

COUNTY OF TULARE RESOURCE MANAGEMENT AGENCY



5961 South Mooney Boulevard
Visalia, CA 93277

Initial Study and Mitigated Negative Declaration

Glover Solar
(PSP 19-003)

May 2019

Prepared by
County of Tulare Resource Management Agency
Economic Development and Planning Branch
Environmental Planning Division

INITIAL STUDY CHECKLIST

1. **Project Title:** Glover Solar Project (PSP 19-003)
2. **Lead Agency:** County of Tulare
Resource Management Agency
5961 S. Mooney Blvd.
Visalia, CA 93277
3. **Contact Persons:** Dana Mettlen, Planner IV (Project Planner) – 559-624-7106
Hector Guerra, Chief, Environmental Planning Division – 559-624-7121
4. **Project Location:** The Project site is located in the USGS 7.5 Minute Quadrangle: Cairns Corner approximately six (6) miles southeast of the City of Tulare and approximately three and a half (3.5) miles south of Highway 137, abutting Road 164 to the west and Avenue 200 to the south. It lines within Section 30, Township 20 South, Range 26 East, MDB&M entirely within APN 198-060-011.
5. **Applicant:** Glover Solar, LLC
5601 E. Slauson Ave. Suite 101
Commerce, CA 90040
6. **Owner** Kenneth Glover, Shirley A. Glover, Carla Glover
20701 Road 168
Strathmore CA 93267
7. **General Plan Designation:** A (Agriculture)
8. **Zoning:** AE-40 (Exclusive Agriculture – 40 Acre Minimum)
9. **Description of Project (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)** The comprehensive project description, including project components is included in Attachment “D”, the following is a summary of the project description. The Project would provide approximately 19.95 MWac of electricity (renewable energy). Project components include solar (photo-voltaic, PV) modules (approximately 76,250) mounted on single access trackers. The steel piles supporting the PB modules would be driven into the soils using pneumatic techniques. Following pile installation for the single-axis tracking system, the associated motors, torque tubes, and drivelines would be placed and secured. Eight (8) inverter stations containing electrical equipment to serve each block of solar panel arrays. Various wiring, underground cables, combiner boxes, inverters, transformers, would also be installed. A new, on-site substation/switchyard (located in the northwest corner of the Project site) would tie into a new 0.5 mile-long 6-kV transmission interconnection line (along a utility easement on the east side of Road 164) with the nearby Southern California Edison Bliss substation north of the Project site. Access and internal roads would be included along the perimeter and main access roads would be approximately 20 feet wide, likely using gravel, compacted dirt, or other commercially viable surface, and would meet Tulare County Fire Department standards. A six (6)-foot tall chain-link security fence (including three-strand barbed wire) would be installed around the perimeter of the Project site and motion activated lighting which would be hooded and directed downward to minimize off-site light and glare would also be installed. Project construction would require the use of graders, trenchers, small tractors,

a crane, and miscellaneous equipment. An estimated average of 125-150 construction vehicle trips per day would be used to import construction workers, PV module materials, substation/switchyard equipment, the distribution line and associated support poles, the potential power storage facilities, and the gravelling of all compacted roads. To summarize, the Project would be constructed in 3 stages as follows: Phase 1, Site Preparation; Phase 2, Photovoltaic Panel System; and Phase 3, Inverters, Transformers, Substation, Electrical Collector System, and Interconnection. Also, following its proposed life of 35 years, the site would be decommissioned and reclaimed as required by the County. The project is estimated to take approximately eight (8) months to complete, excluding 2-3 weeks of initial site grading. Figures 4 and 5 show the Project Layout Overview and Site Plan, respectively.

10. Surrounding land uses and setting (Brief description):

North: irrigated row crops, one rural residence (to the northeast);

South: irrigated row crops, one rural residence (to the southeast);

East: irrigated row crops, one rural residence; and

West: irrigated row crops, one rural residence, and a dairy operation

11. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement): Regional Water Quality Control Board, San Joaquin Valley Unified Air Pollution Control District other TBD.

12. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that include, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.? Pursuant to AB 52, a Sacred Land File request was submitted to the Native American Heritage Commission on February 20, 2019, and was returned with negative results. On April 4, 2019, tribal consultation notices were sent to eight (8) tribal contacts representing four (4) Native American tribes. The County received no responses from the tribes within the 30-day response time. Mitigation measures have been included in the project to reduce potential impacts on tribal cultural resources in the unlikely event that any are unearthed during construction-related activities.

Figure 1 - Vicinity Map

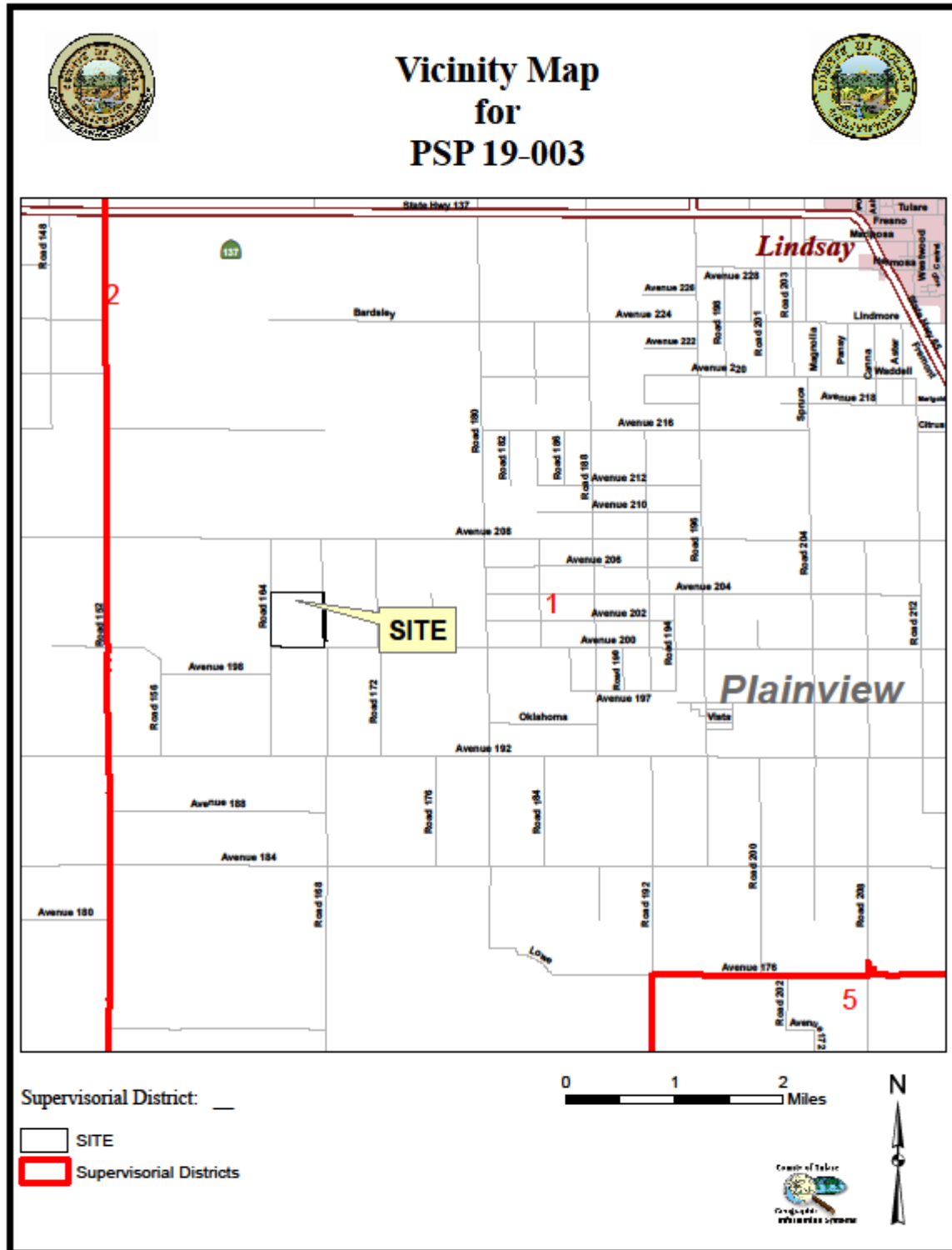


Figure 2 - Aerial View of Site

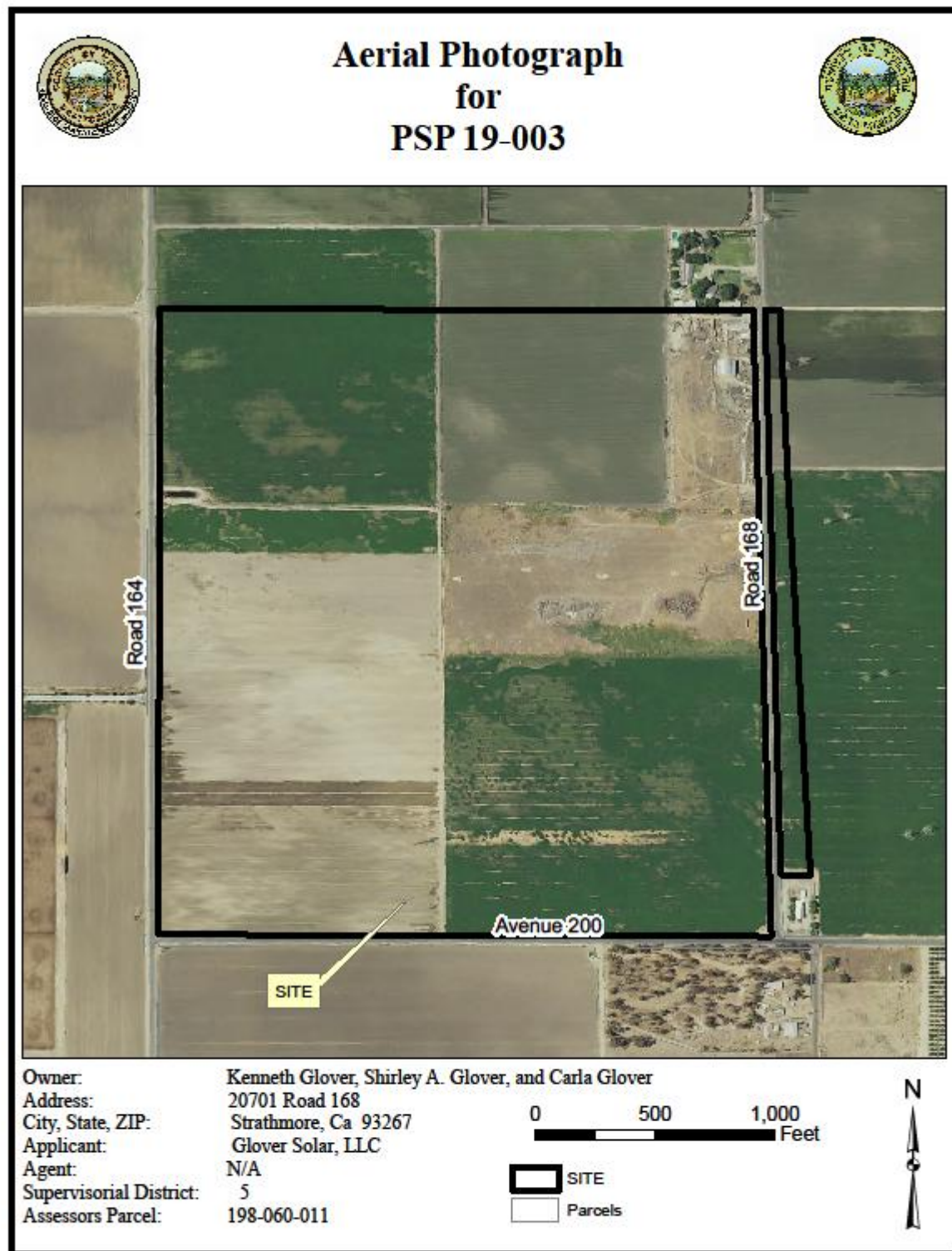


Figure 3 - Zoning

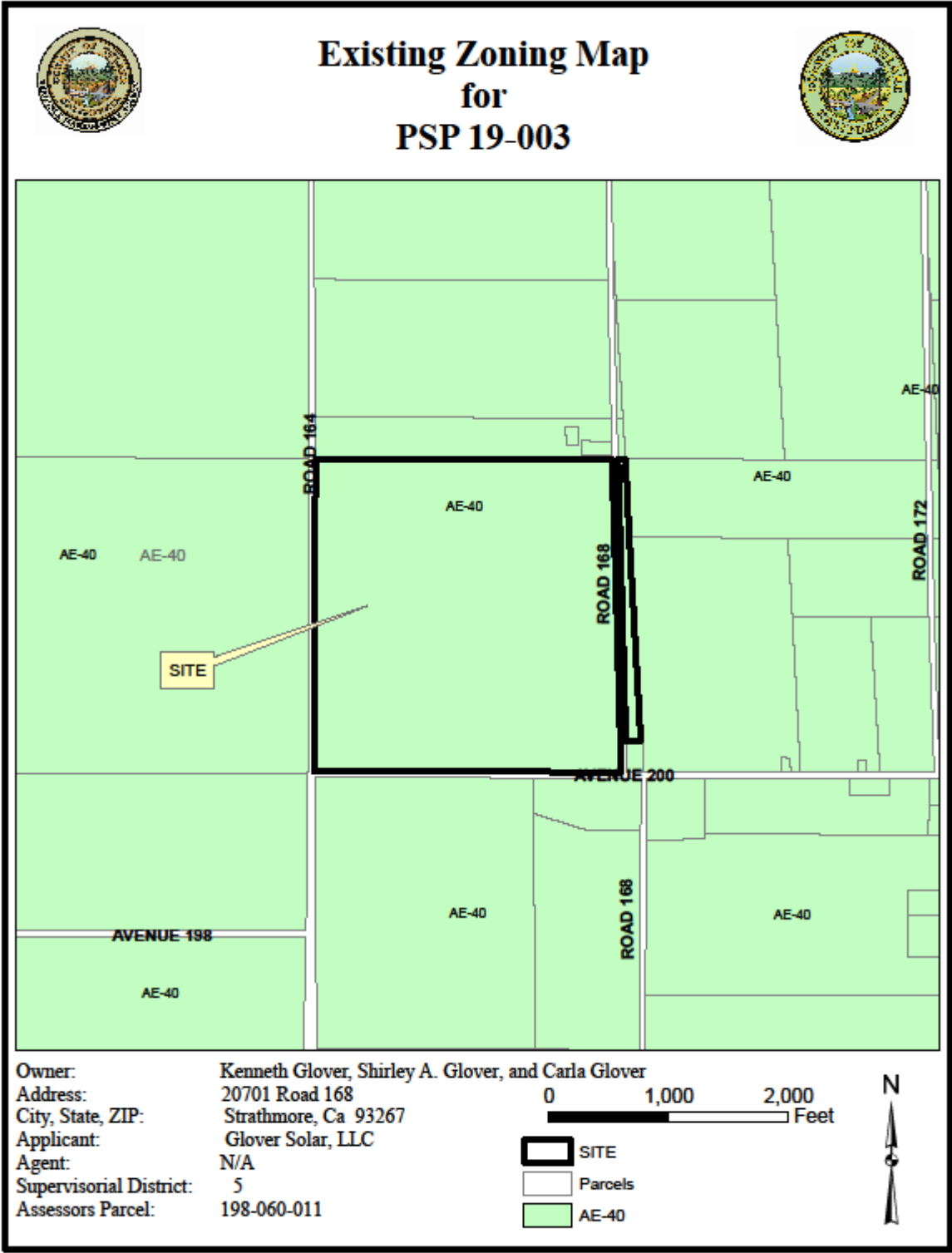


Figure 4 - Project Overview

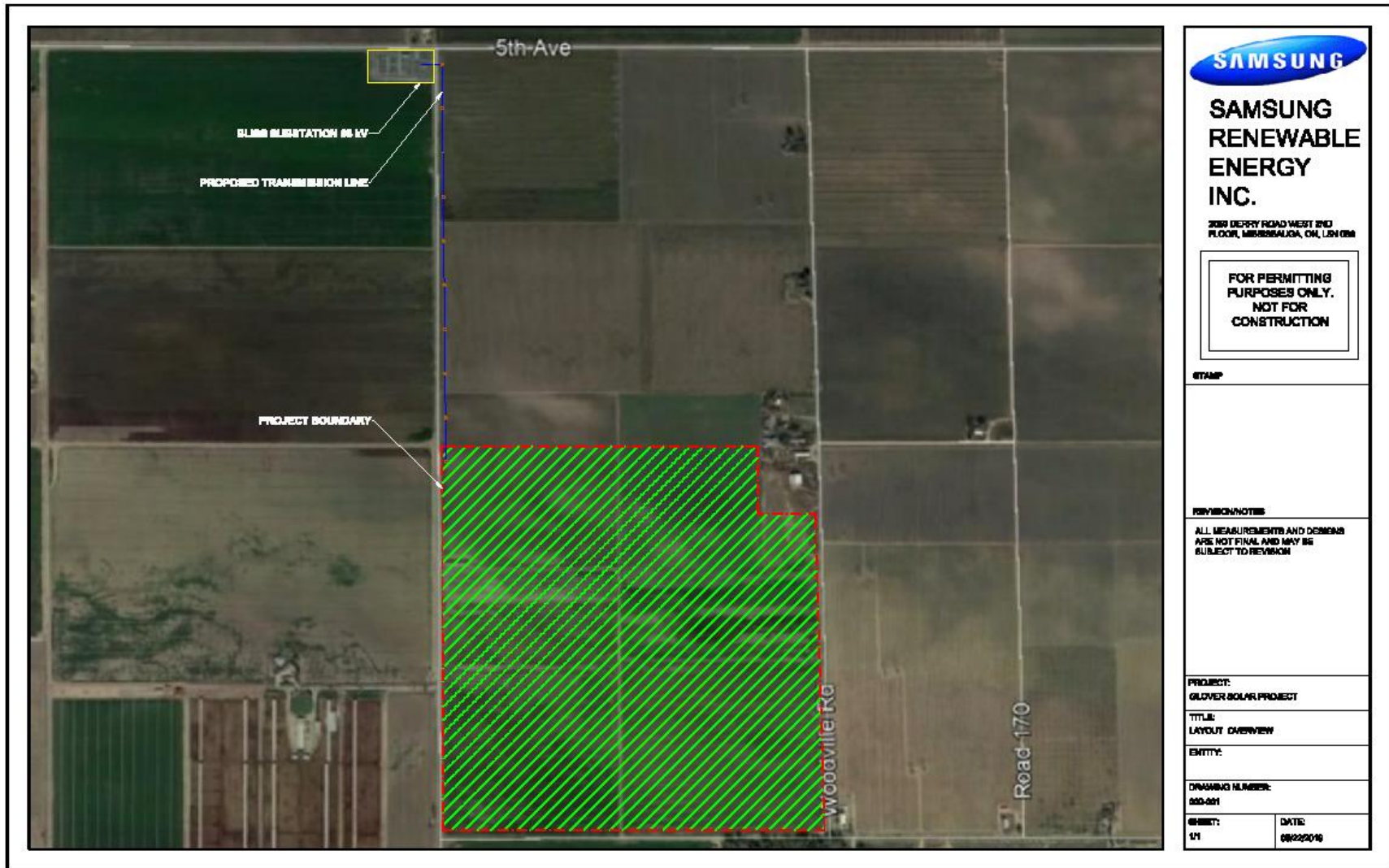
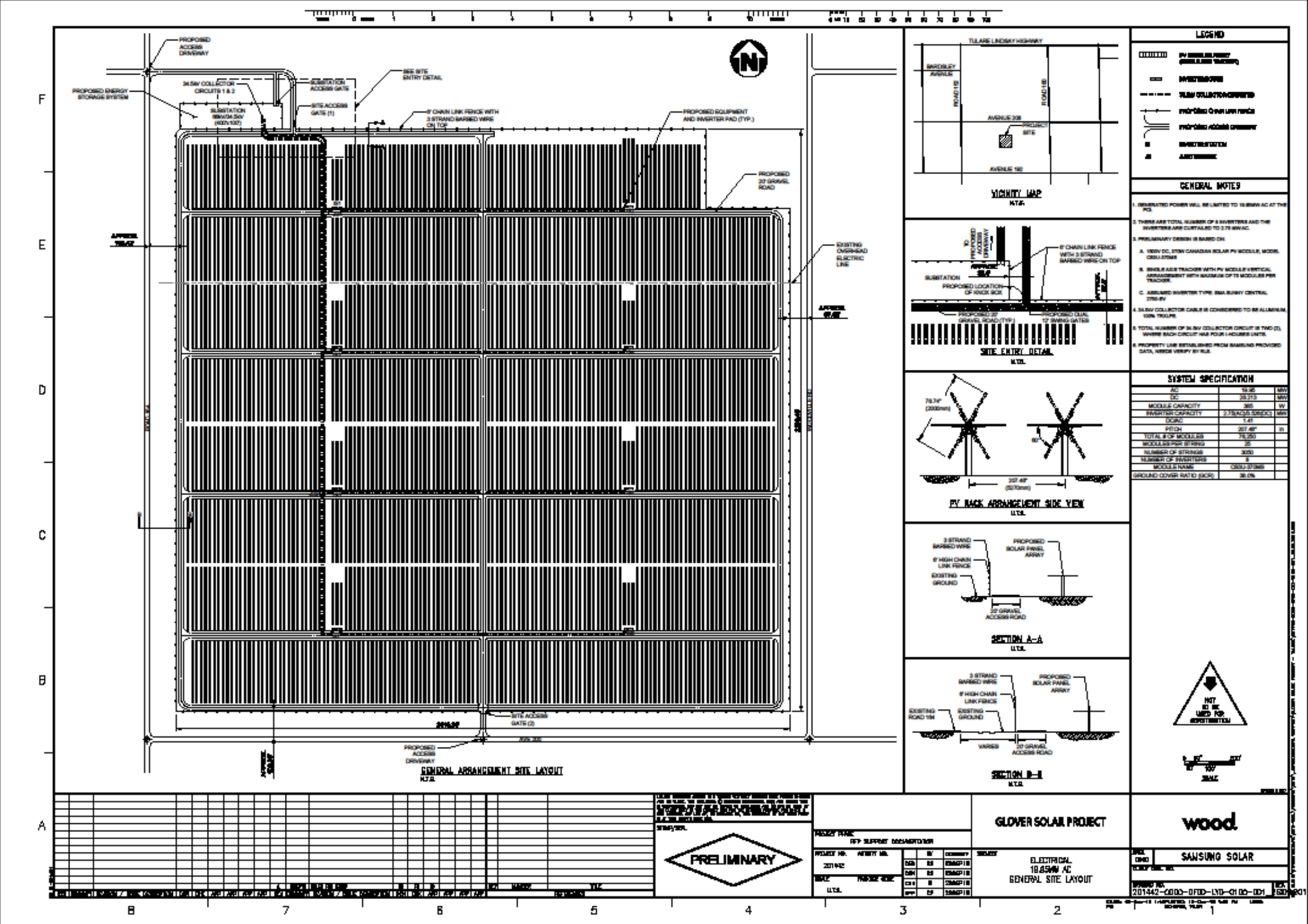


Figure 5 - Site Plan



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

A. The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

B. DETERMINATION:

On the basis of this initial evaluation:

- ☐ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: 

Hector Guerra
Printed Name

Date: 5/28/19

Chief Environmental Planner
Title

Signature: 

Reed Schenke, P.E.
Printed Name

Date: 5/28/19

Environmental Assessment Officer
Title

C. EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify: the significance criteria or threshold, if any, used to evaluate each question; and the mitigation measure identified, if any, to reduce the impact to less than significance.

1. AESTHETICS																															
Would the project:																															
<table border="1"> <thead> <tr> <th colspan="2">Would the project:</th> <th>SIGNIFICANT IMPACT</th> <th>LESS THAN SIGNIFICANT IMPACT WITH MITIGATION</th> <th>LESS THAN SIGNIFICANT</th> <th>NO IMPACT</th> </tr> </thead> <tbody> <tr> <td>a)</td> <td>Have a substantial adverse effect on a scenic vista?</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>b)</td> <td>Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>c)</td> <td>In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>d)</td> <td>Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </tbody> </table>		Would the project:		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT	NO IMPACT	a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	c)	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Analysis: Environmental Setting <p>Tulare County is located in a predominately agricultural region of central California. The terrain in the County varies. The western portion of the County includes a portion of the San Joaquin Valley (Valley), and is generally flat, with large agricultural areas with generally compact towns interspersed. In the eastern portion of the County are foothills and the Sierra Nevada mountain range. The project site is located on the Valley floor, which is very fertile and has been intensively cultivated for many decades. Agriculture and related industries such as agricultural packing and shipping operations and small and medium sized manufacturing plants make up the economic base of the Valley region. Many communities are small and rural, surrounded by agricultural uses such as row crops, orchards, and dairies. From several locations on major roads and highways throughout the County, electric towers and telephone poles are noticeable. Mature trees, residential, commercial, and industrial development, utility structures, and other vertical forms are highly visible in the region because of the flat terrain. Where such vertical elements are absent, views are expansive. Most structures are small; usually one story in height, through occasionally two story structures can be seen commercial or industrial agricultural complexes. The County provides a wide range of views from both mobile and stationary locations...¹ The proposed Project site is located on the San Joaquin Valley floor in an unincorporated area approximately six (6) miles southeast of the City of Tulare in Tulare County, California. The aesthetic features of the existing visual environment in the proposed Project area are relatively uniform, with broad, flat, agricultural setting landscapes. The Project site is located approximately 55 miles east of the Coast Range and approximately 12 miles west of transitional rolling hills at the base of the Sierra Nevada Mountain Range. Topographically, the Project site is flat (less than 2 percent slope across the site) with an average elevation of approximately 315 feet above mean sea level, and has historically been used for irrigated row crop cultivation. Other than scattered rural residences, nearby dairies, and predominantly agriculturally productive lands, there are no scenic resources such as rivers, lakes, rock outcroppings, historical structures, etc., within or near the Project area.</p>																															

¹ Tulare County 2030 General Plan: Recirculated Draft EIR (RDEIR). Page 3.1-11.

Regulatory Setting

Federal

Aesthetic resources are protected by several federal regulations, none of which are relevant to this Project because it will not be located on lands administered by a federal agency nor is the Project applicant requesting federal funding or any federal permits.

State

Nighttime Sky – Title 24 Outdoor Lighting Standards

The California Energy Commission (CEC) adopted changes to Title 24, Parts 1 and 6, Building Energy Efficiency Standards (Standards), on November 5, 2003. These new Standards became effective on October 1, 2005. Included in the changes to the Standards are new requirements for outdoor lighting. The requirements vary according to which “Lighting Zone” the lighting equipment is located. The Standards contain lighting power allowances for newly installed equipment and specific alterations that are dependent on which Lighting Zone the project is located. Existing outdoor lighting systems are not required to meet these lighting power allowances. However, alterations that increase the connected load, or replace more than 50% of the existing luminaires (for each outdoor lighting application that is regulated by the Standards) must comply with the lighting power allowances for newly installed equipment.

The Standards base the allowable lighting power on the brightness of the surrounding conditions. The eyes adapt to darker surrounding conditions, and less light is needed to properly see; conversely, when the surrounding conditions are brighter, more light is needed to see. The least lighting power is allowed in Lighting Zone 1 and increasingly more lighting power is allowed in Lighting Zones 2, 3, and 4.

The CEC defines the boundaries of Lighting Zones based on U.S. Census Bureau boundaries for urban and rural areas as well as the legal boundaries of wilderness and park areas (see Standards Table 10-114-A). By default, government designated parks, recreation areas and wildlife preserves are Lighting Zone 1; rural areas are Lighting Zone 2; and urban areas are Lighting Zone 3. Lighting Zone 4 is a special use district that may be adopted by a local government²

California Scenic Highway Program

The Scenic Highway Program allows county and city governments to apply to the California Department of Transportation (Caltrans) to establish a scenic corridor protection program which was created by the Legislature in 1963. Its purpose is to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. The state laws governing the Scenic Highway Program are found in the Streets and Highways Code, Sections 260 through 263. Two Eligible State Scenic Highways occur in Tulare County, SRs 198 and 190; however, they are not Designated State Scenic Highways.

Local

Tulare County General Plan 2030 Update

The Tulare County General Plan 2030 Update: Chapter 7 – Scenic Landscapes, contains the following goals and policies that relate to aesthetics, preservation of scenic vistas and daytime lighting/nighttime glare and which have potential relevance to the Project’s CEQA review: *SL-1.1 Natural Landscapes* which requires new development to not significantly impact or block views of Tulare County’s natural landscapes; *SL-1.2 Working Landscapes* which requires that new non-agricultural structures and infrastructure located in or adjacent to croplands, orchards, vineyards, and open rangelands be sited so as to not obstruct important viewsheds and to be designed to reflect unique relationships with the landscape; and *SL-2.1 Designated Scenic Routes and Highways* which is intended to protect views of natural and working landscapes along the County’s highways and roads by maintaining a designated system of County scenic routes and State scenic highways.

- a) Less Than Significant Impact:** For the purposes of this Project, a scenic vista is defined as an area that is designated, signed, and accessible to the public for the purpose of viewing and sightseeing. The Project site is located in unincorporated

² California Department of Energy. Title 24 Standards Table 10-114-, Lighting Zone Characteristics and Rules for Amendments by Local Jurisdictions. http://www.energy.ca.gov/title24/2005standards/outdoor_lighting/2004-09-30_LIGHTING_ZONES.PDF. Site accessed March 2013.

southwestern Tulare County in a generally undeveloped area on the floor of the San Joaquin Valley. The area surrounding the Project site is primarily rural agricultural land (i.e., scattered rural residences in every direction, active row crops, and dairy operations) and the Project would be low-profile (that is, no building will be greater than 35' feet in height and the solar tracker array would not exceed 12 feet in height). Zoning height limitations would restrict structures (e.g.; inverter stations, battery storage, etc.) to no greater than a two-story equivalent (i.e., 2-½ stories and not to exceed 35 feet maximum). No parts of the Project would obstruct local scenic views, be visually intrusive or incompatible with the surrounding area, or be visible to large numbers of sensitive receptors. A new transmission will also be constructed along the east side Road 164 which has an existing right-of-way of 50' (of which 17.5' is a paved surface while the remaining 32.5' (approximately 16.25' of either side of the road) is used as an unpaved shoulder). However, as a similar transmission line is currently in place on the west side of Road 164, the new line will not represent a substantial intrusion on the viewshed of the area. Also, there are no designated scenic vistas within visible distance of the Project site (County of Tulare, 2010). As noted earlier, the Applicant will install motion activated lighting which would be hooded and directed downward to minimize off-site light and glare. Therefore, the Project would have no impact on a scenic vista.

- b) No Impact:** There are no rock outcroppings, historic buildings, or other designated scenic resources within or near the Project site. The California Scenic Highway Program allows counties to nominate an eligible scenic highway to be approved by the California Department of Transportation and placed under the scenic corridor protection program. In Tulare County, there is currently one officially designated scenic highway, and two highways that are eligible for designation. Approximately two miles of the officially designated Scenic Highway (State Route) 180 passes through Tulare County, but this segment of SR 180 is greater than 20 miles north of the Project site. Additionally, there are two Eligible State Scenic Highways (SR 190, approximately seven miles south; and SR 198, approximately 12 miles north), but neither of these are near the Project site. As such, the Project is not located within the viewshed of any of the listed designated or eligible highway segments.

Additionally, the County of Tulare identified a number of County Scenic Roads in its 2012 General Plan Update; however, none of the roads are near or within the vicinity of the Project site. As a result, the Project would have no impact on existing scenic resources or highways. As noted earlier, the Project is located in a relatively flat area and does not contain scenic resources such as significant trees, rock outcroppings, or historic buildings. Therefore, there would be no impact to an eligible or designated state scenic highway or other scenic resources as a result of the proposed Project.

- c) No Impact:** As noted earlier, the Project site is located in an isolated, rural, predominantly agricultural area. The remoteness of the site, the absence of persons (there are only four rural residences near the site), and the likely low average daily vehicle trips per day (based on the lack of traffic generating uses, such as commercial, industrial, higher residential densities, etc.) do not avail the site to a significant number of opportunities for the site to result in an adverse impact to public views or vantage points viewing. As such, even though the Project location is in a non-urbanized area, it would not substantially degrade the existing visual character or quality of the site and its surroundings. Therefore, the project would not conflict with applicable zoning and other regulations governing scenic quality resulting in no impact to this resource.
- d) Less Than Significant Impact:** As noted in the Project Description, the Project will include security lighting which will be motion activated, hooded, and directed downward to minimize off-site light and glare. As such, the Project will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area resulting in a less than significant impact to this resource.

2.	AGRICULTURAL AND FOREST RESOURCES					
	In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the Rural Valley Lands Plan point evaluation system prepared by the County of Tulare 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:			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT	NO IMPACT
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland). as shown on the		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

		maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				
	b)	Conflict with existing zoning for agriculture use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources code 12220(g), timberland (as defined in Public Resource Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	d)	Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Analysis:

Environmental Setting

The proposed Project site is located in the San Joaquin Valley portion of Tulare County. As indicated in the Tulare County Farm Bureau's "Facts about Agriculture"; "Tulare County leads the nation in dairy production. Milk is the first agricultural commodity worth \$1.7 billion in the 2017 report. Tulare County also ranks again in the top 3 of all farm counties in America. Kern County is #1 for the 2017 crop report year, Tulare County 2nd, and Fresno County 3rd in ranking. Agriculture is the largest private employer in the county with farm employment accounting for nearly a quarter of all jobs. Processing, manufacturing, and service to the agriculture industry provides many other related jobs. Six of the top fifteen employers in the county are food handling or processing companies, which includes fruit packing houses and dairy processing plants. 1 in every 5 jobs in the San Joaquin Valley is directly related to agriculture."³

The 2017 Tulare County Annual Crop and Livestock Report stated "Tulare County's total gross production value for 2017 as \$7,039,929,400. This represents an increase of \$669,807,400 or 10.5% above 2016's values of \$6,370,121,600. Milk continues to be the leading agricultural commodity in Tulare County; with a total gross value of \$1,776,855,000, an increase of \$131,283,000 or 8%. Milk represents 25.2% of the total crop and livestock value for 2017. Total milk production in Tulare County remained relatively stable. Livestock and Poultry's gross value of \$701,472,000 represents a decrease of 5.5% above 2016, mostly due to lower per unit value for cattle and a decrease in the head county of poultry."⁴ "Tulare County's agricultural strength is based on diversity of the crops produced. The 2017 report covers more than 120 different commodities, 53 of which had a gross value in excess of \$1,000,000. Although individual commodities may experience difficulties from year to year, Tulare County continues to produce high-quality crops that provide food and fiber to more than 80 countries throughout the world."⁵

The most recent statewide California Farmland Conversion Report (CFCR) from the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) assesses statewide farmlands from the period 20014-2016. However, Tulare County specific data from the period 2014-2016 indicates that agricultural lands in Tulare County in 2014 included 859,171 acres of important farmland (designated as FMMP Prime, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance) and 439,961 acres of grazing land, for a total of 1,299,132 acres of agricultural land.⁶

³ Tulare County Farm Bureau. Tulare County Agricultural Facts. October 2018. Accessed April 2019 at: <https://www.tulcofb.org/index.php?page=agfacts>.

⁴ 2017 Tulare County Annual Crop and Livestock Report, September 2018. Cover letter from Marilyn Wright, Agricultural Commissioner. <https://agcomm.co.tulare.ca.us/ag/index.cfm/standards-and-quarantine/crop-reports1/crop-reports-2011-2020/2017-crop-report/>

⁵ Ibid.

⁶ California Department of Conservation, Division of Land Resource Protection. Department of Conservation, Farmland Mapping and Monitoring Program, Table 2012-

Farmlands of Statewide Importance are defined as “lands similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.”⁷

As presented in **Table AG-1**, the California Land Conservation Act of 1965 2016 Status Report (December 2016) notes that 1,093,126 acres of farmland with Tulare County is under California Land Conservation Act (Williamson Act) contracts; a program designed to prevent premature conversion of farmland to residential or other urban uses. The 1,093,126 acres of farmland under Williamson Act or Farmland Security Zone contracts in Tulare County divided by the following categories: 569,028 acres of Williamson Act prime, 512,946 acres nonprime, and 11,052 acres of Farmland Security Zone lands (The acreage totals also include 175 acres of Williamson Act prime contract land in nonrenewal and 15,731 acres of Williamson Act of nonprime contract land in nonrenewal.)⁸

Table AG-1⁹: 2012 Tulare County Lands under Williamson Act or Farmland Security Zone Contracts	
Acres	Category
569,028	Total prime = Prime active + NR Prime
512,946	Total Nonprime = Nonprime active + NR Prime
11,052	Farmland Security Zone
1,093,126	TOTAL ACRES in Williamson Act and Farmland Security Zone contracts

Important Farmland Trends

Using data collected by the FMMP, farmland acreage has been consistently decreasing for each two-year period since 1998¹⁰. In the 2010 FMMP analysis, Tulare County lost 17,502 acres of important farmland, and 17,748 acres of total farmland between 2008 and 2010; 13,815 acres of important farmland, and 14,216 acres of total farmland between 2010 and 2012; and 17,441 acres of important farmland, and 17,678 acres of total farmland between 2012 and 2014.¹¹ However, as recent as 2014-2016, Tulare County gained 1,469 acres of important farmland, but also lost 2,513 acres of total farmland.¹²

“For Tulare County and the surrounding region, the reported major cause of this conversion is the downgrading of important farmlands to other agricultural uses (e.g., such as expanded or new livestock facilities, replacing irrigated farmland with non-irrigated crops, or land that has been fallow for six years or longer).”¹³

Forest Lands

“Timberlands that are available for harvesting are located in the eastern portion of Tulare County in the Sequoia National Forest. Hardwoods found in the Sequoia National Forest are occasionally harvested for fuel wood, in addition to use for timber production. Since most of the timberlands are located in Sequoia National Forest, the U.S. Forest Service has principal jurisdiction, which encompasses over 3 million acres. The U.S. Forest Service leases these federal lands for timber harvests.”¹⁴

As the proposed Project is located on the Valley floor, there is no timberland or forest in the Project vicinity.

Regulatory Setting

2014. Table A-44, Part I. <http://www.conservation.ca.gov/dlrp/fmmp/Pages/Tulare.aspx>. Accessed October 20, 2015. The California Farmland Conversion Report 2008-2010 can be found at <http://www.conservation.ca.gov/dlrp/fmmp/Documents/fmmp/pubs/2008-2010/fcr/FCR%200810%20complete.pdf>.

⁷ Ibid.

⁸ California Land Conservation Act of 1965 2016 Status Report. December 2016. Pages 38 and 42. Accessed at: https://www.conservation.ca.gov/dlrp/wa/Documents/stats_reports/2016%20LCA%20Status%20Report.pdf

⁹ Ibid.

¹⁰ California Department of Conservation, Division of Land Resource Protection, “Williamson Act Status Report (2010)”. Page 14. Accessed at: https://www.conservation.ca.gov/dlrp/wa/Documents/stats_reports/2016%20LCA%20Status%20Report.pdf

¹¹ Tulare County Land Use Conversion Tables 2008-2010, 2010-2012, and 2012-2014. Table A-44, Part III. <http://www.conservation.ca.gov/dlrp/fmmp/Pages/Tulare.aspx>.

¹² Tulare County Land Use Conversion Tables 2014-2016. Table A-44, Part I. <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Tulare.aspx>. Accessed May 2019.

¹³ Tulare County General Plan 2030 Update Recirculated Draft EIR (SCH # 2006041162). Page 3.10-6. And, Tulare County General Plan 2030 Update Background Report. Page 4-25.

¹⁴ Ibid. 4-20.

Federal

Federal regulations for agriculture and forest resources are not relevant to this project because it is not a federal undertaking (the Project site is not located on lands administered by a federal agency, and the Project applicant is not requesting federal funding or any federal permits).

