Accidental Spill Control and*

Environmental Training and HYD-2(b) Maintain Vehicles and Equipment. Moreover, the Proposed Modification would also be required to comply with the NPDES program for stormwater discharges associated with construction activities, including through the preparation of a SWPPP and implementation of associated BMPs, as well as implement an erosion control plan consistent with the County of Monterey standards.

b) No Impact: The Proposed Modification would not deplete groundwater supplies, nor would the Proposed Modification substantially interfere with groundwater recharge such that the modifications may impede sustainable groundwater management of the underlying basin. As a result, there would be no impact.

c) Less than Significant Impact: Implementation of the Proposed Modification would not substantially alter the existing drainage pattern in a manner that would: 1) result in substantial erosion or siltation on- or off-site; 2) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; or 3) 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. The Proposed Modification would result in the introduction of new structures and related improvements, which could result in additional erosion through the introduction of impervious surfaces - these changes would not substantially increase the amount of erosion or surface runoff in a manner which would result in flooding on- or off-site. Moreover, the Proposed Modification would not increase the amount of impervious surfaces beyond the levels evaluated in the CFS Project EIR. In fact, the Proposed Modification, when considered with the constructed CFS Project, would result in less impervious surfaces than evaluated in the CFS Project EIR. While the CFS Project EIR anticipated 11 acres of impervious surfaces, the actual extent of impervious surfaces, based on final project design, was considerably less – only 0.006 acres of impervious surfaces were constructed. The Proposed Modification would result in an additional 0.125 acres of impervious surfaces. As a result, total impervious surface coverage would be substantially less than the amount analyzed in the CFS Project EIR. Therefore, the Proposed Modification is not anticipated to substantially increase impervious surfaces and related effects beyond those considered in the CFS Project EIR. Moreover, the final design of the Proposed Modification would be developed in accordance with a final, design-level, drainage analysis consistent with the findings of the CFS Project EIR. Compliance with the recommendations of a design-level drainage analysis and existing regulatory requirements would ensure that impacts would be less than significant. This represents a less than significant impact.

d, e) No Impact: The Proposed Modification is not located within a flood hazard zone, near a dam or levee structure, or located in an area subject to significant seiche, tsunami, or mudflow risk (Monterey County, 2010b and 2010c). As a result, the Proposed Modification would not risk the release of pollutants due to project inundation. In addition, the Proposed Modification would not conflict with or obstruct the implementation of a water quality control plan or sustainable groundwater management plan.

CONCLUSION

The Proposed Modification would not result in any new significant impacts or cause an increase in severity of any significant impacts identified in the CFS Project EIR. The Proposed Modification would implement the following mitigation measures, consistent with the CFS Project EIR, to ensure that potential impacts would be less than significant: *HYD-2(a) Accidental Spill Control and Environmental Training and HYD-2(b) Maintain Vehicles and Equipment.* The implementation of existing mitigation measures would ensure that potential impacts associated with the Proposed Modification would be consistent with the findings of the CFS Project EIR. In addition, the Proposed Modification would also comply with the recommendations of a design-level drainage analysis, as well as NPDES requirements, including the preparation of SWPPP and implementation of associated BMPs. Compliance with these requirements, as well as the mitigation measures identified above, would ensure that the Proposed Modification would not result in any new significant impacts or cause an increase in severity of any significant impacts identified in the CFS Project EIR.

K. Land Use and Planning

EXISTING SETTING

The CFS Project EIR includes a detailed description of the existing environmental setting for land use and planning.¹⁰ As discussed in the CFS Project EIR, the CFS Project is in south Monterey County on a portion of an existing 72,000-acre cattle ranch, known as “Jack Ranch,” which is itself part of the larger, 152,000-acre Hearst Ranch. The Monterey County General Plan land use designation for the site is Agricultural. As indicated in the South County Area Plan, the site is currently zoned Farmlands (160-acre minimum parcel size) and Permanent Grazing (160-acre minimum parcel size).

CHECKLIST

| Would the project: | No New Impact or Increase in Severity of a Previously Identified Impact | Significant Impact (unchanged) | Less than Significant with Mitigation Incorporated (unchanged) | Less than Significant Impact (unchanged) | No Impact |
|--|---|--------------------------------|--|--|-------------------------------------|
| a) Physically divide an established community? | <input checked="" type="checkbox"/> | <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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

IMPACTS IDENTIFIED IN THE CFS PROJECT EIR

The CFS Project EIR identified that the CFS Project would potentially be inconsistent with certain policies contained in the County’s Open Space and Conservation Element that were adopted for the purposes of avoiding or mitigating an environmental effect. The CFS Project EIR concluded that these effects would be less than significant with the implementation of mitigation measures identified in the CFS Project EIR (see Impact LU-1; Draft EIR, pg. 4.10-7 through 4.10-30; see also Final EIR, pg. 4-128). The CFS Project EIR also identified that the CFS Project would be consistent with the policies of the South County Area Plan and no mitigation measures would be necessary to lessen the extent of project-related effects to a less than significant level (see Impact LU-2; Draft EIR, pg. 4.10-31 through 4.10-32). The following is a brief overview of the findings of the CFS Project EIR related to land use and planning.

- The CFS Project EIR did not identify any impacts associated with the physical division of an established community.
- The CFS Project EIR did not identify any significant impacts associated with land use compatibility for Monterey County’s 2010 General Plan or the South County Area Plan. There are certain policies included in the General Plan’s Open Space and Conservation Element adopted for the purpose of avoiding or mitigating any environmental effect with which the project could be considered potentially inconsistent. However, policy consistency issues would be addressed through implementation of feasible mitigation measures identified through the CFS Project EIR and no additional significant impacts would result.

¹⁰ Please refer to Section 4.10, Land Use and Planning, of the CFS Project Draft EIR for more information.

IMPACTS OF THE PROPOSED MODIFICATION

The Proposed Modification is located entirely within the existing 2,120-acre SDA, which was proposed to be improved with utility-scale solar infrastructure as part of the CFS Project. As a result, the CFS Project EIR evaluated the potential land use and planning related impacts associated with the construction of infrastructure within the area of the Proposed Modification. As described below, the Proposed Modification would not result in any additional environmental effects or increase the severity of a previously identified impact beyond those identified in the CFS Project EIR.

a) No Impact: Implementation of the Proposed Modification would not physically divide an established community. The CFS Project is a renewable energy project located in a remote area of Monterey County.

b) Less than Significant Impact: The location of the Proposed Modification is designated by the County of Monterey as Farmlands and Permanent Grazing. Consistent with the findings of the CFS Project EIR, the Proposed Modification would be a compatible land use since it would modify an existing renewable energy facility that the County of Monterey previously determined was a compatible use. Moreover, the proposed infrastructure improvements are consistent with existing on-site facilities. As a result, the Proposed Modification would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Proposed Modification. Moreover, the implementation of mitigation measures identified in the CFS Project EIR would ensure that any potential land use conflicts would be minimized to a less than significant level. Construction activities would be temporary in nature and would not result in any additional impacts beyond those previously identified in connection with the CFS Project.