State

California Environmental Quality Act (CEQA) Definition of Agricultural Lands

Public Resources Code Section 21060.1 defines “agricultural land” for the purposes of assessing environmental impacts using the FMMP. The FMMP was established in 1982 to assess the location, quality, and quantity of agricultural lands and the conversion of these lands. The FMMP serves as a tool to analyze agricultural land use and land use changes throughout California. As such, this Project is being evaluated using the FMMP pursuant to CEQA.

California Department of Conservation, Division of Land Resource Protection

The California Department of Conservation (DOC) applies the Natural Resources Conservation Service (NRCS) soil classifications to identify agricultural lands. These agricultural designations are used in planning for the present and future of California’s agricultural land resources. Pursuant to the DOC’s FMMP, these designated agricultural lands are included in the Important Farmland Maps (IFM). As noted earlier the FMMP was established in 1982 to assess the location, quality and quantity of agricultural lands, and the conversion of these lands. The FMMP serves as tool to analyze agricultural land use and land use changes throughout California. The DOC has a minimum mapping unit of 10 acres, with parcels that are smaller than 10 acres being absorbed into the surrounding classifications.

The following list provides a comprehensive description of all the categories mapped by the DOC. Collectively, lands classified as Prime Farmland, Farmland of Statewide Importance, and Unique Farmland are referred to as Farmland.¹⁵

- Prime Farmland. Farmland that has the best combination of physical and chemical features able to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
- Farmland of Statewide Importance. Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
- Unique Farmland. Farmland of lesser quality soils used for the production of the State’s leading agricultural crops. This land is usually irrigated, but may include non-irrigated groves or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.
- Farmland of Local Importance. Land of importance to the local agricultural economy as determined by each county’s board of supervisors and a local advisory committee.
- Grazing Land. Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen’s Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.
- Urban and Builtup Land. Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.
- Other Land. Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines and borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

¹⁵ California Department of Conservation. FMMP – Important Farmland Map Categories. <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/>; then select tul16_no. pdf
Accessed May 2019.

California Land Conservation Act (Williamson Act)

The Williamson Act, also known as the California Land Conservation Act of 1965, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value. The Department of Conservation assists all levels of government, and landowners in the interpretation of the Williamson Act related government code. The Department also researches, publishes and disseminates information regarding the policies, purposes, procedures, and administration of the Williamson Act according to government code. Participating counties and cities are required to establish their own rules and regulations regarding implementation of the Act within their jurisdiction. These rules include but are not limited to: enrollment guidelines, acreage minimums, enforcement procedures, allowable uses, and compatible uses.¹⁶

Williamson Act Contracts are formed between a county or city and a landowner for the purpose of restricting specific parcels of land to agricultural or related open space use. Private land within locally-designated agricultural preserve areas are eligible for enrollment under a contract. The minimum term for contracts is ten years. However, since the contract term automatically renews on each anniversary date of the contract, the actual term is essentially indefinite. Landowners receive substantially reduced property tax assessments in return for enrollment under a Williamson Act contract. Property tax assessments of Williamson Act contracted land are based upon generated income as opposed to potential market value of the property.¹⁷

Forestry Resources

State regulations regarding forestry resources are not relevant to the proposed project because no forestry resources exist at the Project site.

Local

County of Tulare

On February 26, 2013, per Resolution No. 2013-0104, Tulare County adopted a two-level review process for evaluating the siting of public and private utility structures on agricultural zoned land to analyze potential agricultural conversion impacts. The first level of review pertains to all agricultural zoned lands, while the second level applies to lands under Williamson Act contract. Level II states that a project should adhere to all the criteria noted in Level I.

Level I: Agricultural Zoned Lands

- a) Public and private utility structures on lands other than irrigated prime farmland, as defined in Level 1, Section C, may be permitted subject to findings and conditions. Desired locations include marginal or impaired lands, land with insufficient water supplies for viable agricultural production or in the UDB, UAB, HOB areas of the County for agricultural buffers. The Project is consistent with the “other than irrigated prime farmland” criterion because the 45.9 acres (30.5 percent) of the project site historically mapped as Prime Farmland will not be permanently removed as agricultural acreage, it is being re-purposed for an anticipated 35-year timeframe thereby preserving the land for future cropland use.
- b) Should be in proximity to the electrical grid/corridor/electrical substation or end user. The proposed Project would transmit the power generated at the site via a new on-site Project substation and SCE-owned substation, which would connect to SCE’s 66kV Bliss Substation line via a new transmission line (along the east side of Road 164) approximately 0.5 mile north of the Project site.
- c) Should not support, unless a unique proposal is approved by the Board of Supervisors, the siting of public and private solar utility structures located outside of UDB, UAB, HOB areas of the County on irrigated prime farmland as defined by any of the following criteria:

¹⁶ California Department of Conservation. Williamson Act Program. <https://www.conservation.ca.gov/dlrp/wa>. Site accessed May 2019.

¹⁷ <https://www.conservation.ca.gov/dlrp/wa/Pages/contracts.aspx> Site accessed May 2019.

- i. Identified as Prime farmland by the FMMP. As noted above, only 45.9 acres (30.5 percent) of the Project site is considered Prime Farmland by the FMMP, and 98.4 acres (65.5 percent) rated as Farmland of Statewide Importance.
- ii. Identified as Class I Soil by the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS). The Project site is considered to be impaired farmland due to the predominance of poor quality soils. The NRCS Non-Irrigated Land Capability Classification System evaluates the suitability of soils for most types of field crops. Soils are then grouped in capability classes that describe the limitations that the soil class might present for crop cultivation. The Class groups are numbered from 1 through 8 (USDA/NRCS, 2018). The capability classes of the soil types of the Project site are presented below in **Table AG-2**. Although the Akers-Akers and Copien loam soils (which make up approximately 50 acres, or 34% of the soils within the Project site) are rated as “Prime farmland” by the NRCS, this classification only applies if the area is irrigated and either protected from flooding or not frequently flooded during the growing season. If left un-irrigated, the soil is not considered as Prime Farmland. The remaining approximately 100.0 acres (or 66%) are rated as Farmland of statewide importance)

TABLE AG-2 SOIL INFORMATION FOR GLOVER SOLAR PROJECT SITE			
Map Unit Symbol	Map Unit Name	Non-Irrigated Capability Class	Acreage/Site Percentage
101	Akers-Akers, saline-sodic, complex, 0 to 2% slopes	4	17 acres/11.3%
108	Copien loam, 0 to 2% slopes	4	34 acres/22.6%
132	Quonal-Lewis association, 0 to 2 percent slopes	4	99 acres/ 66.1%
Source: USDA/NRCS 2019 accessed at: https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx			

As shown in **Table AG-2**, all soils within the Project site have a Non-Irrigated Capability Class of 4 meaning that the soils “have severe limitations that reduce the choice of plants or that require very careful management, or both” (USDA, 2019).

- iii. Land having been actively farmed in permanent crops at least one year during the past ten years. The land has be planted to row crops. Therefore, solar development of the site does not require removal of any permanent crops (such as orchards or vineyards)
- d) Should not support the removal of permanent crops when there is sufficient water available for continued crop production on lands outside of UDB, UAB and HOB areas of the County regardless of soil capability classification. As noted earlier, the Project site has been planted to row crops and would not result in the removal of permanent crops. Further, the Applicant estimates that 16,000-32,000 gallons (or 0.050 – 0.10 ac. feet) per year would be used to wash solar panels, which is less water per year than row crops would use.
- e) Identify sources of water not limited to well, irrigation canal, water transfer and conduct water availability analysis demonstrating either (1) the insufficiency of adequate water supplies for continued crop production, or (2) the infeasibility of continued agricultural activities on the subject property. This analysis must include input from the water district, or other water authority. The proposed Project is not supplied by, or located within, any urban water management planning area. Nor is it located within any agricultural or urban water districts, or other public or private utilities that deliver water to the end user. The Project would use the existing well (or imported/trucked water) to supply water as necessary (that is, to supply watering trucks used to minimize dust during construction-related activities and for solar panel washing approximately two time per year).

- f) Analyze the potential negative impacts on neighboring farming operations and mitigate for those impacts including, but not limited, to increases in invertebrate and vertebrate pest and invasive plant species. The Mitigation Monitoring Reporting Program (MMRP) will mitigate potential negative impacts as identified in this Initial Study. Also, conditions of approval will require removal of combustible material from the site; the submission of a soil reclamation plan; fencing; dust management; on-site parking; etc. These measures will ensure impacts on neighboring farm operations will be less-than-significant. Therefore, the proposed Project is consistent with the “neighboring farming operations” criterion.
- g) Should not impede or reduce the productive agricultural capacity of the land for future uses. Thus, reclamation of the land to its previous agricultural condition is crucial and appropriate financial assurances are essential. The proposed solar facility represents a conversion of farmland with a life of approximately 35 years. It is unknown at this time if the solar facility may extend beyond 35 years. As a condition of approval, a Reclamation Plan would be submitted as a part of the permit application materials. This Reclamation Plan would provide financial assurances along with a detailed plan to remediate soils and return the land to its original pre-construction condition upon termination of the Project.

As described in the Project Description, the proposed life of the Project is 35 years. The Applicant would finalize and submit to the County for approval, a Decommissioning and Reclamation Plan, and attendant bond. The Decommissioning and Reclamation Plan would include the methods for removing all solar panels, demolishing and removing all support racks and structures, and removal of all infrastructure (road, foundations), which is assured according to the lease agreement with the property owner and through the agreement on and posting of a reclamation bond with the County.

The Project site would be leveled where needed and the onsite soil would be reclaimed to a condition that would again support agriculture. The Decommissioning and Reclamation Plan would include a summary of specific measures to restore the soil to its pre-Project condition, including removal of all fixtures, equipment, non-agricultural roads, and restoration of compacted soil. Reclamation would be completed within 120 days of the expiration of the County special use permit. The modules and ancillary materials would be sold and reused or recycled to minimize impact on the environment.

At the time of re-use, the zoning/land use designations will be used to determine the Project site’s highest and best use. As a result, the Project would result in a less than significant impact on this item.

- h) Require developer agreements that include cost recovery, loss of crop production and/or subvention funds, removal of facility and reclamation requirements, and other Tulare County financial incentives. A condition of approval will require the Project proponent to enter into the “Developer Agreement and Reclamation Plan for the Solar Photovoltaic Electric Generating Facility”, adopted on August 31, 2010 by Board of Supervisors Resolution 2010-0717. Therefore, the proposed Project is consistent with the “developer agreement” criterion.
- i) Require Sales and Use Tax Agreements to maximize capture of sales and use tax revenue. A condition of approval will require the Project proponent to enter into the “Agreement For Allocation of Sales and Use Tax Revenues and Limitations on Transfer of the Project to Nontaxable or Tax Exempt Entities”, adopted by the Board of Supervisors on February 28, 2012 by Resolution 2012-0187. Therefore, the proposed project is consistent with the “Sales and Use Tax Agreements” criterion.

Level II: Agricultural Zoned Lands Under Williamson Act Contracts

- a) Adhere to all criteria noted in Level I to be completed. Please see above.
- b) Review Resolution No. 89-1275 - Uniform Rules for Agricultural Preserves - and Resolution No. 99-0620 establishing Rules for Farmland Security Zones to insure compatibility. The Tulare County Board of Supervisors defined allowable uses on contracted lands in Resolution No. 89-1275, which established Uniform Rules for Agricultural Use. Resolutions No. 89-1275 and No. 99-0620 established the construction of gas, electric, water, and community utility facilities as compatible uses for lands under a Williamson Act Contract. Public and private utility structures were determined to be a compatible use on lands under Williamson Act Contract with Resolution No 2010-0717. Under Resolution No. 2010-0590, the Tulare County Board of Supervisors determined that solar generating facilities are a compatible use in Exclusive Agriculture Zone Districts subject to conditions of approval set forth in Special Use Permits.
- c) Review Williamson Act Contract Contents to insure compatibility. Williamson Act – Land Conservation Contracts Nos. 3528 and 3529 were recorded February 2, 1970 (Box 2879, Pages 227 and 232, respectively). The Tulare County Board of Supervisors defined allowable uses on contracted lands in Resolution No. 89-1275, which established Uniform Rules

for Agricultural Use. Resolutions No. 89-1275 and No. 99-0620 established the construction of gas, electric, water, and community utility facilities as compatible uses for lands under a Williamson Act Contract. Public and private utility structures were determined to be a compatible use on lands under Williamson Act Contract with Resolution No 2010-0717. Under Resolution No. 2010-0590, the Tulare County Board of Supervisors determined that solar generating facilities are a compatible use in Exclusive Agriculture Zone Districts subject to conditions of approval set forth in Special Use Permits. The proposed Project is therefore compatible with the Williamson Act contracts applicable to the Project site.

- a) **Less Than Significant Impact:** As noted earlier, the Tulare County Board of Supervisors (Board) approved Resolution No. 2013-0104 on February 26, 2013, whereby Tulare County adopted a two-level review process for evaluating the siting of public and private utility structures on agricultural zoned land to analyze potential agricultural conversion impacts. As indicated above, this Project is consistent with the Board adopted resolutions. As such, the Project would not result in the Conversion of 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. Upon ultimate decommissioning of the site, it will be reclaimed to the extent that agricultural production may be re-initiated. Implementation of the site's Reclamation Plan would result in a less than significant impact to this resource.
- b) **Less Than Significant Impact:** The Project site is zoned AE-40 (Exclusive Agriculture- 40 acre minimum) and AE-10 (Exclusive Agriculture- 10-acre minimum). Additionally, the parcel is under a Williamson Act Contract. The Williamson Act enables local governments to enter into contracts with private landowners that restrict land use to agricultural or related uses in return for lower property tax assessments. Local governments are responsible for the implementation of this program; therefore, the rules that determine compatible uses within a contract vary by jurisdiction. As noted earlier, The Tulare County Board of Supervisors defined allowable uses on contracted lands in Resolution No. 89-1275, which established Uniform Rules for Agricultural Use. Resolutions No. 89-1275 and No. 99-0620 established the construction of gas, electric, water, and community utility facilities as compatible uses for lands under a Williamson Act Contract. Public and private utility structures were determined to be a compatible use on lands under Williamson Act Contract with Resolution No 2010-0717. Under Resolution No. 2010-0590, the Tulare County Board of Supervisors determined that solar generating facilities are a compatible use in Exclusive Agriculture Zone Districts subject to conditions of approval set forth in Special Use Permits.

Resolutions 2010-0717 and 2013-0104 subsequently created a two-level process through which solar facility projects can be found as a compatible use on Williamson Act Contracted lands. This allows impaired agricultural lands to be put to the highest and best use without cancelling the Williamson Act Contract, therefore preserving the option to return to farming the land in the future. Pending the approval of the Special Use Permit for the proposed Project and the approval of findings of compatibility under the Williamson Act, the Project would present a temporary change in land use that has been found to be compatible with the terms of the existing Williamson Act contract on the Project site. Therefore, the proposed Project would not conflict with existing zoning or a Williamson Act Contract and no impact would occur.

- c and d) **No Impact:** The Project will not occur on land zoned as forest land or timberland, or result in a loss of forest land. As such, the Project would not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources code 12220(g)), timberland (as defined in Public Resource Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?
- e) **No Impact:** The Project site is not located near land zoned as forest land or timberland and therefore would not result in any changes in the environment that might convert forest land to non-forest land. The proposed Project would result in the use of approximately 150 acres of farmland to a non-agricultural use for approximately 35 years. However, as discussed earlier, this conversion is planned as temporary and in accordance with existing land use policies and regulations. Land surrounding the Project site is a mix of agriculturally productive lands, a dairy, and scattered rural residences. As discussed in the Project Description, construction-, operation-, maintenance-, and decommissioning-related activities would take place within Project site boundaries. The proposed Project is not anticipated to involve changes to the environment that are different than impacts to the environment from agricultural production. Additionally, during construction- and decommissioning-related activities, Best Management Practices such as erosion prevention measures and dust-minimization measures (including those required by the San Joaquin Valley Air Pollution Control District) would be employed to limit the impact of the proposed Project on adjacent properties. Maintenance activities during Project operation would be minimal and limited to maintenance of facility components and washing the panels periodically. Therefore, no other changes to the environment are anticipated that could result in the conversion of farmland to non-farmland. There would be no impact on this item.

3. AIR QUALITY	
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.	
Would the project:	
a)	Conflict with or obstruct implementation of the applicable air quality plan?
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?
c)	Expose sensitive receptors to substantial pollutant concentrations?
d)	Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?

Analysis:

Environmental Setting

The proposed Project is located in the San Joaquin Valley Air Basin (SJVAB), a continuous inter-mountain air basin. The Sierra Nevada Range forms the eastern boundary; the Coast Range forms the western boundary; and the Tehachapi Mountains form the southern boundary. These topographic features restrict air movement through and beyond the SJVAB. The SJVAB is comprised of San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, and Tulare Counties and the valley portion of Kern County; it is approximately 25,000 square miles in area. Tulare County lies within the southern portion of the SJVAB. Air resources in the SJVAB is managed by the San Joaquin Valley Air Pollution Control District (Air District).

Regulatory Setting

Both the federal government (through the United State Environmental Protection Agency (EPA)) and the State of California (through the California Air Resources Board (ARB)) have established health-based ambient air quality standards (AAQS) for six air pollutants, commonly referred to as “criteria pollutants.” The six criteria pollutants are: carbon monoxide (CO), ozone (O3), sulfur dioxide (SO2), nitrogen dioxide (NO2), particulate matter (PM10 and PM2.5), and lead (Pb).

Federal

National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) have been established for each criteria pollutant to protect the public health and welfare. The federal and state standards were developed independently with differing purposes and methods, although both processes are intended to avoid health-related effects. As a result, the federal and state standards differ in some cases. In general, the California state standards are more stringent.

The Federal Clean Air Act requires EPA to set NAAQS for the six criteria pollutants, noted above, that occur throughout the United States. Of the six pollutants, particle pollution and ground-level ozone are the most widespread health threats. EPA regulates the criteria pollutants by developing human health-based and/or environmentally-based criteria (science-based guidelines) for setting permissible levels. The set of limits based on human health is called primary standards. Another set of limits intended to prevent environmental and property damage is called secondary standards.

EPA is required to designate areas as meeting (attainment) or not meeting (nonattainment) the air pollutant standards. The Federal Clean Air Act (CAA) further classifies nonattainment areas based on the severity of the nonattainment problem, with marginal, moderate, serious, severe, and extreme nonattainment classifications for ozone. Nonattainment classifications for PM range from marginal to serious. The Federal CAA requires areas with air quality violating the NAAQS to prepare an air quality control plan referred to as the State Implementation Plan (SIP). The SIP contains the strategies and control measures that states will use to attain the NAAQS. The Federal CAA amendments of 1990 require states containing areas that violate the NAAQS to revise their SIP to

incorporate additional control measures to reduce air pollution. The SIP is periodically modified to reflect the latest emissions inventories, planning documents, rules, and regulations of Air Basins as reported by the agencies with jurisdiction over them. The EPA reviews SIPs to determine if they conform to the mandates of the Federal CAA amendments and will achieve air quality goals when implemented. If the EPA determines a SIP to be inadequate, it may prepare a Federal Implementation Plan (FIP) for the nonattainment area and impose additional control measures.

The SJVAB is considered to be in attainment for federal and state air quality standards for carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂); attainment for federal and non-attainment for state air quality standards for respirable particulate matter (PM₁₀); and non-attainment of state and federal air quality standards for ozone (O₃) and fine particulate matter (PM_{2.5}). To meet federal Clean Air Act requirements, the Air District has adopted the following attainment plans: the 2004 Extreme Ozone Attainment Demonstration Plan (for the 1-hour standard); the 2007 Ozone Plan (for the 1997 8-hour standard); the 2009 RACT SIP; the 2013 Plan for the Revoked 1-Hour Ozone Standard; the 2014 RACT SIP; the 2016 Plan for the 2008 8-Hour Ozone Standard; the 2007 PM₁₀ Maintenance Plan; the 2008 PM_{2.5} Plan (for the 1997 annual standard); the 2012 PM_{2.5} Plan (for the 2006 24-hour standard); the 2015 Plan for the 1997 PM_{2.5} Standard (for annual and 24-hour standards); and the 2004 Revision to the California State Implementation Plan for Carbon Monoxide. The State does not have an attainment deadline for the ozone standards; however, it does require implementation of all feasible measures to achieve attainment at the earliest date possible. State PM₁₀ and PM_{2.5} standards have no attainment planning requirements, but must demonstrate that all measures feasible for the area have been adopted.

It is reiterated that the Project does not contain a development proposal; rather, the Project is a tentative parcel map. Until such time a development proposal is submitted for processing with the County of Tulare, the Project will not result in a physical change in the environment. In the event development proposals were to occur, the proposals could be subject to various San Joaquin Valley Air Pollution Control District (Air District) rules/regulations, thresholds, and/or permitting requirements, as applicable. As indicated below, the mere size of the project (i.e., three potential rural residential sites) would not result in the exceedance of any Air District thresholds and, depending upon a final determination by the Air District, does not appear to meet rule applicability requirements.

State

The California Air Resources Board (CARB or ARB) is the state agency responsible for implementing the federal and state Clean Air Acts. ARB has established California Ambient Air Quality Standards (CAAQS), which include all criteria pollutants established by the NAAQS, but with additional regulations for Visibility Reducing Particles, sulfates, hydrogen Sulfide (H₂S), and vinyl chloride.

The Project is located within the San Joaquin Valley Air Basin, which includes San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, and parts of Kern counties and is managed by the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD or Air District).

Air basins are designated as attainment or nonattainment. Attainment is achieved when monitored ambient air quality data is in compliance with the standards for a specified pollutant. Non-compliance with an established standard will result in a nonattainment designation and an unclassified designation indicates insufficient data is available to determine compliance for that pollutant.

Standards and attainment status for listed pollutants in the Air District can be found in **Table AQ-1**. Note that both state and federal standards are presented.

Local

San Joaquin Valley Unified Air Pollution Control District (Air District)

The San Joaquin Valley Unified Air Pollution Control District (Air District) is the local agency charged with preparing, adopting, and implementing mobile, stationary, and area air emission control measures and standards. The Air District has several rules and regulations that may apply to the Project, following is an example of those rules/regulations which likely apply to this Project:

- Rule 3135 (Dust Control Plan Fees) – This rule requires the project applicant to submit a fee in addition to a Dust Control Plan. The purpose of this rule is to recover the Air District's cost for reviewing these plans and conducting compliance inspections.
- Rules 4101 (Visible Emissions) and 4102 (Nuisance) – This rule applies to any source of air contaminants and prohibits the visible emissions of air contaminants or any activity which creates a public nuisance.

- Regulation VIII (Fugitive PM10 Prohibitions) – This regulation is a series of eight rules designed to reduce PM10 emissions by reducing fugitive dust emissions. Regulation VIII requires implementation of control measures to ensure that visible dust emissions are substantially reduced.
- Rule 9510 (Indirect Source Review) - requires developers to mitigate project emissions through 1) on-site design features that reduce trips and vehicle miles traveled, 2) controls on other emission sources, and 3) with reductions obtained through the payment of a mitigation fee used to fund off-site air quality mitigation projects. Rule 9510 requires construction related NOx emission reductions of 20 percent and PM10 reductions of 45 percent. Rule 9510 requires a 33 percent reduction in operational NOx emissions and a 50 percent reduction in PM10. The reductions are calculated by comparing the unmitigated baseline emissions and mitigated emissions from the first year of project operation. The Air District recommends using the [CalEEMOD] model to quantify project emissions and emission reductions. Rule 9510 was adopted to reduce the impacts of development on Air District's attainment plans.

**Table AQ-1
SJVAB Attainment Status**

	Designation/Classification	
Pollutant	Federal Standards	State Standards
Ozone – one hour	No Federal Standard ¹	Nonattainment/Severe
Ozone – eight hour	Nonattainment/Extreme ²	Nonattainment
PM ₁₀	Attainment ³	Nonattainment
PM _{2.5}	Nonattainment ⁴	Nonattainment
CO	Attainment/Unclassified	Attainment/Unclassified
Nitrogen Dioxide	Attainment/Unclassified	Attainment
Sulfur Dioxide	Attainment/Unclassified	Attainment
Lead	No Designation/Classification	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Vinyl Chloride	No Federal Standard	Attainment
Visibility Reducing Particles	No Federal Standard	Unclassified
¹ Effective June 15, 2005, the U.S. EPA revoked the federal 1-hour ozone standard, including associated designations and classifications. However, EPA had previously classified the SJVAB as extreme nonattainment for this standard. Many applicable requirements for extreme 1-hour ozone nonattainment areas continue to apply to the SJVAB. ² Though the Valley was initially classified as serious nonattainment for the 1997 8-hour ozone standard, EPA approved Valley reclassification to extreme nonattainment in the Federal Register on May 5, 2010 (effective June 4, 2010) ³ On September 25, 2008, EPA redesignated the San Joaquin Valley to attainment for the PM ₁₀ National Ambient Air Quality Standard (NAAQS) and approved the PM ₁₀ Maintenance Plan. ⁴ The Valley is designated nonattainment for the 1997 PM _{2.5} NAAQS. EPA designated the Valley as nonattainment for the 2006 PM _{2.5} NAAQS on November 13, 2009 (effective December 14, 2009). Source: San Joaquin Valley Unified Air Pollution Control District. Ambient Air Quality Standards & Valley Attainment Status. http://www.valleyair.org/aqinfo/attainment.htm . Accessed April 2019.		

Tulare County General Plan 2030 Update

The following Tulare County General Plan 2030 Update policies for this resource apply to this Project: *AQ-1.1 Cooperation with Other Agencies* requiring the County to cooperate with other local, regional, Federal, and State agencies (e.g., Valley Air District) in developing and implementing air quality plans to achieve State and federal Ambient Air Quality Standards to achieve better air quality conditions locally and regionally; *AQ-1.5 California Environmental Quality Act (CEQA) Compliance* where the County will ensure that air quality impacts identified during the CEQA review process are consistently and reasonably mitigated when feasible; *AQ-2.2 Indirect Source Review* regarding mitigating air quality impacts associated with the Project to Valley Air District's Rule 9510; *AQ-3.4 Landscape* regarding the use of ecologically based landscape design principles that can improve local air quality by absorbing CO₂, producing oxygen, providing shade that reduces energy required for cooling, and filtering particulates; and *AQ-4.2 Dust Suppression*

Measures regarding implementation of dust suppression measures during excavation, grading, and site preparation activities consistent with SJVAPCD Regulation VIII – Fugitive Dust Prohibitions.

- a) **Less Than Significant Impact:** Air quality plans (also known as attainment plans) and subsequent rules are used to bring the applicable air basin into attainment with federal ambient air quality standards designed to protect the health and safety of residents within that air basin. In the event development proposals were to occur following approval of the proposed Project, such developments will be required to comply with all applicable Air District rules and regulations including, but not limited to, Regulation VIII (Fugitive PM₁₀ Prohibitions) requirements and District Rule 9510 (Indirect Source Review). The Air District's *Guidance for Assessing and Mitigating Air Quality Impacts* (GAMAQI) states, "...the District has established thresholds of significance for criteria pollutant emissions, which are based on District New Source Review (NSR) offset requirements for stationary sources. Stationary sources in the District are subject to some of the toughest regulatory requirements in the nation. Emission reductions achieved through implementation of District offset requirements are a major component of the District's air quality plans. Thus, projects with emissions below the thresholds of significance for criteria pollutants would be determined to "Not conflict or obstruct implementation of the District's air quality plan." (GAMAQI, page 65, available online at www.valleyair.org/transportation/GAMAQI_3-19-15.pdf)

"Determination of whether a project would exceed the applicable thresholds of significance for criteria pollutants requires quantification of project specific emissions. To streamline the process of assessing significance of criteria pollutant emissions from commonly encountered projects, the District has developed the screening tool, Small Project Analysis Level (SPAL). Using project type and size, the District has pre-quantified emissions and determined a size below which it is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants." (GAMAQI, page 85)

Construction-, operation-, and maintenance-, and decommissioning-related activities of the proposed Project would result in emissions of criteria pollutants including ozone precursors such as ROG and NO_x as well as particulate matter. The San Joaquin Valley Unified Air Pollution Control District's (Air District or SJVAPCD) 2016 Plan for the 2008 8-Hour Ozone Standard (SJVACPC, 2016a), 2013 Plan for the Revoked 1-Hour Ozone Standard (SJVACPC, 2013), 2007 Ozone Plan (SJVACPC, 2013), 2007 PM₁₀ Maintenance Plan and Request for Redesignation (SJVACPC, 2007), 2008 PM_{2.5} Plan (SJVACPC, 2008), 2012 PM_{2.5} Plan (SJVACPC, 2012), 2015 Plan for the 1997 PM_{2.5} Standard (SJVACPC, 2015a), and the 2016 Moderate Area Plan for the 2012 PM_{2.5} Standard (SJVACPC, 2016b) outline a number of control strategies to help the SJVAPCD reach attainment for the revoked federal 1-hour ozone standard, the 24-hour PM₁₀ standard, and the federal and state PM_{2.5} standards, respectively. The San Joaquin Valley Air Basin (SJVAB or Air Basin) is in attainment for CO, SO₂, and lead, so there are no attainment plans for those pollutants.

Control measures outlined in the ozone plans focus primarily on control of stationary and indirect sources such as housing and commercial developments that may generate substantial vehicle trips during operations. The primary source of criteria pollutant emissions generated by the proposed Project would be associated with construction-related activities; operation of the proposed Project would require only minor use of equipment and generate a very small number of vehicle trips required to perform routine maintenance and PV panel washing. Therefore, the proposed Project would not create a permanent substantial source of ozone precursor emissions, and would not obstruct implementation of the SJVAPCD's ozone attainment plan.

The 2008 PM_{2.5} Plan, 2012 PM_{2.5} Plan, and 2015 Plan for the 1997 PM_{2.5} Standard focus specifically on PM_{2.5}, although the control strategies from previous PM₁₀ plans (particularly those related to fugitive dust control) have already improved the SJVAB ambient PM_{2.5} levels. Therefore, because fugitive dust controls continue to be addressed in the PM₁₀ plan, the plans contain a comprehensive list of strict regulatory and incentive-based measures to reduce directly-emitted PM_{2.5} and precursor emissions. However, the Project would result in relatively negligible PM_{2.5} emissions from those types of sources, with the vast majority of PM_{2.5} emissions associated with the Project arising from the PM_{2.5} component of fugitive dust.

The Air District has determined that projects with emissions below the thresholds of significance for criteria pollutants would not conflict or obstruct implementation of the Air District's air quality plan (SJVAPCD, 2015b). As discussed below with respect to item b), unmitigated emissions during construction-related activities would not exceed the Air District significance thresholds. The Project would be required to comply with applicable Air District rules and regulations, such as Regulation VIII (Fugitive PM₁₀ Prohibitions) and Rule 9510 (Indirect Source Review), further reducing Project-related emissions.

The entire SJVAB was previously designated as a serious nonattainment area for PM-10; however, the SJVAB must continue to "maintain" its attainment status by continued use of PM-10 controls. The SJVAPCD has adopted regulations for various activities that contribute to PM-10 emissions from fugitive dust in a set of eight rules collectively called Regulation VIII (Fugitive PM₁₀ Prohibitions). Several components of Regulation VIII specifically address fugitive dust generated by

earthmoving activities, such as those associated with construction-related activities. Therefore, the District has determined that any level of significance with respect to construction-related emissions should be based on a consideration of the control measures to be implemented. Compliance with Regulation VIII and implementation of applicable control measures (as appropriate, depending on the size and location of the project site) will result in adequate measures to reduce PM-10 impacts to less than significant.

Consistent with the San Joaquin Valley Air Pollution Control District (Air District) Indirect Source Review (ISR) requirements and District policy on CEQA compliance, construction emissions have been estimated (using the California Emissions Estimator Model (CalEEMod), Version 2016.3.2 (the model)) from a similar solar project and are used in this document by analogy as similar projects will likely result in similar emissions. This Project is smaller than the comparative project and will likely generate fewer emissions.¹⁸ The model was used to quantify annual construction-related activities ROG, NO_x, CO, SO₂, PM_{2.5} and PM₁₀ emissions from off-road equipment, haul trucks, on-road worker vehicle emissions, and vendor delivery trips. Since CalEEMod does not contain a Solar Array Land use type, a user defined industrial land use type was used to estimate on-site construction emissions. Construction phasing and off-road equipment estimates were based on information provided by the Project applicant. The annual construction-related emissions can be found in **Table AQ-2**; modeling outputs can be found in Attachment “A”. Only two ozone precursor emissions thresholds (10 tons per year), for NO_x and VOC (ROG), are established by the Air District.

Implementation of the proposed Project would result in a renewable energy resource that would generate no direct emissions of criteria air pollutants. Indirect on- and off-site emissions of criteria pollutants associated with proposed Project operation would be generated as a result of employee trips related to maintenance and periodic PV panel washing activities. The proposed Project site would be monitored remotely 24-hours a day, seven days a week. Visits to the site for emergency purposes/upset events would likely, if at all, occur infrequently (i.e., only a few times per year).

The contribution of a project's individual air emissions to regional air quality impacts is, by its nature, a cumulative effect. Emissions from past, present, and future projects in the region also have or will contribute to adverse regional air quality impacts on a cumulative basis. No single project by itself would be sufficient in size to result in non-attainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulative air quality conditions. The project-level thresholds for criteria air pollutants are based on levels by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants.

As shown in **Tables AQ-2 and AQ-3**, the estimated Project emissions will not exceed the Air District's CEQA significance thresholds for any pollutants.

TABLE AQ-2						
TOTAL COMBINED PROJECT CONSTRUCTION EMISSIONS ESTIMATES						
Construction Year	Estimated Emissions, unmitigated tons per year					
	ROG	NO _x	CO	SO ₂	Total PM ₁₀	Total PM _{2.5}
2020	0.4	4.1	2.8	<0.1	2.0	1.1
SJVAPCD Thresholds	10	10	100	27	15	15
Threshold Exceeded	No	No	No	No	No	No
<i>See Attachment “A” of this document.</i>						

TABLE AQ-3						
OPERATION AND MAINTENANCE EMISSIONS ESTIMATES						
Construction Year	Estimated Emissions, unmitigated tons per year					
	ROG	NO _x	CO	SO ₂	Total PM ₁₀	Total PM _{2.5}
2020	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1
SJVAPCD Thresholds	10	10	100	27	15	15
Threshold Exceeded	No	No	No	No	No	No
<i>See Attachment “A” of this document.</i>						

¹⁸ See Attachment “A”. These emissions estimates were derived from another solar energy project in Tulare County that is approximately the same acreage (i.e., 160 acres vs. this Project's 150 acres), mega-watts (70MW vs. this Project's 20MW), 200,000-300,00 solar panels vs. 76,250 solar panels for this Project, and construction time frame (12-months vs. this Project's nearly 9-total months).

According to the Air District's GAMAQI, a project would be considered to contribute considerably to a significant cumulative impact if it would result in an increase in ROG, NO_x, SO_x, CO, PM₁₀, or PM_{2.5} of more than its respective significance thresholds (SJVAPCD, 2015). As presented in **Tables AQ-2** and **AQ-3**, proposed Project construction- and operational-related activities emissions would not exceed the annual SJVAPCD thresholds of significance for ROG, NO_x, SO_x, CO, PM₁₀, and PM_{2.5}. Therefore, this Project would result in a less than significant impact.

- b) Less Than Significant Impact:** As discussed earlier at item a), the Air Basin is currently designated as non-attainment for the 1-hour state ozone standard as well as for the federal and state 8-hour standards. Additionally, the Air Basin is designated as non-attainment for the state 24-hour and annual arithmetic mean PM₁₀ standards, as well as the state annual arithmetic mean and the national 24-hour PM_{2.5} standards. See **Table AQ-1** for designations and classifications of all criteria pollutants.

The contribution of a project's individual air emissions to regional air quality impacts is, by its nature, a cumulative effect. Emissions from past, present, and future projects in the region also have or will contribute to adverse regional air quality impacts on a cumulative basis. No single project by itself would be sufficient in size to result in non-attainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulative air quality conditions. The project-level thresholds for criteria air pollutants are based on levels by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants.

According to the Air District's GAMAQI, a project would be considered to contribute considerably to a significant cumulative impact if it would result in an increase in ROG, NO_x, SO_x, CO, PM₁₀, or PM_{2.5} of more than its respective significance thresholds (SJVAPCD, 2015). As presented in **Tables AQ-2** and **AQ-3**, proposed Project construction- and operational-related activities emissions would not exceed the annual SJVAPCD thresholds of significance for ROG, NO_x, SO_x, CO, PM₁₀, and PM_{2.5}. Therefore, this Project would result in a less than significant impact.

- c) Less Than Significant Impact:** Diesel particulate matter (DPM) represents the primary toxic air contaminants (TAC) of concern associated with the proposed Project. DPM emissions are primarily the result of the operation of internal combustion engines in equipment (e.g., loaders, backhoes, and cranes, as well as haul trucks) commonly associated with construction-related activities. Since activities associated with the operation-related activities of the proposed Project would result in short-term, temporary, and intermittent use of mobile or stationary sources of DPM (e.g., maintenance workers driving to and from the Project site, and the occupational use of off-road equipment to move equipment), operation-related activities of the proposed Project would not expose nearby sensitive receptors to DPM emissions that would result in a health risk. Therefore, health risks associated only with proposed Project construction-related activities is evaluated below.

The dose to which receptors are exposed is the primary factor affecting health risk from TACs. Dose is a function of the concentration of a substance or substances in the environment and the duration of exposure to the substance. According to the State of California Office of Environmental Health Hazard Assessment (OEHHA), health risk assessments (which determine the exposure of sensitive receptors to TAC emissions), should be based on 9, 30, and/or 70-year exposure periods when assessing TACs (such as DPM) that have only cancer or chronic non-cancer health effects. However, such health risk assessments should be limited to the duration of the emission-producing activities associated with the Project, unless the activities occur for less than 6-months. Activities that would last more than 2-months, but less than 6 months, are recommended to be evaluated as if they would last for 6-months. The OEHHA does not recommend assessing cancer risk for projects lasting less than 2-months near the maximum exposed individual resident (MEIR) (OEHHA, 2015). Since construction-related activities of the proposed Project would occur over an 8- to 12-month period and the nearest sensitive receptor is located within 200 feet from the proposed Project's southern boundary, the proposed Project has the potential to temporarily and intermittently expose off-site sensitive receptors to increased criteria pollutant emission concentrations from diesel powered construction-related equipment during the short-term, temporary construction-related phase.

The Air District recommends conducting a screening analysis for projects that have the potential to expose sensitive receptors to TAC emissions (e.g. DPM during project construction-related activities) that could pose a significance health risk. The SJVAPCD has devolved a prioritization tool to evaluate whether a Health Risk Assessment (HRA) should be prepared, which is based on the California Air Pollution Control Officers Association's (CAPCOA) latest methodology and OEHHA guidance. According to the Air District guidance, projects that obtain a prioritization score of 10 or more is considered to be potentially significant and an HRA should would be required for the project.

The Air District's prioritization screening tool was used to evaluate the potential health risks during proposed Project construction-related activities. Similar to the discussion at Item a) above, emissions have been estimated (using the District approved Health Risk Assessment model (the HRA model)) from a similar solar project and are used in this document by

analogy as similar projects will likely result in similar emissions. This Project is smaller than the comparative project and will likely generate fewer emissions.¹⁹ The result of the analysis can be found in **Table AQ-4**, which is based on an emission rate of 31.6 pounds per year of PM₁₀ exhaust. Modeling outputs can be found in Attachment “A”. As shown in **Table AQ-4**, residences within 500 meters (i.e., 1,640 feet) would result in a score greater than 10 as allowed by the Air District. Diesel particulate matter (DPM) represents the primary toxic air contaminants (TAC) of concern associated with the proposed Project.

The operation of each piece of equipment within the proposed Project site would not be constant throughout the day and all the equipment would not operate concurrently at the same location of the proposed Project construction-related area. To quantify the maximum prioritization score, the receptor proximity is based on the distance between the center of the proposed Project construction-related area and the nearest sensitive receptor, which equates to 420 meters (i.e., 1,378 feet). Using the Air District’s periodization tool, annual emission rate of 31.6 pounds per year of PM₁₀ exhaust and a receptor proximity distance of 420 meters, the proposed Project would obtain a score of 32, which would exceed the Air District’s allowed score of 10. Therefore, emissions from construction-related activities of the proposed Project could expose nearby sensitive receptor to DPM that could result in a significant health risk. However, implementation of **Mitigation Measure AQ-1**, would reduce the max score to below 10 (see **Table AQ-4**) by requiring the proposed Project applicant to use Tier 4 engines for all off-road construction equipment during project construction-related activities. Tier 4 engines use advanced engine controls and sensors that significantly reduce engine emissions on all four constituents (NOx, HC, CO and PM). The use of Tier 4 engines would reduce PM₁₀ emissions generated by off-road equipment.

TABLE AQ-4 PROJECT CONSTRUCTION PRIORITIZATION SCORE		
Receptor Proximity (in meters)	Unmitigated Max Score	Mitigated Max Score
0 < R < 100	804	73
100 < R < 250	201	18
250 < R < 500	32	3
500 < R < 1,000	9	0.8
Notes: 1. Prioritization score is based on an annual emission rate of 31.6 pounds per year emission rate, see Appendix A for modeling details. Source: SJVAPCD, 2018; ESA, 2018.		

Mitigation Measure AQ-1: Engine Standards for Off-Road Equipment. In order to reduce the impact of PM₁₀ off-road equipment exhaust emissions during construction-related activities, applicant shall ensure that construction contracts stipulate that all off-road diesel-powered equipment used will be equipped with USEPA Tier 4 or cleaner engines, except for specialized equipment in which an USEPA Tier 4 engine is not available. In lieu of Tier 4 engines, project equipment can incorporate retrofits such that emissions reductions achieved equal to that of the Tier 4 engines at a minimum. The construction contractor shall submit a detailed list of the equipment fleet that demonstrates achievement of this mitigation measure to Tulare County Resource Management Agency Planning Branch for approval prior to receiving Notice to Proceed.

Therefore, with implementation of **Mitigation Measure AQ-1**, Construction-related activities of the proposed Project would result in less than significant construction-related health risks.

- d) **Less Than Significant Impact:** Operation of the proposed Project would not create odorous emissions. However, proposed Project construction-related activities would include fuels and other odor sources (such as diesel-fueled equipment), could result in the creation of objectionable odors. Since construction-related activities would be short-term, temporary, and spatially dispersed (i.e., intermittent), and occur in a predominantly rural area, these activities would not affect a substantial number of people. Therefore, odors generated by construction-related activities of the Project would result in a less than significant impact.

¹⁹ See Attachment “A”. These emissions estimates were derived from another solar energy project in Tulare County that is approximately the same acreage (i.e., 160 acres vs. this Project’s 150 acres), mega-watts (70MW vs. this Project’s 20MW), 200,000-300,00 solar panels vs. 76,250 solar panels for this Project, and construction time frame (12-months vs. this Project’s nearly 9-total months).

4.		BIOLOGICAL RESOURCES				
Would the project:			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
	a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Analysis:

Environmental Setting

The Project would provide approximately 19.95 MWac of renewable energy (electricity) on an approximately 150-acre site. In summary, the Project would be constructed in 3 stages (phases) as follows: Phase 1, Site Preparation; Phase 2, Photovoltaic Panel System; and Phase 3, Inverters, Transformers, Substation, Electrical Collector System, and Interconnection. Access and internal roads would be included along the perimeter and main access roads would be approximately 20 feet wide, likely using gravel, compacted dirt, or other commercially viable surface, and would meet Tulare County Fire Department standards. A six (6)-foot tall chain-link security fence (including three-strand barbed wire) would be installed around the perimeter of the Project site and motion activated lighting which would be hooded and directed downward to minimize off-site light and glare would also be installed. Project construction would require the use of graders, trenchers, small tractors, a crane, and miscellaneous equipment. An estimated average of 125-150 construction-related vehicle trips per day would be used to import construction workers, PV module materials, substation/switchyard equipment, the new distribution line and associated support poles, the potential power storage facilities, and the gravelling of all compacted roads. Also, following its proposed life of 35 years, the site would be decommissioned and reclaimed

as required by the County. The project is estimated to take approximately eight (8) months to complete, excluding 2-3 weeks of initial site grading. The comprehensive project description, including project components, is included in Attachment “D”.

Biological Species Evaluation

The Technical Memorandum “*Biological Resources Evaluation for Glover Solar (PSP 19-003)*” (BRE Memo) was completed by RMA Staff (Jessica Willis, Planner IV) in May 2019 to analyze potential impacts on biological species in the Project vicinity (See Attachment “B”). The most recent California Department of Fish and Wildlife’s (CDFW) California Natural Diversity Database (CNDDDB), RareFind 5 and Biogeographic Information and Observation System (BIOS) mapping applications were accessed on May 2, 2019.²⁰ A

Special Status Species

Based on the information in the CNDDDB and BIOS, there are twelve (12) special status species within the 9-quadrangle project area (Cairns Corner, Visalia, Exeter, Rocky Hill, Lindsay, Porterville, Woodville, Tipton, and Tulare quadrangles) (see Figure 3 in BRE Memo). These species include the following eight (8) special status animal species and four (4) special status plant species: *Agelaius tricolor* (tricolored blackbird); *Branchinecta lyunchi* (vernal pool fairy shrimp); *Buteo swainsoni* (Swainson’s hawk); *Coccyzus americanus occidentalis* (western yellow-billed cuckoo); *Desmocerus californicus dimorphus* (valley elderberry longhorn beetle); *Dipodomys nitratoideus nitratoideus* (Tipton kangaroo rat); *Rana boylei* (foothill yellow-legged frog); *Vulpes macrotis mutica* (San Joaquin kit fox); *Caulanthus californicus* (California jewelflower); *Clarkia springvillensis* (Springville clarkia); *Fritillaria striata* (striped adobe-lily); and *Pseudobahia peirsonii* (San Joaquin adobe sunburst).

Based on the information in the CNDDDB and BIOS, within the Cairns Corner quadrangle the Project site is within the historic range of three (3) special status animal species: *Buteo swainsoni* (Swainson’s hawk); *Dipodomys nitratoideus nitratoideus* (Tipton kangaroo rat); and *Vulpes macrotis mutica* (San Joaquin kit fox) (see Figures 5 to 6 in the BRE Memo). The Project site is also within the range of five (5) California Native Plant Society listed species: *Atriplex cordulata* var. *erecticaulis* (Earlimart orache); *Atriplex minuscule* (lesser saltscall); *Atriplex subtilis* (subtle orache); *Delphinium recurvatum* (recurved larkspur); and *Puccinellia simplex* (California alkali grass) (see Figure 7 in the BRE Memo). However, special status plant and animal species and CNPS listed plant species are absent from the Project site and not located within close proximity (within 1 mile) to the site (see Figure 4 in the BRE Memo).

To ensure the Project will have a less than significant impact on biological species within the Project area, mitigations measures will be implemented as contained in the Mitigation Monitoring and Reporting Program and as summarized in Item a) of this discussion.

Federal

Endangered Species Act

The Federal Endangered Species Act (FESA) protects plants and wildlife that are listed as endangered or threatened by the USFWS and National Oceanic and Atmospheric Administration (NOAA) Fisheries. Section 9 of the FESA prohibits the taking of listed wildlife, where taking is defined as “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in such conduct” (50 CFR 17.3). For plants, this statute governs removing, possessing, maliciously damaging, or destroying any listed plant on federal land and removing, cutting, digging-up, damaging, or destroying any listed plant on non-federal land in knowing violation of state law (16USC1538). Pursuant to Section 7 of the FESA, federal agencies are required to consult with the USFWS if their actions, including permit approvals or funding, could adversely affect a listed plant or wildlife species or its critical habitat. Through consultation and the issuance of a biological opinion, the USFWS may issue an incidental take statement allowing take of the species that is incidental to another authorized activity, provided the action will not jeopardize the continued existence of the species. Section 10 of the FESA provides for issuance of incidental take permits to private parties, provided a Habitat Conservation Plan (HCP) is developed.

Migratory Bird Treaty Act

The MBTA implements international treaties devised to protect migratory birds and any of their parts, eggs, and nests from activities such as hunting, pursuing, capturing, killing, selling, and shipping, unless expressly authorized in the regulations or by permit. As authorized by the MBTA, the USFWS issues permits to qualified applicants for the following types of activities: falconry, raptor propagation, scientific collecting, special purposes (rehabilitation, education, migratory game bird propagation, and salvage), take

²⁰ CDFW. <https://www.wildlife.ca.gov/Data/CNDDDB/Maps-and-Data#43018407-rarefind-5>

of depredating birds, taxidermy, and waterfowl sale and disposal. The regulations governing migratory bird permits are in 50 CFR part 13 General Permit Procedures and 50 CFR part 21 Migratory Bird Permits. The State of California has incorporated the protection of birds of prey in Sections 3800, 3513, and 3503.5 of the CDFG Code.

Federal Clean Water Act

The Federal Clean Water Act's (CWA's) purpose is to "restore and maintain the chemical, physical, and biological integrity of the nation's waters." Section 404 of the CWA prohibits the discharge of dredged or fill material into waters of the United States without a permit from the U.S. Army Corps of Engineers (ACOE). The definition of waters of the United States includes rivers, streams, estuaries, the territorial seas, ponds, lakes, and wetlands. Wetlands are defined as those areas "that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions (33 CFR 328.3 7b)." The USEPA also has authority over wetlands and may override an ACOE permit. Substantial impacts to wetlands may require an individual permit. Projects that only minimally affect wetlands may meet the conditions of one of the existing Nationwide Permits. A Water Quality Certification or Waiver pursuant to Section 401 of the CWA is required for Section 404 permit actions; this certification or waiver is issued by the RWQCB.

State

California Endangered Species Act

The California Endangered Species Act (CESA) generally parallels the main provisions of the FESA, but unlike its federal counterpart, the CESA applies the take prohibitions to species proposed for listing (called candidates by the state). Section 2080 of the CDFG Code prohibits the taking, possession, purchase, sale, and import or export of endangered, threatened, or candidate species, unless otherwise authorized by permit or in the regulations. Take is defined in Section 86 of the CDFG Code as to "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." The CESA allows for take incidental to otherwise lawful development projects. State lead agencies are required to consult with the CDFG to ensure that any action they undertake is not likely to jeopardize the continued existence of any endangered, threatened, or candidate species or result in destruction or adverse modification of essential habitat. The CDFG administers the act and authorizes take through Section 2081 agreements (except for designated fully protected species).

Fully Protected Species

The State of California first began to designate species as fully protected prior to the creation of the CESA and FESA. Lists of fully protected species were initially developed to provide protection to those animals that were rare or faced possible extinction, and included fish, amphibians, reptiles, birds, and mammals. Most fully protected species have since been listed as threatened or endangered pursuant to the CESA and/or FESA. The regulations that implement the Fully Protected Species Statute (CDFG Code Section 4700) provide that fully protected species may not be taken or possessed at any time. Furthermore, the CDFG prohibits any state agency from issuing incidental take permits for fully protected species, except for necessary scientific research.

Native Plant Protection Act

Regarding listed rare and endangered plant species, the CESA defers to the California Native Plant Protection Act (NPPA) of 1977 (CDFG Code Sections 1900 to 1913), which prohibits importing of rare and endangered plants into California, and the taking and selling of rare and endangered plants. The CESA includes an additional listing category for threatened plants that are not protected pursuant to NPPA. In this case, plants listed as rare or endangered pursuant to the NPPA are not protected pursuant to CESA, but can be protected pursuant to the CEQA. In addition, plants that are not state listed, but that meet the standards for listing, are also protected pursuant to CEQA (Guidelines, Section 15380). In practice, this is generally interpreted to mean that all species on lists 1B and 2 of the CNPS Inventory potentially qualify for protection pursuant to CEQA, and some species on lists 3 and 4 of the CNPS Inventory may qualify for protection pursuant to CEQA. List 3 includes plants for which more information is needed on taxonomy or distribution. Some of these are rare and endangered enough to qualify for protection pursuant to CEQA. List 4 includes plants of limited distribution that may qualify for protection if their abundance and distribution characteristics are found to meet the standards for listing.

Local

Tulare County General Plan 2030 Update

The following Tulare County General Plan 2030 Update policies for this resource apply to this Project such as: *ERM-1.1 Protection of Rare and Endangered Species* which protects environmentally sensitive wildlife and plant life, including those species designated as rare, threatened, and/or endangered by State and/or Federal government, through compatible land use development; *ERM-1.4 Protect Riparian Areas* where the County shall protect riparian areas through habitat preservation, designation as open space or recreational land uses, bank stabilization, and development controls; *ERM-1.6 Management of Wetlands* where the County shall support the preservation and management of wetland and riparian plant communities for passive recreation, groundwater recharge, and wildlife habitats; *ERM-1.7 Planting of Native Vegetation* where the County shall encourage the planting of native trees, shrubs, and grasslands in order to preserve the visual integrity of the landscape, provide habitat conditions suitable for native vegetation and wildlife, and ensure that a maximum number and variety of well-adapted plants are maintained; and *ERM-1.16 Cooperate with Wildlife Agencies* which states that the County shall cooperate with State and federal wildlife agencies to address linkages between habitat areas.

- a) **Less Than Significant Impact With Mitigation:** As noted earlier, the Project consists of a solar array on an approximately 150-acre site in the AE-40 (Exclusive Agriculture – 40 acre minimum) Zone and a new transmission line (along a utility easement east of Road 164) that will connect the Project to the SCE Bliss substation approximately 0.5 miles north of the Project site. The solar array component of the Project will be confined within an existing and active agricultural activity (row crops) on areas previously (and repeatedly) disturbed; while the new transmission line will be located within a utility easement on the east side of Road 164 (which has an existing right-of-way of 50'; of which 17.5' is a paved surface while the remaining 32.5' (approximately 16.25' of other side of the road) is used as an unpaved shoulder). The Project will not require removal of any native valley oaks or other trees. However, there is a possibility that migratory birds and raptors may be present within the vicinity of the Project site, or due to the transient nature of some species, the Project site could provide habitat or foraging areas for special status species such as kit fox and kangaroo rats.

As such, **Mitigation Measures BIO-1** through **BIO 12** would be implemented reduce potential impacts on special status species to less than significant, as applicable. **Table BIO-1** summarizes **Mitigation Measures BIO-1** through **BIO-12** which can be found in their entirety in Attachment "B" of this IS/MND.

Therefore, the proposed Project will not significantly impact any biological plant or animal species. The proposed Project will not have a significant direct or cumulative impact, or create an unusual circumstance that will cause the proposed Project to have a significant effect on the biological resources of the area and environment.

- b), c), and d) **No Impact:** The proposed Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; would not result in an adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; and it would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

"Based on the information in the BIOS map, Hutchinson Ditch, is located approximately 1.5 miles west and Elk Bayou and Outside Creek are located approximately 3.5 miles northwest of the Project site. There are ditches used for seasonal irrigation purposes approximately 0.6 miles south, 0.7 miles west, and 0.9 miles north of the Project site. Unidentified intermittent waterways are located in the Project vicinity approximately one (1) mile north and west, and 0.6 mile southwest of the Project site. However, based on the BIOS map, jurisdictional waters of the State are absent from the site itself (see Figure 4 [in the BRE Memo]).

The most recent United States Geological Survey (USGS) National Water Information System (NWIS) and United States Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) mapping applications were accessed on May 3, 2019.^{21, 22} Based on the information provided in the NWIS, the nearest body of water lies approximately two (2) miles northwest of the Project site (see Figure 8). Based on the information provided in the NWI, there are freshwater ponds located approximately 0.5 and 0.75 mile south and west of the Project site, respectively; freshwater emergent wetlands approximately 0.5 mile west of the Project site; and riverine features approximately 0.6 and 1.2 miles southwest and northwest of the Project site, respectively. However, jurisdictional waters of the U.S. are absent from the site itself (see Figures 8 and 9 [in the BRE Memo]).

²¹ USGS. <https://maps.waterdata.usgs.gov/mapper/index.html>

²² USFWS. <https://www.fws.gov/wetlands/data/mapper.HTML>

As demonstrated in the BIOS, NWIS, and NWI maps, jurisdictional waters of the State and U.S. are absent from the Project site. Best management practices, including compliance with all applicable Regional Water Quality Control Board requirements, which includes a storm water pollution prevention plan (SWPPP), will be required during construction activities. A grading and drainage plan will be submitted and approved by the Tulare County RMA Engineering Branch. As such, the Project will not result in significant impact to any riparian habitats or other protected wetlands. Therefore, mitigation measures that would reduce impacts have not been proposed, nor would any measures be warranted.”²³

TABLE BIO-1
SUMMARY OF MITIGATION MEASURES

MITIGATION	TYPE OF MITIGATION	SUMMARIZED DESCRIPTION
Measures for Special Status Plant Species		
BIO-1	Pre-construction Survey	Qualified biologist/botanist conducts pre-construction surveys for special status plant species
Measures for Special Status Animal Species		
BIO-2	Pre-construction Survey	Qualified biologist conducts pre-construction surveys for special status animal species.
Measures for Special Status Species Identified in Pre-construction Surveys		
BIO-3	Employee Education Program	Qualified biologist conduct s tailgate meeting to train construction staff on special status species that occur/may occur on the project site.
Measures for Nesting Raptors and Migratory Birds		
BIO-4	Avoidance	Where possible, Project will be constructed outside the nesting season (between September 1st and January 31st).
BIO-5	Pre-construction Survey	If Project activities occur during the nesting season (February 1-August 31), a qualified biologist will conduct preconstruction surveys per the <i>Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (2000)</i> .
BIO-6	Pre-construction Survey	A qualified biologist will conduct pre-construction surveys per the <i>Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (2000)</i> .
BIO-7	Buffers	Upon active nest discovery, the biologist determines appropriate construction setback distances and a behavioral baseline using applicable CDFW guidelines and/or the biology of the affected species.
Measures for Tipton Kangaroo Rat		
BIO-8	Pre-construction Survey	Qualified biologist will conduct pre-construction surveys in accordance with CDFW protocols. If Tipton kangaroo rat are present, CDFW shall be consulted to identify actions to be taken as appropriate for the species.
Measures for San Joaquin Kit Fox		
BIO-9	Pre-construction Survey	Qualified biologist will conduct pre-construction surveys in accordance with USFWS <i>Standard Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (2011)</i> .
BIO-10	Avoidance	If active or potential den is detected in or adjacent to work area during pre-construction survey, the den shall not be disturbed or destroyed. Compliance with USFWS <i>Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (2011)</i> required. USFW and CDFW will be immediately contacted to determine best course of action
BIO-11	Minimization	Construction activities shall be carried out in a manner that minimizes disturbance to kit foxes.
BIO-12	Mortality Reporting	USFWS and CDFW will be contacted immediately by phone and notified in writing within three working days in case of the accidental death or injury of a SJ kit fox during construction-related activities.

The most recent United States Geological Survey (USGS) National Water Information System (NWIS) and United States Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) mapping applications were accessed on May 3, 2019.^{24, 25} Based on the information provided in the NWIS, the nearest body of water lies approximately two (2) miles northwest of the

²³ Technical Memorandum “Biological Resources Evaluation for Glover Solar (PSP 19-003)” (BRE Memo) was completed by RMA Staff (Jessica Willis, Planner IV) in May 2019 Page 6.

²⁴ USGS. <https://maps.waterdata.usgs.gov/mapper/index.html>

²⁵ USFWS. <https://www.fws.gov/wetlands/data/mapper.HTML>

Project site (see Figure 8 [in the BRE Memo]). Based on the information provided in the NWI, there are freshwater ponds located approximately 0.5 and 0.75 mile south and west of the Project site, respectively; freshwater emergent wetlands approximately 0.5 mile west of the Project site; and riverine features approximately 0.6 and 1.2 miles southwest and northwest of the Project site, respectively. However, jurisdictional waters of the U.S. are absent from the site itself (see Figures 8 and 9 [in the BRE Memo])

e) and f) No Impact: The proposed Project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinances. Moreover, the proposed Project is not expected to conflict with the goals or policies of the Tulare County General Plan that protect biological resources. Also, as the Project is not within or in the vicinity of any approved habitat conservation plans, natural community conservation plans, or regional or state habitat conservation plans in effect, the Project would result in no impact to these resources within the vicinity of the proposed Project site.

5. CULTURAL RESOURCES

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
	Would the project:				
a)	Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	<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 Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Analysis:

Environmental Setting

Tulare County has a rich Native American history largely in part to the former abundance of wetlands, former abundance of game and foodstuffs, temperate climate, and central location within California. As such, it is important to summarize the Native America history as part of this analysis.

Tulare County was inhabited by indigenous California Native American groups consisting of the Southern Valley Yokuts, Foothill Yokuts, Monache, and Tubatulabal. Most information regarding these groups is based on Spanish government and Franciscan mission records of the 18th and 19th centuries, and in studies conducted during the 1900s to 1930s by American and British ethnographers. The ethnographic setting presented below is derived from the early works, compiled by W. J. Wallace, Robert F.G. Spier, and Charles R. Smith²⁶, with statistical information provided by the California Native American Heritage Commission.

Of the four main groups inhabiting the Tulare County area, the Southern Valley Yokuts occupied the largest territory, which is defined roughly by the crest of the Diablo Range on the west and the foothills of the Sierra Nevada on the east, and from the Kings River on the north, to the Tehachapi Mountains on the south. The Foothill Yokuts inhabited the western slopes of the Sierra Nevada, between the Fresno River and Kern River, with settlements generally occurring between the 2,000 to 4,000-foot elevations. The Tubatulabal inhabited the Sierra Nevada Mountains, at the higher elevations, near Mt. Whitney in the east, extending westward along the drainages of the Kern River, and the Kern River-South Fork. The Monache were comprised of six small groups that lived in the Sierras east of the Foothill Yokuts, in locations ranging between 3,000 to 7,000 foot elevations.

Regulatory Setting

Federal

²⁶ Tulare County General Plan 2030 Update, Background Report. Page 9-54.

Cultural resources are protected by several federal regulations, none of which are relevant to this project because it will not be located on lands administered by a federal agency and the project applicant is not requesting federal funding and does not require any permits from any federal agencies.

State

The proposed Project is subject to CEQA which requires public or private projects financed or approved by public agencies to assess their effects on historical resources. CEQA uses the term “historical resources” to include buildings, sites, structures, objects or districts, each of which may have historical, prehistoric, architectural, archaeological, cultural, or scientific importance. CEQA states that if implementation of a project results in significant effects on historical resources, then alternative plans or mitigation measures must be considered; however, only significant historical resources need to be addressed (CCR 15064.5, 15126.4). For the purposes of this CEQA document, a significant impact would occur if project implementation:

- Causes a substantial change in the significance of a historical resource
- Causes a substantial adverse change in the significance of an archaeological resource
- Disturbs any human remains, including those interred outside of formal cemeteries

Therefore, before impacts and mitigation measures can be identified, the significance of historical resources must be determined. CEQA guidelines define three ways that a property may qualify as a historical resource for the purposes of CEQA review:

- If the resource is listed in or determined eligible for listing in the California Register of Historical Resources (CRHR)
- If the resource is included in a local register of historical resources, as defined in Section 5020.1(k) of the PRC or identified as significant in an historical resource survey meeting the requirements of Section 5024.1(g) of the PRC unless the preponderance of evidence demonstrates that it is not historically or culturally significant
- The lead agency determines the resource to be significant as supported by substantial evidence in light of the whole record (CCR, Title 14, Division 6, Chapter 3, Section 15064.5(a))

Each of these ways of qualifying as a historical resource for the purpose of CEQA is related to the eligibility criteria for inclusion in the CRHR (PRC 5020.1(k), 5024.1, 5024.1(g)).

A historical resource may be eligible for inclusion in the CRHR if it:

- Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage
- Is associated with the lives of persons important in our past
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values
- Has yielded, or may be likely to yield, information important in prehistory or history Properties that area listed in or eligible for listing in the National Register of Historic Places are considered eligible for listing in the CRHR, and thus are significant historical resources for the purpose of CEQA (PRC Section 5024.1(d)(1)).

CEQA Guidelines Section 15126.4(b)

“(b) Mitigation Measures Related to Impacts on Historical Resources.

- (1) Where maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of the historical resource will be conducted in a manner consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer, the project’s impact on the historical resource shall generally be considered mitigated below a level of significance and thus is not significant.
- (2) In some circumstances, documentation of an historical resource, by way of historic narrative, photographs or architectural drawings, as mitigation for the effects of demolition of the resource will not mitigate the effects to a point where clearly no significant effect on the environment would occur.
- (3) Public agencies should, whenever feasible, seek to avoid damaging effects on any historical resource of an archaeological nature. The following factors shall be considered and discussed in an EIR for a project involving such an archaeological site:

(A) Preservation in place is the preferred manner of mitigating impacts to archaeological sites. Preservation in place maintains the relationship between artifacts and the archaeological context. Preservation may also avoid conflict with religious or cultural values of groups associated with the site.

(B) Preservation in place may be accomplished by, but is not limited to, the following:

1. Planning construction to avoid archaeological sites;
2. Incorporation of sites within parks, greenspace, or other open space;
3. Covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site.
4. Deeding the site into a permanent conservation easement.

(C) When data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provisions for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center. Archeological sites known to contain human remains shall be treated in accordance with the provisions of Section 7050.5 Health and Safety Code. If an artifact must be removed during project excavation or testing, curation may be an appropriate mitigation.

(D) Data recovery shall not be required for an historical resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the archaeological or historical resource, provided that the determination is documented in the EIR and that the studies are deposited with the California Historical Resources Regional Information Center.”²⁷

Public Resources Code §5097.5

California Public Resources Code §5097.5 prohibits excavation or removal of any “vertebrate paleontological site...or any other archaeological, paleontological or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands.” Public lands are defined to include lands owned by or under the jurisdiction of the state or any city, county, district, authority or public corporation, or any agency thereof. Section 5097.5 states that any unauthorized disturbance or removal of archaeological, historical, or paleontological materials or sites located on public lands is a misdemeanor.

Human Remains

Section 7050.5 of the California Health and Safety Code states 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 overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner’s authority. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

Local

Tulare County General Plan 2030 Update

The following Tulare County General Plan 2030 Update policies for this resource apply to this Project: *ERM-6.1 Evaluation of Cultural and Archaeological Resources* which states that the County shall participate in and support efforts to identify its significant cultural and archaeological resources using appropriate State and Federal standards; *ERM-6.2 Protection of Resources with Potential State or Federal Designations* wherein the County shall protect cultural and archaeological sites with demonstrated potential for placement on the National Register of Historic Places and/or inclusion in the California State Office of Historic Preservation’s California Points of Interest and California Inventory of Historic Resources. Such sites may be of Statewide or local significance and have anthropological, cultural, military, political, architectural, economic, scientific, religious, or other values as determined by a qualified archaeological professional; *ERM-6.3 Alteration of Sites with Identified Cultural Resources* which states that when planning any development or alteration of a site with identified cultural or archaeological resources, consideration should be given to ways of protecting the resources. Development can be permitted in these areas only after a site specific investigation has been conducted pursuant to CEQA to define the extent and value of resource, and mitigation measures proposed for any impacts the development may have on the resource; *ERM-6.4 Mitigation* – which states that if preservation of cultural resources is not feasible, every effort shall be made to mitigate impacts, including relocation of structures, adaptive reuse, preservation of facades, and thorough documentation and

²⁷ California Environmental Quality Act (CEQA) Statute and Guidelines. 2019.

archival of records; *ERM-6.7 Cooperation of Property Owners* where the County should encourage the cooperation of property owners to treat cultural resources as assets rather than liabilities, and encourage public support for the preservation of these resources; *ERM-6.8 Solicit Input from Local Native Americans* (which is consistent with AB 52 in regards to Tribal Consultation) wherein the County shall continue to solicit input from the local Native American communities in cases where development may result in disturbance to sites containing evidence of Native American activity and/or to sites of cultural importance; *ERM-6.9 Confidentiality of Archaeological Sites* which is also consistent with AB 52) where the County shall, within its power, maintain confidentiality regarding the locations of archaeological sites in order to preserve and protect these resources from vandalism and the unauthorized removal of artifacts; and *ERM-6.10 Grading Cultural Resources Sites* wherein the County shall ensure all grading activities conform to the County's Grading Ordinance and California Code of Regulations, Title 20, § 2501 et. seq.

a) and b) Less Than Significant Impact With Mitigation: The solar array component of the Project will be confined within an existing and active agricultural activity (row crops) on areas previously (and repeatedly) disturbed; while the new transmission line will be located within a utility easement on the east side of Road 164 which has an existing right-of-way of 50' (of which 17.5' is a paved surface while the remaining 32.5' (approximately 16. 25' of other side of the road) is used as an unpaved shoulder). A cultural resources records search was conducted on April 25, 2010 by the Southern San Joaquin Valley Historical Resources Information Center, California State University, Bakersfield (RS #19-134). The records search included an examination of the National Register of Historic Places, the California Register of Historical Resources, California Points of Historical Interest, California Inventory of Historic Resources, California State Historic Landmarks Registry, and the HRIC files of pertinent historical and archaeological data. One recorded cultural resource (P-54-004832), an historic transmission line, was identified within the Project area. However, this resource would not be adversely impacted by the Project. Rather, a new mile-long 6-kV transmission interconnection line along Road 164 would be added to existing utility transmission poles for connection with the nearby Southern California Edison Bliss Substation north of the Project site. No archaeological or historical sites have been recorded within the current Project area or within one mile of the Project area. Although no other cultural resources were identified in the records search, a potentially significant impact could occur if historical or archaeological resources were uncovered during proposed Project construction. However, implementation of the **Mitigation Measures CUL-1** thru **CUL-3** will reduce potential impacts in the unlikely event of encountering a historical or archaeological resource to a less than significant impact with mitigation.

Mitigation Measure CUL-1: If, in the course of Project construction or operation, any archaeological or historical resources are uncovered, discovered, or otherwise detected or observed, activities within fifty (50) feet of the find shall be ceased. A qualified archaeologist shall be contacted and advise the County of the site's significance. If the findings are deemed significant by the Tulare County Resources Management Agency, appropriate mitigation measures shall be required prior to any resumption of work in the affected area of the proposed Project. Where feasible, mitigation achieving preservation in place will be implemented. Preservation in place may be accomplished by, but is not limited to: planning construction to avoid archaeological sites or covering archaeological sites with a layer of chemically stable soil prior to building on the site. If significant resources are encountered, the feasibility of various methods of achieving preservation in place shall be considered, and an appropriate method of achieving preservation in place shall be selected and implemented, if feasible. If preservation in place is not feasible, other mitigation shall be implemented to minimize impacts to the site, such as data recovery efforts that will adequately recover scientifically consequential information from and about the site. Mitigation shall be consistent with CEQA Guidelines section 15126.4(b)(3). An archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology, hereafter "qualified archaeologist," should inspect the findings within 24 hours of discovery.

Mitigation Measure CUL-2: If cultural resources are encountered during construction or land modification activities work shall stop and the County shall be notified at once to assess the nature, extent, and potential significance of any cultural resources. If such resources are determined to be significant, appropriate actions shall be determined. Depending upon the nature of the find, mitigation could involve avoidance, documentation, or other appropriate actions to be determined by a qualified archaeologist. For example, activities within 50 feet of the find shall be ceased.

If it is determined that the Project could damage a significant cultural resource, mitigation should be implemented with a preference for preservation in place, consistent with the priorities set forth in CEQA Guidelines Section 15126.4(b)(3). If avoidance is not feasible, a qualified archaeologist should prepare and implement a detailed treatment plan in consultation with the County of Tulare and, for prehistoric resources, the ethnographically associated Native American tribe. If the resource is determined to be a tribal cultural resource, as defined by Public Resources Code 21074, the County of Tulare, in consultation with the ethnographically associated Native American tribe, should, if feasible, minimize significant adverse impacts by avoiding the resource or treating the resource with culturally appropriate dignity, which includes protecting the

cultural character and integrity of the resource, protecting the traditional use of the resource, and protecting the confidentiality of the resource.

Therefore, implementation of **Mitigation Measures CUL-1** and **CUL-2** would result in a Less than Significant Impact to this item.

- c) **Less Than Significant Impact With Mitigation:** As noted in Items a) and b), the solar array component of the Project will be confined within an existing and active agricultural activity (row crops) on areas previously (and repeatedly) disturbed; while the new transmission line will be located within a utility easement on the east side of Road 164 which has an existing right-of-way of 50' (of which 17.5' is a paved surface while the remaining 32.5' (approximately 16. 25' of either side of the road) is used as an unpaved shoulder). The records search and background research confirmed that no human remains are known to exist in the Project site. Therefore, the proposed Project is not anticipated to impact human remains, including those interred outside of formal cemeteries.⁷

While unlikely, if any previously unknown human remains were encountered during ground disturbing activities, any impacts to the human remains resulting from the Project could be potentially significant. Any such potential significant impacts would be reduced to a less than significant level by implementing **Mitigation Measure CUL-3**. Inadvertent Disturb any human remains, including those interred outside of formal cemeteries Discovery of Human Remains, by requiring work to halt in the vicinity of a find until the County coroner determines whether the remains are Native American in origin and, if they are, contacting the Native American Heritage Commission.

Mitigation Measure CUL-3: Inadvertent Discovery of Human Remains. In the unlikely event of discovery or recognition of any human remains during construction-related activities, the provisions of CEQA Guidelines § 15064.5(e) shall be followed and such activities should cease within 50 feet of the find until the Tulare County Coroner has been contacted to determine that no investigation of the cause of death is required. If it is determined that the remains are Native American in origin, the Native American Heritage Commission (NAHC) will be contacted within 24 hours. The NAHC will then identify the person or persons it believes to be the most likely descendant (MLD) from the deceased Native American. The MLD would, in turn, make recommendations to the County of Tulare for the appropriate means of treating the human remains and any grave goods.

Therefore, implementation of **Mitigation Measure CUL-3** would result in a less than significant impact to this item.

6. ENERGY

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
Would the project:						
a)	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Analysis:

Environmental Setting

The Project would provide approximately 19.95 MWac of renewable energy (electricity) on an approximately 150-acre site. In summary, the Project would be constructed in 3 stages (phases) as follows: Phase 1, Site Preparation; Phase 2, Photovoltaic Panel System; and Phase 3, Inverters, Transformers, Substation, Electrical Collector System, and Interconnection. Project construction would require the use of graders, trenchers, small tractors, a crane, and miscellaneous equipment. An estimated average of 125-150 construction-related vehicle trips per day would be used to import construction workers, PV module materials, substation/switchyard equipment, the distribution line and associated support poles, the potential power storage facilities, and the graveling of all compacted roads. Also, following its proposed life of 35 years, the site would be decommissioned and reclaimed as required by the

County. The project is estimated to take approximately eight (8) months to complete, excluding 2-3 weeks of initial site grading. The comprehensive project description, including project components is included in Attachment "D"

Regulatory Setting

Federal

Energy Policy Act of 2005

The Energy Policy Act of 2005 seeks to reduce reliance on non-renewable energy resources and provide incentives to reduce current demand on these resources. For example, under the Act, consumers and businesses can obtain federal tax credits for purchasing fuel efficient appliances and products, including buying hybrid vehicles, building energy-efficient buildings, and improving the energy efficiency of commercial buildings. Additionally, tax credits are available for the installation of qualified fuel cells, stationary microturbine power plants, and solar power equipment.

State

California Energy Commission

The California Energy Commission CEC was created in 1974 to serve as the state's primary energy policy and planning agency. The CEC is tasked with reducing energy costs and environmental impacts of energy use - such as greenhouse gas emissions - while ensuring a safe, resilient, and reliable supply of energy. State of California Integrated Energy Policy (SB 1389) In 2002, the Legislature passed Senate Bill 1389, which required the California Energy Commission (CEC) to develop an integrated energy plan every two years for electricity, natural gas, and transportation fuels, for the California Energy Policy Report. The plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies a number of strategies, including assistance to public agencies and fleet operators in implementing incentive programs for Zero Emission Vehicles and their infrastructure needs, and encouragement of urban designs that reduce vehicles miles traveled and accommodate pedestrian and bicycle access. The CEC adopted the 2013 Integrated Energy Policy Report on February 20, 2014. The 2013 Integrated Energy Policy Report provides the results of the CEC's assessment of a variety of issues, including:

- Ensuring that the state has sufficient, reliable, and sage energy infrastructure to meet current and future energy demands;
- Monitoring publicly-owned utilities' progress towards achieving 10-year energy efficiency targets; defining and including zero-net-energy goals in state building standards;
- Overcoming challenges to increased use of geothermal heat pump/ground loop technologies and procurement of biomethane;
- Using demand response to meet California's energy needs and integrate renewable technologies;
- Removing barriers to bioenergy development; planning for California's electricity infrastructure needs given potential retirement of power plants and the closure of the San Onofre Nuclear Generating Station;
- Estimating new generation costs for utility-scale renewable and fossil-fueled generation;
- Planning for new or upgraded transmission infrastructure;
- Monitoring utilities' progress in implementing past recommendations related to nuclear power plants;
- Tracking natural gas market trends;
- Implementing the Alternative and Renewable Fuel and Vehicle Technology Program; and,
- Addressing the vulnerability of California's energy supply and demand infrastructure to the effects of climate change; and planning for potential electricity system needs in 2030.

California Global Warming Solutions Act of 2006 (Assembly Bill 32)

California Global Warming Solutions Act of 2006 (Assembly Bill 32) Assembly Bill 32 (Health and Safety Code Sections 38500–38599; AB 32), also known as the California Global Warming Solutions Act of 2006, commits the state to achieving year 2000 GHG emission levels by 2010 and year 1990 levels by 2020. To achieve these goals, AB 32 tasked the California Public Utilities Commission and CEC with providing information, analysis, and recommendations to the California Air Resources Board regarding ways to reduce GHG emissions in the electricity and natural gas utility sectors.

California Energy Code (Title 24, Part 6, Building Energy Efficiency Standards)

California Code of Regulations Title 24, Part 6 comprises the California Energy Code, which was adopted to ensure that building construction, system design and installation achieve energy efficiency. The California Energy Code was first established in 1978 by the CEC in response to a legislative mandate to reduce California's energy consumption, and apply to energy consumed for heating, cooling, ventilation, water heating, and lighting in new residential and non-residential buildings. The standards are updated periodically to increase the baseline energy efficiency requirements. The 2013 Building Energy Efficiency Standards focus on several key areas to improve the energy efficiency of newly constructed buildings and additions and alterations to existing buildings and include requirements to enable both demand reductions during critical peak periods and future solar electric and thermal system installations. Although it was not originally intended to reduce greenhouse gas (GHG) emissions, electricity production by fossil fuels results in GHG emissions and energy efficient buildings require less electricity. Therefore, increased energy efficiency results in decreased GHG emissions.

Clean Energy and Pollution Reduction Act (SB 350)

The Clean Energy and Pollution Reduction Act (SB 350) was passed by California Governor Brown on October 7, 2015, and establishes new clean energy, clean air, and greenhouse gas reduction goals for the year 2030 and beyond. SB 350 establishes a greenhouse gas reduction target of 40 percent below 1990 levels for the State of California, further enhancing the ability for the state to meet the goal of reducing greenhouse gas emissions by 80 percent below 1990 levels by the year 2050.

Renewable Portfolio Standard (SB 1078 and SB 107)

Established in 2002 under SB 1078, the state's Renewables Portfolio Standard (RPS) was amended under SB 107 to require accelerated energy reduction goals by requiring that by the year 2010, 20 percent of electricity sales in the state be served by renewable energy resources. In years following its adoption, Executive Order S-14-08 was signed, requiring electricity retail sellers to provide 33 percent of their service loads with renewable energy by the year 2020. In 2011, SB X1-2 was signed, aligning the RPS target with the 33 percent requirement by the year 2020. This new RPS applied to all state electricity retailers, including publicly owned utilities, investor-owned utilities, electrical service providers, and community choice aggregators. All entities included under the RPS were required to adopted the RPS 20 percent by year 2020 reduction goal by the end of 2013, adopt a reduction goal of 25 percent by the end of 2016, and meet the 33 percent reduction goal by the end of 2020. In addition, the Air Resources Board, under Executive Order S-21-09, was required to adopt regulations consistent with these 33 percent renewable energy targets.