CONCLUSION

The Proposed Modification would not result in any new significant impacts or cause an increase in severity of any significant impacts identified in the CFS Project EIR related to land use and planning.

L. Mineral Resources

EXISTING SETTING

The CFS Project site is not located in an area containing mineral resources; therefore, a discussion of the existing setting is not included.

CHECKLIST

| | No New Impact or Increase in Severity of a Previously Identified Impact | Significant Impact (unchanged) | Less than Significant with Mitigation Incorporated (unchanged) | Less than Significant Impact (unchanged) | 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 checked="" type="checkbox"/> | <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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IMPACTS IDENTIFIED IN THE CFS PROJECT EIR

- Based on the CFS Project EIR, the project would not result in the loss of availability of known mineral resources or the availability of a locally important mineral resource recovery site delineated in the 2010 Monterey County General Plan. The CFS Project is not located in a mineral resource zone (“MRZ”) as defined by the California Department of Conservation California Geological Survey. There is no land designated for mineral resources in the South County Area Plan. The CFS Project is not located on, adjacent to, or near mineral resources or recovery sites. There are no known mineral resources known to exist on or in the vicinity of the CFS Project, hence there would be no impact to mineral resources.

IMPACTS OF THE PROPOSED MODIFICATION

a, b) No Impact: The Proposed Modification site is not located in an area of potential mineral resources; the BESS and related improvements would not impact mineral resources.

CONCLUSION

The Proposed Modification would not result in any new significant impacts or cause an increase in severity of any significant impacts identified in the CFS Project EIR related to mineral resources.

M. Noise

EXISTING SETTING

The CFS Project EIR includes a detailed description of the existing environmental setting for noise.¹¹ As discussed in the CFS Project EIR, the general noise environment in the area is characterized by open space, rural residential, or agricultural use with low ambient noise levels during the evening and nighttime hours. The primary ambient sources of noise on the CFS Project site and in the surrounding area include wind, cattle, other fauna (birds, small mammals, etc.), and buzzing from the existing transmission line that transects the site, as well as noise from existing facilities associated with the CFS Project. Sensitive receptors near the project site include rural residences located north of the northwestern corner of the CFS Project site boundary. These residences are located approximately two (2) miles from the Proposed Modification boundary, near the eastern public road terminus of Turkey Flat Road.

CHECKLIST

| Would the project result in: | No New Impact or Increase in Severity of a Previously Identified Impact | Significant Impact (unchanged) | Less than Significant with Mitigation Incorporated (unchanged) | Less than Significant Impact (unchanged) | No Impact |
|---|---|--------------------------------|--|--|-------------------------------------|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Generation of excessive groundborne vibration or groundborne noise levels? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) For a project located within the vicinity of a private airport 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IMPACTS IDENTIFIED IN THE CFS PROJECT EIR

The CFS Project EIR identified that the CFS Project would result in less than significant noise-related effects associated with construction. Specifically, the CFS Project EIR identified that the CFS Project would result in temporary construction-related effects associated with the operation of heavy equipment (see Impact N-1, Draft EIR, pg. 4.11-11 through 4.11-14; see also Final EIR, pg. 4-128 through 4-129) and temporary construction-related noise due to vehicular traffic (see Impact N-2, Draft EIR, pg. 4.11-14 through 4.11-15). The CFS Project EIR identified that noise sensitive receptors are located north of the CFS Project site; however, these receptors are located approximately two (2) miles from the Proposed Modification. As described in the CFS Project EIR (see Impact N-1, Draft EIR, pg. 4.11-11 through 4.11-14), the extent and duration of construction activities within proximity of this receptor would be limited and no construction activities associated with the Proposed Modification are anticipated to occur in proximity to this receptor. The following is a brief overview of the findings of the CFS Project EIR related to noise.

¹¹ Please refer to the CFS Project Draft EIR, Section 4.11, Noise, for more information.

- The CFS Project EIR did not identify any significant impacts associated with the operation of heavy equipment due to temporary noise level increase. Impacts associated with temporary noise levels would be less than significant.
- The CFS Project EIR did not identify any significant impacts associated with the short-term traffic-related noise on area highways. Traffic-related noise is not expected to result in a substantial increase in ambient noise levels on the site or on affected off-site roadways that would impact nearby sensitive noise receptors. Therefore, the CFS Project EIR concluded that impacts would be less than significant.
- The CFS Project EIR did not identify any significant impacts associated with long-term operational noise. The CFS Project would not result in a substantial increase in ambient noise levels that would impact nearby sensitive noise receptors. Therefore, the CFS Project EIR concluded that impacts would be less than significant.
- The CFS Project EIR did not identify any significant operational noise due to operational traffic. Operational traffic would be minimal and would not substantially increase ambient noise levels. Therefore, the CFS Project EIR concluded that impacts would be less than significant.
- The CFS Project EIR also concluded that the CFS Project would not result in the generation of excessive groundborne vibration or groundborne noise levels, nor would the CFS Project expose people residing or working in the area to excessive noise levels.

IMPACTS OF THE PROPOSED MODIFICATION

The Proposed Modification is located entirely within the existing 2,120-acre SDA, which was proposed to be improved with utility-scale solar infrastructure as part of the CFS Project. As a result, the CFS Project EIR evaluated the potential noise related impacts associated with the construction of infrastructure within the area of the Proposed Modification. As described below, the Proposed Modification would not result in any additional environmental effects or increase the severity of a previously identified impact beyond those identified in the CFS Project EIR.

a, b) Less Than Significant Impact: Construction of the Proposed Modification would generate temporary increases in noise associated with the use of construction equipment. In addition, construction could also result in temporary increases in groundborne vibration or groundborne noise levels in connection with construction-related activities. However, the nearest sensitive receptors to the site are located approximately two (2) miles. In addition, noise generated by construction would be temporary in nature and would be minimized through the adherence to standard construction noise reduction measures to minimize potential impacts to adjacent noise sensitive uses. The implementation of standard construction best management practices, as well as the proximity of noise sensitive receptors to the proposed construction area, would ensure that the Proposed Modification would not result in any additional environmental effects or increase the severity of a previously identified significant impact beyond those previously identified as part of the CFS Project.

c) No Impact: The Proposed Modification is not located within two miles of a municipal airport or private airstrip and would not add new sensitive receptors to the site that would be exposed to existing or future nearby noise sources.