Local

Tulare County General Plan 2030 Update

The following Tulare County General Plan 2030 Update policies for this resource apply to this Project: *ERM-4.1 Energy Conservation and Efficiency Measures* wherein the County encourages the use of solar energy, solar hot water panels, and other energy conservation and efficiency features; *ERM-4.3 Local and State Programs* wherein the County shall participate, to the extent feasible, in local and State programs that strive to reduce the consumption of natural or man-made energy sources and; *ERM-4.3 Local and State Programs* wherein the County shall participate, to the extent feasible, in local and State programs that strive to reduce the consumption of natural or man-made energy sources.

a) and b) No Impact: The proposed Project will not have a direct or cumulative impact, or create wasteful, inefficient, or unnecessary consumption of energy resources during project construction-related activities or operations. Also, it will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. The only energy consumed would be through the use of fossil fuels (gasoline and diesel operated equipment) during construction-related activities which will be completed in approximately nine months. The Project will not use any energy per se over the next 35 years of its anticipated life. Rather, the

Project is renewable energy (electricity) generated by the proposed solar array. The energy derived from the Project, approximately 19.95 MW annually, will be transmitted via a new transmission line to the Southern California Energy Bliss substation approximately 0.5 miles north of the Project site for distribution to the electrical grid. Therefore, there will be beneficial impact to the Energy resource. As such, the Project will result in no adverse impact to this resource.

7. GEOLOGY/SOILS

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
Would the project:						
	a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication No. 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii)	Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii)	Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv)	Landslides?	<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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Analysis:

Environmental Setting

“Seismicity varies greatly between the two major geologic provinces represented in Tulare County. The Central Valley is an area of relatively low tectonic activity bordered by mountain ranges on either side. The Sierra Nevada Mountains, partially located within Tulare County, are the result of movement of tectonic plates which resulted in the creation of the mountain range. The Coast Range on the west side of the Central Valley is also a result of these forces, and the continued uplifting of Pacific and North American

tectonic plates continues to elevate these ranges. The remaining seismic hazards in Tulare County generally result from movement along faults associated with the creation of these ranges.”²⁸

“Earthquakes are typically measured in terms of magnitude and intensity. The most commonly known measurement is the Richter Scale, a logarithmic scale which measures the strength of a quake. The Modified Mercalli Intensity Scale measures the intensity of an earthquake as a function of the following factors:

- Magnitude and location of the epicenter;
- Geologic characteristics;
- Groundwater characteristics;
- Duration and characteristic of the ground motion;
- Structural characteristics of a building.”²⁹

“Faults are the indications of past seismic activity. It is assumed that those that have been active most recently are the most likely to be active in the future. Recent seismic activity is measured in geologic terms. Geologically recent is defined as having occurred within the last two million years (the Quaternary Period). All faults believed to have been active during Quaternary time are considered “potentially active.”³⁰

“Settlement can occur in poorly consolidated soils during ground-shaking. During settlement, the soil materials are physically rearranged by the shaking and result in reduced stabling alignment of the individual minerals. Settlement of sufficient magnitude to cause significant structural damage is normally associated with rapidly deposited alluvial soils, or improperly founded or poorly compacted fill. These areas are known to undergo extensive settling with the addition of irrigation water, but evidence due to ground-shaking is not available. Fluctuating groundwater levels also may have changed the local soil characteristics. Sufficient subsurface data is lacking to conclude that settlement would occur during a large earthquake; however, the data is sufficient to indicate that the potential exists in Tulare County.”³¹

“Liquefaction is a process whereby soil is temporarily transformed to a fluid form during intense and prolonged ground-shaking. Areas most prone to liquefaction are those that are water saturated (e.g., where the water table is less than 30 feet below the surface) and consist of relatively uniform sands that are low to medium density. In addition to necessary soil conditions, the ground acceleration and duration of the earthquake must be of sufficient energy to induce liquefaction. Scientific studies have shown that the ground acceleration must approach 0.3g before liquefaction occurs in a sandy soil with relative densities typical of the San Joaquin alluvial deposits. Liquefaction during major earthquakes has caused severe damage to structures on level ground as a result of settling, tilting, or floating. Such damage occurred in San Francisco on bay-filled areas during the 1989 Loma Prieta earthquake, even though the epicenter was several miles away. If liquefaction occurs in or under a sloping soil mass, the entire mass may flow toward a lower elevation, such as that which occurred along the coastline near Seward, Alaska during the 1964 earthquake. Also of particular concern in terms of developed and newly developing areas are fill areas that have been poorly compacted.”³²

Earthquake Hazards

“Ground-shaking is the primary seismic hazard in Tulare County because of the county’s seismic setting and its record of historical activity. Thus, emphasis focuses on the analysis of expected levels of ground-shaking, which is directly related to the magnitude of a quake and the distance from a quake’s epicenter. Magnitude is a measure of the amount of energy released in an earthquake, with higher magnitudes causing increased ground-shaking over longer periods of time, thereby affecting a larger area. Ground-shaking intensity, which is often a more useful measure of earthquake effects than magnitude, is a qualitative measure of the effects felt by population. The valley portion of Tulare County is located on alluvial deposits, which tend to experience greater ground-shaking intensities than areas located on hard rock. Therefore, structures located in the valley will tend to suffer greater damage from ground-shaking than those located in the foothill and mountain areas. However, existing alluvium valleys and weathered or decomposed zones are scattered throughout the mountainous portions of the county which could also experience stronger intensities than the surrounding solid rock areas. The geologic characteristics of an area can therefore be a greater hazard than its distance to the epicenter of the quake.”³³

²⁸ Tulare County General Plan 2030 Update, *Appendix B General Plan Background Report*. Page 8-5.

²⁹ Ibid.

³⁰ Op. Cit.

³¹ Op. Cit. 8-9.

³² Op. Cit.

³³ Op. Cit.

“There are three faults within the region that have been, and will be, principal sources of potential seismic activity within Tulare County. These faults are described below:

- **San Andreas Fault** is located approximately 40 miles west of the Tulare County boundary and [approximately] 60 miles west of the project area. This fault has a long history of activity, and is thus the primary focus in determining seismic activity within the County. Seismic activity along the fault varies along its span from the Gulf of California to Cape Mendocino. Just west of Tulare County lies the “Central California Active Area,” section of the San Andreas Fault where many earthquakes have originated.
- **Owens Valley Fault Group** is a complex system containing both active and potentially active faults, located on the eastern base of the Sierra Nevada Mountains approximately [approximately] 60 miles east of the project area. The Group is located within Tulare and Inyo Counties and has historically been the source of seismic activity within Tulare County.
- **Clovis Fault** is considered to be active within the Quaternary Period, although there is no historic evidence of its activity, and is therefore classified as “potentially active.” This fault lies approximately six miles south of the Madera County boundary in Fresno County and [approximately] 70 miles north of the project area. Activity along this fault could potentially generate more seismic activity in Tulare County than the San Andreas or Owens Valley fault systems. In particular, a strong earthquake on the Fault could affect northern Tulare County. However, because of the lack of historic activity along the Clovis Fault, inadequate evidence exists for assessing maximum earthquake impacts.³⁴

There are other unnamed faults north of Bakersfield and near Tulare Buttes about 30 miles north of Porterville. These faults are small and have exhibited activity in the last 1.6 million years, but not in the last 200 years. It is also possible, but unlikely, that previously unknown faults could become active in the area.³⁵ No Alquist-Priolo Earthquake Fault Zones or known active faults are in or near the Project area.³⁶

Soils and Liquefaction

“The San Joaquin Valley portion of Tulare County is located on alluvial deposits, which tend to experience greater ground-shaking intensities than areas located on hard rock. Therefore, structures located in the valley will tend to suffer greater damage from ground-shaking than those located in the foothill and mountain areas. However, existing alluvium valleys and weathered or decomposed zones are scattered throughout the mountainous portions of the county which could also experience stronger intensities than the surrounding solid rock areas. The geologic characteristics of an area can therefore be a greater hazard than its distance to the epicenter of the quake.”³⁷

“No specific countywide assessments to identify liquefaction hazards have been performed in Tulare County. Areas where groundwater is less than 30 feet below the surface occur primarily in the valley. However, soil types in the area are not conducive to liquefaction because they are either too coarse or too high in clay content. Areas subject to 0.3g acceleration or greater are located in a small section of the Sierra Nevada Mountains along the Tulare-Inyo County boundary. However, the depth to groundwater in such areas is greater than in the valley, which would minimize liquefaction potential as well. Detailed geotechnical engineering investigations would be necessary to more accurately evaluate liquefaction potential in specific areas and to identify and map the areal extent of locations subject to liquefaction.”³⁸

Landslides

“Landslides are a primary geologic hazard and are influenced by four factors:

- Strength of rock and resistance to failure, which is a function of rock type (or geologic formation);
- Geologic structure or orientation of a surface along which slippage could occur;
- Water (can add weight to a potentially unstable mass or influence strength of a potential failure surface); and,
- Topography (amount of slope in combination with gravitation forces).”³⁹

³⁴ Op. Cit. 3.7-5; and *Tulare County, Revised Draft General Plan 2030 Update*, August 2012. Page 10-7.

³⁵ *Tulare County, Revised Draft General Plan 2030 Update*, August 2012. Page 10-15.

³⁶ California Geological Survey, <http://www.quake.ca.gov/gmaps/WH/regulatorymaps.htm>

³⁷ Tulare County, *Revised Draft General Plan 2030 Update*, August 2012. Page 8-7.

³⁸ Ibid. 8-9.

³⁹ Op. Cit. 8-10.

Paleontology

Regarding paleontological resources, “Paleontological resources are the fossilized remains of plants and animals and associated deposits. The Society of Vertebrate Paleontology has identified vertebrate fossils, their taphonomic and associated environmental indicators, and fossiliferous deposits as significant nonrenewable paleontological resources. Botanical and invertebrate fossils and assemblages may also be considered significant resources.”⁴⁰ CEQA requires that a determination be made as to whether a project would directly or indirectly destroy a unique paleontological resource or site or unique geological feature (CEQA Appendix G(v)(c)). If an impact is significant, CEQA requires feasible measures to minimize the impact (CCR Title 14(3) §15126.4 (a)(1)). California Public Resources Code §5097.5 also applies to paleontological resources.

REGULATORY SETTING

Federal

None that apply to the Project.

State

California Building Code

“The California Building Code is another name for the body of regulations known as the California Code of Regulations (C.C.R.), Title 24, Part 2, which is a portion of the California Building Standards Code. Title 24 is assigned to the California Building Standards Commission, which, by law, is responsible for coordinating all building standards.”⁴¹

Alquist-Priolo Earthquake Fault Zoning Act

“The Alquist- Priolo Earthquake Fault Zoning Act (formerly the Alquist- Priolo Special Studies Zone Act), signed into law December 1972, requires the delineation of zones along active faults in California. The purpose of the Alquist-Priolo Act is to regulate development on or near active fault traces to reduce the hazards associated with fault rupture and to prohibit the location of most structures for human occupancy across these traces.”⁴²

State Water Resources Control Board and Regional Water Quality Control Board

National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activity- Water Quality Order 99-08 DWQ.

Typically, General Construction Storm Water NPDES permits are issued by the RWQCB for grading and earth-moving activities. The General Permit is required for construction activities that disturb one or more acres. The General Permit requires development and implementation of a Storm Water Pollution Prevention Plan (SWPPP), which specifies practices that include prevention of all construction pollutants from contacting stormwater with the intent of keeping all products of erosion from moving off site into receiving waters. The NPDES permits are issued for a five-year term. NPDES general permits require adherence to the Best Management Practices (BMPs) including:

- Site Planning Consideration- such as preservation of existing vegetation.
- Vegetation Stabilization- through methods such as seeding and planting.
- Physical Stabilization- through use of dust control and stabilization measures.
- Diversion of Runoff – by utilizing earth dikes and temporary drains and swales.
- Velocity Reduction – through measures such as slope roughening/terracing.
- Sediment Trapping/Filtering – through use of silt fences, straw bale and sand bag filters, and sediment traps and basins.

Local

⁴⁰ Society of Vertebrate Paleontology. Conformable Impact Mitigation Guidelines Committee Policy Statements.

<http://www.vertpaleo.org/ConformableImpactMitigationGuidelinesCommittee.htm>.

⁴¹ Tulare County, Revised Draft General Plan 2030 Update, August 2012. Page. 8-3.

⁴² Ibid.

Tulare County General Plan Policies

The General Plan has a number of policies that apply to projects within Tulare County. General Plan policies that relate to the Project include: *HS-1.2 Development Constraints* wherein the County shall permit development only in areas where the potential danger to the health and safety of people and property can be mitigated to an acceptable level; *HS-1.3 Hazardous Lands* wherein the County shall designate areas with a potential for significant hazardous conditions for open space, agriculture, and other appropriate low intensity uses; *HS-1.5 Hazard Awareness and Public Education* wherein the County shall continue to promote awareness and education among residents regarding possible natural hazards, including soil conditions, earthquakes, flooding, fire hazards, and emergency procedures; *HS-1.11 Site Investigations* wherein the County shall conduct site investigations in areas planned for new development to determine susceptibility to landslides, subsidence/settlement, contamination, and/or flooding; *HS-2.1 Continued Evaluation of Earthquake Risks* wherein the County shall continue to evaluate areas to determine levels of earthquake risk; *HS-2.4 Structure Siting* wherein the County shall permit development on soils sensitive to seismic activity permitted only after adequate site analysis, including appropriate siting, design of structure, and foundation integrity; *HS-2.7 Subsidence* wherein the County shall confirm that development is not located in any known areas of active subsidence; *HS-2.8 Alquist-Priolo Act Compliance* wherein The County shall not permit any structure for human occupancy to be placed within designated Earthquake Fault Zones; *WR-2.2 NPDES Enforcement* wherein the County shall continue to support the State in monitoring and enforcing provisions to control non-point source water pollution contained in the U.S. EPA NPDES program as implemented by the Water Quality Control Board; *WR-2.3 Best Management Practices* wherein the County shall continue to require the use of feasible BMPs and other mitigation measures designed to protect surface water and groundwater from the adverse effects of construction activities, agricultural operations requiring a County Permit and urban runoff in coordination with the Water Quality Control Board; and *WR-2.4 Construction Site Sediment Control* wherein the County shall continue to enforce provisions to control erosion and sediment from construction sites.

Five County Seismic Safety Element (FCSSE)

The FCSSE report represents a cooperative effort between the governmental entities within Fresno, Kings, Madera, Mariposa and Tulare Counties to develop an adoptable Seismic Safety Element as required by State law. Part I, the Technical Report, is designed to be used when necessary to provide background for the Summary document. Part II, the Summary Report, establishes the framework and rationale for evaluation of seismic risks and hazards in the region. Part II of the Seismic Safety Element, the Policy Report, has been prepared as a “model” report designed to address seismic hazards as delineated in the Technical Report. The intent has been to develop a planning tool for use by county and city governments in implementing their seismic safety elements. The planning process utilized to develop the Element was developed through the efforts of Technical and Policy Committees, composed of both staff and elected representatives from Cities, Counties, and Special Districts or Areawide Planning Organizations in cooperation with the consulting firms of Envicom Corporation and Quinton-Redgate.⁴³

- a) **Less Than Significant Impact:** According to the Tulare County General Plan, the planning area lies in the V1 seismic study area, characterized by a relatively thin section of sedimentary rock overlying a granitic basement.

The V-1 seismic zone, which is characterized by a relatively thick section of sedimentary rock overlying a granitic basement, has “low” risks for shaking hazards, “minimal” risk for landslides, “low to moderate” risk for subsidence, “low” risks for liquefaction and “minimal” risk for seiching.⁴⁴

The distance to area faults i.e. the Clovis Group, Pond-Poso, and San Andreas, expected sources of significant shaking, is sufficiently great that shaking effects should be minimal.

- i) **Fault Rupture:** No substantial faults are known to occupy Tulare County according to the Alquist-Priolo Earthquake Fault Zoning Maps and the State of California Department of Conservation. The nearest known faults likely to affect the Project site are the San Andreas Fault (approximately 40 miles to the Tulare County’s western border). According to the Five County Seismic Safety Element (FCSSE), the proposed Project site is located in the V-2 zone, characterized as a region of relatively thick sedimentary hard rock alluvium overlying a granitic basement. The FCSSE further states that, “The distance to either of the faults expected to be a source of shaking is sufficiently great that shaking should be minimal and the requirements of the Uniform Building Code Zone II should be adequate for normal facilities”. Amplification of shaking that will affect low to medium-rise structures is relatively high but the distance to either of the fault systems that are expected sources of the shaking is sufficiently great that the effect will be minimal.

⁴³ Five County Seismic Safety Element. Fresno, Kings, Madera, Mariposa, & Tulare Counties. 1974. Pages 4-7. Prepared by Envicom Corporation.

⁴⁴ Envicom Corporation, 1974. Summary of Seismic Hazards & Safety Recommendations. Five County Seismic Safety Element Fresno, Kings, Madera, Mariposa & Tulare Counties.

Therefore, as noted earlier, no Alquist-Priolo Earthquake Fault Zones or known active faults are in or near the Project area. As such, the risk of rupture of a known earthquake fault will be less than significant.

- ii) *Ground Shaking*: The Project area is located in a seismic zone which is sufficiently far from known faults and consists primarily of a stable geological formation. Any impacts regarding strong seismic ground shaking have been discussed in Impact VI-a-i. As such, the impact due to ground shaking would be less than significant.
 - iii) *Ground Failure and Liquefaction*: The proposed Project site is located in the Five County Seismic Safety Element's V-2 zone, and therefore has a low risk of liquefaction. No subsidence-prone soils or oil or gas production is involved with the proposed Project. The any impacts will be less than significant.
 - iv) *Landslides*: The proposed Project is located in the Five County Seismic Safety Element's V-2 zone and therefore will have a minimal risk of landslides. As the proposed Project is located on the Valley floor, is situated on relatively flat topography, and there are no geologic landforms on or near the site that could result in a landslide event. Therefore, there is no risk of landslides within or near the Project area.
- b) **Less Than Significant Impact**: Site construction-related activities will include trenching, earthmoving, pouring concrete, grading, and solar panel assembly and a new transmission line (which will be located within a utility easement on the east side of Road 164 which has an existing right-of-way of 50' (of which 17.5' is a paved surface while the remaining 32.5' (approximately 16.25' of either side of the road) is used as an unpaved shoulder). These activities could expose soils to erosion processes. The extent of erosion will vary depending on slope steepness/stability, vegetation/cover, concentration of runoff, and weather conditions. The site has very little slope (i.e., a slight grade from east to west of 0 to 2%) and will have a flat topography after grading. To preserve and restore the agricultural productivity of the Project site to the existing condition during and upon completion of the life of the Project, no soils would be removed from the Project site during construction or operation of the Project. As stated earlier, the relatively flat nature of the site reduces the need for grading which would be limited to access roads, substation, inverter pads, and switchyard. Any soils removed from these areas would be redistributed around and retained elsewhere on the Project site (i.e., along solar panel support rack alignments). Beyond grading, soil disturbance would occur in association with trenching for emplacement of electrical conduits along each alignment of panel racks. This trenching would be limited in scale and anticipated to require an 18-inch wide and three (3)-foot deep trench with a four (4)-inch conduit cable which is not anticipated to displace significant soils.⁴⁵

To prevent water and wind erosion during the construction period, a Storm Water Pollution Prevention Plan (SWPPP) will be developed for the proposed Project as required for all projects which disturb more than one acre. As part of the SWPPP, the applicant will be required to provide erosion control measures to protect the topsoil.⁴⁶ Any stockpiled soils will be watered and/or covered to prevent loss due to wind erosion as part of the SWPPP during construction. In addition, depending upon activity, the Project would be subject to Air District Rules Rule 8021 (construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities) for construction and earthmoving activities; 8031 (Bulk Materials) which limits fugitive dust emissions from the outdoor handling, storage, and transport of bulk materials (such a topsoil); 8041 (Carryout and Trackout) which requires prevention and/or cleanup of soil that is tracked out by vehicle tires exiting the site or carried out by vehicles exiting the site; 8051 (Open Areas) requiring stabilization of areas cleared of vegetation in anticipation of construction-related activities; and 8071 (Unpaved Vehicle/Equipment Traffic Areas) to limit fugitive dust emissions from unpaved vehicle and equipment traffic areas within the Project's construction-related areas.⁴⁷ As a result of these efforts, loss of topsoil and substantial soil erosion during the construction period are not anticipated.

As such, the Project would not result in substantial soil erosion or loss of thereby the impact by this Project would be a less than significant impact.

- c) **Less Than Significant Impact**: Substantial grade change will not occur in the topography to the point where the proposed Project will expose people or structures to potential substantial adverse effects on, or offsite, such as landslides, lateral spreading, liquefaction or collapse. As noted earlier, this Project is located in the Five County Seismic Safety Element's V-2 zone, as such, the Project site has a low to moderate risk of subsidence or liquefaction. Therefore, the Project would result in a less than significant impact.

⁴⁵ "Project and Operations Description for the proposed Glover Solar Project..." October 2018. Page 7 Prepared by Wood Environment and Infrastructure Solutions, Inc. (included in Attachment "D" of this document).

⁴⁶ Ibid.

⁴⁷ Op. Cit. 4.

- d) **No Impact:** According to the USDA, NRCS, and the Soil Survey of Tulare County, the proposed Project site contains Quonal-Lewis association, Colpien, and Akers-Akers, saline-sodic soils. The are located on a site with a 0-2% slope and are moderately well drained. Generally, these soils are alluvium derived mainly from granitic rock and have a clay content ranging from 18-31% while highly expansive soils have clay contents in excess of 60% allowing for higher potential water absorption. Therefore, the native soils identified on the site do not contain the characteristics of an expansive soil. As such, the Project would result in no impact and would not create substantial direct or indirect risks to life or property.
- e) **No Impact:** The proposed Project does not include the installation or use of septic tanks or other alternative waste water disposal systems. As such, the Project would result in no impact
- f) **Less Than Significant Impact:** There are no known paleontological resources within the Project area, nor are there any known geologic features in the proposed Project area. Project construction will not be anticipated to disturb any paleontological resources not previously disturbed; however, **Mitigation Measure(s) CUL-1 thru CUL-3**, as specified in Item V Cultural Resources (as applicable), will ensure that any impact will be less than significant.

8. GREENHOUSE GAS EMISSIONS

Would the project:			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Analysis:

Environmental Setting

“An increase in the near surface temperature of the earth. Global warming has occurred in the distant past as the result of natural influences, but the term is most often used to refer to the warming predicted to occur as a result of increased emissions of greenhouse gases. Scientists generally agree that the earth’s surface has warmed by about 1 degree Fahrenheit in the past 140 years, but warming is not predicted evenly around the globe. Due to predicted changes in the ocean currents, some places that are currently moderated by warm ocean currents are predicted to fall into deep freeze as the pattern changes.”⁴⁸ “The warming of the earth’s atmosphere attributed to a buildup of CO₂ or other gases; some scientists think that this build-up allows the sun’s rays to heat the earth, while making the infra-red radiation atmosphere opaque to infrared radiation, thereby preventing a counterbalancing loss of heat. Ibid. Gases that trap heat in the atmosphere are called greenhouse gases (GHGs). The major concern is that increases in GHGs are causing global climate change. Global climate change is a change in the average weather on earth that can be measured by wind patterns, storms, precipitation and temperature. The gases believed to be most responsible for global warming are water vapor, carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆).”⁴⁹ “Enhancement of the greenhouse effect can occur when concentrations of GHGs exceed the natural concentrations in the atmosphere. Of these gases, CO₂ and methane are emitted in the greatest quantities from human activities. Emissions of CO₂ are largely by-products of fossil fuel combustion, whereas methane primarily results from off-gassing associated with agricultural practices and landfills. SF₆ is a GHG commonly used in the utility industry as an insulating gas in transformers and other electronic equipment. There is widespread international scientific agreement that human-caused increases in GHGs has and will continue to contribute to global warming, although there is much uncertainty concerning the magnitude and rate of the warming.”⁵⁰ “Some of the potential resulting effects in California of global warming may include loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years (CARB, 2006). Globally, climate change has the potential to

⁴⁸ Tulare County General Plan 2030 Update Background Report. Page 6-31. Accessed April 2019 at: <http://generalplan.co.tulare.ca.us/documents.html> then scroll down to and select Background Report

⁴⁹ Ibid. 6-16 and 6-20.

⁵⁰ Op. Cit. 6-31.

impact numerous environmental resources through potential, though uncertain, impacts related to future air temperatures and precipitation patterns. The projected effects of global warming on weather and climate are likely to vary regionally, but are expected to include the following direct effects (IPCC, 2001):

- Higher maximum temperatures and more hot days over nearly all land areas;
- Higher minimum temperatures, fewer cold days and frost days over nearly all land areas;
- Reduced diurnal temperature range over most land areas; o Increase of heat index over land areas; and
- More intense precipitation events.”⁵¹

“Snowpack and snowmelt may also be affected by climate change. Much of California’s precipitation falls as snow in the Sierra Nevada and southern Cascades Mountain ranges, and snowpack represents approximately 35 percent of the state’s useable annual water supply.”⁵² “The snowmelt typically occurs from April through July; it provides natural water flow to streams and reservoirs after the annual rainy season has ended.”⁵³ As air temperatures increase due to climate change, the water stored in California’s snowpack could be affected by increasing temperatures resulting in: (1) decreased snowfall, and (2) earlier snowmelt.”⁵⁴

“In 2007, Tulare County generated approximately 5.2 million tonnes of Carbon Dioxide Equivalent (CO₂e). The largest portion of these emissions (63 percent) is attributed to dairies/feedlots, while the second largest portion (16 percent) is from mobile sources, the third largest portion (11%) is from electricity sources.”⁵⁵ Table 6-7 [**Table GHG-1** in this document] identifies Tulare County’s emissions by sector in 2007.”⁵⁶

“In 2030, Tulare County is forecast to generate approximately 6.1 million tonnes of CO₂e. The largest portion of these emissions (59%) is attributed to dairies/feedlots, while the second largest portion (20%) is from mobile sources, and third largest portion (11%) is from electricity as shown on Table 6-8 [**Table GHG-2** in this document]. Per capita emissions in 2030 are projected to be approximately 27 tonnes of CO₂e per resident.”⁵⁷

The Tulare County General Plan contains the following: Enhancement of the greenhouse effect can occur when concentrations of GHGs exceed the natural concentrations in the atmosphere. Of these gases, CO₂ and methane are emitted in the greatest quantities from human activities. Emissions of CO₂ are largely by-products of fossil fuel combustion, whereas methane primarily results from off-gassing associated with agricultural practices and landfills. SF₆ is a GHG commonly used in the utility industry as an insulating gas in transformers and other electronic equipment. There is widespread international scientific agreement that human-caused increases in GHGs has and will continue to contribute to global warming, although there is much uncertainty concerning the magnitude and rate of the warming.”⁵⁸

Table GHG-1		
GHG Emissions by Sector in 2007⁵⁹		
Sector	CO ₂ e (tons/year)	% of Total
Electricity	542,690	11%
Natural Gas	321,020	6%
Mobile Sources	822,230	16%
Dairy/Feedlots	3,294,870	63%
Solid Waste	227,250	4%
Total	5,208,060	100%
<i>Per Capita</i>	<i>36.1</i>	

⁵¹ Op. Cit.

⁵² Op. Cit. 8-85.

⁵³ Op. Cit.

⁵⁴ Op. Cit.

⁵⁵ Op. Cit. 6-36.

⁵⁶ Op. Cit. 6-38.

⁵⁷ Op. Cit.

⁵⁸ Op. Cit. 6-31.

⁵⁹ Op. Cit.

Table GHG-2		
GHG Emissions by Sector in 2030⁶⁰		
Sector	CO _{2e} (tons/year)	% of Total
Electricity	660,560	11%
Natural Gas	384,410	6%
Mobile Sources	1,212,370	20%
Dairy/Feedlots	3,601,390	59%
Solid Waste	246,750	4%
Total	6,105,480	100%
<i>Per Capita</i>	27.4	

The San Joaquin Valley Air Pollution Control District (Air District) proposed, and subsequently adopted, the following process for determining the cumulative significance of project specific GHG emissions on global climate change when issuing permits for stationary source projects:

- “Projects determined to be exempt from the requirements of CEQA would be determined to have a less than significant individual and cumulative impact for GHG emissions and would not require further environmental review, including analysis of project specific GHG emissions. Projects exempt under CEQA would be evaluated consistent with established rules and regulations governing project approval and would not be required to implement [Best Performance Practices] BPS.
- Projects complying with an approved GHG emission reduction plan or GHG mitigation program which avoids or substantially reduces GHG emissions within the geographic area in which the project is located would be determined to have a less than significant individual and cumulative impact for GHG emissions. Such plans or programs must be specified in law or approved by the lead agency with jurisdiction over the affected resource and supported by a CEQA compliant environmental review document adopted by the lead agency. Projects complying with an approved GHG emission reduction plan or GHG mitigation program would not be required to implement BPS.
- Projects implementing Best Performance Standards would not require quantification of project specific GHG emissions. Consistent with CEQA Guideline, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions.
- Projects not implementing Best Performance Standards would require quantification of project specific GHG emissions and demonstration that project specific GHG emissions would be reduced or mitigated by at least 29%, compared to [Business As Usual] BAU, including GHG emission reductions achieved since the 2002-2004 baseline period, consistent with GHG emission reduction targets established in ARB’s AB 32 Scoping Plan. Projects achieving at least a 29% GHG emission reduction compared to BAU would be determined to have a less than significant individual and cumulative impact for GHG.
- Project requiring preparation of an Environmental Impact Report would require quantification of project specific GHG emissions. Projects implementing BPS or achieving at least a 29% GHG emission reduction compared to BAU would be determined to have a less than significant individual and cumulative impact for GHG.”⁶¹

Regulatory Setting

Federal

While climate change has been a concern since at least 1988, as evidenced by the establishment of the United Nations and World Meteorological Organization’s Intergovernmental Panel on Climate Change (IPCC), the efforts devoted to greenhouse gas (GHG) emissions reduction and climate change research and policy have increased dramatically in recent years.

The USEPA Mandatory Reporting Rule (40 CFR Part 98), which became effective December 29, 2009, requires that all facilities that emit more than 25,000 metric tons CO₂-equivalent per year beginning in 2010, report their emissions on an annual basis. On May 13, 2010, the USEPA issued a final rule that established an approach to addressing GHG emissions from stationary sources under the CAA permitting programs. The final rule set thresholds for GHG emissions that define when permits under the New Source Review Prevention of Significant Deterioration and Title V Operating Permit programs are required for new and existing industrial facilities.

⁶⁰ Op. Cit.

⁶¹ District Policy, Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as Lead Agency. Page 8 and 9. Accessed in April 2019 at: <https://www.valleyair.org/Programs/CCAP/12-17-09/2%20CCAP%20-%20FINAL%20District%20Policy%20CEQA%20GHG%20-%20Dec%2017%202009.pdf>

In addition, the Supreme Court decision in *Massachusetts v. EPA* (Supreme Court Case 05-1120) found that the USEPA has the authority to list GHGs as pollutants and to regulate emissions of GHGs under the CAA. On April 17, 2009, the USEPA found that CO₂, CH₄, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride may contribute to air pollution and may endanger public health and welfare. This finding may result in the USEPA regulating GHG emissions; however, to date the USEPA has not proposed regulations based on this finding.

State

In 2002, with the passage of Assembly Bill 1493 (AB 1493), California launched an innovative and pro-active approach to dealing with GHG emissions and climate change at the state level. AB 1493 requires the Air Resources Board (ARB) to develop and implement regulations to reduce automobile and light truck GHG emissions; these regulations applied to automobiles and light trucks beginning with the 2009 model year.

California has taken action to reduce GHG emissions. In June 2005, Governor Schwarzenegger signed Executive Order S-3-05 to address climate change and GHG emissions in California. This Order sets the following goals for statewide GHG emissions:

- Reduce to 2000 levels by 2010
- Reduce to 1990 levels by 2020
- Reduce to 80 percent below 1990 levels by 2050

In 2006, California passed AB 32, the California Global Warming Solutions Act of 2006. The Act requires ARB to design and implement emission limits, regulations, and other feasible cost-effective measures to reduce statewide GHG emissions to 1990 levels by 2020. Senate Bill 97 was signed into law in August 2007. The Senate Bill required the Office of Planning and Research (OPR) to prepare, develop, and transmit to the Resource Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions by July 1, 2009. On April 13, 2009, the OPR submitted to the Secretary for Natural Resources its recommended amendments to the State CEQA Guidelines for addressing GHG emissions. On July 3, 2009, the Natural Resources Agency commenced the Administrative Procedure Act rulemaking process for certifying and adopting the amendments. Following a 55-day public comment period and 2 public hearings, and in response to comments, the Natural Resources Agency proposed revisions to the text of the proposed Guidelines amendments. The Natural Resources Agency transmitted the adopted amendments and the entire rulemaking file to the Office of Administrative Law on December 31, 2009. On February 16, 2010, the Office of Administrative Law approved the amendments, and filed them with the Secretary of State for inclusion in the CCR. The Amendments became effective on March 18, 2010.

The AB 32 Scoping Plan contains the main strategies California will use to reduce GHG emissions that cause climate change. The scoping plan has a range of GHG reduction actions which include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms (such as a cap-and-trade system), and an AB 32 cost of implementation fee regulation to fund the program. The first regulation adopted by the ARB pursuant to AB 32 was the regulation requiring mandatory reporting of GHG emissions. The regulation requires large industrial sources emitting more than 25,000 metric tons of CO₂ per year to report and verify their GHG emissions from combustion of both fossil fuels and biomass-derived fuels. The California Cap and Trade program is being developed and the ARB must adopt regulations by January 1, 2011. Also, Governor Schwarzenegger directed the ARB, pursuant to Executive Order S-21-09, to adopt a regulation by July 31, 2010, requiring the state's load serving entities to meet a 33 percent renewable energy target by 2020.

California Environmental Quality Act (CEQA) Requirements

Section 15064.4 Determining the Significance of Impacts from Greenhouse Gas Emissions

(a) The determination of the significance of greenhouse gas emissions calls for a careful judgment by the lead agency consistent with the provisions in section 15064. A lead agency should make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project. A lead agency shall have discretion to determine, in the context of a particular project, whether to:

- (1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use. The lead agency has discretion to select the model or methodology it considers most appropriate

provided it supports its decision with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use; and/or

(2) Rely on a qualitative analysis or performance based standards.

(b) A lead agency should consider the following factors, among others, when assessing the significance of impacts from greenhouse gas emissions on the environment:

- (1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;
- (2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.
- (3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project.⁶²

Local

Tulare County General Plan 2030 Update

The Tulare County General Plan 2030 Update: Chapter 9 – Air Quality contains a number of policies that apply to projects within Tulare County that support GHG reduction efforts and which have potential relevance to the Project's CEQA review: *AQ-1.3 Cumulative Air Quality Impacts* wherein the County shall require development to be located, designed, and constructed in a manner that would minimize cumulative air quality impacts; *AQ-1.5 California Environmental Quality Act (CEQA) Compliance* wherein the County shall ensure that air quality impacts identified during the CEQA review process are consistently and reasonably mitigated when feasible; *AQ-1.7 Support Statewide Climate Change Solutions* wherein the County shall monitor and support the efforts of Cal/EPA, CARB, and the SJVAPCD, under AB 32 (Health and Safety Code §38501 et seq.), to develop a recommended list of emission reduction strategies, as appropriate, the County will evaluate each new project under the updated General Plan to determine its consistency with the emission reduction strategies; *AQ-1.8 Greenhouse Gas Emissions Reduction Plan/Climate Action Plan* wherein the County will develop a Greenhouse Gas Emissions Reduction Plan (Plan) that identifies greenhouse gas emissions within the County as well as ways to reduce those emissions. The Plan will incorporate the requirements adopted by the California Air Resources Board specific to this issue. In addition, the County will work with the Tulare County Association of Governments and other applicable agencies to include the following key items in the regional planning efforts.

1. Inventory all known, or reasonably discoverable, sources of greenhouse gases in the County,
2. Inventory the greenhouse gas emissions in the most current year available, and those projected for year 2020, and
3. Set a target for the reduction of emissions attributable to the County's discretionary land use decisions and its own internal government operations.

Tulare County Climate Action Plan

The Tulare County Climate Action Plan (CAP) serves as a guiding document for County of Tulare ("County") actions to reduce greenhouse gas emissions and adapt to the potential effects of climate change. The CAP is an implementation measure of the 2030 General Plan Update. The General Plan provides the supporting framework for development in the County to produce fewer greenhouse gas emissions during Plan buildout. The CAP builds on the General Plan's framework with more specific actions that will be applied to achieve emission reduction targets consistent with California legislation.⁶³

⁶². California Environmental Quality Act (CEQA). Section 15064.4 Determining the Significance of Impacts from Greenhouse Gas Emissions

⁶³ Tulare County Climate Action Plan. Page 1. Accessed May 2019 at: <http://generalplan.co.tulare.ca.us/documents.html>, then select tab noted as "Climate Action Plan February 2010 Draft"

Construction-related emissions have been estimated (using the California Emissions Estimator Model (CalEEMod), Version 2016.3.2 (the model), from a similar solar project and are used in this document by analogy as similar projects will likely result in similar GHG emissions. This Project is smaller than the comparative project and will likely generate fewer emissions.⁶⁴ T

- a) **Less Than Significant Impact:** The Project will result in approximately 660 tons of GHG which will be generated only during construction-related activities (particularly, heavy-duty off road equipment). However, these emissions will be intermittent (i.e., varying times throughout the course of a day, varying uses of construction-related equipment, varying duration of use by equipment type, etc.), temporary (i.e., only occurring during daylight hours), and short-term (lasting no longer than nine (9) months). GHG emissions also would be generated by construction-related worker-related daily commutes, by heavy-duty diesel tractor-trailer trucks that would be required to haul materials and debris to/from the proposed Project site, and as a result of water use for dust control and other construction-related activities. Once construction-related activities have ceased, operational emissions would be limited to infrequent vehicle-related emissions by maintenance staff and periodic PV panel washing.

High-voltage switchgear for the proposed Project may have circuit breakers that contain SF6 gas, a GHG with high global warming potential. SF6 is used as an insulator and arc suppressor in the circuit breakers. Under normal operating conditions, the SF6 gas would be contained in the equipment and only released due to a leak in the circuit breaker housing.

The electricity generated during the operation of the Project would be added to the power grid and displace electricity generated from fossil fuels. Displaced GHG emissions were calculated by using the average solar radiation hours per day and the current mix of power sources in California. Power sources other than coal and natural gas were not included. The operation of the proposed Project would displace approximately 38,980 metric tons of CO2e per year and result in a net reduction of GHG emissions. This annual displacement in GHG emissions would result in an annual net GHG emissions of 38,320 metric tons of CO2e per year, as shown in Table GHG-3. (Calculations are provided in Attachment “A”)

Table GHG-3	
Project Phase	CO ₂ e (metric tons per year)
Construction	660
Operation	<1
Project Total	660
Annual Displacement	-38,980
Annual Net Emissions	-38,320
<i>Source: See attachment “A”.</i>	

The methodology found in the SJVAPCD’s Climate Change Action Plan was used to determine the significance of impacts caused by GHG emissions from the Project (SJVAPCD, 2009). This methodology recommends projects be compared to a “business-as-usual” scenario, and that projects should be considered to not have a significant impact if it can be demonstrated to have a 29 percent reduction in GHG emissions from the “business-as-usual” scenario. The “business-as-usual” scenario for the Project assumes that the current electricity generation mix in California remains the same during the operational lifetime of the project (30+ years) and that there would be no changes to the methods used to generate electricity in California. As described in Table GHG-1, the proposed Project would result in an annual GHG emissions reduction of more than 38,320 metric tons CO₂e compared to the “business-as-usual scenario”, a reduction of greater than 100 percent.

The Project will result in a benefit as it will reduce GHG emissions typically generated by other energy producers as this Project is a renewable energy project (solar). Overall, the GHG emissions generated during construction-related activities will be nullified when the Project is fully operational. As such, the Project would result in a less than significant impact to this resource.

- b) **Less Than Significant Impact:**

Since the proposed Project is located in an unincorporated area of Tulare County, the most applicable GHG plan is the Tulare County Climate Action Plan (CAP) (County of Tulare, 2010), Executive Order S-3-05, Executive Order B-30-15, SB 350, SB 100, AB 32, and SB 32, including the potential for the Project to conflict with the recommended actions identified by CARB in its 2017 Climate Change Scoping Plan.

⁶⁴ See Attachment “A”. These emissions estimates were derived from another solar energy project in Tulare County that is approximately the same acreage (i.e., 160 acres vs. this Project’s 150 acres), mega-watts (70MW vs. this Project’s 20MW), 200,000-300,00 solar panels vs. 76,250 solar panels for this Project, and construction time frame (12-months vs. this Project’s nearly 9-total months).

In April 2015, Governor Edmund G. Brown Jr. issued an executive order to establish a California GHG reduction target of 40 percent below 1990 levels by 2030. Reaching this emission reduction target will make it possible for California to reach its ultimate goal of reducing emissions 80 percent under 1990 levels by 2050, as identified in Executive Order S-3-05. Executive Order B-30-15 also specifically addresses the need for climate adaptation and directs state government to:

- Incorporate climate change impacts into the State's Five-Year Infrastructure Plan;
- Update the Safeguarding California Plan, the State climate adaption strategy to identify how climate change will affect California infrastructure and industry and what actions the State can take to reduce the risks posed by climate change;
- Factor climate change into State agencies' planning and investment decisions; and
- Implement measures under existing agency and departmental authority to reduce GHG emissions.

On September 10, 2018, Governor Brown signed SB 100, establishing that 100 percent of all electricity in California must be obtained from renewable and zero-carbon energy resources by December 31, 2045. SB 100 also creates new standards for the Renewables Portfolio Standard (RPS) goals established by SB 350 in 2015. Specifically, the bill increases required energy from renewable sources for both investor-owned utilities and publicly-owned utilities from 50 percent to 60 percent by 2030. Incrementally, these energy providers must also have a renewable energy supply of 33 percent by 2020, 44 percent by 2024, and 52 percent by 2027. California must procure 100 percent of its energy from carbon free energy sources by the end of 2045. The updated RPS goals are considered achievable, since many California energy providers are already meeting or exceeding the RPS goals established by SB 350.

Executive Order B-30-15 required CARB to update the AB 32 Climate Change Scoping Plan to incorporate the 2030 target. Subsequently, SB 32, which codifies the Executive Order's 2030 emissions reduction target, was approved by the Governor on September 8, 2016. SB 32 requires CARB to adopt rules and regulations to achieve the maximum technologically feasible and cost-effective GHG emissions to ensure that statewide GHG emissions are reduced to at least 40 percent below the 1990 statewide GHG emissions limit no later than December 31, 2030 (the target date established by Executive Order B-30-15. CARB recently adopted the 2017 Scoping Plan) to achieve this goal.

The CAP serves as a guiding document for County actions to reduce GHG emissions and adapt to the potential effects of climate change. The CAP requires projects on average achieve a reduction that is six percent in excess of the reductions stated in the ARB Scoping Plan and by regional regulations and programs. AB 32 requires the California Air Resources Board to design and implement feasible and cost-effective emissions limits, regulations, and other measures, such that statewide GHG emissions are reduced to 1990 levels by 2020 (representing a 25 percent reduction in emissions).

The Project involves the construction-, operation- and maintenance-, and decommissioning-related activities of a solar facility that would produce a new renewable source of energy in Tulare County. Therefore, the Project would directly support the renewable energy target under the 2017 Scoping Plan Update, and a goal of SB 100, for increasing California's procurement of electricity from renewable sources from 50 percent to 60 percent by 2030. As previously discussed, and through analogy of a similar project (see Attachment "A"), the proposed Project would result in a result in an annual GHG emissions reduction of more than 38,320 metric tons CO₂e compared to the "business-as-usual scenario" (a reduction of greater than 100 percent) and would be consistent with the Tulare County CAP, SB 32, SB 100, and AB 32. As such, the Project would result in no impact and provides a net, long-term benefit towards reducing GHG.

Therefore, the Project would not generate greenhouse gas emissions, either directly or indirectly that may have a significant impact on the environment.

9. HAZARDS AND HAZARDOUS MATERIALS:

Would the project:			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
	a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b)	Create a significant hazard to the public or the environment through reasonably	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

		foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				
	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 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 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 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 evaluation plan?	<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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Analysis:

Environmental Setting

The proposed Project site is located in southwestern Tulare County (County), California, approximately six miles west of nearest city, the City of Tulare. The County Seat, Visalia, is located approximately 10 miles north of the Project site.

The nearest airport, Mefford Field Airport (City of Tulare) is approximately six (6) miles west of the proposed Project site. The nearest operational landfill is Teapot Dome Landfill, approximately 11 miles southeast of the proposed Project site. When it reinitiates active operations in 2020 (estimated), the Woodville Landfill is located approximately one mile west of the site.

The nearest elementary (Woodville Elementary School) is located in Woodville (approximately 4.25 miles south of the Project site), while the nearest high school (Mission Oak High School) is approximately 5.75 miles northwest of the Project site in the City of Tulare.

Regulatory Setting

Federal

The NFPA 70®: National Electrical Code® is adopted in all 50 states. It includes requirements for electrical wiring and equipment. Article 705 covers interconnecting generators, windmills, and solar and fuel cells with other power supplies.⁶⁵ The federal Resource Conservation and Recovery Act (RCRA) and California Hazardous Waste Control Law regulate the disposal of solar PV cells. The local hazardous waste regulatory authority is the County of Tulare.

State

The California Department of Industrial Relations, Division of Occupational Safety and Health, is the administering agency designed to protect worker health and general facility safety. The California Department of Forestry and Fire Protection (CalFire) has

⁶⁵ National Fire Protection Association. 2010. NFPA 70: National Fire Code.

designated the area that includes the project site as a Local Responsibility Area which is defined as an area where the local fire jurisdiction is responsible for emergency fire response. The project area is also defined as “Unzoned,” which means that the fire hazard severity of the site has not been determined.⁶⁶

Local

Tulare County General Plan 2030 Update

The Tulare County General Plan 2030 Update (at Chapter 10 – Health and Safety) contains the following goals and policies that relate to hazards and hazardous materials, and which have potential relevance to the Project’s CEQA review: HS-4.1 Hazardous Materials wherein the County shall strive to ensure hazardous materials are used, stored, transported, and disposed of in a safe manner, in compliance with local, State, and Federal safety standards, including the Hazardous Waste Management Plan, Emergency Operations Plan, and Area Plan; HS-4.2 Establishment of Procedures to Transport Hazardous Wastes wherein the County shall continue to cooperate with the California Highway Patrol (CHP) to establish procedures for the movement of hazardous wastes and explosives within the County; HS-4.3 Incompatible Land Uses wherein the County shall prevent incompatible land uses near properties that produce or store hazardous waste; and HS-4.4 Contamination Prevention wherein the County shall review new development proposals to protect soils, air quality, surface water, and groundwater from hazardous materials contamination.

a) and b) Less Than Significant Impact: Proposed Project construction will require the transport and use of small quantities of hazardous materials in the form of gasoline, diesel, and oil. There is the potential for small leaks due to refueling of the construction equipment; however, standard construction Best Management Practices (BMPs) included in the SWPPP will reduce the potential for accidental release of construction-related fuels and other hazardous materials. These BMPs will prevent, minimize, or remedy storm water contamination from spills or leaks, control the amount of runoff from the site, and require proper disposal or recycling of hazardous materials.

Proposed Project operations may require the storage of small amounts of hazardous materials, such as fuel and lubricants. The storage, transport, and use of these materials will comply with Local, State, and Federal regulatory requirements.

Therefore, the proposed Project will not result in a significant hazard to the public or the environment and impacts will be less than significant.

- c) No Impact:** The nearest school, Woodville Elementary School, is approximately 4.25 miles south of the proposed Project site. The Project involves construction of a solar energy generation facility (and a new transmission line to the SCE Bliss substation approximately 0.5 miles north of the Project site) and will not emit hazardous emissions, involve hazardous materials, or create a hazard to the school. There will be no impact.
- d) No Impact:** According to the State of California Department of Toxic Substances Control (DTSC) – Envirostor Search, no hazardous materials sites exist within an approximate two-mile radius of the proposed Project site.⁶⁷ The proposed Project site and a new transmission line route to the SCE Bliss substation (approximately 0.5 miles north of the Project site) are not listed as hazardous materials sites pursuant to Government Code Section 65962.5 and are not included on a list compiled by the Department of Toxic Substances Control per a review of “Identified Hazardous Waste Sites” (conducted on May, 2019), by RMA staff. Therefore, as the proposed Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 it would not create a significant hazard to the public or the environment
- e) No Impact:** The nearest airport, Mefford Field Airport, is approximately six miles west of the proposed Project site; There are no private airports within the Project vicinity. Although a new transmission line to the SCE Bliss substation (approximately 0.5 miles north of the Project site) is included as part of the proposed Project, the Project would not result in the placement of transmission lines or other structures sufficiently tall enough to interfere with the flight path of either airport (which is located approximately 6 miles west of the Project site). The proposed Project will not conflict with Tulare County Airport Land Use Plan (ALUP) policy and it is not within any airport’s safety zone. The proposed Project will not result in a safety hazard for people working in the area. As such, the Project would result in no impact to this resource.
- f) No Impact:** The proposed Project is not located in the vicinity of a principal route of assistance, as described by the Safety Element of the Tulare County General Plan. The Project site does cross a publicly accessed route. One component of the Project,

⁶⁶ California Department of Forestry and Fire Protection. 2007. Draft Fire Severity Zones in LRA Map. September.

⁶⁷ California Dept. of Toxic and Substances Control Accessed May 2019 at: <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=Tulare+County%2C+CA>.

a new transmission line (within a utility easement) to the SCE Bliss substation (approximately 0.5 miles north of the Project site) would be constructed on the east side Road 164 will cross a publicly accessed route. However, due to its remoteness it will not interfere with implementation of an emergency response plan or evacuation. Road 164 and Avenue 200 are rural in nature and are part of a grid of County roads that do not directly lead to the nearest state routes or other County communities. Westbound Avenue 200 T-intersects with Road 164, while eastbound Avenue 200 intersects with SR 65. Southbound Road 164 T-intersects with Avenue 192; while northbound Road 164 T-intersects with Avenue 209. As such, neither roads are a unique, convenient, or a direct route to or from the nearest community (Woodville), highways or other Tulare County communities. As such, the proposed Project will not interfere with implementation of an emergency response plan or evacuation.

- g) No Impact:** The surrounding land is predominantly agricultural and rural residential uses and is not subject or vulnerable to wildland fires. The proposed Project will not contain any housing or buildings where workers will reside or be stationed that will be at risk of fire. As such, the Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires and would result in no impact to this resource.

10. HYDROLOGY AND WATER QUALITY

Would the project:			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i)	Result in substantial erosion or siltation on- or off-site?		<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 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?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv)	Impede or redirect flood flows?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Conflict with or obstruct implementation of water quality control plan or sustainable groundwater management plan?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Analysis:

Environmental Setting

Tulare County has a dry climate with evaporation rates that exceeds rainfall. The local climate is considered warm desert with annual precipitation approximately 7 to 9 inches, and variable rainfall rates. The majority of precipitation (roughly 84%) falls during the months of November through April.

Hydrology in the Project vicinity is associated with the Tulare Lake Basin, one of three main water subareas in the county. The Tulare Lake Basin is in the northern alluvial fan and basin subarea which is characterized by southwest-to-south flowing rivers, creeks, and irrigation canal systems that convey water from the Sierra Nevada to the west toward the Tulare Lake Bed. The southern portion of the basin is internally drained by the Kings, Kaweah, Tule, and Kern Rivers.⁶⁸ The Tulare Lake Basin comprises the drainage area of the San Joaquin Valley south of the San Joaquin River, and is essentially a closed basin because surface water drains north into the San Joaquin River only in years of extreme rainfall.

Regulatory Framework

Federal

Clean Water Act

The Clean Water Act (CWA) is intended to restore and maintain the chemical, physical, and biological integrity of the nation's waters (33 CFR 1251). The regulations implementing the CWA protect waters of the U.S. including streams and wetlands (33 CFR 328.3). The CWA requires states to set standards to protect, maintain, and restore water quality by regulating point source and some non-point source discharges. Under Section 402 of the CWA, the National Pollutant Discharge Elimination System (NPDES) permit process was established to regulate these discharges.

The National Flood Insurance Act (1968) makes available federally subsidized flood insurance to owners of flood-prone properties. To facilitate identifying areas with flood potential, Federal Emergency Management Agency (FEMA) has developed Flood Insurance Rate Maps (FIRM) that can be used for planning purposes.

State

State Water Resources Control Board

The State Water Resources Control Board (SWRCB), located in Sacramento, CA, is the agency with jurisdiction over water quality issues in the State of California. The SWRCB is governed by the Porter-Cologne Water Quality Act (Division 7 of the California Water Code) which establishes the legal framework for water quality control activities by the SWRCB. The intent of the Porter-Cologne Act is to regulate factors which may affect the quality of waters of the State to attain the highest quality which is reasonable, considering a full range of demands and values. Much of the implementation of the SWRCB's responsibilities is delegated to its nine Regional Boards. The Project site is located within the Central Valley Region.

Regional Water Quality Board

The Central Valley Regional Water Quality Control Board (RWQCB) administers the NPDES storm water-permitting program in the Central Valley region. Construction activities on one acre or more are subject to the permitting requirements of the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Construction Permit). The General Construction Permit requires preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The plan will include specifications for Best Management Practices (BMPs) that will be implemented during proposed Project construction to control degradation of surface water by preventing the potential erosion of sediments or discharge of pollutants from the construction area. The General Construction Permit program was established by the RWQCB for the specific purpose of reducing impacts to surface waters that may occur due to construction activities. BMPs have been established by the RWQCB in the California Storm Water Best Management Practice Handbook (2003), and are recognized as effectively reducing degradation of surface waters to an acceptable level. Additionally, the SWPPP will describe measures to prevent or control runoff degradation after construction is complete, and identify a plan to inspect and maintain these facilities or project elements.

Local

⁶⁸ California Department of Water Resources. California's Groundwater Bulletin 118. 2004. Tulare Lake Hydrologic Region, San Joaquin Valley Groundwater Basin. http://www.water.ca.gov/pubs/groundwater/bulletin_118/basindescriptions/5-22.11.pdf. Site accessed April 2019.

Tulare County Land Development Regulations

The Tulare County Resource Management Agency (RMA) is responsible for review, approval, and enforcement of planning and land development throughout the unincorporated portions of Tulare County. County of Tulare regulations that direct planning and land development (and related water and wastewater utilities) include the Tulare County General Plan, Zoning Ordinance, Subdivision Ordinance, and CEQA procedures. These responsibilities are divided between Planning Branch, Public Works Branch, and other divisions or departments of RMA, and in coordination with the Environmental Health Division of the Tulare County Health and Human Services Agency, and the Tulare County Fire Department.

The County's flood damage prevention code is intended to promote public health, safety, and general welfare in addition to minimizing public and private losses due to flood conditions. The County code provisions to protect against flooding include requiring uses vulnerable to floods be protected against flood damage at the time of initial construction; controlling the alteration of natural flood plains; and preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas. The County flood damage prevention code, most recently amended by Ord. No. 3212 and effective October 29, 1998, is modeled based upon FEMA guidance.

Tulare County General Plan 2030 Update

The Tulare County General Plan 2030 Update: (Chapter 10 – Health and Safety and Chapter 11 – Water Resources) contains the following goals and policies that relate to hydrology and water quality and which have potential relevance to the Project's California Environmental Quality Act (CEQA) review: *AG-1.17 Agricultural Water Resources* wherein the County shall seek to protect and enhance surface water and groundwater resources critical to agriculture; *HS-4.4 Contamination Prevention* wherein the County shall review new development proposals to protect soils, air quality, surface water, and groundwater from hazardous materials contamination; *WR-1.1 Groundwater Withdrawal* wherein the County shall cooperate with water agencies and management agencies during land development processes to help promote an adequate, safe, and economically viable groundwater supply for existing and future development within the County. These actions shall be intended to help the County mitigate the potential impact on ground water resources identified during planning and approval processes; *WR-2.1 Protect Water Quality* wherein all major land use and development plans shall be evaluated as to their potential to create surface and groundwater contamination hazards from point and non-point sources. This policy requires the County to confer with other appropriate agencies, as necessary, to assure adequate water quality review to prevent soil erosion; direct discharge of potentially harmful substances; ground leaching from storage of raw materials, petroleum products, or wastes; floating debris; and runoff from the site; *WR-2.2 National Pollutant Discharge Elimination System (NPDES) Enforcement* wherein the County shall continue to support the State in monitoring and enforcing provisions to control non-point source water pollution contained in the U.S. EPA NPDES program as implemented by the Water Quality Control Board; *WR-2.3 Best Management Practices (BMPs)* wherein the County shall continue to require the use of feasible BMPs and other mitigation measures designed to protect surface water and groundwater from the adverse effects of construction activities, agricultural operations requiring a County Permit and urban runoff in coordination with the Water Quality Control Board; and *WR-2.4 Construction Site Sediment Control* wherein the County shall continue to enforce provisions to control erosion and sediment from construction sites.

- a) **Less Than Significant Impact:** The State Water Resources Control Board requires any new construction project greater than one acre to complete a Stormwater Pollution Prevention Plan (SWPPP). A SWPPP would be prepared for the Project by a qualified engineer or erosion control specialist as a condition of approval and would be submitted to the County for review and approval before being implemented during construction. The SWPPP would be designed to reduce potential impacts related to erosion and surface water quality during construction activities and throughout the life of the Project. It would include Project information and best management practices (BMP). The BMPs would include dewatering procedures, stormwater runoff quality control measures, concrete waste management, watering for dust control, and construction of perimeter silt fences, as needed. Implementation of the SWPPP will minimize the potential for the Project to substantially alter the existing drainage pattern in a manner that will result in substantial erosion or siltation onsite or offsite. There will be no discharge to any surface or groundwater sources which may impact water quality standards. As such, the Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Therefore, the Project would result in a less than significant impact to this resource.
- b) **Less Than Significant Impact:** The proposed Project site is located in the Tulare Lake Basin, an area significantly affected by overdraft. The Department of Water Resources (DWR) has estimated the groundwater by hydrologic region and for the Tulare Lake Basin. DWR estimates a total overdraft of 820,000 acre-feet per year (which is the largest overdraft projected in the state, and approximately 56 percent of the statewide total overdraft). The Project site is located within the Tule Sub-basin portion of the regional area.

The proposed Project includes the construction of a solar energy generation facility with single axis tracker solar modules (photovoltaic (PV) panels) and a new transmission line to the SCE Bliss substation (approximately 0.5 miles north of the Project site) which would be constructed on the east side Road 164. “The proposed Project would not require a permanent potable supply of water and would not utilize or develop an on-site surface or groundwater supply over the life of the Project. Water would be imported/trucked to the Project site during biannual panel washing activities which are estimated to require approximately 16,000 to 32,000 gallons per year [approximately 0.050 – 0.10 acre-feet].”⁶⁹ However, groundwater is available from an on-site water well located on Project site. Approximately 75 acre-feet of well water will be used for dust abatement during Project construction-related activities.⁷⁰ “PV panel washing would occur approximately one to two times a year depending on the amount of rainfall in a given year using imported water. The washing of the panels is similar to common window washing and would employ no harsh chemicals or solvents. Water trucks would be brought on-site twice a year for duration of approximately 10 days (20 days/year total).”⁷¹ Water drainage patterns will not be modified other than being slightly delayed by dripping down solar panel surfaces. Rainfall patterns will be slightly modified by being displaced by a maximum of twelve (12) feet horizontally. In the spaces between panel rows (about 8.5-feet wide), rain will contact the ground surface without impediment. No chemicals will be used in the maintenance or operation of solar panels and as such, there will be no discharge that could impact water quality standards. Therefore, based on the limited, temporary usage of water for dust control purposes during construction-related activities and PV panel washing, the Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

- c) Less Than Significant Impact:** Overall, the Project would not 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.

i) Erosion and Siltation; Less Than Significant Impact: The extent of potential erosion will vary depending on slope steepness/stability, vegetation/cover, concentration of runoff, and weather conditions. As noted in the Project Description (Attachment “D”) the relatively flat nature of the site reduces the need for grading which would be limited to access roads, substation, inverter pads, and switchyard. Any soils removed from these areas would be redistributed around and retained elsewhere on the Project site (i.e., along solar panel support rack alignments).⁷² The site is and will continue to have a relatively-flat topography after site construction. Also, as noted earlier, a SWPPP will be in place during construction, as described in Impact 10-a. Therefore, construction-related activities will minimally disturb the ground surface resulting in a less than significant impact from erosion and siltation.

ii) Runoff resulting in Flooding On- or Off-site; Less Than Significant Impact: The site will not resulting in waters capable of flooding either on- or off-site. The site is not subject to flooding and lies within Flood Zone X (area of minimal flooding) per the Federal Emergency Management Agency FIRM map.⁷³ Also, the site will not generate substantial amounts of runoff that would result in on- or off-site flooding due to the nature of the Project as a renewable energy producer (i.e., solar energy). The Project will avoid runoff type water from dust suppression activities and PV panel washing through implementation of conditions of approval and project design features. As such, the Project would result in a less than significant impact to or from this resource Item.

iii) Runoff affecting Drainage Systems and Polluted Runoff; No Impact. See Items 10 c) i) and ii) .Also, the Project will not connect to any existing or planned stormwater drainage system, as such it will not provide any additional sources of polluted runoff. As noted earlier, the very nature of the Project (as a renewable energy producer) does not lend itself as a contributor of polluted runoff. Therefore, the Project would result in no impact to this resource. 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, and as such, would result in no impact.

⁶⁹ “Project and Operations Description Glover Solar Project”. October 2018. Page 8. Prepared by Wood Environment & Infrastructure Solutions, Inc. and included in Attachment “D” of this document.

⁷⁰ Water usage for dust control provided by Project Applicant May 2019. Included in Attachment “D” of this document.

⁷¹ “Project and Operations Description Glover Solar Project”. October 2018. Page 7. Prepared by Wood Environment & Infrastructure Solutions, Inc. and included in Attachment “D” of this document.

⁷² Ibid.

⁷³ Federal Emergency Management Agency FIRM Panel 06107CL300E June 16, 2009. Accessed May 2019 at: <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd&extent=-119.24027126756349,36.137670866489145,-119.15718716111826,36.17232174266695>

- d) **No Impact:** The Project is not located on or near any areas that would result in or be impact by a flood hazard, tsunami, or seiche zones, that would result in a risk release of pollutants due to project inundation. As noted in Item 10 c) ii), the Project does not lie within an area nor is it subject not subject to flooding within Flood Zone X (area of minimal flooding) per the Federal Emergency Management Agency FIRM map; it is not exposed to or near any river, reservoirs, pond, or lake subject to seiches from earthquake activity; and it is at least 105 miles east of the nearest coastline that would be subject to tsunami. Therefore, there would be no impact from potential inundation by the flood hazard, tsunami, or seiches.
- e) **No Impact:** The nature of the Project (as a renewable energy producer), and the fact that its anticipated 35-year life would temporarily suspend usage of water for irrigation purposes of agricultural lands, leads to a reasonable conclusion that the Project would not conflict with or obstruct implementation of water quality control plan or sustainable groundwater management plan.

11. LAND USE AND PLANNING

Would the project:			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a)	Physically divide an established community?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Analysis:

Environmental Setting

The Project site is located in the western-central part of Tulare County. Tulare County is located in the San Joaquin Valley portion of the Great Central Valley of California that lies south of the Sacramento-San Joaquin Delta, and is comprised of 4,863 square miles. Tulare County is bordered by Fresno County to the north, Kings County to the west; Kern County to the south; and Inyo County to the east.

Existing land uses in Tulare County have been organized into generalized categories that are summarized on **Table LU-1**. These lands total 3,930 square miles or approximately 81 percent of Tulare County. Open space, which includes wilderness, national forests, monuments and parks, and county parks, encompass 1,230 square miles, or approximately 25 percent of the County. Agricultural uses total over 2,150 square miles or about 44 percent of the entire county. Incorporated cities in Tulare County capture less than three percent of the entire County.

The proposed Project site has been historically and is currently used for row crops. The site is surrounded by agricultural-related land uses such as row crops, dairies, and agricultural outbuildings. There are approximately four rural residences adjacent to the Project site. As noted earlier, the proposed Project site lies approximately six miles southeast of the City of Tulare and approximately 4 miles north of the unincorporated community of Woodville. The proposed Project site is zoned as Exclusive Agriculture – 40. No forest or timber land is present at the proposed Project site or in the proposed Project vicinity. Overall, the Project is located in a rural location and is relatively isolated from either an urban or a rural community. The nature of the Project, a renewable energy facility (i.e., solar panel array and typical components such as inverter stations, various wiring, underground cables, combiner boxes, inverters, transformers, access/egress roads, interior roads, etc.), is located on one contiguous 150-acre parcel that does not require a division of land; as such, it will remain as one parcel during its anticipated 35-year life span.

The proposed Project site has been historically and is currently used for row crops. The site is surrounded by agricultural-related land uses such as row crops, dairies, and agricultural outbuildings. There are approximately four rural residences adjacent to the Project site. As noted earlier, the proposed Project site lies approximately six miles southeast of the City of Tulare and approximately 4 miles north of the unincorporated community of Woodville. The proposed Project site is zoned as Exclusive Agriculture – 40. No forest or timber land is present at the proposed Project site or in the proposed Project vicinity. Overall, the Project is located in a rural location and is relatively isolated from either an urban or a rural community. The nature of the Project, a renewable energy facility (i.e., solar panel array and typical components such as inverter stations, various wiring, underground cables, combiner boxes,

inverters, transformers, access/egress roads, interior roads, etc.), is located on one contiguous 150-acre parcel that does not require a division of land; as such, it will remain as one parcel during its anticipated 35-year life span.

Table LU-1
County of Tulare Summary of Assessed Land by Generalized Use Categories⁷⁴

Generalized Land Use Category	Square Miles¹	Percentage²
Residential	110	2
Commercial	10	Less than 1%
Industrial	10	Less than 1%
Agriculture	2,150	44
Public (including airports, charitable organizations, churches, fraternal organizations, government owned land, hospitals and rest homes, institutional facilities, rehab facilities and schools)	420	9
Open Space (including national forests and parks, timber preserves)	1,230	25
Classified Subtotal	3,930	81
Unclassified (includes streets and highways, rivers, canals, etc.)	780	16
Unincorporated County Subtotal	4,710	97
Incorporated Cities	130	3
Total County	4,840	100
<i>1 One square mile = 640 acres.</i>		
<i>2 Percent reflect those estimated for the total land area of the County and may not equal 100 due to rounding.</i>		

Regulatory Setting

Federal

Federal regulations for land use are not relevant to the Project because it is not a federal undertaking (the Project site is not located on lands administered by a federal agency, and the project applicant is not requesting federal funding or a federal permit).

State

The Project is being evaluated pursuant to CEQA; however, there are no state regulations, plans, programs, or guidelines associated with land use and planning that are applicable to the proposed Project.

Local

Tulare County General Plan 2030 Update

The Tulare County General Plan 2030 Update (Chapter 4 – Land Use, Chapter 8 – Environmental Resources Management and Part II Chapter 1 - Rural Valley Lands Plan) contains the following goals and policies that relate to land use and which have potential relevance to the Project’s California Environmental Quality Act (CEQA) review: *LU-2.1 Agricultural Lands* wherein the County shall maintain agriculturally-designated areas for agriculture use and by directing urban development away from valuable agricultural lands to cities, unincorporated communities, hamlets, and planned community areas where public facilities and infrastructure are available; *LU-5.1 Industrial Developments* wherein the County shall encourage a wide range of industrial development activities in appropriate locations to promote economic development, employment opportunities, and provide a sound tax base; and *LU-7.15 Energy Conservation* wherein the County shall encourage the use of solar power and energy conservation building techniques in all new development.

a) and b) **No Impact:** The Project is located in an agricultural area in southwestern Tulare County, approximately six miles southeast of the City of Tulare and four miles north of the unincorporated community of Woodville. The Project will not physically divide any established community or 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. Therefore, the Project would result in no impact to these resources.

⁷⁴ Tulare County General Plan 2030 Update Background Report. Page 3-53.

12.		MINERAL RESOURCES				
Would the project:			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
	a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b)	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Analysis:

Environmental Setting

Per the Tulare County General Plan Background Report, Tulare County is divided into two major physiographic and geologic provinces: the Sierra Nevada Mountains and the Central Valley. The Sierra Nevada Physiographic Province, in the eastern portion of the Tulare County, is underlain by metamorphic and igneous rock. It consists mainly of homogeneous granitic rocks, with several islands of older metamorphic rock. The central and western parts of the County are part of the Central Valley Province, underlain by marine and non-marine sedimentary rocks. It is basically a flat, alluvial plain, with soil consisting of material deposited by the uplifting of the mountains.

Economically, the most important minerals that are extracted in Tulare County are sand, gravel, crushed rock, and natural gas. Other minerals that could be mined commercially include tungsten, which has been mined to some extent, and relatively small amounts of chromite, copper, gold, lead, manganese, silver, zinc, barite, feldspar, limestone, and silica. Minerals that are present but do not exist in the quantities desired for commercial mining include antimony, asbestos, graphite, iron, molybdenum, nickel, radioactive minerals, phosphate, construction rock, and sulfur.

Aggregate resources are the most valuable mineral resource in Tulare County because it is a major component of the Portland cement concrete (PCC) and asphaltic concrete (AC). PCC and AC are essential to constructing roads, buildings, and providing for other infrastructure needs. There are four streams that have provided the main source of high quality sand and gravel in Tulare County: Kaweah River, Lewis Creek, Deer Creek and the Tule River. The highest quality deposits are located at the Kaweah and Tule Rivers. Lewis Creek deposits are considerably inferior to those of the other two rivers.

Regulatory Setting

Federal

There are no federal or local regulations pertaining to mineral resources relevant to the proposed project.

State

California Surface Mining and Reclamation Act of 1975

Enacted by the State Legislature in 1975, the Surface Mining and Reclamation Act (SMARA), Public Resources Code Section 2710 et seq., insures a continuing supply of mineral resources for the State. The act also creates surface mining and reclamation policy to assure that:

- Production and conservation of minerals is encouraged;
- Environmental effects are prevented or minimized;
- Consideration is given to recreational activities, watersheds, wildlife, range and forage, and aesthetic enjoyment;
- Mined lands are reclaimed to a useable condition once mining is completed; and
- Hazards to public safety both now and in the future are eliminated.

Areas in the State (city or county) that do not have their own regulations for mining and reclamation activities rely on the Department of Conservation, Division of Mines and Geology, Office of Mine Reclamation to enforce this law. SMARA contains provisions for the inventory of mineral lands in the State of California. The State Geologist, in accordance with the State Board's Guidelines for Classification and Designation of Mineral Lands, must classify Mineral Resource Zones (MRZ) as designated below:

- MRZ-1. Areas where available geologic information indicates that there is minimal likelihood of significant resources.
- MRZ-2. Areas underlain by mineral deposits where geologic data indicate that significant mineral deposits are located or likely to be located.
- MRZ-3. Areas where mineral deposits are found but the significance of the deposits cannot be evaluated without further exploration.
- MRZ-4. Areas where there is not enough information to assess the zone. These are areas that have unknown mineral resource significance.

SMARA only covers mining activities that impact or disturb the surface of the land. Deep mining (tunnel) or petroleum and gas production is not covered by SMARA.

Local

Tulare County General Plan 2030 Update

The Tulare County General Plan 2030 Update: Chapter 8 – Environmental Resources Management contains the following goals and policies that relate to mineral resources and which have potential relevance to the Project's California Environmental Quality Act (CEQA) review: *ERM-2.1 Conserve Mineral Deposits* wherein the County will encourage the conservation of identified and/or potential mineral deposits, recognizing the need for identifying, permitting, and maintaining a 50 year supply of locally available PCC grade aggregate; and *ERM-4.6 Renewable Energy* wherein the County shall support efforts, when appropriately sited, for the development and use of alternative energy resources, including renewable energy such as wind, solar, bio-fuels and co-generation.

- a) **No Impact:** Mineral resources located within Tulare County are predominately sand and gravel resources primarily provided by four streams: Kaweah River, Lewis Creek, Deer Creek, and the Tule River. The Tule river is the nearest of these four streams to the proposed Project site and is located approximately 10 miles to the southeast. Due to the distance from these streams, the Project will not result in the loss of an available known mineral resource. The Tulare County General Plan Update (see Figure 8.1 Mineral Resource Zone in the General Plan) indicates the locations of State-designated Mineral Resource Zones. According to the map, the Project site is not located in or within 10 miles of a Mineral Resource Zone. The California Department of Conservation indicates that the nearest, active mining operation (Deer Creek Ranch, mining sand and gravel) is located approximately 13 miles southeast of the Project site.⁷⁵ As such, the Project would not 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.
- b) **No Impact:** The proposed Project site is not delineated on a local land use plan as a locally important mineral resource recovery site. Therefore, the Project would not 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.

13. NOISE					
		Would the project result in:			
Would the project:		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

⁷⁵ State of California Department Of Conservation Division of Mine Reclamation, Maps: Mines and Mineral Resources accessed May 2019 at: <https://maps.conservation.ca.gov/mol/index.html>.

	b)	Generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	c)	For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Analysis:

Environmental Setting

The proposed Project site is designated and has historically been used for agricultural uses. The proposed solar energy generation facility site is currently and has historically been used for rotating row crops, such as wheat, alfalfa and barley. The site is surrounded by rural residences, agricultural land, fallow fields, and agricultural outbuildings. Typically sensitive receptors on noise-sensitive lands include residences, hospitals, places of worship, libraries and schools, nature and wildlife preserves, and parks. Noise sensitive land uses located in the proposed Project vicinity are rural residences that are located within 100-feet of the Project site.

Within the Tulare County General Plan Background Report, existing noise levels were recorded within unincorporated areas of County. Noise level data collected during continuous monitoring included the hourly Leq and Lmax and the statistical distribution of noise levels over each hour of the sample period. The community noise survey results indicate that typical noise levels in noise-sensitive areas of the unincorporated areas of Tulare County are in the range of 29-65 dB Ldn. As would be anticipated, the quietest areas are those that are removed from major transportation-related noise sources and industrial or stationary noise sources.⁷⁶

Noise levels around the Project site are associated with farm equipment and associated agricultural activities. Maximum noise levels generated by farm-related tractors typically range from 77 to 85 dB at a distance of 50 feet from the tractor, depending on the horsepower of the tractor and the operating conditions. Due to the seasonal nature of the agricultural industry, there are often extended periods of time when no noise is generated at the proposed Project site, followed by short-term periods of intensive mechanical equipment usage and corresponding noise generation. During periods without noise generated by agricultural production, noise levels would be typical of other noise-sensitive areas in unincorporated Tulare County, as discussed above.

The Tulare County General Plan Background Report Safety section and the Tulare County General Plan 2030 Update serve as the primary policy statement by the County for implementing policies to maintain and improve the noise environment in Tulare County. The General Plan presents Goals and Objectives relative to planning for the noise environment within the County. Future noise/land use incompatibilities can be avoided or reduced with implementation of the Tulare County noise criteria and standards. Tulare County realizes that it may not always be possible to avoid constructing noise sensitive developments in existing noisy areas and therefore provides noise reduction strategies to be implemented in situations with potential noise/land use conflicts.⁷⁷

Regulatory Setting

Federal

Federal Vibration Policies

The Federal Railway Administration (FRA) and the Federal Transit Administration (FTA) have published guidance relative to vibration impacts. According to the FRA, fragile buildings can be exposed to ground-borne vibration levels of 0.5 PPV without experiencing structural damage. The FTA has identified the human annoyance response to vibration levels as 80 RMS (Root Mean Square = The square root of the arithmetic average of the squared amplitude of the signal).⁷⁸

⁷⁶ County of Tulare General Plan 2030 Background Report. Page 8-77.

⁷⁷ Ibid.

⁷⁸ U.S. Department of Transportation, "The Noise and Vibration Impact Assessment Manual". September 2018. FTA Report No. 0123 Federal Transit Administration Page 113. https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf

State

The California Noise Control Act was enacted in 1973 (Health and Safety Code § 46010 et seq.), and states that the Office of Noise Control (ONC) should provide assistance to local communities in developing local noise control programs. It also indicates that ONC staff will work with the OPR to provide guidance for the preparation of the required noise elements in city and county General Plans, pursuant to Government Code § 65302(f). California Government Code § 65302(f) requires city and county general plans to include a noise element. The purpose of a noise element is to guide future development to enhance future land use compatibility.

Local

Analytical noise modeling techniques, in conjunction with actual field noise level measurements, were used to develop generalized Ldn or Community Noise Equivalent Level (CNEL) contours for traffic noise sources within Tulare County for existing conditions. Traffic data representing annual average daily traffic volumes, truck mix, and the day/night distribution of traffic for existing conditions (1986) and future were obtained from the Tulare County Public Works Department and used in the Tulare County Noise Element. The Tulare County General Plan 2030 Update Health & Safety Element (2012) includes noise and land use compatibility standards for various land uses. These are shown in **Table NOI-1 Land Use Compatibility for Community Noise Environments**⁷⁹:

Table NOI-1

Land Use Category		Community Noise Exposure-L _{dn} or CNEL (dB)						
		50	55	60	65	70	75	80
Residential - Low Density Single Family, Duplex, Mobile Homes								
Residential - Multi-Family								
Transient Lodging - Motels, Hotels								
Schools, Libraries, Churches, Hospitals, Nursing Homes								
Auditoriums, Concerts Halls, Amphitheaters								
Sports Arenas, Outdoor Spectator Sports								
Playgrounds, Neighborhood Parks								
Golf Courses, Riding Stables, Water Recreation, Cemeteries								
Office Buildings, Business Commercial and Professional								
Industrial, Manufacturing, Utilities, Agriculture								
	Normally Acceptable	Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.						
	Conditionally Acceptable	New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features are included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.						
	Normally Unacceptable	New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.						
	Clearly Unacceptable	New construction or development generally should not be undertaken.						

[Source: Figure Noise-1, State Land Use Compatibility Standards for Community Noise Environment: California Governor's Office of Planning and Research, October 2003]

Tulare County General Plan 2030 Update

The Tulare County General Plan 2030 Update: Chapter 10 – Health and Safety contains the following goals and policies that relate to noise and which have potential relevance to the Project's California Environmental Quality Act (CEQA) review: *HS-8.4 Airport Noise Contours* wherein the County shall ensure new noise sensitive land uses are located outside the 60 CNEL contours of all public use airports; *HS-8.6 Noise Level Criteria* wherein the County shall ensure noise level criteria applied to land uses other than residential or other noise-sensitive uses are consistent with the recommendations of the California Office of Noise Control (CONC); *HS-8.8 Adjacent Uses* wherein the County shall not permit development of new industrial, commercial, or other noise-generating land uses if resulting noise levels will exceed 60 dB Ldn (or CNEL) at the boundary of areas designated and zoned for residential or other noise-sensitive uses, unless it is determined to be necessary to promote the public health, safety and welfare of the County; *HS-8.11 Peak Noise Generators* wherein the County shall limit noise generating activities, such as construction, to hours of normal

⁷⁹ Tulare County General Plan 2030 Update. Goals and Policies Report. Page 10-25.

business operation (7 a.m. to 7 p.m.). No peak noise generating activities shall be allowed to occur outside of normal business hours without County approval; *HS-8.18 Construction Noise* wherein the County shall seek to limit the potential noise impacts of construction activities by limiting construction activities to the hours of 7 a.m. to 7 p.m., Monday through Saturday when construction activities are located near sensitive receptors. No construction shall occur on Sundays or national holidays without a permit from the County to minimize noise impacts associated with development near sensitive receptors; *HS-8.19 Construction Noise Control* wherein the County shall ensure that construction contractors implement best practices guidelines (i.e. berms, screens, etc.) as appropriate and feasible to reduce construction-related noise-impacts on surrounding land uses.