CONCLUSION

The Proposed Modification would not result in any new significant impacts or cause an increase in severity of any significant impacts identified in the CFS Project EIR related to noise.

N. Population and Housing

EXISTING SETTING

The CFS Project consists of a renewable energy facility that would not induce substantial unplanned growth or displace a substantial number of existing people or housing. Similarly, the Proposed Modification would not induce unplanned growth or displace a substantial number of existing people or housing. As a result, a detailed description of population and housing is not included as part of this analysis.¹²

CHECKLIST

| | No New Impact or Increase in Severity of a Previously Identified Impact | Significant Impact (unchanged) | Less than Significant with Mitigation Incorporated (unchanged) | Less than Significant Impact (unchanged) | No Impact |
|---|---|--------------------------------|--|--|-------------------------------------|
| Would the project: | | | | | |
| 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 checked="" type="checkbox"/> | <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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IMPACTS IDENTIFIED IN THE CFS PROJECT EIR

- The CFS Project EIR did not include a section specific to population and housing, but it did discuss the impact of temporary workforce housing in Section 6.0 Long-Term Impacts. The CFS Project EIR identified a significant impact associated with the temporary direct and indirect population growth impacts resulting from worker relocation. However, this impact would be reduced to less than significant with the implementation of *Mitigation Measure LT-1: Worker Housing Program*.
- Based on the CFS Project EIR, the project would not displace any houses or people or require the construction of replacement housing elsewhere. There would be no impact.

IMPACTS OF THE PROPOSED MODIFICATION

a, b) No Impact. The Proposed Modification would not induce substantial unplanned population growth or displace existing housing or people.

CONCLUSION

The Proposed Modification would not result in any new significant impacts or cause an increase in severity of any significant impacts identified in the CFS Project EIR related to population and housing.

¹² For more information, please refer to Chapter 6.0, Long-term Impacts, of the CFS Project EIR for more information about growth-inducing effects of the CFS Project.

O. Public Services

EXISTING SETTING

The CFS Project EIR includes a detailed description of the existing environmental setting for public services.¹³ As discussed in the CFS Project EIR, the CFS Project site is accessible by an existing 5.6-mile private access road from State Route (“SR”) 41. Emergency access would be available from Turkey Flat Road, which is a two-lane east-west rural road that extends for approximately four miles between Cholame Valley Road and a gated entry at the western border of the CFS Project site. The CFS Project is provided fire protection services by the California Department of Forestry and Fire Prevention (“CAL FIRE”), which has a substation in Parkfield. The County of Monterey, Office of the Sheriff is responsible for providing police protection services and the nearest Sheriff’s office is located in King City, approximately 50 miles northwest of the CFS Project.

CHECKLIST

| | No New Impact or Increase in Severity of a Previously Identified Impact | Significant Impact (unchanged) | Less than Significant with Mitigation Incorporated (unchanged) | Less than Significant Impact (unchanged) | No Impact |
|---|---|--------------------------------|--|--|-------------------------------------|
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Fire protection? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Police protection? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Schools? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Parks? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other public facilities? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IMPACTS IDENTIFIED IN THE CFS PROJECT EIR

The CFS Project EIR identified that construction of the CFS Project would temporarily increase the demand for fire protection and emergency response services and response times would exceed acceptable limits in the County’s General Plan (see Impact PS-1, Draft EIR, pg. 4.12-10; see also Final EIR, pg. 4-129 through 4-134). The extent of potential effects would be reduced through the implementation of mitigation identified in the CFS Project EIR. The CFS Project EIR also identified that there would be an incremental increased demand for police protection services (see Impact PS-2, Draft EIR, pg. 4.12-11 through 4.12-12) and increase demand for solid waste disposal (see Impact PS-3, Draft EIR, 4.12-12 through 4.12-14). These impacts were identified as less than significant, and no mitigation was identified as necessary. The following is a brief overview of the findings of the CFS Project EIR related to public services.

¹³ Please refer to Section 4.12, Public Services, of the CFS Project Draft EIR for more information.

- The CFS Project EIR identified the CFS Project would result in an increase demand for public services during construction and operation of the CFS Project. The CFS Project EIR identified that this represented a potentially significant impact that could be reduced to a less than significant level through the implementation of the following mitigation measures; *PS-1(a): Construction Management Plan*, *PS-1(b): Emergency Response Training*, and *PS-1(c): Fire Protection during Construction*. Therefore, the CFS Project EIR concluded that this represented a less than significant impact.
- The CFS Project EIR did not identify any significant impacts due to the incremental increased demand for police protection services during construction and operation of the CFS Project. Therefore, the CFS Project EIR concluded that impacts would be less than significant.

IMPACTS OF THE PROPOSED MODIFICATION

a) Less than Significant Impact with Mitigation: Consistent with the findings of the CFS Project EIR, the Proposed Modification is not anticipated to substantially increase the demand for police protection services, schools, or parks due to nature of the Proposed Modification. The Proposed Modification would, however, result in increased activity during construction that could increase the demand for fire services. The influx of up to 70 construction workers could result in new demands for fire protection services, including emergency medical services, for the duration of construction activities. This could potentially affect service ratios, response times, and other performance objectives related to fire protection services. As identified in the CFS Project EIR, during the peak fire season (May to October), when the Cal Fire Parkfield station is operational, there would be adequate fire protection services and no new facilities would be required to maintain acceptable service ratios, response times or other performance related objectives. In the off-peak season, the increased demand for fire protection services during construction could affect service ratios, response times, and other performance objectives related to fire protection services. Therefore, mitigation is required to ensure adequate service would be maintained without the need to construct new facilities or modify/alter existing fire protection facilities. The implementation of Mitigation Measures HAZ-4(a) and HAZ-4(b), previously identified in **Section I, Hazards and Hazardous Materials**, would reduce this impact to less than significant levels. In addition, the implementation of the following mitigation measures would further ensure impacts would be less than significant: *PS-1(a) Construction Management Plan*, *PS-1(b) Emergency Response Training*, and *PS-1(c) Fire Protection during Construction*.

CONCLUSION

The Proposed Modification would not result in any new significant impacts or cause an increase in severity of any significant impacts identified in the CFS Project EIR. The Proposed Modification would implement the following mitigation measures, consistent with the CFS Project EIR, to ensure that potential impacts would be less than significant: *HAZ-4(a): Final Fuel Management Plan*, *HAZ 4(b): Emergency Access*, *PS-1(a) Construction Management Plan*, *PS-1(b) Emergency Response Training*, and *PS-1(c) Fire Protection during Construction*. The implementation of existing mitigation measures would ensure that potential impacts associated with the Proposed Modification would be consistent with the findings of the CFS Project EIR.