- a) **Less Than Significant Impact With Mitigation:** The proposed Project site is zoned for agricultural purposes and is dominated by crop production, dairy uses, agricultural-use outbuildings, and scattered rural residences. The Tulare County General Plan Background Report indicates that typical noise levels in noise-sensitive areas of the unincorporated areas of Tulare County are in the range of 29-65 dB Ldn. The proposed Project will increase ambient noise levels, temporarily, intermittently, and on the short-term, during construction-related activities; however, the increase in noise levels will not be permanent in nature or exceed Tulare County's Maximum Acceptable Ambient Noise Exposure for Various Land Uses. The ambient noise environment in the proposed Project vicinity is dominated by agricultural-related uses, including tractor-intensive work. The magnitude and frequency of the existing ambient noise levels may vary considerably over the course of the day and throughout the week. The variation is caused by different reasons, for example, changing weather conditions, the effects of rotation of agricultural crops, and other human activities.

Project Operational Noise Impacts: The Project will largely be self-sufficient upon completion of construction, with only periodic monitoring and maintenance activities required. Once placed in service, the Project will be operated remotely. Project employees will frequent the site for maintenance and panel washing resulting in approximately 264 total trips per year. This estimate includes up to eight (8) trips per day during the 20 total days of panel washing activities per year and approximately five (5) trips per week to address security or maintenance issues, an estimated average of 0.72 trip per day over a typical year. Except for biannual panel washing activities, emergency repair events, and occasional security checks, the facility would not require any full-time employees located on or traveling to the site.

Noise from electrical equipment, such as transformers, is characterized as a discrete low frequency hum. The noise from transformers is produced by alternating current flux in the core that causes it to vibrate. As the pad mounted transformers are housed in metal cabinets and are located a minimum of 200 feet to the interior of the Project, the noise levels produced are anticipated to be at or below existing ambient noise levels that the Project site undergoes during current agricultural activities (which include the use of a tractor for the grading of the site at least four times a year).

The County of Tulare's General Plan 2030 Update Health and Safety Element (2012) sets the standard noise threshold of 60 dB Ldn at the exterior of nearby residences. Exterior noise levels in the range of 45-60 dB Ldn or Community Noise Equivalent Level (CNEL) or below are generally considered acceptable for residential land uses and 45-75 dB Ldn (or CNEL) or below are considered acceptable for industrial, manufacturing utilities, and agriculture land uses. There are rural residences and agricultural outbuildings that surround the Project site. The distance to the existing sensitive receptors from the edge of the Project's solar arrays are approximately 100 feet to the west and 110 feet to the north.

The Project will employ passive solar power generation through the use of fix-mounted or single axis tracking arrays. Should tracking arrays be used they will be powered by drive motors to track the east/west path of the sun on a single axis throughout the day. Noise from each tracker motor ranges from 62 dBA to 63 dBA at one meter distance. Due to the dispersed layout of tracker motors, their distance from sensitive receptors, and the intermittent noise generating activity, the noise associated with the tracking arrays is not anticipated to exceed the existing ambient noise levels of the Project site. Therefore, there will be no long term effects on existing ambient noise levels from the operation of the proposed Project.

As discussed earlier, operational noise is anticipated to be below Tulare County General Plan noise standards of 60 dB Ldn (or CNEL) or less at the exterior of nearby residences and 45 dB Ldn (or CNEL) or less within interior living spaces. The impact will be less than significant.

Project Construction Noise Impacts: Project construction will include site preparation, grading, installation of the solar panels, construction of a new transmission line to the SCE Bliss substation along Road 164, and site cleanup work is expected to last for approximately nine (9) months. Construction-related short-term, intermittent, temporary noise levels will be higher than existing ambient noise levels in the Project area today, but will no longer occur after construction is completed.

Solar generation facility construction is performed in discrete steps, each of which has its own mix of equipment and, consequently, its own noise-generating characteristics. These various sequential phases will change the character of the noise generated on the Project site. Therefore, the noise levels vary as construction progresses. Despite the variety in the type and size of construction equipment, there are similarities in the dominant noise sources and their anticipated noise levels. **Table NOI-2** indicates the anticipated noise levels of the typical construction-related equipment (i.e., graders, trenchers, tractors) based on a distance of 50-feet between the equipment and the sensitive noise receptor. Installation of solar panel arrays will involve the installation of steel beams using percussive or vibration equipment in a manner similar to installing freeway guardrails. The solar panel installation will include earthwork, grading, and erosion control, and erection of the panels, supports, and associated electrical equipment.

Table NOI-2 Construction Equipment Noise Levels⁸⁰	
Equipment	Typical Noise Level (dBA) 50 ft from Source
Air Compressor	80
Backhoe	80
Ballast Equalizer	82
Ballast Tamper	83
Compactor	82
Concrete Mixer	85
Concrete Pump	82
Concrete Vibrator	76
Crane, Derrick	88
Crane, Mobile	83
Dozer	85
Generator	82
Grader	85
Impact Wrench	85
Jack Hammer	88
Loader	85
Paver	85
Pile-driver (Impact)	101
Pile-driver (Sonic)	95
Pneumatic Tool	85
Pump	77
Rail Saw	90
Rock Drill	95
Roller	85
Saw	76
Scarifier	83
Scraper	85
Shovel	82
Spike Driver	77
Tie Cutter	84
Tie Handler	80
Tie Inserter	85
Truck	84

Installation of solar panel arrays will involve the installation of steel beams using percussive or vibration equipment in a manner similar to installing freeway guardrails. The solar panel installation will include noise generated as a result of construction-related activities such as earthwork, grading, trenching, erosion control, erection of the panels, supports, and associated electrical equipment. Construction of the new transmission line to the SCE Bliss substation will require the use of drill rigs, cranes, bucket trucks, etc.

The General Plan 2030 Update Health and Safety Element (2012) does not identify short-term, construction-noise-level thresholds. It limits noise generating activities (such as construction) to hours of normal business operation unless specific County approval is given. Construction-related activities will be restricted to daytime hours and will be short-term and temporary in nature.

⁸⁰ U.S. Department of Transportation, "The Noise and Vibration Impact Assessment Manual". September 2018. FTA Report No. 0123 Federal Transit Administration Page 175. https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf

Construction noise will be similar in character to existing noise in the area resulting from agricultural operations. Construction will occur throughout the Project site, will not be concentrated or confined in the area directly adjacent to sensitive receptors and will result in short-term, temporary periodic increases in noise. Normally, construction-related activities occur in small construction zones with noise emanating from the various points in the area. In several instances, the sensitive receptors located in the Project area are shielded from the construction areas by distance, existing roadways, agricultural vegetation, and agricultural-related structures.

Construction-related activities will adhere to the Tulare County General Plan goals and policies, the Tulare County Zoning Ordinance, and **Mitigation Measures NOI-1** through **NOI-5**. As there will be no long-term, on-going, operational noise (outside of equipment used to spray wash the panels and during maintenance activities (as needed), **Mitigation Measures NOI-1** through **NOI-5**, would reduce the short-term, intermittent, and temporary (approximately nine months) noise from construction-related activities. Therefore, implementation of **Mitigation Measures NOI-1** through **NOI-5** would reduce the impacts from construction-related activities noise to a less than significant impact with mitigation.

Mitigation Measure NOI-1: Internal combustion engines shall be equipped with a muffler of a type recommended by the manufacturer.

Mitigation Measure NOI-2: Construction activities, excluding activities required to occur without interruption or activities that would pose a significant safety risk to workers or citizens, shall be limited to between the daytime hours of 7:00 a.m. and 7:00 p.m.

Mitigation Measure NOI-3: Portable/stationary equipment (e.g., generators, compressors) shall be located at the furthest distance from the nearest residential dwelling.

Mitigation Measure NOI-4: As directed by the County resident engineer, the contractor shall implement appropriate additional noise abatement measures including, but not limited to, siting the location of stationary construction equipment away from sensitive noise receptors to the greatest extent feasible, turning off idling equipment after no more than five minutes of inactivity, and rescheduling construction activity to avoid noise-sensitive days or times.

Mitigation Measure NOI-5: Use alternative pile installation techniques (e.g., drilled piles) to the extent possible.

- b) Less Than Significant Impact:** “Vibration is an oscillatory motion that can be described in terms of the displacement, velocity, or acceleration. Because the motion is oscillatory, there is no net movement of the vibration element and the average of any of the motion metrics is zero. Displacement is the most intuitive metric. For a vibrating floor, the displacement is simply the distance that a point on the floor moves away from its static position. The velocity represents the instantaneous speed of the floor movement and acceleration is the rate of change of the speed. Although displacement is easier to understand than velocity or acceleration, it is rarely used for describing ground-borne vibration. Most transducers used for measuring ground-borne vibration use either velocity or acceleration. Furthermore, the response of humans, buildings, and equipment to vibration is more accurately described using velocity or acceleration.”⁸¹

“The effects of ground-borne vibration can include perceptible movement of floors in buildings, rattling of windows, shaking of items on shelves or hanging on walls, and low-frequency noise (ground-borne noise). Building damage is not a factor for typical transportation projects, but in extreme cases, such as during blasting or pile-driving during construction, vibration could cause damage to buildings. Although the perceptibility threshold is approximately 65 VdB, human response to vibration is not usually substantial unless the vibration exceeds 70 VdB. A vibration level that causes annoyance is well below the damage risk threshold for typical buildings (100 VdB).”⁸² “Ground-borne vibration is almost never a problem outdoors. Although the motion of the ground may be perceived, without the effects associated with the shaking of a building, the motion does not provoke the same adverse human reaction.”⁸³ **Table NOI-3** presents the human response to different levels of ground-borne vibration and noise. “The vibration level (VdB) is presented with the corresponding frequency assuming that the vibration spectrum peaks at 30 Hz or 60 Hz.(xi) The groundborne noise levels (dBA) are estimated for the specified vibration velocity with a peak vibration spectrum of 30 Hz (Low Freq) and 60 Hz (Mid Freq). Note that the human response differs for vibration velocity level based on

⁸¹ U.S. Department of Transportation, Federal Transit Administration, Transit Noise & Vibration Impact Assessment, September 2018. Page 108.

⁸² Ibid. 118

⁸³ Op. Cit.

frequency. For example, the noise caused by vibrating structural components may cause annoyance even though the vibration cannot be felt. Alternatively, a low frequency vibration can cause annoyance while the ground-borne noise level it generates does not.”⁸⁴

Table NOI-3 Human Response to Different levels of Ground-Bourne Vibration and Noise ⁸⁵			
Vibration Velocity Level	Noise Level		Human Response
	Low Freq*	Mid Freq**	
65 VdB	25 dBA	40dBA	Approximate threshold of perception for many humans. Low frequency sound: usually inaudible. Mid-frequency sound: excessive for quiet sleeping areas.
75 VdB	35 dBA	50dBA	Approximate dividing line between barely perceptible and distinctly perceptible. Many people find transit vibration at this level annoying. Low-frequency noise: tolerable for sleeping areas. Mid-frequency noise: excessive in most quiet occupied
85 VdB	45 dBA	60dBA	Vibration tolerable only if there are an infrequent number of events per day. Low-frequency noise: excessive for sleeping areas. Mid-frequency noise: excessive even for infrequent events for some activities.
*Approximate noise level when vibration spectrum peak is near 30 Hz.			
**Approximate noise level when vibration spectrum peak is near 60 Hz.			

Table NOI-4 presents average source levels in terms of velocity for various types of construction equipment measured under a wide variety of construction activities.

Table NOI-4 Vibration Source Levels for Construction Equipment ⁸⁶			
Equipment		PPV at 25 ft. in/sec	Approximate Lv * at 25 ft
Pile Driver (impact)	upper range	1.518	112
	typical	0.544	104
Pile Driver (sonic)	upper range	0.734	105
	typical	0.17	93
Clam shovel drop (slurry wall)		0.202	94
Hydromill (slurry wall)	in soil	0.008	66
	in rock	0.017	75
Vibratory Roller		0.21	94
Hoe Ram		0.089	87
Large bulldozer		0.089	87
Caisson drilling		0.089	87
Loaded trucks		0.076	86
Jackhammer		0.035	79
Small bulldozer		0.003	58
*RMS velocity in decibels, VDB re 1 micro-in/sec			

Typical outdoor sources of perceptible ground borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. Construction vibrations can be transient, random, or continuous. The approximate threshold of vibration perception is 65 VdB, while 85 VdB is the vibration acceptable only if there are an infrequent number of events per day.

Construction Related Vibration Impacts: The use of impact post driving or drilling will be utilized to install the solar arrays and drilling and cranes for construction of the new transmission line. While these construction-related activities will result in minor amounts of groundbourne vibration, such groundbourne noise or vibration will attenuate rapidly from the source and will not be generally perceptible outside of the construction areas. As such, impacts to the neighboring sensitive receptors will be less than significant.

⁸⁴ Op. Cit. 119.

⁸⁵ Op. Cit. 120.

⁸⁶ Op. Cit. 184.

Project Operational Vibration Impacts: As described in Impact 13 a), the Project's operations and maintenance will result in minimal maintenance activities. Other than the minimal traffic trips related to maintenance, there will be no vibrational impacts from Project operation. Therefore, the exposure of persons to or generation of excessive groundborne vibration.

Therefore, the Project would result in a less than significant impact and would not generate excessive groundbourne vibration or groundbourne noise.

- c) **No Impact:** The nearest public airport or public use or airport, Mefford Field Airport (in the City of Tulare) is located approximately six miles. Therefore, the Project site is located outside of the 55 dB CNEL noise contour. The proposed Project is not within an airport land use plan or within two miles of a public airport or public use airport. The proposed Project will not conflict with Tulare County Airport Land Use Plan policy. The project would not expose people residing or working in the project area to excessive noise levels. Therefore, there will be no impact.

14. POPULATION AND HOUSING

Would the project:			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Analysis:

Environmental Setting

The California Department of Finance (DOF) provides population estimates for Tulare County. According to DOF population estimates, between 2010 and 2018, Tulare County grew from 442,179 to 475,834⁸⁷ persons; an increase of 33,655 persons. Between 2010 and 2018, the County experienced an average yearly population growth of 0.84 percent, for a total (Year 2018) population of 475,837.

The annual growth rate for the entire County is anticipated to increase from 1.9 percent to 2.4 percent through 2030. While the percentage of the County's population living in incorporated cities is anticipated to increase by 2030, the percentage of persons living in unincorporated areas in the County will decrease by 2030. The Tulare County Association of Governments (TCAG) projects an additional 313,970 people to be living in Tulare County by 2030 for a total projected population of approximately 742,970.⁸⁸

Regulatory Setting

Federal

U.S. Department of Housing and Urban Development (HUD)

"HUD's mission is to create strong, sustainable, inclusive communities and quality affordable homes for all. HUD is working to strengthen the housing market to bolster the economy and protect consumers; meet the need for quality affordable rental homes; utilize housing as a platform for improving quality of life; build inclusive and sustainable communities free from discrimination;

⁸⁷ State of California, Department of Finance. E-4 Population Estimates for City, Counties, and the State, 2018-2018. Sacramento, California. November 2012 Accessed in May 2019 at: <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-4/2010-18/>

⁸⁸ Tulare County General Plan 2030 Update. General Plan Background Report. Table 2-16. Page 2-31.

and transform the way HUD does business.”⁸⁹ However, as the Project does not propose any housing, HUD or other federal regulations do not apply to this Project.

State

California Department of Housing and Community Development (HCD)

HCD’s mission is to “Promote safe, affordable homes and strong vibrant communities throughout California.”⁹⁰ “In 1977, the State Department of Housing and Community Development (HCD) adopted regulations under the California Administrative Code, known as the Housing Element Guidelines, which are to be followed by local governments in the preparation of local housing elements. AB 2853, enacted in 1980, further codified housing element requirements. Since that time, new amendments to State Housing Law have been enacted. Each of these amendments has been considered during development of this Housing Element.”⁹¹

California Relocation Assistance Act

The State of California adopted the California Relocation Assistance Act (California Government Code §7260 et seq.) in 1970. This State law, which follows the federal Uniform Relocation Assistance and Real Property Acquisition Act, requires public agencies to provide procedural protections and benefits when they displace businesses, homeowners, and tenants in the process of implementing public programs and projects. This State law calls for fair, uniform, and equitable treatment of all affected persons through the provision of relocation benefits and assistance to minimize the hardship of displacement on the affected persons.

Local

Tulare County Regional Housing Needs Assessment Plan 2014-2023

The Tulare County Association of Governments (TCAG) was responsible for allocating the State’s projections to each local jurisdiction within Tulare County including the County unincorporated area, which is reflected in this Housing Element. Tulare County has no control over the countywide population and housing projections provided to TCAG when it prepared the Regional Housing Needs Assessment Plan.

Tulare County Regional Blueprint 2009

This Blueprint includes the following preferred growth scenario principals:⁹²

- Increase densities county-wide by 25% over the status quo densities;
- Establish light rail between cities;
- Extend Highway 65 north to Fresno County;
- Expand transit throughout the county;
- Maintain urban separators around cities; and
- Growth will be directed toward incorporated cities and communities where urban development exists and where comprehensive services and infrastructure are or will be provided.

Tulare County Housing Authority

“The Housing Authority of the County of Tulare (HATC) has been officially designated as the local public housing agency for the County of Tulare by the Board of Supervisors and was created pursuant to federal and state laws. ...HATC is a unique hybrid: a public sector agency with private sector business practices. Their major source of income is the rents from residents. The HATC mission is "to provide affordable, well-maintained rental housing to qualified low- and very low-income families. Priority shall be given to working families, seniors and the disabled. Tenant self sufficiency and responsibility shall be encouraged. Programs shall be self-supporting to the maximum extent feasible.”⁹³

⁸⁹ U.S. Department of Housing and Urban Development, Mission, <https://www.hud.gov/about/mission>. Accessed May 2019.

⁹⁰ California Department of Housing and Community Development, Mission, <http://www.hcd.ca.gov/about/mission.shtml>. Accessed May 2019.

⁹¹ Tulare County Housing Element 2015 Update. Page 1-3.

⁹² TCAG. Tulare County Regional Blueprint. May 2009. Page 18. <http://www.tularecog.org/RTPSCS/TulareCountyBluePrint.pdf> . Accessed May 2019.

⁹³ Tulare County Housing Element 2015 Update. Page 5-12. <http://generalplan.co.tulare.ca.us/documents/GP/001Adopted%20Tulare%20County%20General%20Plan%20Materials/110Part%20I%20Voluntary%20Elements%20Chapters%206.%2012%20and%2015/001CHP%206%20Tulare%20County%20Housing%20Element%20Update%202015/CHP%206%20TULARE%20COUNTY%20HOUSING%20ELEMENT%20UPDATE%202015.pdf>

“HATC provides rental assistance to very low and moderate-income families, seniors and the handicapped throughout the county. HATC offers many different programs, including the conventional public housing program, the housing choice voucher program (Section 8), the farm labor program for families with farm labor income, senior housing programs, and other programs. They also own or manage some individual subsidized rental complexes that do not fall under the previous categories, and can provide information about other affordable housing that is available in Tulare County. All programs are handicap accessible. Almost all of the complexes have 55-year recorded affordability covenants.”⁹⁴

Tulare County General Plan/Housing Element Policies

As this is a renewable energy project (i.e., no housing units are proposed), there are no policies from the Tulare County General Plan/Housing Element that would apply to this Project.

- a) **No Impact:** The proposed Project is the construction and operation of a new solar energy generation facility and construction of a new transmission line to the SCE Bliss substation along Road 164. Total Project construction will take approximately nine continuous months and will require approximately 80 temporary construction workers during its peak. Construction workers may be drawn from the local and regional area. No employees will be stationed at the site. Workers will only visit the site for occasional cleaning, maintenance, and repair. The proposed Project will not induce population growth. There will be **no impact**. 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)
- b) **No Impact:** The proposed Project is the construction and operation of a new solar energy generation facility and construction of a new transmission line to the SCE Bliss substation along Road 164. Total Project construction will take approximately nine continuous months and will require approximately 76 temporary construction workers (assuming two persons per the estimated 153 construction vehicles per day) during its peak. The site would be monitored remotely and will not require any permanent, on-site employees. The workers are anticipated to be drawn from the nearby, local labor and regional workforce. As such, the Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

15. PUBLIC SERVICES

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:		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a)	Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Analysis:

Environmental Setting

The Tulare County Sheriff Porterville Patrol Sub-station is the nearest law enforcement agency resource to the Project site and is located approximately 11 miles southeast of the proposed site.

Tulare County Fire Department has 28 stations that are situated throughout the County within its most densely populated areas. Tulare County Fire Department Station 25 (located in the City of Tulare) is the nearest station with a distance of approximately six miles northwest of the proposed Project site.

⁹⁴ Ibid.

There are no elementary (grades K-8) or high schools (grades 9-12) located at or near the Project site. The nearest elementary (Woodville Elementary School) is located in Woodville (approximately 4.25 miles south of the Project site), while the nearest high school (Mission Oak High School) is approximately 5.75 miles northwest of the Project site in the City of Tulare.

Woodville County Park, in the unincorporated community of Woodville, is approximately four miles south of the site. The nearest operational landfill is Teapot Dome Landfill, approximately 11 miles southeast of the proposed Project site. When it becomes operational in 2020 (estimated), the Woodville Landfill is located approximately one mile west of the Project site.

Regulatory Setting

Federal

None that are applicable to this Project.

State

California Fire Code and Building Code

The purpose of the California Fire Code (Title 24, Part 9 of the California Code of Regulations) is to establish the minimum requirements consistent with nationally recognized good practices to safeguard the public health, safety and general welfare from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to provide safety and assistance to fire fighters and emergency responders during emergency operations.⁹⁵

Local

Tulare County General Plan 2030 Update

The following Tulare County General Plan 2030 Update, Chapter 14 – Public Facilities and Services, contains the following policies that relate to public services and may apply to this Project: *PFS-7.2 Fire Protection Standards* wherein the County shall require all new development to be adequately served by water supplies, storage, and conveyance facilities supplying adequate volume, pressure, and capacity for fire protection; *PFS-7.5 Fire Staffing and Response Time Standards* wherein the County shall strive to maintain fire department staffing and response time goals consistent with National Fire Protection Association (NFPA) standards; *PFS-7.6 Provision of Station Facilities and Equipment* wherein the County shall strive to provide sheriff and fire station facilities, equipment (engines and other apparatus), and staffing necessary to maintain the County's service goals. The County shall continue to cooperate with mutual aid providers to provide coverage throughout the County; *PFS-7.12 Design Features for Crime Prevention and Reduction* wherein the County shall promote the use of building and site design features as means for crime prevention and reduction; and *PFS-7.9 Sheriff Response Time* wherein the County shall work with the Sheriff's Department to achieve and maintain a response time of:

1. Less than 10 minutes for 90 percent of the calls in the valley region; and
2. 15 minutes for 75 percent of the calls in the foothill and mountain regions.

The proposed Project will not rely on the addition or alteration of any public services. The subject site is within the southwestern portion of Tulare County and will utilize existing services provided by Tulare County. There will be a less than significant impact.

- a) **Fire Protection – Less Than Significant Impact:** The County of Tulare will continue to provide fire protection services to the proposed Project site upon development. No residential or office construction is identified with this Project. Vegetation that could present a fire hazard will be removed from the Project site. Additionally, gravel will likely be placed around high voltage equipment to prevent the spread of fire in the unlikely event of an explosion. As a result of these project design features, impacts to fire protection services will be less than significant.
- b) **Police Protection - Less than Significant:** The County of Tulare will continue to provide police protection services to the Project site upon development. Emergency response is adequate to the Project site. As discussed in Item 14 a), no residential or office construction is proposed for this Project. Lighting will be installed along the Project perimeter, eight (8)-foot tall

⁹⁵ 2016 California Fire Code (Title 24, Part 9 of the California Code of Regulations). Page 3. Accessed May 2019.
<https://www.citymb.info/Home/ShowDocument?id=28089>

fencing with security wire, lighting on motion sensors, and remotely viewed monitoring will be present across the facilities to lessen any potential impacts from theft and vandalism. As a result of these measures, any impact to police services will be less than significant.

- c) **Schools – No Impact:** The nearest school, Woodville Elementary School, is located approximately four miles south of the proposed Project site in the unincorporated community of Woodville. However, as discussed in Item 14 a), the Project will not include construction of any residential structures which could result in increases of school-aged children, nor change the existing land use. The Project will not result in an increase of population that will require additional school facilities because no employees will be assigned to on-site occupancy. There will be no impact.
- d) **Parks – No Impact:** Woodville County Park is the nearest park and is located approximately four miles south of the proposed Project site. As the proposed Project will not induce population growth, the Project will not create a need for additional park or recreational services. No employees will be assigned to on-site occupancy at the Project site. There will be no impact.
- e) **Other public facilities – No Impact:** There are no other public services (such as wastewater treatment facilities/systems) near the Project site. The nearest public use utility is the Southern California Edison (SCE) Bliss 66-kV substation located approximately 0.5 miles north of the Project site. SCE limits the amount of direct line taps into transmission lines and requires most projects to connect to a SCE substation or to build a new SCE substation. As the proposed Project is located directly south of the existing Bliss 66-kV substation it will have minimal impacts in order for it to be connected to the substation via a new transmission line along a utility easement on the east side of Road 164. The proposed Project will connect to the Bliss substation and augment the power flow to the SCE Electric Transmission System. As a result of the Project's location, any impact to the electrical transmission systems will be less than significant.

16. RECREATION

Would the project:			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Analysis:

Environmental Setting

"Tulare County contains several county, state, and federal parks. Aside from parks in the county, there are many open space areas as well. This section will highlight these various parks and open space areas and identify recreational opportunities within them."⁹⁶ Two new parks were completed and became operational in the unincorporated communities of Plainview (Plainview Community Park) in 2016 and Earlimart (Earlimart Community Park) in 2017. In addition to the 15 parks and recreation facilities that are owned and operated by Tulare County, there are State Parks and Forests, National Parks and National Forests, trails, and recreational areas. Woodville County Park (a 10-acre facility) is the nearest park to the Project site and located approximately four miles southeast of the proposed Project site. Lastly, each incorporated city in the County maintains and operates municipal park and recreation facilities which can also be accessed by the County's total population.

Federal

⁹⁶ Tulare County General Plan 2030 Update Background Report. February 2010. Page 4-1. Access <http://generalplan.co.tulare.ca.us/documents.html> then scroll to Recirculated Draft EIR, the click on "Appendix B-Background Report"

Lakes Kaweah and Success

“Lake Kaweah was formed after the construction of the Terminus Dam on the Kaweah River in 1962. The lake offers many recreational opportunities including fishing, camping, and boating. Lake Kaweah is located 20 miles east of Visalia on Highway 198 and was constructed by the U.S. Army Corps of Engineers for flood control and water conservation purposes. The lake has a maximum capacity to store 143,000 acre-feet of water. There are a total of 80 campsites at the lake’s Horse Creek Campground, which contains toilets, showers and a playground. Campfire programs are also available. Aside from camping, boat ramps are provided at the Lemon Hill and Kaweah Recreation Areas. Both Kaweah and Horse Creek provide picnic areas, barbecue grills and piped water. Swimming is allowed in designated areas. In addition, there is a one-mile hiking trail between Slick Rock and Cobble Knoll, which is ideal for bird watching.

Lake Success was formed by construction of the Success Dam on the Tule River in 1961. The lake offers many recreational activities including fishing, boating, waterskiing, and picnicking. The U.S. Army Corps of Engineers (USACOE) constructed this reservoir for both flood control and irrigation purposes. The lake has a capacity of 85,000 acre-feet of water. The lake is located eight miles east of Porterville in the Sierra Nevada foothills area. Recreational opportunities include ranger programs, camping at the Tule campground, which provides 104 sites, boating, fishing, picnic sites, playgrounds and a softball field. Seasonal hunting is also permitted in the 1,400-acre Wildlife Management Area.”⁹⁷

National Parks and National Forests

“Most of the recreational opportunities in the county are located in Sequoia National Forest, Giant Sequoia National Monument, and in Sequoia and Kings Canyon National Parks (SEKI). Although these parks span adjacent counties, they make a significant contribution to the recreational opportunities that Tulare County has to offer.”⁹⁸

Sequoia National Forest

“Sequoia National Forest takes its name from the Giant Sequoia, which is the world’s largest tree. There are more than 30 groves of sequoias in the lower slopes of the park. The park includes over 1,500 miles of maintained roads, 1,000 miles of abandoned roads and 850 miles of trails for hikers, off-highway vehicle users and horseback riders. The Pacific Crest Trail connecting Canada and Mexico, crosses a portion of the forest, 78 miles of the total 2,600 miles of the entire trail. It is estimated that 10 to 13 million people visit the forest each year.”⁹⁹

Giant Sequoia National Monument

“The Giant Sequoia National Monument was created in 2000 by President Clinton in an effort to preserve 34 groves of ancient sequoias located in the Sequoia National Forest. The Monument includes a total of 327,769 acres of federal land, and provides various recreational opportunities, including camping, picnicking, fishing, and whitewater rafting. According to the Giant Sequoia National Monument Management Plan EIS, the Monument includes a total of 21 family campgrounds with 502 campsites and seven group campgrounds. In addition, there are approximately 160 miles of system trails, including 12 miles of the Summit National Recreation Trail.”¹⁰⁰

Sequoia and Kings Canyon National Parks (SEKI)

“The U.S. Congress created the Kings Canyon National Park in 1940 and Sequoia National Park in 1890. Because they share many miles of common boundaries, they are managed as one park. The extreme large elevation ranges in the parks (from 1,500 to 14,491 feet above sea level), provide for a wide range of vegetative and wildlife habitats. This is witnessed from exploring Mt. Whitney, which rises to an elevation of 14,491 feet, and is the tallest mountain in the contiguous United States. During the summer months, park rangers lead walks through the parks, and tours of Crystal and Boyden Caves. During the winter, visitors explore the higher elevations of the parks via cross country skis or snowshoes, or hike the trails in the foothills. The SEKI also contains visitor lodges, the majority of which are open year round. According to the National Parks Conservation Association, a combined total of approximately 1.5 million people visit the two parks on an annual basis.”¹⁰¹

⁹⁷ Ibid. 4-7

⁹⁸ Op. Cit. 4-8.

⁹⁹ Op. Cit. 4-9.

¹⁰⁰ Op. Cit.

¹⁰¹ Op. Cit.

State

“The Mountain Home State Forest is a State Forest managed by the California Department of Forestry and Fire Protection (CDF). The Forest consists of 4,807 acres of parkland containing a number of Giant Sequoias, and is located just east of Porterville. The Forest is a Demonstration Forest, which is considered timberland that is managed for forestry education, research, and recreation. Fishing ponds, hiking trails, and campsites are some of the amenities that can be found in the Forest.”¹⁰² Colonel Allensworth State Historic Park (approximately 3,715 acres in area) is located in the unincorporated community of Allensworth in southwestern Tulare County.

Other Recreational Facilities

Other recreational resources available in Tulare County include portions of the Pacific Crest Trail, South Sierra Wilderness Area, Dome Land Wilderness Area, Golden Trout Wilderness Area, International Agri-Center, and the Tulare County Fairgrounds.¹⁰³

In addition, there are several nature preserves open to the public which are owned and operated by non-profit organizations, including the Kaweah Oaks Preserve and Dry Creek- Homer Ranch preserves, both owned and operated by Sequoia Riverlands Trust

Local

Parks

As noted earlier, Woodville County Park is the nearest County owned/operated park near the Project site. It is an approximately 10-acre day use park; reservations for picnic areas are available and there is no entrance fee. The next nearest County park is Elk Bayou Park located approximately 6.75 miles west (just south of the City of Tulare) of the Project site; it is an approximately 60-acre day use park; reservations for picnic areas are available and there is no entrance fee.

Schools

“A total of 48 school districts provide education throughout Tulare County... Of the 48 school districts, seven are unified districts providing educational services for kindergarten through 12th grade. The remaining 41 districts consist of 36 elementary school districts and four high school districts. Many districts only have one school.”¹⁰⁴ The nearest school is Woodville Elementary located in Woodville, approximately four miles south of the Project site. The Woodville Union School District operates Woodville Elementary School which serves grades K-8 and has approximately 440 students on its 15-acre campus (located west of Road 168 and south of Avenue 166).¹⁰⁵

Regulatory Setting

Federal

None that apply to this Project.

State

None that apply to this Project.

Local

None that apply to this Project.

- a) No Impact:** As discussed in Item 15 e), the Project will not increase the demand for recreational facilities nor will it put a strain on the existing recreational facilities. No employees will be located at the Project site. Maintenance crews will service the site; however, no population growth will be associated with the Project or necessitated by the Project. The only potential impact on

¹⁰² Op. Cit. 4-7.

¹⁰³ Op. Cit. 4-10 to 4-11.

¹⁰⁴ Tulare County General Plan 2030 Update Background Report. Pages 7-75 and 7-76. <http://generalplan.co.tulare.ca.us/documents.html> then scroll to *Recirculated Draft EIR, the click on “Appendix B-Background Report”*

¹⁰⁵ Woodville Union School District website accessed at: <https://home.woodvilleschools.org/> in May 2019.

recreational facilities may occur if construction workers (during nine months of construction), or occasionally visiting maintenance workers, decided to recreate at their own leisure outside of work hours. The nearest park is Woodville County Park approximately four miles south of the proposed Project site. As such, the project would not 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. Therefore, there will be no impact to this resource.

- b) No Impact:** The Project does not include recreational facilities, As there is no population growth associated with the Project, there will be no need to construct or expand any recreational facilities as there would be no adverse physical effect on the environment; therefore, there would be impact to this resource.

17. TRANSPORTATION

Would the project:			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a)	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Result in a change in air traffic patterns, including either increase in traffic levels or a change in location that results in substantial safety risks?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses, (e.g., farm equipment)?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Result in inadequate emergency access?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Analysis:

Environmental Setting

The Project site is located in central-western Tulare County, California, adjacent to Road 164 on the west, Avenue 200 on the south, and Road 168 (Woodville Road) on the east. Road 164 has an existing right-of-way of 50' and a paved surface of 17.5'; Road 168 has an existing right-of-way of 50' and a paved surface of 16'; and Avenue 200 has an existing right-of-way averaging 47.5' and a

paved surface of 16.2'¹⁰⁶. An utility easement along the east side of Road 164 would be used to run a new transmission line from the Project site to the SCE Bliss Substation approximately 0.5 mile north of the Project site. Road 164 would also be used as the exclusive point of access/egress to/from the site during construction-related activities and operation of the site. Road 168 and Avenue 200 would not be used to access/egress the site during construction-related activities or during operation of the site. As noted earlier, Mefford Field Airport (in the City of Tulare), is located approximately six miles west of the site.

The nearest railroad to the proposed Project site is Union Pacific Railroad (UPR), approximately seven miles to the west. The UPR provides freight service and functions to connect Tulare County with both northern and southern markets.

Regulatory Setting

Federal

Several federal regulations govern transportation issues. They include: Title 49, CFR, Sections 171-177 (49 CFR 171-177) which governs the transportation of hazardous materials, the types of materials defined as hazardous, and the marking of the transportation vehicles; 49 CFR 350-399, and Appendices A-G, Federal Motor Carrier Safety Regulations which address safety considerations for the transport of goods, materials, and substances over public highways; and 49 CFR 397.9, the Hazardous Materials Transportation Act of 1974, which directs the U.S. Department of Transportation to establish criteria and regulations for the safe transportation of hazardous materials.

State

Caltrans: Transportation Concept Reports

Each District of the State of California Transportation Department (Caltrans) prepares a Transportation Concept Report (TCP) for every state highway or portion thereof in its jurisdiction. The TCR usually represents the first step in Caltrans' long-range corridor planning process. The purpose of the TCR is to determine how a highway will be developed and managed so that it delivers the targeted LOS and quality of operations that are feasible to attain over a 20-year period, otherwise known as the "route concept" or beyond 20 years, for what is known as the "ultimate concept". However, the Project site is not adjacent to or near any Concept Report facilities. The nearest facility is SR 137 approximately 4.5 north of the Project.

Caltrans Guide for the Preparation of Traffic Impact Studies

"The California Department of Transportation (Caltrans) has developed this "Guide for the Preparation of Traffic Impact Studies" in response to a survey of cities and counties in California. The purpose of that survey was to improve the Caltrans local development review process (also known as the Intergovernmental Review/California Environmental Quality Act or IGR/CEQA process). The survey indicated that approximately 30 percent of the respondents were not aware of what Caltrans required in a traffic impact study (TIS)."¹⁰⁷ However, the Project site will only have temporary traffic increases during construction-related activities of approximately 153 construction vehicle trips per day¹⁰⁸ and 0.72 trips per day over a typical year when operational¹⁰⁹, a traffic impact study is not required.

Local

Tulare County General Plan 2030 Update

The following Tulare County General Plan 2030 Update policies for this resource apply to this Project: *TC-1.16 County Level Of Service (LOS) Standards* wherein the County shall strive to develop and manage its roadway system (both segments and intersections) to meet a LOS of "D" or better in accordance with the LOS definitions established by the Highway Capacity Manual; and *HS-1.9 Emergency Access* wherein the County shall require, where feasible, road networks (public and private) to provide for safe and ready access for emergency equipment and provide alternate routes for evacuation.

¹⁰⁶ Conversation with, and information provided by, Mr. Johnson Vang, Engineer II, RMA-Tulare County Public Works Branch. May 9, 2019.

¹⁰⁷ Caltrans Guide for the preparation of traffic studies. Page ii.

¹⁰⁸ "Project and Operations Description for the proposed Glover Solar Project..." October 2018. Page 7 Prepared by Wood Environment and Infrastructure Solutions, Inc. (included in Attachment "D" of this document). Page 6.

¹⁰⁹ Ibid. 7.

- a) **No Impact:** The Project will consist of construction and operation/maintenance of a solar energy generation facility (and construction of a new transmission line to the SCE Bliss substation along Road 164) and will not require any new roadway construction. Site grading will take approximately two-to-three weeks. Project construction will require approximately 153 trips per day for the nine months of construction-related activities. Level of Service (LOS) standards vary throughout the County and its eight incorporated cities. As noted earlier in Tulare County General Plan PolicyTC-1.16, the minimum LOS standard within the County shall be no lower than LOS D. Project operations and maintenance are anticipated to require approximately 264 vehicle trips per year. This estimate includes up to eight (8) trips per day during the 20 total days of panel washing activities per year and approximately five (5) trips per week to address security or maintenance issues, an estimated average of 0.72 trip per day over a typical year. Except for biannual panel washing activities, emergency repair events, and occasional security checks, the facility would not require any full-time employees located on or traveling to the site. PV panel washing would occur approximately one to two times a year depending on the amount of rainfall in a given year using imported water. Water trucks would be brought on-site twice a year for duration of approximately 10 days (20 days/year total). Construction-related traffic and the 0.72 trips per day associated with the Project operation and maintenance will not impact the local roadways. As such, the Project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit. Therefore, the Project would result in no impact.
- b) **No Impact:** The Project does not require construction of any roadways, and will generate approximately 0.72 trips per day on average for operation and maintenance. As the Project will not generate significant new traffic, and based on existing conditions, there is no anticipated change in the operating conditions of the roadways from what currently exists. As such, the Project would not conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. Therefore, the Project would result in no impact.
- c) **No Impact:** The Project is located approximately six miles east of Mefford Field Airport, the nearest airport. The construction of a renewable energy facility (i.e., solar generation), and subsequent operations of the facility, will not result in a change in air traffic patterns, including either increase in traffic levels or a change in location that results in substantial safety risks. Therefore, the Project would result in no impact.
- d) **Less Than Significant Impact:** No roadway design features are associated with this Project and the change in the existing land use will not result in an incompatible use. As noted earlier, a new transmission line (approximately 0.5 mile in length) would be constructed from the Project site in a utility easement along the east side of Road 164 north to the SCE Bliss substation; therefore, this and other components of the Project would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses, (e.g., farm equipment). As such, the Project would result in a less than significant impact to this resource.
- e) **No Impact:** No roads will be modified as a result of this Project, construction-related traffic that could impede emergency response will be short-term, temporary, and intermittent and would comply with laws requiring yielding right-of-way to emergency response vehicle. Daily operations and maintenance traffic will be limited to approximately 0.72 trips per day. As such, it can be reasonably concluded that the Project would not result in inadequate emergency access. Therefore, there will be no impact to this resource.
- f) **No Impact:** As there are no adopted alternative transportation policies, plans, or programs in the proposed Project area, it is not possible for the Project to conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Therefore, there will be no impact to this resource.

18. TRIBAL CULTURAL RESOURCES

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	SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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, the lead agency shall consider the significance of the resource to a California Native American tribe?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Analysis:

Environmental Setting

“Tulare County lies within a culturally rich province of the San Joaquin Valley. Studies of the prehistory of the area show inhabitants of the San Joaquin Valley maintained fairly dense populations situated along the banks of major waterways, wetlands, and streams. Tulare County was inhabited by aboriginal California Native American groups consisting of the Southern Valley Yokuts, Foothill Yokuts, Monache, and Tubatulabal. Of the main groups inhabiting the Tulare County area, the Southern Valley Yokuts occupied the largest territory.”¹¹⁰

Records Search Results

A search by the Southern San Joaquin Valley Information Center (SSJVIC) of the California Historical Resources Information System (CHRIS) to identify areas previously surveyed and identify known cultural resources present within or in close proximity to the Project Study Area was conducted on April 22, 2019 (see Attachment “C”). One recorded cultural resource was located within the Project area (P-54-004832, an historic transmission line).

Native American Consultation

The Native American Heritage Commission (NAHC) maintains a contact list of Native American Tribes as having traditional lands located within the County’s jurisdiction. A search of the Sacred Lands Inventory on file with the Native American Heritage Commission (NAHC) was also requested and resulted in negative results (i.e., no sacred lands were identified in the Project site) in a letter received from the NAHC on April 11, 2019 (see Attachment “C”). Pursuant to AB 52 Tulare County RMA staff contacted four Native American Tribes (see Attachment “C”) by certified mail on April 11, 2019 regarding the Springville Dollar General DEIR. The County did not receive any response from any of the Tribes.

Regulatory Setting

Federal

The National Historic Preservation Act

The National Historic Preservation Act of 1966 (NHPA) established federal regulations for the purpose of protecting significant cultural resources.¹¹¹ The legislation established the National Register of Historic Places and the National Historic Landmarks Program.¹¹² It mandated the establishment of the State Historic Preservation Office (SHPO), responsible for implementing statewide historic preservation programs in each state.¹¹³ A key aspect of SHPO responsibilities include surveying, evaluating and nominating significant historic buildings, sites, structures, districts and objects to the National Register. The NHPA also established requirements for federal agencies to consider the effects of proposed federal Projects on historic properties (Section 106, NHPA).¹¹⁴

¹¹⁰ Tulare County General Plan 2030 Update. August 2012. Page 8-5. <http://generalplan.co.tulare.ca.us/documents.html>, then scroll to Recirculated Draft EIR, the click on “Appendix B-Background Report”

¹¹¹ Advisory Council on Historic Preservation. The National Historic Preservation Program. <http://www.achp.gov/overview.html>

¹¹² Ibid.

¹¹³ Op. Cit.

¹¹⁴ Op. Cit.

Federal agencies and recipients of federal funding are required to initiate consultation with the State Historic Preservation Officer (SHPO) as part of the Section 106 review process.¹¹⁵

State

California State Office of Historic Preservation (OHP)

“The California State Office of Historic Preservation (OHP) is responsible for administering federally and state mandated historic preservation programs to further the identification, evaluation, registration and protection of California's irreplaceable archaeological and historical resources under the direction of the State Historic Preservation Officer (SHPO), a gubernatorial appointee, and the State Historical Resources Commission.”¹¹⁶

“OHP's responsibilities include identifying, evaluating, and registering historic properties; ensuring compliance with federal and state regulatory obligations; encouraging the adoption of economic incentives programs designed to benefit property owners; encouraging economic revitalization by promoting a historic preservation ethic through preservation education and public awareness and, most significantly, by demonstrating leadership and stewardship for historic preservation in California.”¹¹⁷

A historical resource may be eligible for inclusion in the California Register of Historical Resources (CRHR) if it:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Is associated with the lives of persons important to our past;
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- Has yielded, or may be likely to yield, information important in prehistory or history.¹¹⁸

Native American Heritage Commission

“The Native American Heritage Commission (NAHC), created in statute in 1976, is a nine-member body, appointed by the Governor, to identify and catalog cultural resources (i.e., places of special religious or social significance to Native Americans, and known graves and cemeteries of Native Americans on private lands) in California. The Commission is charged with the duty of preserving and ensuring accessibility of sacred sites and burials, the disposition of Native American human remains and burial items, maintain an inventory of Native American sacred sites located on public lands, and review current administrative and statutory protections related to these sacred sites.”¹¹⁹

Tribal Consultation Requirements: AB 52 (Gatto, 2014)

The Public Resources Code has established that “[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment.” (Pub. Resources Code, § 21084.2.) To help determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. That consultation must take place prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project. (Pub. Resources Code, § 21080.3.1.) If a lead agency determines that a project may cause a substantial adverse change to tribal cultural resources, the lead agency must consider measures to mitigate that impact.¹²⁰

CEQA Guidelines: Archaeological Resources

Section 15064.5(c) of CEQA Guidelines provides specific guidance on the treatment of archaeological resources as noted below.¹²¹

¹¹⁵ Op. Cit.

¹¹⁶ Office of Historic Preservation. Mission and Responsibilities. http://ohp.parks.ca.gov/?page_id=1066

¹¹⁷ Ibid.

¹¹⁸ Office of Historic Preservation. California Register of Historic Places. http://www.ohp.parks.ca.gov/?page_id=21238

¹¹⁹ Native American Heritage Commission. Welcome. <http://nahc.ca.gov/>

¹²⁰ Office of Planning and Research. Discussion Draft Technical Advisory: AB 52 and Tribal Cultural Resources in CEQA (May 2015). Page 3.

http://opr.ca.gov/docs/DRAFT_AB_52_Technical_Advisory.pdf

¹²¹ California Natural Resources Agency. 15064.5. Determining the Significance of Impacts to Archeological and Historical Resources, Section 15064.5(c). <http://resources.ca.gov/ceqa/guidelines/art5.html>

- (1) When a Project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource, as defined in subdivision (a).
- (2) If a lead agency determines that the archaeological site is an historical resource, it shall refer to the provisions of Section 21084.1 of the Public Resources Code, and this section, Section 15126.4 of the Guidelines, and the limits contained in Section 21083.2 of the Public Resources Code do not apply.
- (3) If an archaeological site does not meet the criteria defined in subdivision (a), but does meet the definition of a unique archaeological resource in Section 21083.2 of the Public Resources Code, the site shall be treated in accordance with the provisions of section 21083.2. The time and cost limitations described in Public Resources Code Section 21083.2 (c–f) do not apply to surveys and site evaluation activities intended to determine whether the Project location contains unique archaeological resources.
- (4) If an archaeological resource is neither a unique archaeological nor an historical resource, the effects of the Project on those resources shall not be considered a significant effect on the environment. It shall be sufficient that both the resource and the effect on it are noted in the Initial Study or EIR, if one is prepared to address impacts on other resources, but they need not be considered further in the CEQA process.

CEQA Guidelines: Human Remains

Public Resources Code Sections 5097.94 and 5097.98 provide guidance on the disposition of Native American burials (human remains), and fall within the jurisdiction of the Native American Heritage Commission:¹²²

- (d) When an initial study identifies the existence of, or the probable likelihood, of Native American human remains within the Project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code Section 5097.98. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any Items associated with Native American burials with the appropriate Native Americans as identified by the Native American Heritage Commission. Action implementing such an agreement is exempt from:
 - (1) The general prohibition on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (Health and Safety Code Section 7050.5).
 - (2) The requirements of CEQA and the Coastal Act.
- (e) In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:
 - (1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
 - (A) The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and
 - (B) If the coroner determines the remains to be Native American:
 1. The coroner shall contact the Native American Heritage Commission within 24 hours.
 2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
 3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or
 - (2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.
 - (A) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.
 - (B) The descendant identified fails to make a recommendation; or
 - (C) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.
- (f) As part of the objectives, criteria, and procedures required by Section 21082 of the Public Resources Code, a lead agency should make provisions for historical or unique archaeological resources accidentally discovered during construction. These provisions should include an immediate evaluation of the find by a qualified archaeologist. If the find is determined to be an historical or unique archaeological resource, contingency funding and a time allotment sufficient to allow for

¹²² Ibid.

implementation of avoidance measures or appropriate mitigation should be available. Work could continue on other parts of the building site while historical or unique archaeological resource mitigation takes place

Local

Tulare County General Plan 2030 Update

The General Plan has a number of policies that apply to Projects within Tulare County. General Plan policies that relate to the proposed Project are listed as follows:

The following Tulare County General Plan 2030 Update policies for this resource apply to this Project: *ERM-6.1 Evaluation of Cultural and Archaeological Resources* wherein the County shall participate in and support efforts to identify its significant cultural and archaeological resources using appropriate State and Federal standards; *ERM-6.2 Protection of Resources with Potential State or Federal Designations* wherein the County shall protect cultural and archaeological sites with demonstrated potential for placement on the National Register of Historic Places and/or inclusion in the California State Office of Historic Preservation's California Points of Interest and California Inventory of Historic Resources; *ERM-6.3 Alteration of Sites with Identified Cultural Resources* which states that when planning any development or alteration of a site with identified cultural or archaeological resources, consideration should be given to ways of protecting the resources. Development can be permitted in these areas only after a site specific investigation has been conducted pursuant to CEQA to define the extent and value of resource, and Mitigation Measures proposed for any impacts the development may have on the resource; *ERM-6.4 Mitigation* which states that if preservation of cultural resources is not feasible, every effort shall be made to mitigate impacts, including relocation of structures, adaptive reuse, preservation of facades, and thorough documentation and archival of records; *ERM-6.9 Confidentiality of Archaeological Sites* wherein the County shall, within its power, maintain confidentiality regarding the locations of archaeological sites in order to preserve and protect these resources from vandalism and the unauthorized removal of artifacts; and *ERM-6.10 Grading Cultural Resources Sites* wherein the County shall ensure all grading activities conform to the County's Grading Ordinance and California Code of Regulations, Title 20, § 2501 et. seq.

As noted earlier, the Project consists of a solar array on an approximately 150-acre site that is actively farmed and also a new transmission line (along a utility easement east of Road 164) that will connect the Project to the SCE Bliss substation approximately 0.5 miles north of the Project site. The intensive use of the Project site and the path of the transmission line have continually been disturbed to the point that there are no evident surface Tribal cultural resources. However, as discussed below, mitigation measures are included in the unlikely event that Tribal cultural resources are encountered.

a) and b) Less Than Significant Impact With Mitigation: As noted earlier, a search of records by the Southern San Joaquin Valley Information Center of the California Historical Resources Information System identified one recorded resource, an historical transmission line; a non-Native American resource. The Native American Heritage Commission (NAHC) conducted a search of the Sacred Lands Inventory on file with the Native American Heritage Commission (NAHC) which concluded negative results (i.e., no sacred lands were identified in the Project site). Lastly, four Native American Tribes were notified consistent with AB 52 requirements; no responses were received. However, as an abundance of caution, in the unlikely event that subsurface resources are located, **Mitigation Measures CUL-1 through CUL-3** as specified at Item 5 Cultural Resources would be implemented thereby reducing the potential level of impact to this resource as less than significant for resources 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 to a resource considered significant to a California Native American tribe. Therefore, the Project would result in a less than significant impact to this resource.

19. UTILITIES AND SERVICE SYSTEMS

Would the project:			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
	a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

		construction or relocation of which could cause significant environmental effects?				
	b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	c)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Analysis:

Environmental Setting

"Tulare County and special districts provide many important services to County residents and businesses in unincorporated communities and hamlets such as water, wastewater, storm drainage, solid waste removal, utilities, communications, fire protection, law enforcement, and a number of other community facilities and services (schools, community centers, etc.)."¹²³

"Water districts supply water to communities and hamlets throughout the County. Most communities and some hamlets have wastewater treatment systems; however, several communities including Three Rivers, Plainview, Alpaugh, and Ducor rely on individual septic systems. Storm drainage facilities are generally constructed and maintained in conjunction with transportation improvements or new subdivisions in communities. Solid waste collection in the County is divided into service areas, as determined by the Board of Supervisors, with one license for each area. Southern California Edison provides electric service to the south and central areas of Tulare County while PG&E provides electric service in the north. The [Southern California] Gas Company is the primary provider of natural gas throughout the County."¹²⁴

Regulatory Setting

Federal

U.S. Environmental Protection Agency (U.S. EPA) - Federal Regulation Title 40, Part 503

In 1993, the [U.S. Environmental Protection Agency](#) (U.S. EPA) promulgated Standards for the Use or Disposal of Sewage Sludge (Code of Federal Regulations Title 40, Part 503), which establish pollutant limitations, operational standards for pathogen and vector attraction reduction, management practices, and other provisions intended to protect public health and the environment from any reasonably anticipated adverse conditions from potential waste constituents and pathogenic organisms.

This part establishes standards, which consist of general requirements, pollutant limits, management practices, and operational standards, for the final use or disposal of sewage sludge generated during the treatment of domestic sewage in a treatment works. Standards are included in this part for sewage sludge applied to the land, placed on a surface disposal site, or fired in a sewage sludge incinerator. Also included in this part are pathogen and alternative vector attraction reduction requirements for sewage sludge applied to the land or placed on a surface disposal site.

¹²³ Tulare County General Plan Update 2030. Page 14-3.

¹²⁴ Ibid. 14-3.

In addition, the standards in this part include the frequency of monitoring and recordkeeping requirements when sewage sludge is applied to the land, placed on a surface disposal site, or fired in a sewage sludge incinerator. Also included in this part are reporting requirements for Class I sludge management facilities, publicly owned treatment works (POTWs) with a design flow rate equal to or greater than one million gallons per day, and POTWs that serve 10,000 people or more.¹²⁵

Resource Conservation and Recovery Act (RCRA)¹²⁶

Congress passed RCRA on October 21, 1976 to address the increasing problems the nation faced from our growing volume of municipal and industrial waste. RCRA, which amended the Solid Waste Disposal Act of 1965, set national goals for:

- Protecting human health and the environment from the potential hazards of waste disposal.
- Conserving energy and natural resources.
- Reducing the amount of waste generated.
- Ensuring that wastes are managed in an environmentally-sound manner
- To achieve these goals, RCRA established three distinct, yet interrelated, programs:
 - ✓ The [solid waste program](#), under RCRA Subtitle D, encourages states to develop comprehensive plans to manage nonhazardous industrial solid waste and municipal solid waste, sets criteria for municipal solid waste landfills and other solid waste disposal facilities, and prohibits the open dumping of solid waste.
 - ✓ The [hazardous waste program](#), under RCRA Subtitle C, establishes a system for controlling hazardous waste from the time it is generated until its ultimate disposal — in effect, from “cradle to grave.”
 - ✓ The underground storage tank (UST) program, under RCRA Subtitle I, regulates [underground storage tanks](#) containing hazardous substances and petroleum products. RCRA banned all open dumping of waste, encouraged [source reduction](#) and [recycling](#), and promoted the [safe disposal of municipal waste](#). RCRA also mandated strict controls over the [treatment, storage, and disposal of hazardous waste](#).

State

The Integrated Waste Management Act (Assembly Bill 939)

In 1989 the California legislature passed the Integrated Waste Management Act of 1989, known as AB 939. The bill mandates a reduction of waste being disposed: jurisdictions were required to meet diversion goals of 25% by 1995 and 50% by the year 2000. AB 939 also established an integrated framework for program implementation, solid waste planning, and solid waste facility and landfill compliance.

The Regional Water Quality Control Board – Biosolids

In California, the beneficial reuse of treated municipal sewage sludge (*a.k.a.*, biosolids) generally must comply with the California Water Code in addition to meeting the requirements specified in Part 503 in Title 40 of the Code of Federal Regulations.

In July 2004, the State Water Resources Control Board adopted [Water Quality Order No. 2004-12-DWQ](#) (General Order), and certified a supporting statewide [Programmatic Environmental Impact Report](#) (PEIR)

The General Order incorporates the minimum standards established by the Part 503 Rule and expands upon them to fulfill obligations to the California Water Code. However, since California does not have delegated authority to implement the Part 503 Rule, the General Order does not replace the Part 503 Rule. The General Order also does not preempt or supersede the authority of local agencies to prohibit, restrict, or control the use of biosolids subject to their jurisdiction, as allowed by law.

Persons interested in seeking coverage under the General Order should contact the appropriate Regional Water Quality Control Board. Only applicants who submit a complete *Notice of Intent* (NOI), appropriate application fee, and are issued a Notice of Applicability by the executive officer of the appropriate Regional Water Quality Control Board are authorized to land apply biosolids at an agricultural, horticultural, silvicultural, or land reclamation site as a soil amendment under the General Order.

State Water Resources Control Board, Divisions of Drinking Water and Clean Water

¹²⁵ Title 40: Protection of Environment Part 503: Standards for the Use of Disposal of Sewage Sludge, <http://www.ecfr.gov/cgi-bin/text-idx?SID=faac2040ebd49d57cc2786437545c8cf&node=40:30.0.1.2.42.1.13.1&rgn=div8>

¹²⁶ United States Environmental Protection Agency, <http://www.epa.gov/epawaste/laws-regs/rcrahistory.htm>

Recycled water regulations are administered by both Central RWQCB and the California State Water Resources Control Board (SWRCB). The regulations governing recycled water are found in a combination of sources, including the Health and Safety Code, Water Code, and Titles 22 and 17 of the California Code of Regulations (CCR). Issues related to the treatment and distribution of recycled water are generally under the permitting authority of RWQCB and the Clean Water Division of the SWRCB. .

CalRecycle

CalRecycle (formerly the California Integrated Waste Management Board) governs solid waste regulations on the state level, delegating local permitting, enforcement, and inspection responsibilities to Local Enforcement Agencies (LEA). Regulations authored by CalRecycle (Title 14) were integrated with related regulations adopted by the State Water Resources Control Board (SWRCB) pertaining to landfills (Title 23, Chapter 15) to form CCR Title 27.

California Public Utilities Commission

The California Public Utilities Commission (CPUC) regulates privately owned electric, natural gas, telecommunications, water, railroad, rail transit, and passenger transportation companies, in addition to authorizing video franchises. In 1911, the CPUC was established by Constitutional Amendment as the Railroad Commission. In 1912, the Legislature passed the Public Utilities Act, expanding the Commission's regulatory authority to include natural gas, electric, telephone, and water companies as well as railroads and marine transportation companies. In 1946, the Commission was renamed the California Public Utilities Commission. It is tasked with ensuring safe, reliable utility service is available to consumers, setting retail energy rates, and protecting against fraud.

Local

Tulare County General Plan 2030 Update

As the Project will not utilize any new or expanded water, wastewater treatment or storm water drainage, natural gas, or telecommunications facilities, the applicable Tulare County General Plan 2030 Update policies for this resource are limited to the following for this resource item: *PFS-5.3 Solid Waste Reduction* wherein the County shall promote the maximum feasible use of solid waste reduction, recycling, and composting of waste, strive to reduce commercial and industrial waste on an annual basis, and pursue financing mechanisms for solid waste reduction programs; *PFS-5.4 County Usage of Recycled Materials and Products* wherein the County shall encourage all industries and government agencies in the County to use recycled materials and products where economically feasible; *PFS-5.5 Private Use of Recycled Products* wherein the County shall work with recycling contractors to encourage businesses to use recycled products and encourage consumers to purchase recycled products; *PFS-5.6 Ensure Capacity* wherein the County shall require evidence that there is adequate capacity within the solid waste system for the processing, recycling, transmission, and disposal of solid waste prior to approving new development; *PFS-5.7 Provisions for Solid Waste Storage, Handling, and Collection* wherein the County shall ensure all new development adequately provides for solid waste storage, screening, handling, and collection prior to issuing building permits; *PFS-5.8 Hazardous Waste Disposal Capabilities* wherein the County shall require the proper disposal and recycling of hazardous materials in accordance with the County's Hazardous Waste Management Plan; *PFS-9.1 Expansion of Gas and Electricity Facilities* wherein the County shall coordinate with gas and electricity service providers to plan the expansion of gas and electrical facilities to meet the future needs of County residents; *PFS-9.2 Appropriate Siting of Natural Gas and Electric Systems* wherein the County shall coordinate with natural gas and electricity service providers to locate and design gas and electric systems that minimize impacts to existing and future residents; *PFS-9.4 Power Transmission Lines* wherein the County shall work with the Public Utilities Commission and power utilities in the siting of transmission lines to avoid interfering with scenic views, historic resources, and areas designated for future urban development; and *PFS-9.3 Transmission Corridors* wherein the County shall work with the Public Utilities Commission and power utilities so that transmission corridors meet the following minimum requirements:

1. Transmission corridors shall be located to avoid health impacts on residential lands and sensitive receptors, and
2. Transmission corridors shall not impact the economic use of adjacent properties.

a) – c) No Impact: The proposed Project involves the leasing of property for the construction and operation/operation of a solar energy generation facility, which will not include any facilities that will generate wastewater. Another component of the Project is construction of a new transmission line to the SCE Bliss substation along a utility easement on the east side of Road 164. There will be no restroom facilities nor will it require a sewer hookup. The Project does not require or would result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. Further, the Project would not 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. The Project

would use less water than the amount of water used to irrigate the current agricultural use; as such, the Project would have sufficient water supplies available to serve the project during normal, dry and multiple dry years as water would be imported for washing the solar panels approximately twice per year; and the usage of water to minimize dust during construction-related activities would be short-term, intermittent, and temporary. Other than the renewable energy Project, there is no anticipated foreseeable future development other than the reclamation of the Project site as agricultural land following termination of the 35-year project life. As such, there will be no impact to these resources.

d) and e) Less Than Significant Impact: As such, the Project would not 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 and it will comply with federal, state, and local management and reduction statutes and regulations related to solid waste as applicable.

20. WILDFIRES

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?		<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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Analysis:

Environmental Setting

The proposed Project site is surrounded by agricultural-related land uses such as row crops, dairies, and agricultural outbuildings. There are approximately four rural residences adjacent to the Project site. The new transmission line along Road 164 would be adjacent to row crops on both sides. As noted earlier, the proposed Project site lies approximately six miles southeast of the City of Tulare and approximately four miles north of the unincorporated community of Woodville. The proposed Project site is zoned as Exclusive Agriculture – 40. No forest or timber land is present at the proposed Project site or in the proposed Project vicinity. Overall, the Project is located in a rural location and is relatively isolated from either an urban or a rural community. The nature of the Project, a renewable energy facility (i.e., solar panel array and typical components such as inverter stations, various wiring, underground cables, combiner boxes, inverters, transformers, access/egress roads, interior roads, etc.), is located on one contiguous 150-acre parcel that does not require a division of land; as such, it will remain as one parcel during its anticipated 35-year life span. Also, following its proposed life of 35 years, the site would be decommissioned and reclaimed as required by the County.

Regulatory Setting

Federal

None that apply to the Project.

State

None that apply to the Project.

Local

The Project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project: The following Tulare County General Plan 2030 Update policies could apply to this Project if it were located on sloped areas, fire hazards areas, lands susceptible to landslides, subsidence/settlement, contamination, and/or flooding; potential for wildland fires; etc.: *ERM-7.3 Protection of Soils on Slopes* wherein unless otherwise provided for in this General Plan, building and road construction on slopes of more than 30 percent shall be prohibited, and development proposals on slopes of 15 percent or more shall be accompanied by plans for control or prevention of erosion, alteration of surface water runoff, soil slippage, and wildfire occurrence; *HS-1.5 Hazard Awareness and Public Education* wherein the County shall continue to promote awareness and education among residents regarding possible natural hazards, including soil conditions, earthquakes, flooding, fire hazards, and emergency procedures; *HS-1.11 Site Investigations* wherein the County shall conduct site investigations in areas planned for new development to determine susceptibility to landslides, subsidence/settlement, contamination, and/or flooding; *HS-6.1 New Building Fire Hazards* wherein the County shall ensure that all building permits in urban areas, as well as areas with potential for wildland fires, are reviewed by the County Fire Chief; *HS-6.2 Development in Fire Hazard Zones* wherein the County shall ensure that development in extreme or high fire hazard areas is designed and constructed in a manner that minimizes the risk from fire hazards and meets all applicable State and County fire standards; *HS-6.3 Consultation with Fire Service Districts* wherein the County shall consult the appropriate fire service district in areas identified as subject to high and extreme fire hazard, for particular regulations or design requirements prior to issuance of a building permit or approval of subdivisions; *HS-6.5 Fire Risk Recommendations* wherein the County shall encourage the County Fire Chief to make recommendations to property owners regarding hazards associated with the use of materials, types of structures, location of structures and subdivisions, road widths, location of fire hydrants, water supply, and other important considerations regarding fire hazard that may be technically feasible but not included in present ordinances or policies; *HS-6.6 Wildland Fire Management Plans* wherein the County shall require the development of wildland fire management plans for projects adjoining significant areas of open space that may have high fuel loads; *HS-6.13 Restoration of Disturbed Land* wherein the County shall support the restoration of disturbed lands resulting from wildfires; *HS-6.14 Coordination with Cities* wherein the County shall coordinate with cities to develop cohesive fire safety plans with overlapping coverage; and *HS-6.15 Coordination of Fuel Hazards on Public Lands* wherein the County shall work with local and Federal agencies to support efforts to reduce fuel related hazards on public lands.

a) – d) No Impact: The Project site is not in the State Responsibility Area. The Project does not impair the implementation of any adopted emergency response plan or evacuation plan. The proposed Project would allow a renewable energy facility (solar generation) on a ±150-acre parcel in the AE-40 (Exclusive Agriculture–40 acre minimum) Zone and construction of a new transmission line to the SCE Bliss substation along a utility easement on the east side of Road 164. The proposed Project does not propose any other new developments or any changes to the existing surrounding land uses. According to the State Responsibility Area (SRA) Viewer, the proposed Project site is not located in the SRA¹²⁷. The Project does not impair the implementation of any adopted emergency response plan or evacuation plan. The Project will not exacerbate wildfire risks or expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire, due to slope, prevailing winds, and other factors. The Project will not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. The Project will include development of a new 0.5 mile transmission line from the Project site to the SCE Bliss substation along a utility easement on the east side of Road 164. The Project will not 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. Therefore, the proposed Project will result in no impact related to this resource. As it is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones high fire, the Project will not exacerbate wildfire risks or expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire, due to slope, prevailing winds, and other factors. The Project will not 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. The Project will not 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. The facility shall comply with all applicable 2016 California Building Code and CFC standards (such as lighting, fire extinguishers, access/egress, etc.). The applicant shall install a Knox Box (key box) as required by the Tulare County Fire Department. Conditions of approval are included. All new construction would require the submittal of plans for fire

¹²⁷ CalFire, <http://www.fire.ca.gov/firepreventionfee/srviewer>, accessed March 2019.

department review, and would be required to meet construction methods in accordance with Chapter 7A of the 2016 California Building Code. Therefore, there will be no impact to the Wildfires resource.

21. MANDATORY FINDINGS OF SIGNIFICANCE

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
	a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal species, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Analysis:

The analysis conducted in this Initial Study/Mitigated Negative Declaration results in a determination that the Project will have a less than significant effect on the local environment. The Project includes developing an approximately 150-acre site into a solar energy generation facility and construction of a new transmission line to the SCE Bliss substation along a utility easement on the east side of Road 164.

a) Less Than Significant Impact With Mitigation: The potential for impacts to biological and cultural resources from the construction and operation of the proposed Project will be less than significant with the incorporation of the **Mitigation Measures CUL-1** through **CUL -5** as contained in Item 5 Cultural Resources. The analysis contained in Item 4 Biological Resources concludes that this resource has the potential to be impacted and has included **Mitigation Measures BIO-1** through **BIO-12**. Accordingly, the proposed Project will involve no potential for significant impacts due to degradation of the quality of the environment, substantial reductions in the habitat of a fish or wildlife species, causing a fish or wildlife population to drop below self-sustaining levels, threatening to eliminate a plant or animal community, reduction in the number or restriction of the range of a rare or endangered plant or animal or elimination of important examples of the major periods of California history or prehistory. As such, the impact will be less than significant for biological resources and less than significant with mitigation for cultural and tribal cultural resources.

b) Less Than Significant Impact: Projects considered in a cumulative analysis include those that would be constructed concurrently with the Project and those that would be in operation at the same time as the Project. The cumulative projects considered in this analysis are limited to projects that would result in similar impacts to the Project due to their potential to collectively contribute to significant cumulative impacts, as well as other development projects that would be located in the vicinity of the Project. There are no similar projects under consideration or construction located in and around a 10-mile radius of the Project site. The nearest approved solar facility is located approximately eight (8) miles northeast of the project, is less than 18 acres in area, and is located

within and surrounded by agriculturally productive lands. As such, its physical distance and location would not contribute to a cumulative impact.

Tulare County staff have determined that there are no projects that could have the potential to contribute to cumulative impacts. The Project was determined to have no impacts to Energy, Land Use and Planning, Mineral Resources, Population and Housing, Recreation and Wildfire. Therefore, the Project will not result in considerable impacts in combination with the other similar renewable energy projects (solar energy projects). The following environmental impacts were determined to be less than significant and did not require mitigation: Aesthetics, Agricultural Resources, Air Quality, Biological, Geology and Soils, Greenhouse Gases, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Public Services, Transportation, and Utilities and Service Systems. As discussed earlier, the Project will result in less than significant impacts to cultural resources (including Tribal Cultural Resources) and noise with incorporation/implementation of mitigation measures identified earlier.

The majority of the potential impacts resulting from the Project will be short term, temporary, and intermittent occurring during Project construction-related activities; and with negligible impacts resulting from Project operation as discussed in the earlier environmental analysis. Because construction-related impacts are of a short duration, temporary, intermittent, and localized, they would have to occur concurrently and in proximity of other projects in order to have a cumulative impact. Construction-related impacts (which are primarily associated with air quality, biological resources, noise, and traffic) are not likely to act cumulatively with any other projects in a manner that would result in significant impacts.

This Project (as described in Items 3 and 8) will have short-term impacts with regard to air quality and greenhouse gases during construction-related activities. However, the emissions associated with this Project are minor as compared to baseline emissions levels as quantified in Items 3 and 8, and are not considered cumulatively considerable pursuant to guidelines from the Air District. (See Impact 3(c) for a complete discussion of the Project's cumulative air quality impacts.) The proposed Project would implement the applicable SJVAPCD Best Performance Standards; therefore, reducing the Project specific and cumulative impacts to a less than significant level. In addition, the Project would lead to cumulatively beneficial reductions in GHG emissions.

As discussed in Item 4, the Project site consists of disturbed agricultural land. Operation of the Project would not result in the loss of sensitive biological habitats or sensitive cultural resources as seen in Attachments "B" and "C". As such, when combined cumulatively with other projects, the Project would not result in impacts to biological or cultural resources that are cumulatively considerable.

Impacts to aesthetics from the proposed Project would be minimal. As noted earlier, the general vicinity of the Project's location consists of a regional viewshed that already includes agriculturally productive lands, agricultural-related structures (e.g., barns, equipment sheds, wells, etc.), scattered rural residences, an electrical substation, rural streets, and seasonally used irrigation ditches. Areas of the related projects are not identified as having sensitive or significant visual resources. However, most of the projects would not be visible in the same viewshed. Further, while the solar projects may change the visual character of the area, in general they do not obstruct scenic vistas. Although the Project may contribute to visual impacts on the area due to the addition of more solar facility uses in an agricultural area, the contribution of the Project would not be cumulatively considerable because the visual quality of the overall area is low and other currently operational solar facilities are scattered throughout out the County. Thus, the proposed Project plus the related solar projects would result in less than significant cumulative impact to Aesthetics.

No archaeological or historic resources were located on the project site. With implementation of the cultural resource mitigation measures called for in Impact 5, the Project would not cause cumulatively considerable cultural resource impacts because impacts to unknown cultural resources would be minimized.

The Project also will not cause cumulatively considerable geology and soils impacts, as Project-specific impacts will be less than significant and will not be anticipated to combine with impacts caused by the cumulative projects identified by the County.

The Project will not cause cumulatively considerable impacts related to hazards and hazardous materials. While small amounts of hazardous materials may be used or transported as a result of the Project, these activities will occur in compliance with applicable laws and regulations, and any impacts resulting from use, transport, disposal, or accident or upset conditions will be localized in nature. As a result, any Project-level impacts will not have the potential to contribute to hazards associated with other projects because these impacts would only occur intermittently, if at all. Similarly, the Project will not contribute to cumulative wildland fire-related impacts because it is located in an area with low wildland fire risk,

The Project will not cause cumulatively considerable hydrology and water quality-related impacts. The Project applicant will be required to implement a SWPPP to reduce impacts and will not cause discharge to any surface or groundwater sources or alter the course of any stream or river. Nor will the Project change runoff patterns in the area.

The Project will not cause cumulatively considerable land use and planning impacts. The Project is consistent with all applicable land use planning policies, and will be required to implement a reclamation plan at the end of the Project's life. The reclamation plan will ensure that the Project does not result in effects on neighboring land uses. As a result, the Project's impacts will not be cumulatively significant.

The Project also will not combine noise-related impacts with that of other projects to cause cumulatively considerable impacts. Construction-related activities will cause short-term, temporary, and intermittent increases in noise in the area, and could occur at the same time as other noise-causing events in the area. However, no other concurrent construction project are anticipated to occur adjacent to or near the Project site, and operational noise will be minimal. As a result, the Project is not anticipated to considerably contribute to cumulative noise impacts during construction or operation.

Because the Project will not cause population growth in the area, it will not lead to construction of new or expanded police or fire protection facilities, or interfere with operation of existing facilities, or create the need for new recreation facilities. The Project will also be designed to minimize fire hazard, and existing emergency response in the area is adequate. Cumulative projects in the area are similarly situated, in that they will not lead to the new for new or expanded police or fire protection facilities or recreation facilities or cause substantial fire hazards. As a result, the Project will not cause cumulatively considerable public services or recreation impacts.

Finally, the Project will not cause cumulatively considerable traffic, transportation, or utilities-related impacts. The Project's trip generation projections during both construction and operation are low and will not cause substantial increases in traffic on surrounding roads. In addition, Project construction is not anticipated to overlap with other construction projects in a way that will cause combining of traffic impacts. Because the Project and cumulative projects would cause very little runoff and a minimal amount of waste, the Project will not cause cumulatively considerable utilities-related impacts.

Each of the cumulative projects considered in this section would be required to comply with project-specific mitigation measures and/or conditions of approval, as well as applicable General Plans, zoning ordinances, laws and policies. The implementation of the identified Project-specific mitigation measures and compliance with applicable codes, compliance with the Tulare County General Plan, identified Best Management Practices, ordinances, laws and other required regulations will reduce the magnitude of any contribution to cumulative impacts to a less than significant level.

On November 17, 2008, Governor Arnold Schwarzenegger signed Executive Order S-14-08, requiring that California utilities reach the 33 percent renewable goal by 2020; subsequently, in 2011 the Legislature enacted SB X1-2, codifying this goal. In the last several months, a series of similarly sized solar generation projects have been approved or are being considered in Kings County as well as neighboring counties. As of the date of this document, four such projects have been approved by Kings County, six in Tulare County. The cumulative benefit to the environment of reduced reliance on fossil fuels is consistent with the goals of the State Executive Order.

c) Less Than Significant Impact: The proposed Project will not result in substantial adverse effect on human beings, either directly or indirectly. Mitigation measures are provided to reduce the Project's potential effects on Cultural Resources and Noise to less than significant (see **BIO-1** through **BIO-12**, **CUL-1** through **CUL-3**, and **NOI-1** through **NOI-5**). No additional mitigation measures will be required. The reduction of approximately 38,000 tons of GHG emissions provided by the Project's renewable energy (solar) would result in a benefit to the environment, as such, the Project would result in beneficial impacts on human beings. Therefore, implementation of the proposed Project would result in a less than significant impact.

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MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Monitoring and Reporting Program

Mitigation Measure		When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
						Initials	Date	Remarks
BIOLOGICAL RESOURCES								
AQ-1	Engine Standards for Off-Road Equipment. In order to reduce the impact of PM10 off-road equipment exhaust emissions during construction-related activities, applicant shall ensure that construction contracts stipulate that all off-road diesel-powered equipment used will be equipped with USEPA Tier 4 or cleaner engines, except for specialized equipment in which an USEPA Tier 4 engine is not available. In lieu of Tier 4 engines, project equipment can incorporate retrofits such that emissions reductions achieved equal to that of the Tier 4 engines at a minimum. The construction contractor shall submit a detailed list of the equipment fleet that demonstrates achievement of this mitigation measure to Tulare County Resource Management Agency Planning Branch for approval prior to receiving Notice to Proceed.	Prior to construction	Once prior to start of construction and once after completion of construction	County of Tulare	Equipment and Usage Report			
BIOLOGICAL RESOURCES								
Measures for Special Status Plant Species								
BIO-1	(Pre-construction Survey) A qualified biologist/botanist will conduct preconstruction surveys for special status plant species in accordance with the California Department of Fish and Wildlife (CDFW) Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (2009). This protocol includes identification of reference populations to facilitate the likelihood of field investigation occurring during the appropriate floristic period. Surveys should be timed to coincide with flowering periods for species that could occur (March-May).In the absence of protocol-level surveys being performed, additional surveys may be necessary. <ul style="list-style-type: none">If special status plant species are not identified during preconstruction surveys, no further action is required.	Prior to start of construction.	Once within 30 days of construction, unless pre-construction survey results in new recommendation for further study and mitigation. Then mitigation should occur as recommended following coordination with Tulare County RMA	County of Tulare	Field survey by a qualified Biologist.			

Mitigation Monitoring and Reporting Program

Mitigation Measure		When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
						Initials	Date	Remarks
	<ul style="list-style-type: none"> If special status plant species are detected during preconstruction surveys, plant population shall be avoided with the establishment of a minimum 50-foot no disturbance buffer from the outer edge of the plant population. If buffers cannot be maintained, the Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW shall be contacted immediately to identify the appropriate minimization actions to be taken as appropriate for the species identified and to determine permitting needs. 							
Measures for Special Status Animal Species								
BIO-2	(Pre-construction Survey) A qualified biologist will conduct pre-construction surveys during the appropriate periods for special status animal species in accordance with CDFW guidance and recommendations. In the absence of protocol-level surveys being performed, additional surveys may be necessary. If special status animal species are not identified during pre-construction surveys, no further action is required. If special status animal species are detected during pre-construction surveys, the Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW shall be contacted immediately to identify the appropriate avoidance and minimization actions to be taken as applicable for the species identified and to determine permitting needs.	Prior to start of construction.	Once within 30 days of construction, unless pre-construction survey results in new recommendation for further study and mitigation. Then mitigation should occur as recommended following coordination with Tulare County RMA	County of Tulare	Field survey by a qualified Biologist.			
Measures for Special Status Plant and Animal Species Identified in Pre-construction Surveys								
BIO-3	(Employee Education Program) Prior to the start of construction, the applicant shall retain a qualified biologist/botanist to conduct a tailgate meeting to train all construction staff that will be involved with the project on the special status species that occur, or may occur, on the project site. This training will include a description of the species and its habitat needs; a report of the occurrence of the species in the project area; an	Prior to construction-related activities.	As needed if special status species are detected.	County of Tulare	Qualified biologist working with USFS and/or CFW			

Mitigation Monitoring and Reporting Program

Mitigation Measure		When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
						Initials	Date	Remarks
	explanation of the status of the species and its protection under the Endangered Species Act; and a list of the measures being taken to reduce impacts to the species during project construction and implementation.							
<i>Measures for Nesting Raptors and Migratory Birds (Including Swainson's Hawk)</i>								
BIO-4	(Avoidance) In order to avoid impacts to nesting raptors and migratory birds, individual Projects within the Project will be constructed, where possible, outside the nesting season (between September 1st and January 31st).	Implemented only if sensitive species are encountered.	Throughout construction.	County of Tulare	Determination by qualified biologist.			
BIO-5	(Pre-construction Survey) If Project activities must occur during the nesting season (February 1- August 31), the proponent is responsible for ensuring that implementation does not violate the Migratory Bird Treaty Act or relevant Fish and Game Code. A qualified biologist shall conduct pre-construction surveys for active raptor and migratory bird nests within 10 days of the onset of these activities. The survey will include the proposed work area(s) and surrounding lands within 500 feet for all nesting raptors and migratory birds; with the exception of Swainson's hawk. The Swainson's hawk survey will utilize the Swainson's Hawk Technical Advisory Committee <i>Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley</i> (2000) methodology which will extend to ½-mile outside of work area boundaries. If no nesting pairs are found within the survey area, no further mitigation is required.	Prior to start of construction.	Once within 10 days of construction, unless pre-construction survey results in new recommendation for further study and mitigation. Then mitigation should occur as recommended following coordination with Tulare County RMA	County of Tulare	Field survey by a qualified Biologist.			
BIO-6	(Pre-construction Survey) A qualified biologist will conduct pre-construction surveys in accordance with the Swainson's Hawk Technical Advisory Committee <i>Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley</i> (2000) which employs the following:	Prior to start of construction.	Once within 30 days of construction, unless pre-construction survey results in new recommendation for further study	County of Tulare	Field survey by a qualified Biologist.			