P. Recreation

EXISTING SETTING

The CFS Project would not impact recreational resources; therefore, a discussion of the existing setting is not included.

CHECKLIST

| | No New Impact or Increase in Severity of a Previously Identified Impact | Significant Impact (unchanged) | Less than Significant with Mitigation Incorporated (unchanged) | Less than Significant Impact (unchanged) | No Impact |
|--|---|--------------------------------|--|--|-------------------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input checked="" type="checkbox"/> | <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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IMPACTS IDENTIFIED IN THE CFS PROJECT EIR

The CFS Project EIR did not identify any impacts related to recreational resources. Furthermore, there are no parks or recreational facilities located in the vicinity of the CFS Project site. The CFS Project would not create an increase in population or promote activities that would increase the use of existing parks and recreational facilities. Additionally, no recreational facilities or any activities that would require the construction or expansion of recreational facilities were proposed as part of the CFS Project.

IMPACTS OF THE PROPOSED MODIFICATION

a, b) No Impact: The Proposed Modification would not result in new significant impacts because there would be no direct or indirect increased use of parks or recreational facilities as part of the Proposed Modification. No additional recreational facilities are included in the BESS and associated improvements.

CONCLUSION

The Proposed Modification would not result in any new significant impacts or cause an increase in severity of any significant impacts identified in the CFS Project EIR related to recreation resources.

Q. Transportation

EXISTING SETTING

The CFS Project EIR includes a detailed description of the existing environmental setting for transportation.¹⁴ As discussed in the CFS Project EIR, the CFS Project site is located near the junction of State Route (“SR”) 41, SR 46, and Cholame Valley Road. The CFS Project is approximately seven miles southeast of the community of Parkfield and 25 miles northeast of the City of Pas+o Robles, near the borders of Monterey, San Luis Obispo, Kings and Fresno counties. SR 41 and SR 46 are east-west state highways that connect U.S. Highway 101 (US 101) and Interstate 5 (I-5). These routes are used by commuters will be used for material transportation as part of the CFS Project.

CHECKLIST

| Would the project: | No New Impact or Increase in Severity of a Previously Identified Impact | Significant Impact (unchanged) | Less than Significant with Mitigation Incorporated (unchanged) | Less than Significant Impact (unchanged) | No Impact |
|--|---|--------------------------------|--|--|-------------------------------------|
| a) Conflict with a plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Would the project conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? | <input checked="" type="checkbox"/> | <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)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Result in inadequate emergency access? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IMPACTS IDENTIFIED IN THE CFS PROJECT EIR

The CFS Project EIR analyzed potential traffic related effects associated with the construction of the CFS Project over a 12-month period (see Draft EIR, Section 4.13, Transportation; see also Final EIR, pg. 4-134 through 4-137). This represented a conservative approach to estimate potential construction-related effects, and the CFS Project EIR determined that if construction lasted longer than 12-months then the number of peak hour trips would be less (see Draft EIR, pg. 4.13-11). The CFS Project EIR identified that construction would generate a significant and unavoidable impact along a segment of SR 41 and SR 46 that currently operates at an unacceptable Level of Service (“LOS”) (see Impact T-1, Draft EIR, pg. 4.13-15 through 4.13-17). The CFS Project EIR also identified potentially significant, but mitigable, impacts related to traffic generated during the construction phase that would add trips to the intersection of SR 41/SR46, which currently operates at an unacceptable LOS F during the Friday PM peak hour (see Impact T-2, Draft EIR, pg. 4.13-17 through 4.13-19). The implementation of Friday peak hour traffic control measures (see Mitigation Measure T-2) would ensure that potential Friday PM peak hour traffic impacts would be lessened to a less than significant level. The CFS Project EIR also identified significant and unavoidable impacts associated with the addition of traffic to the SR 41/SR 46 intersection during construction (see Impact T-5, Draft EIR, pg. 4.13-21 through 4.13-23). This impact would remain significant until such time that Caltrans

¹⁴ Please refer to the CFS Project Draft EIR, Section 4.13, Transportation.

constructs planned SR 46 improvements at this intersection, which is not expected until after the CFS Project construction is complete. The CFS Project EIR also identified potential traffic related effects associated with the use of park and ride facilities during construction and identified mitigation to lessen the extent of traffic-related effects (see Impact T-7, Draft EIR, pg. 4.13-25). The following is a brief overview of the findings of the CFS Project EIR related to transportation/traffic.

- The CFS Project EIR identified a potentially significant impact associated with project-generated traffic during the construction phase due to the incremental increase of construction-generated traffic on a segment of SR 46 between SR 41 and Branch Road that operates at an unacceptable Level of Service (“LOS”) E. The mitigation measures would not be able to fully address the impacts; therefore, the impact would be significant and unavoidable.¹⁵
- The CFS Project EIR identified a potentially significant impact associated with project generated traffic during the construction phase by adding trips to the intersection of SR 41/SR 46, which currently operates at an unacceptable LOS F during the Friday PM peak hour. However, the impact would be reduced to less than significant with the implementation of the following mitigation measure: *T-2: Friday Peak Hour Control Measures – Construction Phase*.
- The CFS Project EIR identified a potentially significant operational traffic impact on SR 46 between SR 41 and Branch Road, which currently operates at an unacceptable LOS E. CFS Project generated traffic during the operational phase would add an additional 20 trips per day to this roadway segment. The CFS Project EIR determined that this would represent a significant impact to roadway operations based on Caltrans significance thresholds. The CFS Project EIR, however, identified that planned future improvements would eliminate this impact, but the impact would remain significant until such time that the improvements were constructed.
- The CFS Project EIR identified a potentially significant operational traffic impact due to the addition of traffic trips to the intersection of SR 41 / SR 46, which operates at an unacceptable LOS F during the Friday PM peak hour. However, the impact would be reduced to less than significant with the implementation of the following mitigation measure: *T-4: Friday Peak Hour Control Measures – Operation Phase*.
- The CFS Project EIR did not contain an analysis of CEQA Guidelines Sec. 15064.3, subdivision (b), because at the time the CFS Project EIR was prepared, the CEQA Guidelines had not been updated to require an evaluation of vehicle miles traveled (“VMT”).
- The CFS Project EIR identified a potentially significant impact due to existing traffic related hazards. Specifically, the CFS Project EIR identified that the addition of traffic to the SR 41/SR 46 intersection would increase hazards at an intersection where accident rates are more than two times the statewide average. The flagman, as required by *Mitigation Measures T-2: Friday Peak Hour Control Measures – Construction Phase* and *T-4: Friday Peak Hour Control Measures – Operation Phase*, would partially reduce hazard related impacts at the SR 41/SR 46 intersection during the Friday PM peak hour. However, no mitigation measures are available to fully reduce hazard-related impacts at the SR 41/SR 46 intersection to a less than significant level; therefore, impacts are significant and unavoidable.
- The CFS Project EIR did not identify any significant impacts associated with emergency vehicle accessibility.
- The CFS Project EIR identified a potentially significant impact associated with an employee shuttle service that would provide transportation to and from the site during the construction phase. The exact location, size, and design of the proposed park and ride facilities were not known at the time the County of Monterey prepared the CFS Project EIR; therefore, the CFS Project EIR concluded

¹⁵ The CFS Project EIR determined the significance of potential transportation-related effects based on adopted level of service (“LOS”) thresholds of significance. The CEQA Guidelines have since been amended to require an analysis of potential transportation effects using a threshold based on VMT. As a result, LOS thresholds are no longer considered determinative for evaluating the significance of traffic-related impact under CEQA.

that there was the potential for secondary impacts to the environment to occur. However, the impact would be reduced to a less than significant level with the implementation of the following mitigation measure: *T-7: Park and Ride Facility Siting*.

IMPACTS OF THE PROPOSED MODIFICATION

Kimley Horn & Associates (“KHA”) prepared a detailed technical memorandum evaluating the potential environmental effects associated with the Proposed Modification. More specifically, KHA evaluated the potential traffic-related effects associated with the Proposed Modification in comparison to the analysis contained in the CFS Project EIR using substantially the same methodology and approach for comparative purposes. The following represents the results of the technical analysis prepared by KHA which conclusively demonstrates that the Proposed Modification would not result in any additional environmental effects or an increase in the severity of a previously identified significant impact beyond the levels identified in the CFS Project EIR.

a) No Impact: The Proposed Modification would not conflict with a plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. The Proposed Modification would result in temporary construction-related traffic that would access the existing CFS Project site via the existing private driveway. The Proposed Modification would not affect existing site access or otherwise conflict with a plan, ordinance or policy related to existing circulation. Moreover, construction-related effects would be temporary in nature. Finally, the Proposed Modification would not result in any additional operational traffic beyond the levels previously identified in the CFS Project EIR. Therefore, there would be no impact regarding this criterion.

b) Less than Significant Impact: CEQA Guidelines Sec. 15064.3(b) provides criteria for analyzing transportation impacts. More specifically, CEQA Guidelines Sec. 15064.3(b)(1) identifies that VMT exceeding an applicable threshold of significance may indicate that a project may have a significant transportation related effect. In the absence of an adopted threshold of significance, CEQA Guidelines Sec. 15064.3(b)(3) identifies that a lead agency may qualitatively evaluate potential traffic-related effects by considering such factors as availability of transit, proximity to other destinations, etc. Currently, the County of Monterey does not have an adopted threshold of significance for VMT. However, according to technical guidance prepared by the Office of Planning and Research (“OPR”), projects that generate or attract fewer than 110 trips per day generally may be presumed to have a less than significant transportation impact (OPR 2018). While CEQA Guidelines Sec. 15064.3(b) requires an evaluation of a project’s traffic-related effects based on VMT, the requirements of CEQA Guidelines Sec. 15064.1(b) do not take effect until July 1, 2020.

While the updated CEQA Guidelines require an evaluation of VMT, the CFS Project EIR was certified prior to the adoption of the most recent CEQA Guidelines. As a result, the CFS Project EIR determined the significance of potential transportation-related effects based on adopted level of service (“LOS”) thresholds of significance, which as noted previously are no longer considered determinative for evaluating the significance of traffic-related impact under CEQA. Nevertheless, KHA evaluated the potential temporary traffic related effects associated with the construction of the Proposed Modification using substantially the same approach and methodology outlined in CFS Project EIR to determine whether the Proposed Modification would result in any additional transportation-related effects beyond those identified in the CFS Project EIR. **Table 3** depicts anticipated daily tips associated with the Proposed Modification.

Table 3
Trip Generation Rates – 8 Month Peak Construction Duration

| Project Trip Type | Daily Trips | AM Peak | | | PM Peak | | |
|--|-------------|-----------|-----------|----------|-----------|----------|-----------|
| | | Total | IN | OUT | Total | IN | OUT |
| Battery Storage Project Construction Phase | | | | | | | |
| <u>Personal Vehicle Trips</u> | | | | | | | |
| Construction Workforce: Personal Vehicles | 88 | 39 | 39 | 0 | 39 | 0 | 39 |
| <i>Total Passenger Vehicle Trips</i> | 88 | 39 | 39 | 0 | 39 | 0 | 39 |
| <u>Heavy Vehicle Trips</u> | | | | | | | |
| Equipment Deliveries (EPC Battery Facility) | 4 | 4 | 2 | 2 | 4 | 2 | 2 |
| Concrete Deliveries (EPC Battery Facility) | 8 | 2 | 1 | 1 | 2 | 1 | 1 |
| Equipment Deliveries (Substation Expansion) | 6 | 3 | 3 | 0 | 3 | 0 | 3 |
| <i>Total Heavy Vehicle Trips</i> | 18 | 9 | 6 | 3 | 9 | 3 | 6 |
| Proposed Battery Storage – Total Construction Trips | 106 | 48 | 45 | 3 | 48 | 3 | 45 |
| <i>EIR – Total Construction Trips</i> | 263 | 88 | 88 | 0 | 88 | 0 | 88 |

Notes:

1. Personal Vehicles are FHWA Class 1- 3 vehicles. Heavy vehicles are FHWA Class 4 and above vehicles.
2. Estimated number of personal vehicle trips assumes 75% of employees traveling by carpool to and from the site with assumed carpool occupancy of 2.5 employees per carpool vehicle. The remaining 25% of employees are assumed to travel to and from the site in single-occupancy vehicles.

As indicated in **Table 3**, the Proposed Modification would result in substantially less construction-related traffic than identified in the CFS Project EIR. The Proposed Modification would result in an estimated 88 daily workforce related construction trips, including 39 AM peak and 39 PM peak trips, and an additional 18 heavy vehicles trips. The Proposed Modification is anticipated to result in approximately 106 daily construction trips. It is important to note, however, that KHA conservatively estimated construction traffic based on a maximum workforce of 70 workers. The typical workforce is anticipated to be approximately 30 workers, which would generate substantially less construction traffic. Under this scenario, the Proposed Modification is estimated to generate 26 daily trips. Similarly, it is also worth noting that the AM and PM peak hour trips identified in **Table 3** do not take into consideration that the majority of construction personnel would typically arrive onsite prior to the peak AM period and would also typically depart outside of the PM peak. Nevertheless, even under the conservative approach utilized by KHA, the Proposed Modification would result in substantially less traffic related effects than those identified in the CFS Project EIR. As a result, the Proposed Modification would not result in any additional environmental effects beyond those previously identified in the CFS Project EIR. Additionally, the Proposed Modification would also implement all existing mitigation measures identified in the CFS Project EIR to minimize construction-related effects.

KHA prepared a detailed technical memorandum evaluating the Proposed Modification's potential transportation related effects based on substantially the same methodology used in the CFS Project EIR, which evaluated potential traffic-related effects based on established LOS thresholds of significance. As outlined above, LOS is no longer considered determinative of whether a project would have a significant effect for the purposes of CEQA. While the County of Monterey does not have an adopted VMT threshold, OPR has identified that a project with less than 110 daily trips can be presumed to have a less than significant transportation related effect. As noted above, the Proposed Modification would conservatively result in 106 daily trips; actual daily trips are anticipated to be substantially less. In addition, the Proposed Modification also includes measures to reduce VMT. More specifically, KHA assumed that construction personnel would carpool to and from the construction site in personal vehicles (KHA 2020) thereby reducing potential VMT during construction. Because the Proposed Modification would not exceed 110 daily construction trips and because the Proposed Modification includes traffic demand management measures (i.e., carpooling), the Proposed Modification would result in a less than significant transportation-related effect under CEQA Guidelines Sec. 15064.3(b)

Operation of the Proposed Modification would not generate any additional operational traffic beyond the levels identified in the CFS Project EIR. No additional operational traffic is anticipated with the Proposed Modification. It is anticipated that the Proposed Modification would be operated primarily remotely with support from existing on-site staff. As a result, the Proposed Modification is not anticipated to result in a significant increase in operational traffic. This is considered a less than significant impact.

c) Less than Significant Impact: The CFS Project EIR found that there would be a significant and unavoidable impact due to existing traffic hazards associated with the SR 41/SR 46 intersection. The Proposed Modification would result in temporary construction-related traffic, which would contribute traffic to the SR 41/46 intersection. The Proposed Modification would, however, contribute substantially less construction traffic than evaluated in the CFS Project EIR. In addition, as identified above, KHA's analysis conservatively estimated anticipated construction traffic assuming the maximum workforce would be present onsite for the duration of construction. Actual construction traffic is anticipated to be less. Because the Proposed Modification would generate less construction traffic than evaluated in the CFS Project EIR the Proposed Modification would not result in any additional environmental effects or substantially increase a previously identified significant impact beyond the levels identified in the CFS Project EIR.

d) No Impact: The Proposed Modification would not result in inadequate emergency access. The Proposed Modification consists of the construction of a BESS and related infrastructure improvements to modify the existing CFS Project to allow onsite energy storage. Emergency access would continue to be available primarily from the existing private driveway and secondary access would be available via Turkey Flat Road. The Proposed Modification is located entirely within the existing SDA in an area that was previously planned to be developed with utility-scale solar infrastructure. The Proposed Modification would not affect existing access to the CFS Project site or affect the existing internal access.

CONCLUSION

The Proposed Modification would not result in any new significant impacts or cause an increase in severity of any significant impacts identified in the CFS Project EIR related to transportation and traffic. The Proposed Modification would implement the following mitigation measures, consistent with the CFS Project EIR, to ensure that potential impacts would be less than significant: *T-2: Friday Peak Hour Control Measures – Construction Phase*, and *T-4: Friday Peak Hour Control Measures – Operation Phase*. The implementation of existing mitigation measures would ensure that potential impacts associated with the Proposed Modification would be consistent with the findings of the CFS Project EIR.

R. Tribal Cultural Resources

EXISTING SETTING

At the time the CFS Project EIR was prepared, Tribal Cultural Resources was not part of the CEQA Guidelines. However, Section 4.5, Cultural and Paleontological Resources, of the CFS Project EIR evaluated the potential impacts to cultural and paleontological resources associated with the CFS Project, including potential impacts to tribal resources.¹⁶ Please refer the preceding discussion above concerning the existing environmental setting for cultural resources for more information.

CHECKLIST

| Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: | No New Impact or Increase in Severity of a Previously Identified Impact | Significant Impact (unchanged) | Less than Significant with Mitigation Incorporated (unchanged) | Less than Significant Impact (unchanged) | No Impact |
|--|---|--------------------------------|--|--|--------------------------|
| a) 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 | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

IMPACTS IDENTIFIED IN THE CFS PROJECT EIR

- The CFS Project EIR did not specifically evaluate tribal cultural resources as a separate CEQA topic because at the time the CFS Project EIR was prepared the CEQA Guidelines had not been updated to require a separate evaluation of these resources. The CFS Project EIR did, however, evaluate potential impacts to cultural resources, including potential Native American resources, in connection with the implementation of the CFS Project, as more thoroughly described above. The CFS Project EIR identified the following mitigation measures to reduce potential impacts to cultural and paleontological resources to a less than significant level: *CR-1(a): Archaeological Site Avoidance*, *CR-1(b): Site Capping and Data Indexing*, *CR-1(c): Data Recovery Excavation*, *CR-1(d): Archaeological Resource Worker Environmental Awareness Program*, *CR-1(e): Archaeological Resource Construction Monitoring*, and *CR-1(f): Native American Construction Monitoring*. The implementation of these mitigation measures would ensure that potential impacts to tribal cultural resources would be minimized to a less than significant level.

IMPACTS OF THE PROPOSED MODIFICATION

a, b) Less than Significant Impact: The Proposed Modification would not result in a substantial adverse change in the significance of a tribal resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources. The Proposed Modification is not

¹⁶ For more information concerning the existing environmental setting, please refer to Section 4.5, Cultural Resources and Paleontological Resources, of the CFS Project Draft EIR.

anticipated to adversely affect tribal resources. As noted previously in **Section E, Cultural Resources**, mitigation measures have been identified to ensure that potential impacts would be reduced to a less than significant level. The implementation of existing mitigation measures would ensure that potential impacts to tribal cultural resources would also be less than significant. Moreover, most of the area of the Proposed Modification was disturbed in connection with construction of the CFS Project thereby further reducing potential impacts associated with the Proposed Modification. Additionally, Applied Earthworks did not identify any previously recorded resources within the footprint of the Proposed Modification. As a result, Applied Earthworks concluded that the Proposed Modification would not result in any additional impacts or effects beyond those previously identified in the CFS Project EIR. The implementation of existing mitigation measures would ensure that impacts to tribal cultural resources would be less than significant.

CONCLUSION

The CFS Project EIR previously evaluated potential impacts to cultural resources, including Native American resources, as part of the cultural resources section of the CFS Project EIR. The Proposed Modification would implement existing mitigation measures identified in the CFS Project EIR to ensure that impacts would remain less than significant. As a result, the Proposed Modification would not result in any new significant impacts or cause an increase in severity of any significant impacts identified in the CFS Project EIR.

S. Utilities and Service Systems

EXISTING SETTING

CFS Project EIR includes a detailed description of the existing environmental setting for utilities and service systems.¹⁷ The CFS Project entailed the development of a 280-megawatt utility-scale solar facility and associated infrastructure in unincorporated Monterey County. At the time the County of Monterey prepared the CFS Project EIR, there was no existing wastewater disposal infrastructure and no wastewater service providers serving the CFS Project site. The minimal amount of wastewater generated by the CFS Project is disposed of by an onsite wastewater treatment system, and potable water for the Operation & Maintenance facility is provided by on-site wells. Solid waste generated as a result of the CFS Project is disposed of at Johnson Canyon Landfill in Monterey County, Paso Robles Landfill or Chicago Grade Landfill in San Luis Obispo County.

CHECKLIST

| | No New Impact or Increase in Severity of a Previously Identified Impact | Significant Impact (unchanged) | Less than Significant with Mitigation Incorporated (unchanged) | Less than Significant Impact (unchanged) | 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 telecommunication facilities, the construction or relocation of which could cause significant environmental effects? | <input checked="" type="checkbox"/> | <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 checked="" type="checkbox"/> | <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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

IMPACTS IDENTIFIED IN THE CFS PROJECT EIR

- The CFS Project EIR did not identify any impacts that would cause significant environmental effects associated with the construction of new or expanded water, wastewater treatment, storm water drainage facilities, electric power, natural gas, or telecommunication facilities.
- The CFS Project EIR discussed the availability of water supplies in Section 4.9 Hydrology and Water Quality and determined that the CFS Project would have sufficient water supplies available from existing resources and no new or expanded entitlements would be needed. Impacts would be less than significant without mitigation.

¹⁷ Please refer to the CFS Project Draft EIR, Section 4.12.

- The CFS Project EIR did not identify any impacts associated with capacity of existing wastewater treatment facilities. The CFS Project would be served by an on-site septic system or alternative wastewater treatment system. No wastewater treatment providers would be affected by the project. There would be no impact.
- The CFS Project EIR discussed the generation of solid waste in Section 4.12 Public Services and Utilities and determined that solid waste generated during project decommissioning would be accommodated by landfills in existence at the time and would be disposed of in accordance with applicable laws and regulations. Therefore, impacts would be less than significant.

IMPACTS OF THE PROPOSED MODIFICATION

The Proposed Modification is located entirely within the existing 2,120-acre SDA, which was proposed to be improved with utility-scale solar infrastructure as part of the CFS Project. As a result, the CFS Project EIR evaluated the potential utilities and service systems resource related impacts associated with the construction of infrastructure within the area of the Proposed Modification. As described below, the Proposed Modification would not result in any additional environmental effects or increase the severity of a previously identified impact beyond those identified in the CFS Project EIR.

a, b, c) No Impact: The Proposed Modification consists of the construction and operation of a BESS and associated improvements. The Proposed Modification would modify the existing CFS Project to allow on-site energy storage. The Proposed Modification does not entail any new or expanded water or wastewater facilities. In addition, the Proposed Modification would not increase demand for water during operation. Temporary water use would occur during construction for dust suppression purposes but would be relatively minor in nature due to the limited nature of construction activities. As a result, the Proposed Modification is not anticipated to: 1) require or result in the construction of new or expanded water or wastewater treatment facilities or other related infrastructure, the construction of which could cause significant environmental effects; 2) have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years; or, 3) 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. Accordingly, the Proposed Modification would not result in any additional adverse environmental impacts or increase the severity of a previously identified significant impact beyond the levels identified in the CFS Project EIR.

d, e) Less than Significant Impact: Construction of the Proposed Modification would generate construction debris. Construction of the Proposed Modification is not, however, anticipated to generate a substantial amount of construction debris that would cause the Johnson Canyon Landfill (located in Monterey County), the Paso Proles Landfill, or the Chicago Grade Landfill (both located in San Luis Obispo County) to exceed their permitted capacity. Moreover, all construction debris would be disposed of in accordance with all applicable regulatory requirements related to construction waste diversion and general practices to reduce the amount of construction waste. As a result, the Proposed Modification would result in a less than significant impact in terms of solid waste generation consistent with the analysis in the CFS Project EIR.

CONCLUSION

The Proposed Modification would not result in any new significant impacts or cause an increase in severity of any significant impacts identified in the CFS Project EIR related to utilities and service systems.

T. Wildfire

EXISTING SETTING

At the time that the County of Monterey prepared the CFS Project EIR, the CEQA Guidelines had not been updated to require a separate analysis of potential wildfire hazards. Instead, the CFS Project EIR evaluated potential wildfire hazards as part of Section 4.8, Hazards and Hazardous Materials, and evaluated potential impacts to fire protection services in Section 4.12, Public Services. As identified in the CFS Project EIR, the CFS Project site, including the Proposed Modification, is located in a high fire hazard severity zone and is located within a State Responsibility Area (“SRA”) by the California Department of Forestry and Fire Protection (“Cal Fire”). The nearest Cal Fire substation is located in Parkfield, which is approximately seven miles northwest of the CFS Project site. This station would be the primary station responsible for responding to an emergency. For a detailed description of the existing environmental setting as it relates to potential wildfire hazards and impacts to fire protection services, please refer to the aforementioned sections for more information.

CHECKLIST

| | No New Impact or Increase in Severity of a Previously Identified Impact | Significant Impact (unchanged) | Less than Significant with Mitigation Incorporated (unchanged) | Less than Significant Impact (unchanged) | No Impact |
|--|---|--------------------------------|--|--|-------------------------------------|
| If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project: | | | | | |
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

IMPACTS IDENTIFIED IN THE CFS PROJECT EIR

- The CFS Project EIR did not contain an analysis of potential wildfire hazards, because at the time the CFS Project EIR was prepared, the CEQA Guidelines had not been updated to require an evaluation of wildfire hazards. Although an analysis of potential wildfire impacts was not included as part of the CFS Project EIR as a separate topical CEQA section, the CFS Project EIR did evaluate potential impacts to existing fire protection services in connection with the implementation of the CFS Project in Section 4.8, Hazards and Hazardous Materials, of the CFS Project EIR.
- The CFS Project EIR identified the following mitigation measures to reduce the potential significant impacts associated with wildfires to a less than significant level: *PS-1(a): Construction Management Plan*, *PS-1(b): Emergency Response Training*, *PS-1(c): Fire Protection during Construction*, *HAZ-4(a): Final Fuel Management Plan*, and *HAZ-4(b): Emergency Access*.

IMPACTS OF THE PROPOSED MODIFICATION

a) No Impact: The Proposed Modification would not impair an adopted emergency response plan or emergency evacuation plan. The Proposed Modification consists of infrastructure improvements to an existing renewable energy facility located in southern Monterey County. Moreover, the Proposed Modification is located in an area that was previously considered suitable for renewable energy infrastructure in connection with the CFS Project but was never developed as part of the original project. The development of the Proposed Modification would not affect emergency access to the CFS Project site and would not otherwise impede access to the site. The location of the Proposed Modification was previously planned to be improved with utility-scale infrastructure and the Proposed Modification would not result in any changes related to emergency access. As a result, there would be no impact in connection with the Proposed Modification.

b, c) Less than Significant Impact with Mitigation: The Proposed Modification consists of the construction and operation of a BESS and related infrastructure as a component of the CFS Project. As described in **Section I. Hazards and Hazardous Materials**, the CFS Project is located in an area with a high fire hazard potential. As a result, the Proposed Modification could result in the exposure of project occupants to potential wildfire hazards consistent with the findings of the CFS Project EIR. Potential wildfire hazards associated with the Proposed Modification would be minimized through the compliance with existing regulatory requirements (e.g., Monterey County Code, Public Resources Code, OSHA), as well as active and passive fire protection measures included as part of the Proposed Modification and existing facility operations. These measures include implementing on-going fuel management measures, as well as maintaining on-site fire suppression equipment. Moreover, the Proposed Modification would also comply with applicable mitigation measures identified in the CFS Project EIR intended to reduce potential wildland fire hazards, including the following mitigation measures: *PS-1(a): Construction Management Plan*, *PS-1(b): Emergency Response Training*, *PS-1(c): Fire Protection during Construction*, *HAZ-4(a): Final Fuel Management Plan*, and *HAZ-4(b): Emergency Access*. In addition, the Proposed Modification also includes a preliminary fuel management plan which indicates that the area surrounding the proposed improvements would be managed during construction and operation consistent with existing operations. The implementation of existing fuel management requirements, as well as compliance with the mitigation measures identified above would ensure that potential impacts would be less than significant consistent with the findings of the CFS Project EIR.

d) Less than Significant Impact: The Proposed Modification site is located in an area that is relatively flat and not sloped. Therefore, the site is not generally susceptible to downslope or downstream flooding or landslides. For this reason, this impact is less than significant.

CONCLUSION

The Proposed Modification would not result in any new significant impacts or cause an increase in severity of any significant impacts identified in the CFS Project EIR. The Proposed Modification would implement the following mitigation measures, consistent with the CFS Project EIR, to ensure that potential impacts would be less than significant: *PS-1(a): Construction Management Plan*, *PS-1(b): Emergency Response Training*, *PS-1(c): Fire Protection during Construction*, *HAZ-4(a): Final Fuel Management Plan*, and *HAZ-4(b): Emergency Access*. The implementation of existing mitigation measures would ensure that potential impacts associated with the Proposed Modification would be consistent with the findings of the CFS Project EIR.

U. Mandatory Findings of Significance

CHECKLIST

| | No New Impact or Increase in Severity of a Previously Identified Impact | Significant Impact (unchanged) | Less than Significant with Mitigation Incorporated (unchanged) | Less than Significant Impact (unchanged) | 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

IMPACTS IDENTIFIED IN THE CFS PROJECT EIR

- The CFS Project EIR did not identify any impacts associated with the CFS Project that would 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.
- The CFS Project EIR evaluated the potential cumulative effects associated with the CFS Project. More specifically, the CFS Project EIR identified a number of renewable energy projects in the surrounding counties that would combine with the CFS Project to create cumulative impacts. The CFS Project EIR concluded that potential cumulative effects would not be cumulatively considerable based on the implementation of existing mitigation measures identified in the CFS Project EIR.
- The CFS Project EIR evaluated environmental effects that would cause substantial adverse effects on human beings associated with the implementation of the CFS Project. The CFS Project EIR shows that the environmental effects of the CFS Project would be less than significant and potential adverse effects on human beings would be reduced with the implementation of mitigation measures identified in the CFS Project EIR.

IMPACTS OF THE PROPOSED MODIFICATION

a, b, c) Less than Significant Impact: The Proposed Modification would not substantially degrade or reduce wildlife species or habitat or impact historic resources. The Proposed Modification is located within the existing 2,120-acre SDA, which the County of Monterey previously evaluated as part of the CFS Project

EIR. As a result, the Proposed Modification is not anticipated to result in any additional environmental effects or increase the severity of a significant impact beyond the levels identified in the CFS Project EIR. Moreover, the Proposed Modification would not result in any additional cumulative effects beyond those identified in the CFS Project EIR. The Proposed Modification would result in temporary construction-related effects – temporary construction-related effects would be limited in duration and would be addressed through the implementation of existing mitigation measures identified in the CFS Project EIR. In addition, construction and operation of the Proposed Modification would not result in adverse impacts on human beings, either directly or indirectly; potential impacts would be temporary in nature and mitigated through the implementation of mitigation measures (to the extent they are applicable) previously identified in the CFS Project EIR. The Proposed Modification would not result in any new significant impacts or cause an increase in severity of any significant impacts beyond those identified in the CFS Project EIR.

III. CONCLUSION

The Proposed Modification consists of the construction and operation of a BESS and related infrastructure improvements as part of the existing CFS Project. The Proposed Modification is located within the existing 2,120-acre SDA, which was previously approved for utility-scale solar infrastructure by the County of Monterey. As noted above, the actual footprint of the CFS Project was considerably less than what was analyzed in the CFS Project EIR - only 1,684 acres of the 2,120-acre SDA was developed as part of the CFS Project. As a result, the actual facility footprint is 436 acres less than previously analyzed. Similarly, the CFS Project EIR also evaluated the effects associated with the development of two (2) substations, each to be approximately six (6) acres in size. The actual footprint of each substation was also less than previously analyzed by the County of Monterey – the total footprint for both substations was less than two (2) acres combined. As a result, construction of the Proposed Modification would not exceed the CFS Project footprint analyzed by the County of Monterey. In fact, even with the addition of the Proposed Modification, the extent of development associated with the CFS Project would be less than what was analyzed in the CFS Project EIR. As discussed above, the Proposed Modification would not result in any additional adverse environmental effects or increase the severity of a previously identified significant impact.

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