Mitigation Monitoring and Reporting Program

Mitigation Measure					When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
									Initials	Date	Remarks
	Survey Period	Survey Dates	Survey Time	Number of Surveys Needed		and mitigation. Then mitigation should occur as recommended following coordination with Tulare County RMA					
	I	January – March 20	All day	1							
	II	March 20 – April 5	Sunrise – 1000; 1600 to Sunset	3							
	III	April 5 – April 20	Sunrise – 1200; 1630 – Sunset	3							
	IV	April 21 – June 10	Monitoring sites only	Initiating surveys is not recommended							
	V	June 10 – July 30	Sunrise – 1200; 1600 – Sunset	3							
	<p>If project activities must occur during the nesting season (February 1-August 31), the project proponent and/or their contractor is responsible for ensuring that implementation does not violate the Migratory Bird Treaty Act or relevant Fish and Game Code, and a qualified biologist will conduct pre-construction surveys for active raptor and migratory bird nests within 10 days of the onset of these activities. The survey will include the proposed work area(s) and surrounding lands within 500 feet for all nesting raptors and migratory birds save Swainson's hawk; the Swainson's hawk survey will extend to ½ mile outside of work area boundaries. If no nesting pairs are found within the survey area, no further mitigation is required.</p>										
BIO-7	<p>(Buffers) Should any active nests be discovered near proposed work areas, a qualified biologist will determine appropriate construction setback distances and a behavioral baseline of all identified nests based on applicable CDFW guidelines and/or the biology of the affected species. Within these buffers, the biologist will continue monitoring to detect behavioral changes. If adverse behavioral</p>				Implemented only if sensitive species are encountered.	Throughout construction.	County of Tulare	Determination by qualified biologist.			

Mitigation Monitoring and Reporting Program

Mitigation Measure		When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
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	changes occur, the activity causing the changes will cease and CDFW will be consulted to determine if avoidance and minimization measures need to be modified to adequately protect the impacted birds. Construction-free buffers will be identified on the ground with flagging, fencing, or by other easily visible means, and will be maintained until the biologist has determined that the young have fledged (i.e., when a bird's feathers and wing muscles are sufficiently developed for flight). Unless a variance is approved by CDFW, the buffer shall not be less than 250 feet around active nests of non-listed bird species and not less than 500 feet around active nests of non-listed raptor species until the birds have fledged. Unless a variance is approved by CDFW, a ½ mile distance shall be used for SWHA, until the birds have "fledged".							
Measures for Tipton Kangaroo Rat								
BIO-8	(Pre-construction Survey) Pre-construction survey shall be conducted on and in the vicinity of the project site by a qualified biologist prior to the start of ground disturbance activities. The survey shall be conducted according to methodologies deemed appropriate by California Department of Fish and Wildlife (CDFW). If the survey indicates that Tipton kangaroo rat are present within or in close proximity to the Project site, consultation with the Fresno Field Office of the CDFW shall be required to identify actions to be taken as appropriate for the species.	Prior to start of construction.	Once within 30 days of construction, unless pre-construction survey results in new recommendation for further study and mitigation. Then mitigation should occur as recommended following coordination with Tulare County RMA	County of Tulare	Field survey by a qualified Biologist.			
Measures for San Joaquin Kit Fox								
BIO-9	(Pre-construction Survey) Pre-construction surveys shall be conducted no less than 14 days and no more than 30 days prior to the beginning of	Prior to start of construction.	Once within 30 days of construction,	County of Tulare	Field survey by a qualified Biologist.			

Mitigation Monitoring and Reporting Program

Mitigation Measure		When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
						Initials	Date	Remarks
	ground disturbance, construction activities, and/or any project activity likely to impact the San Joaquin kit fox. These surveys will be conducted in accordance with the USFWS Standard <i>Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance</i> (2011). Specifically the survey will include the project site and a minimum of a 200-foot area outside of all project impact areas. The primary objective is to identify kit fox habitat features (e.g. potential dens and refugia) on the project site and evaluate their use by kit fox through the use of remote monitoring techniques such as motion-triggered cameras and tracking medium. If potential dens are not identified, no further action is required.		unless pre-construction survey results in new recommendation for further study and mitigation. Then mitigation should occur as recommended following coordination with Tulare County RMA					
BIO-10	(Avoidance) Should an active or potential kit fox den be detected within or immediately adjacent to the area of work during pre-construction surveys, the den shall not be disturbed or destroyed. In accordance with the USFWS, <i>Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance</i> (2011), a minimum 50-foot no-disturbance buffer area shall be established around potential and man-made (atypical) dens and a minimum 100-foot no-disturbance buffer area shall be established around known den sites. The Sacramento Field Office of the USFWS and Fresno Field Office of the CDFW shall be contacted immediately by phone and in writing to determine the best course of action, if required, and to initiate the take authorization/permit process.	Implemented only if sensitive species are encountered	Throughout construction.	County of Tulare	Determination by qualified biologist			
BIO-11	(Minimization) Construction activities shall be carried out in a manner that minimizes disturbance to kit fox. Minimization measures include, but are not limited to: restriction of project-related vehicle traffic to established roads, construction areas, and other designated areas; inspection and covering of	During construction.	As needed during construction.	County of Tulare	Determination by qualified biologist.			

Mitigation Monitoring and Reporting Program

Mitigation Measure		When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
						Initials	Date	Remarks
	structures (e.g., pipes), as well as installation of escape structures, to prevent the inadvertent entrapment of kit foxes; restriction of rodenticide and herbicide use; and proper disposal of food items and trash.							
BIO-12	(Mortality Reporting) The Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW will be contacted immediately by phone and notified in writing within three working days in case of the accidental death or injury of a San Joaquin kit fox during project-related activities. Notification must include the date, time, location of the incident or of the finding of a dead or injured animal, and any other pertinent information.	During Construction.	Ongoing throughout construction.	County of Tulare	Qualified biologist working with USFS and/or CFW			
CULTURAL RESOURCES								
CUL-1	If, in the course of Project construction or operation, any archaeological or historical resources are uncovered, discovered, or otherwise detected or observed, activities within fifty (50) feet of the find shall be ceased. A qualified archaeologist shall be contacted and advise the County of the site's significance. If the findings are deemed significant by the Tulare County Resources Management Agency, appropriate mitigation measures shall be required prior to any resumption of work in the affected area of the proposed Project. Where feasible, mitigation achieving preservation in place will be implemented. Preservation in place may be accomplished by, but is not limited to: planning construction to avoid archaeological sites or covering archaeological sites with a layer of chemically stable soil prior to building on the site. If significant resources are encountered, the feasibility of various methods of achieving preservation in place shall be considered, and an appropriate method of achieving preservation in place shall be selected and implemented, if	During Construction.	Ongoing throughout construction.	County of Tulare	Determination by qualified archaeologist or paleontologist and consultation with County of Tulare			

Mitigation Monitoring and Reporting Program

Mitigation Measure		When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
						Initials	Date	Remarks
	feasible. If preservation in place is not feasible, other mitigation shall be implemented to minimize impacts to the site, such as data recovery efforts that will adequately recover scientifically consequential information from and about the site. Mitigation shall be consistent with CEQA Guidelines section 15126.4(b)(3). An archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology, hereafter "qualified archaeologist," should inspect the findings within 24 hours of discovery.							
CUL-2	<p>If cultural resources are encountered during construction or land modification activities work shall stop and the County shall be notified at once to assess the nature, extent, and potential significance of any cultural resources. If such resources are determined to be significant, appropriate actions shall be determined. Depending upon the nature of the find, mitigation could involve avoidance, documentation, or other appropriate actions to be determined by a qualified archaeologist. For example, activities within 50 feet of the find shall be ceased.</p> <p>If it is determined that the Project could damage a significant cultural resource, mitigation should be implemented with a preference for preservation in place, consistent with the priorities set forth in CEQA Guidelines Section 15126.4(b)(3). If avoidance is not feasible, a qualified archaeologist should prepare and implement a detailed treatment plan in consultation with the County of Tulare and, for prehistoric resources, the ethnographically associated Native American tribe. If the resource is determined to be a tribal cultural resource, as defined by Public Resources Code 21074, the County of Tulare, in consultation with the ethnographically associated Native American tribe,</p>	During Construction.	Ongoing throughout construction.	County of Tulare	Determination by qualified archaeologist or paleontologist and consultation with County of Tulare. Also, applicable Native American Tribe.			

Mitigation Monitoring and Reporting Program

Mitigation Measure		When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
						Initials	Date	Remarks
	should, if feasible, minimize significant adverse impacts by avoiding the resource or treating the resource with culturally appropriate dignity, which includes protecting the cultural character and integrity of the resource, protecting the traditional use of the resource, and protecting the confidentiality of the resource							
CUL-3	Inadvertent Discovery of Human Remains. In the unlikely event of discovery or recognition of any human remains during construction-related activities, the provisions of CEQA Guidelines § 15064.5(e) shall be followed and such activities should cease within 50 feet of the find until the Tulare County Coroner has been contacted to determine that no investigation of the cause of death is required. If it is determined that the remains are Native American in origin, the Native American Heritage Commission (NAHC) will be contacted within 24 hours. The NAHC will then identify the person or persons it believes to be the most likely descendant (MLD) from the deceased Native American. The MLD would, in turn, make recommendations to the County of Tulare for the appropriate means of treating the human remains and any grave goods.	During Construction.	Ongoing throughout construction.	County of Tulare	Determination by qualified archaeologist or paleontologist and consultation with County of Tulare. Also, applicable Native American Tribe.			
NOISE								
NOI-1	Internal combustion engines shall be equipped with a muffler of a type recommended by the manufacturer.	During Construction.	Ongoing throughout construction.	County of Tulare	On-site Project Manager			
NOI-2	Construction activities, excluding activities required to occur without interruption or activities that would pose a significant safety risk to workers or citizens, shall be limited to between the daytime hours of 7:00 a.m. and 7:00 p.m.	During Construction.	Ongoing throughout construction.	County of Tulare	On-site Project Manager			
NOI-3	Portable/stationary equipment (e.g., generators, compressors) shall be located at the furthest distance from the nearest residential dwelling.	During Construction.	Ongoing throughout construction.	County of Tulare	On-site Project Manager			

Mitigation Monitoring and Reporting Program

Mitigation Measure		When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
						Initials	Date	Remarks
NOI-4	As directed by the County resident engineer, the contractor shall implement appropriate additional noise abatement measures including, but not limited to, siting the location of stationary construction equipment away from sensitive noise receptors to the greatest extent feasible, turning off idling equipment after no more than five minutes of inactivity, and rescheduling construction activity to avoid noise-sensitive days or times.	During Construction.	Ongoing throughout construction.	County of Tulare	On-site Project Manager			
NOI-5	Use alternative pile installation techniques (e.g., drilled piles) to the extent possible.	During Construction.	Ongoing throughout construction.	County of Tulare	On-site Project Manager			
TRIBAL CULTURAL RESOURCES								
See Mitigation Measures CUL-1 through CUL-3								

Attachment “A”

Air Quality and Greenhouse Gases

SPS WRW, LLC SOLAR GENERATION FACILITY PROJECT
Tulare County, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric
User Defined Industrial	1	User Defined Unit

1.2 Other Project Characteristics

Urbanization	Rural	Wind Speed (m/s)	2.2	Utility Company	Pacific Gas & Electric Company
Climate Zone	7	Precipitation Freq (Days)	51		

1.3 User Entered Comments

Project Characteristics -

Land Use - This Project is a 160 acre solar generation facility.

Construction Phase - The construction period for this Project is 12 months.

Vehicle Trips - Operation of this facility will generate approximately 0.4 trip per day.

2.0 Emissions Summary

2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2013	0.44	3.21	1.99	0.00	0.51	0.18	0.69	0.10	0.18	0.28	0.00	335.59	335.59	0.04	0.00	336.33
2014	0.21	1.38	0.99	0.00	0.00	0.09	0.09	0.00	0.09	0.09	0.00	154.23	154.23	0.02	0.00	154.58
Total	0.65	4.59	2.98	0.00	0.51	0.27	0.78	0.10	0.27	0.37	0.00	489.82	489.82	0.06	0.00	490.91

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2013	0.44	3.21	1.99	0.00	0.51	0.18	0.69	0.10	0.18	0.28	0.00	335.59	335.59	0.04	0.00	336.33
2014	0.21	1.38	0.99	0.00	0.00	0.09	0.09	0.00	0.09	0.09	0.00	154.23	154.23	0.02	0.00	154.58
Total	0.65	4.59	2.98	0.00	0.51	0.27	0.78	0.10	0.27	0.37	0.00	489.82	489.82	0.06	0.00	490.91

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Energy	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Mobile	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.20	1.20	0.00	0.00	1.20
Waste						0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Water						0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.20	1.20	0.00	0.00	1.20

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Energy	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Mobile	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.20	1.20	0.00	0.00	1.20
Waste						0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Water						0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.20	1.20	0.00	0.00	1.20

3.0 Construction Detail

3.1 Mitigation Measures Construction

3.2 Site Preparation - 2013

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.51	0.00	0.51	0.10	0.00	0.10	0.00	0.00	0.00	0.00	0.00	0.00
Off-Road	0.19	1.56	0.85	0.00		0.07	0.07		0.07	0.07	0.00	157.54	157.54	0.02	0.00	157.86
Total	0.19	1.56	0.85	0.00	0.51	0.07	0.58	0.10	0.07	0.17	0.00	157.54	157.54	0.02	0.00	157.86

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.03	0.00	0.01	0.00	0.01	0.00	0.00	0.00	0.00	3.98	3.98	0.00	0.00	3.98
Total	0.00	0.00	0.03	0.00	0.01	0.00	0.01	0.00	0.00	0.00	0.00	3.98	3.98	0.00	0.00	3.98

3.2 Site Preparation - 2013

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.51	0.00	0.51	0.10	0.00	0.10	0.00	0.00	0.00	0.00	0.00	0.00
Off-Road	0.19	1.56	0.85	0.00		0.07	0.07		0.07	0.07	0.00	157.54	157.54	0.02	0.00	157.86
Total	0.19	1.56	0.85	0.00	0.51	0.07	0.58	0.10	0.07	0.17	0.00	157.54	157.54	0.02	0.00	157.86

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.98	3.98	0.00	0.00	3.98
Total	0.00	0.00	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.98	3.98	0.00	0.00	3.98

3.3 Building Construction - 2013

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.25	1.65	1.11	0.00		0.11	0.11		0.11	0.11	0.00	174.07	174.07	0.02	0.00	174.49
Total	0.25	1.65	1.11	0.00		0.11	0.11		0.11	0.11	0.00	174.07	174.07	0.02	0.00	174.49

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.3 Building Construction - 2013

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.25	1.65	1.11	0.00		0.11	0.11		0.11	0.11	0.00	174.07	174.07	0.02	0.00	174.49
Total	0.25	1.65	1.11	0.00		0.11	0.11		0.11	0.11	0.00	174.07	174.07	0.02	0.00	174.49

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.3 Building Construction - 2014

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.18	1.25	0.90	0.00		0.08	0.08		0.08	0.08	0.00	142.92	142.92	0.01	0.00	143.23
Total	0.18	1.25	0.90	0.00		0.08	0.08		0.08	0.08	0.00	142.92	142.92	0.01	0.00	143.23

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.3 Building Construction - 2014

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.18	1.25	0.90	0.00		0.08	0.08		0.08	0.08	0.00	142.92	142.92	0.01	0.00	143.23
Total	0.18	1.25	0.90	0.00		0.08	0.08		0.08	0.08	0.00	142.92	142.92	0.01	0.00	143.23

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.4 Paving - 2014

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.02	0.13	0.08	0.00		0.01	0.01		0.01	0.01	0.00	10.58	10.58	0.00	0.00	10.62
Paving	0.00					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.02	0.13	0.08	0.00		0.01	0.01		0.01	0.01	0.00	10.58	10.58	0.00	0.00	10.62

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.73	0.73	0.00	0.00	0.73
Total	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.73	0.73	0.00	0.00	0.73

3.4 Paving - 2014

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.02	0.13	0.08	0.00		0.01	0.01		0.01	0.01	0.00	10.58	10.58	0.00	0.00	10.62
Paving	0.00					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.02	0.13	0.08	0.00		0.01	0.01		0.01	0.01	0.00	10.58	10.58	0.00	0.00	10.62

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.73	0.73	0.00	0.00	0.73
Total	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.73	0.73	0.00	0.00	0.73

4.0 Mobile Detail

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.20	1.20	0.00	0.00	1.20
Unmitigated	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.20	1.20	0.00	0.00	1.20
Total	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
User Defined Industrial	0.40	1.32	0.68	2,208	2,208
Total	0.40	1.32	0.68	2,208	2,208

4.3 Trip Type Information

Land Use	Miles			Trip %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW
User Defined Industrial	14.70	6.60	6.60	59.00	28.00	13.00

5.0 Energy Detail

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Electricity Unmitigated						0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NaturalGas Mitigated	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
NaturalGas Unmitigated	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU	tons/yr										MT/yr					
User Defined Industrial	0	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total		0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

5.2 Energy by Land Use - NaturalGas

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU	tons/yr										MT/yr					
User Defined Industrial	0	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total		0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Land Use	kWh	tons/yr				MT/yr			
User Defined Industrial	0					0.00	0.00	0.00	0.00
Total						0.00	0.00	0.00	0.00

5.3 Energy by Land Use - Electricity

Mitigated

	Electricity Use	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Land Use	kWh	tons/yr				MT/yr			
User Defined Industrial	0					0.00	0.00	0.00	0.00
Total						0.00	0.00	0.00	0.00

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Unmitigated	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.00					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Consumer Products	0.00					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Landscaping	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.00					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Consumer Products	0.00					0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Landscaping	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.00	0.00	0.00	0.00		0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

7.0 Water Detail

7.1 Mitigation Measures Water

	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr				MT/yr			
Mitigated					0.00	0.00	0.00	0.00
Unmitigated					0.00	0.00	0.00	0.00
Total	NA	NA	NA	NA	NA	NA	NA	NA

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	tons/yr				MT/yr			
User Defined Industrial	0 / 0					0.00	0.00	0.00	0.00
Total						0.00	0.00	0.00	0.00

7.2 Water by Land Use

Mitigated

	Indoor/Outdoor Use	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	tons/yr				MT/yr			
User Defined Industrial	0 / 0					0.00	0.00	0.00	0.00
Total						0.00	0.00	0.00	0.00

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
	tons/yr				MT/yr			
Mitigated					0.00	0.00	0.00	0.00
Unmitigated					0.00	0.00	0.00	0.00
Total	NA	NA	NA	NA	NA	NA	NA	NA

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Land Use	tons	tons/yr				MT/yr			
User Defined Industrial	0					0.00	0.00	0.00	0.00
Total						0.00	0.00	0.00	0.00

Mitigated

	Waste Disposed	ROG	NOx	CO	SO2	Total CO2	CH4	N2O	CO2e
Land Use	tons	tons/yr				MT/yr			
User Defined Industrial	0					0.00	0.00	0.00	0.00
Total						0.00	0.00	0.00	0.00

9.0 Vegetation

Attachment “B”

Biological Species



RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277
PHONE (559) 624-7000
FAX (559) 730-2653

Aaron R. Bock	Economic Development and Planning
Reed Schenke	Public Works
Sherman Dix	Fiscal Services

INTRAOFFICE MEMORANDUM

DATE: May 6, 2019

TO: Hector Guerra, Chief Environmental Planner

FROM: Jessica Willis, Planner IV

SUBJECT: Biological Resources Evaluation for Glover Solar (PSP 19-003)

PROJECT DESCRIPTION

The Project is located on a ± 150 -acre site and consists of a solar facility that would provide approximately 19.95 megawatt (MW) of electricity (renewable energy). Project components include: approximately 76,250 solar (photo-voltaic, PV) modules mounted on single access trackers; associated motors, torque tubes, and drivelines for the single-axis tracking system; eight (8) inverter stations; various wiring, underground cables, combiner boxes, inverters, and transformers; a new, on-site substation/switchyard tying into a new mile-long 6-kV transmission interconnection line with the nearby Southern California Edison substation; access and internal roads; security fencing; and motion activated lighting. The Project would be constructed in three (3) stages: Phase 1, Site Preparation; Phase 2, Photovoltaic Panel System; and Phase 3, Inverters, Transformers, Substation, Electrical Collector System, and Interconnection. Following its proposed 35-year life, the facility would be decommissioned and the site reclaimed as required by the County. The Project is estimated to take approximately eight (8) months to complete, excluding 2-3 weeks of initial site grading.

PROJECT LOCATION

The Project site is located approximately six (6) miles southeast of the City of Tulare and approximately three and a half (3.5) miles south of State Route (Highway) 137, abutting Road 164 to the west and Avenue 200 to the south (see Figures 1 and 2).

United States Geological Survey 7.5-minute Quadrangle: Cairns Corner

Surrounding Quadrangles: Visalia, Exeter, Rocky Hill, Lindsay, Porterville, Woodville, Tipton, Tulare

Public Land Survey System: Section 30, Township 20 South, Range 26 East, Mount Diablo Base and Meridian

Assessor Parcel Number: 198-060-011

Latitude/Longitude: 36° 09' 10.24" N / 119° 12' 21.27" W

BIOLOGICAL SPECIES EVALUATION

The most recent California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDDB), RareFind 5 and Biogeographic Information and Observation System (BIOS) mapping applications were accessed on May 2, 2019.¹

Based on the information in the CNDDDB and BIOS, there are twelve (12) special status species within the 9-quadrangle project area (Cairns Corner, Visalia, Exeter, Rocky Hill, Lindsay, Porterville, Woodville, Tipton, and Tulare quadrangles) (see Figure 3). These species include the following eight (8) special status animal species and four (4) special status plant species: *Agelaius tricolor* (tricolored blackbird); *Branchinecta lynchi* (vernal pool fairy shrimp); *Buteo swainsoni* (Swainson's hawk); *Coccyzus americanus occidentalis* (western yellow-billed cuckoo); *Desmocerus californicus dimorphus* (valley elderberry longhorn beetle); *Dipodomys nitratoideus nitratoideus* (Tipton kangaroo rat); *Rana boylei* (foothill yellow-legged frog); *Vulpes macrotis mutica* (San Joaquin kit fox); *Caulanthus californicus* (California jewelflower); *Clarkia springvillensis* (Springville clarkia); *Fritillaria striata* (striped adobe-lily); and *Pseudobahia peirsonii* (San Joaquin adobe sunburst).

Based on the information in the CNDDDB and BIOS, within the Cairns Corner quadrangle the Project site is within the historic range of three (3) special status animal species: *Buteo swainsoni* (Swainson's hawk); *Dipodomys nitratoideus nitratoideus* (Tipton kangaroo rat); and *Vulpes macrotis mutica* (San Joaquin kit fox) (see Figures 5 to 6). The Project site is also within the range of five (5) California Native Plant Society listed species: *Atriplex cordulata* var. *erecticaulis* (Earlimart orache); *Atriplex minuscule* (lesser saltscall); *Atriplex subtilis* (subtle orache); *Delphinium recurvatum* (recurved larkspur); and *Puccinellia simplex* (California alkali grass) (see Figure 7). However, special status plant and animal species and CNPS listed plant species are absent from the Project site and not located within close proximity (within 1 mile) to the site (see Figure 4).

To ensure the Project will have a less than significant impact on biological species within the Project area, the following mitigations measures will be implemented.

Measures for Special Status Plant Species

BIO-1: (**Pre-construction Survey**) A qualified biologist/botanist shall conduct pre-construction surveys for special status plant species in accordance with the California Department of Fish and Wildlife (CDFW) *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (2009). This protocol includes identification of reference populations to facilitate the likelihood of field investigation occurring during the appropriate floristic period. Surveys should be timed to coincide with flowering periods for species that could occur (March-May). In the absence of protocol-level surveys being performed, additional surveys may be necessary.

- If special status plant species are not identified during pre-construction surveys, no further action is required.
- If special status plant species are detected during pre-construction surveys, the biologist/botanist will supervise establishment of a minimum 50-foot no

¹ CDFW. <https://www.wildlife.ca.gov/Data/CNDDDB/Maps-and-Data#43018407-rarefind-5>

disturbance buffer from the outer edge of the plant population. If buffers cannot be maintained, the Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW shall be contacted immediately to identify the appropriate minimization actions to be taken as appropriate for the species identified and to determine permitting needs.

Measures for Special Status Animal Species

BIO-2: (*Pre-construction Survey*) A qualified biologist will conduct pre-construction surveys during the appropriate periods for special status animal species in accordance with CDFW guidance and recommendations. In the absence of protocol-level surveys being performed, additional surveys may be necessary. If special status animal species are not identified during pre-construction surveys, no further action is required. If special status animal species are detected during pre-construction surveys, the Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW shall be contacted immediately to identify the appropriate avoidance and minimization actions to be taken as applicable for the species identified and to determine permitting needs.

Measures for Special Status Species Identified in Pre-construction Surveys

BIO-3: (*Employee Education Program*) Prior to the start of construction, the applicant shall retain a qualified biologist/botanist to conduct a tailgate meeting to train all construction staff that will be involved with the project on the special status species that occur, or may occur, on the project site. This training will include a description of the species and its habitat needs; a report of the occurrence of the species in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of the measures being taken to reduce impacts to the species during project construction and implementation.

Measures for Nesting Raptors and Migratory Birds

BIO-4: (*Avoidance*) In order to avoid impacts to nesting raptors and migratory birds, individual Projects within the Project will be constructed, where possible, outside the nesting season (between September 1st and January 31st).

BIO-5: (*Pre-construction Survey*) If Project activities must occur during the nesting season (February 1-August 31), the proponent is responsible for ensuring that implementation does not violate the Migratory Bird Treaty Act or relevant Fish and Game Code. A qualified biologist shall conduct pre-construction surveys for active raptor and migratory bird nests within 10 days of the onset of these activities. The survey will include the proposed work area(s) and surrounding lands within 500 feet for all nesting raptors and migratory birds; with the exception of Swainson's hawk. The Swainson's hawk survey will utilize the Swainson's Hawk Technical Advisory Committee *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* (2000) methodology which will extend to ½-mile outside of work area boundaries. If no nesting pairs are found within the survey area, no further mitigation is required.

BIO-6: (***Pre-construction Survey***) A qualified biologist will conduct pre-construction surveys in accordance with the Swainson's Hawk Technical Advisory Committee *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* (2000) which employs the following:

Survey Period	Survey Dates	Survey Time	Number of Surveys Needed
I	January – March 20	All day	1
II	March 20 – April 5	Sunrise – 1000; 1600 to Sunset	3
III	April 5 – April 20	Sunrise – 1200; 1630 – Sunset	3
IV	April 21 – June 10	Monitoring sites only	Initiating surveys is not recommended
V	June 10 – July 30	Sunrise – 1200; 1600 – Sunset	3

If project activities must occur during the nesting season (February 1-August 31), the project proponent and/or their contractor is responsible for ensuring that implementation does not violate the Migratory Bird Treaty Act or relevant Fish and Game Code, and a qualified biologist will conduct pre-construction surveys for active raptor and migratory bird nests within 10 days of the onset of these activities. The survey will include the proposed work area(s) and surrounding lands within 500 feet for all nesting raptors and migratory birds save Swainson's hawk; the Swainson's hawk survey will extend to ½ mile outside of work area boundaries. If no nesting pairs are found within the survey area, no further mitigation is required.

BIO-7: (***Buffers***) Should any active nests be discovered near proposed work areas, a qualified biologist will determine appropriate construction setback distances and a behavioral baseline of all identified nests based on applicable CDFW guidelines and/or the biology of the affected species. Within these buffers, the biologist will continue monitoring to detect behavioral changes. If adverse behavioral changes occur, the activity causing the changes will cease and CDFW will be consulted to determine if avoidance and minimization measures need to be modified to adequately protect the impacted birds. Construction-free buffers will be identified on the ground with flagging, fencing, or by other easily visible means, and will be maintained until the biologist has determined that the young have fledged (i.e., when a bird's feathers and wing muscles are sufficiently developed for flight). Unless a variance is approved by CDFW, the buffer shall not be less than 250 feet around active nests of non-listed bird species and not less than 500 feet around active nests of non-listed raptor species until the birds have fledged. Unless a variance is approved by CDFW, a ½ mile distance shall be used for SWHA, until the birds have "fledged".

Measures for Tipton Kangaroo Rat

BIO-8: (***Pre-construction Survey***) Pre-construction survey shall be conducted on and in the vicinity of the project site by a qualified biologist prior to the start of ground disturbance activities. The survey shall be conducted according to methodologies

deemed appropriate by California Department of Fish and Wildlife (CDFW). If the survey indicates that Tipton kangaroo rat are present within or in close proximity to the Project site, consultation with the Fresno Field Office of the CDFW shall be required to identify actions to be taken as appropriate for the species.

Measures for San Joaquin Kit Fox

- BIO-9: (***Pre-construction Survey***) Pre-construction surveys shall be conducted no less than 14 days and no more than 30 days prior to the beginning of ground disturbance, construction activities, and/or any project activity likely to impact the San Joaquin kit fox. These surveys will be conducted in accordance with the USFWS *Standard Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance* (2011). Specifically the survey will include the project site and a minimum of a 200-foot area outside of all project impact areas. The primary objective is to identify kit fox habitat features (e.g. potential dens and refugia) on the project site and evaluate their use by kit fox through the use of remote monitoring techniques such as motion-triggered cameras and tracking medium. If potential dens are not identified, no further action is required.
- BIO-10: (***Avoidance***) Should an active or potential kit fox den be detected within or immediately adjacent to the area of work during pre-construction surveys, the den shall not be disturbed or destroyed. In accordance with the USFWS, *Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance* (2011), a minimum 50-foot no-disturbance buffer area shall be established around potential and man-made (atypical) dens and a minimum 100-foot no-disturbance buffer area shall be established around known den sites. The Sacramento Field Office of the USFWS and Fresno Field Office of the CDFW shall be contacted immediately by phone and in writing to determine the best course of action, if required, and to initiate the take authorization/permit process.
- BIO-11: (***Minimization***) Construction activities shall be carried out in a manner that minimizes disturbance to kit fox. Minimization measures include, but are not limited to: restriction of project-related vehicle traffic to established roads, construction areas, and other designated areas; inspection and covering of structures (e.g., pipes), as well as installation of escape structures, to prevent the inadvertent entrapment of kit foxes; restriction of rodenticide and herbicide use; and proper disposal of food items and trash.
- BIO-12: (***Mortality Reporting***) The Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW will be contacted immediately by phone and notified in writing within three working days in case of the accidental death or injury of a San Joaquin kit fox during project-related activities. Notification must include the date, time, location of the incident or of the finding of a dead or injured animal, and any other pertinent information.

WATERS OF THE STATE AND U.S.

Based on the information in the BIOS map, Hutchinson Ditch, is located approximately 1.5 miles west and Elk Bayou and Outside Creek are located approximately 3.5 miles northwest of the Project site. There are ditches used for seasonal irrigation purposes approximately 0.6 miles south, 0.7 miles west, and 0.9 miles north of the Project site. Unidentified intermittent waterways are located in the Project vicinity approximately one (1) mile north and west, and 0.6 mile southwest of the Project site. However, based on the BIOS map, jurisdictional waters of the State are absent from the site itself (see Figure 4).

The most recent United States Geological Survey (USGS) National Water Information System (NWIS) and United States Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) mapping applications were accessed on May 3, 2019.^{2, 3} Based on the information provided in the NWIS, the nearest body of water lies approximately two (2) miles northwest of the Project site (see Figure 8). Based on the information provided in the NWI, there are freshwater ponds located approximately 0.5 and 0.75 mile south and west of the Project site, respectively; freshwater emergent wetlands approximately 0.5 mile west of the Project site; and riverine features approximately 0.6 and 1.2 miles southwest and northwest of the Project site, respectively. However, jurisdictional waters of the U.S. are absent from the site itself (see Figures 8 and 9)

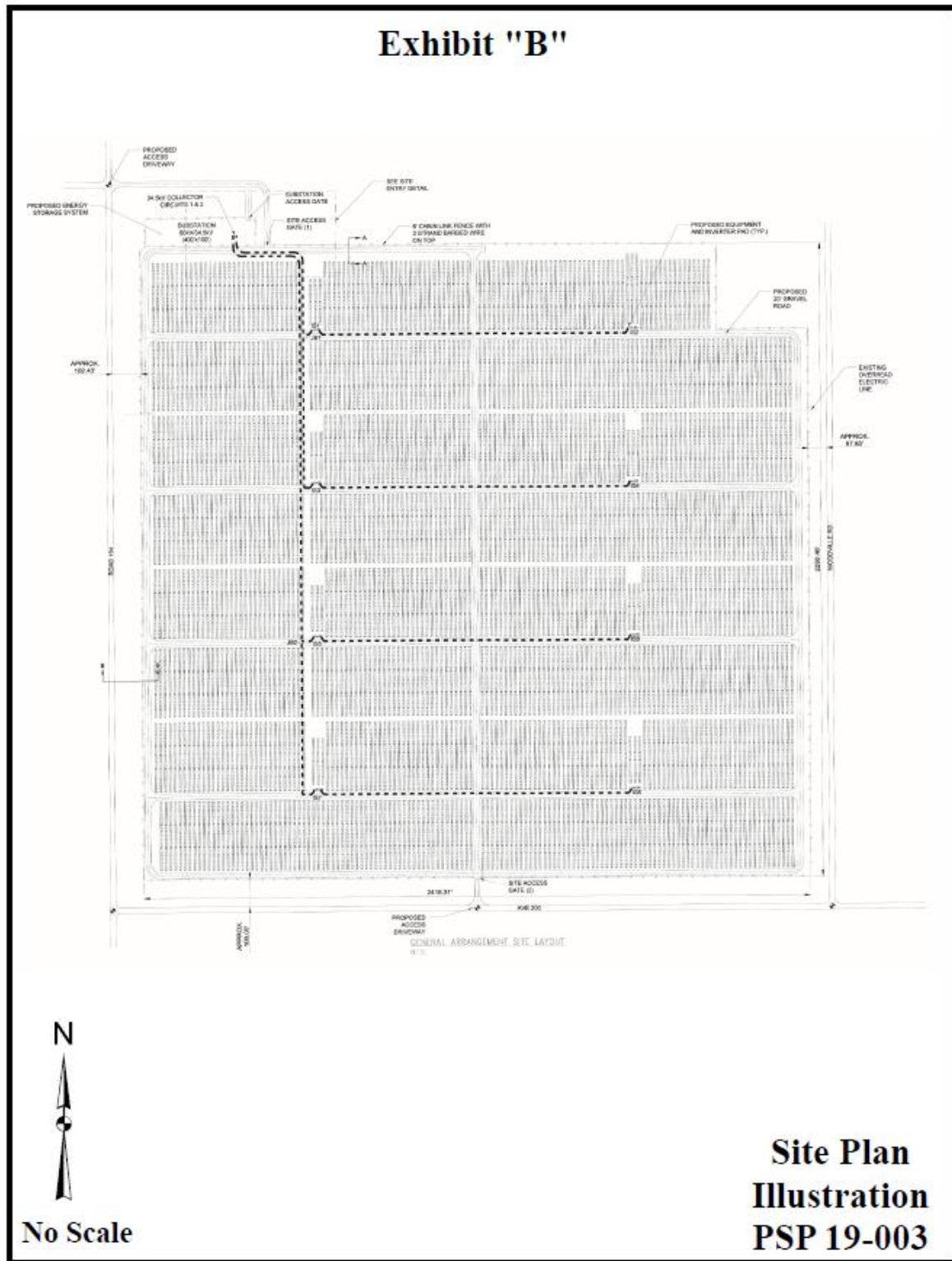
As demonstrated in the BIOS, NWIS, and NWI maps, jurisdictional waters of the State and U.S. are absent from the Project site. Best management practices, including compliance with all applicable Regional Water Quality Control Board requirements, which includes a storm water pollution prevention plan (SWPPP), will be required during construction activities. A grading and drainage plan will be submitted and approved by the Tulare County RMA Engineering Branch. As such, the Project will not result in significant impact to any riparian habitats or other protected wetlands. Therefore, mitigation measures that would reduce impacts have not been proposed, nor would any measures be warranted.

² USGS. <https://maps.waterdata.usgs.gov/mapper/index.html>

³ USFWS. <https://www.fws.gov/wetlands/data/mapper.HTML>

[illegible]

Figure 2. Project Site Plan



**Figure 3. CNDDDB 9-Quad Project Area Species List
Threatened, Endangered, Proposed Threatened,
Proposed Endangered, and Candidate Species**

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad=IS (Calms Corner (3611922)OR Visalia (3611933)OR Exeter (3611932)OR Rocky Hill (3611931)OR Lindsay (3611921)OR Porterville (3611911)OR Woodville (3611912)OR Tipton (3611913)OR Tulare (3611923)
AND Taxonomic Group=IS (Dune=OR Scrub=OR Herbaceous=OR Marsh=OR Riparian=OR Woodland=OR Forest=OR Alpine=OR Inland Waters=OR Marine=OR Estuarine=OR Riverine=OR Palustrine=OR Fish=OR Amphibians=OR Reptiles=OR Birds=OR Mammals=OR Mollusks=OR Arachnids=OR Crustaceans=OR Insects=OR Fems=OR Gymnosperms=OR Monocots=OR Dicots=OR Lichens=OR Bryophytes=OR Fungi)
AND (Federal Listing Status=OR Endangered=OR Proposed Threatened=OR Candidate=OR State Listing Status=IS (Endangered=OR Threatened=OR Proposed Endangered=OR Rare=OR Candidate Endangered=OR Candidate Threatened))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<i>Agelaius tricolor</i> tricolored blackbird	ABPBXB0020	None	Candidate Endangered	G2G3	S1S2	SSC
<i>Branchinecta lynchi</i> vernal pool fairy shrimp	ICBRA03030	Threatened	None	G3	S3	
<i>Buteo swainsoni</i> Swainson's hawk	ABNKC19070	None	Threatened	G5	S3	
<i>Caulanthus californicus</i> California jewelflower	PDBRA31010	Endangered	Endangered	G1	S1	1B.1
<i>Clarkia springvillensis</i> Springville clarkia	PDONA05120	Threatened	Endangered	G2	S2	1B.2
<i>Coccyzus americanus occidentalis</i> western yellow-billed cuckoo	ABNRB02022	Threatened	Endangered	G5T2T3	S1	
<i>Desmocerus californicus dimorphus</i> valley elderberry longhorn beetle	IICOL48011	Threatened	None	G3T2	S2	
<i>Dipodomys nitratoides nitratoides</i> Tipton kangaroo rat	AMAFD03152	Endangered	Endangered	G3T1T2	S1S2	
<i>Frullaria striata</i> striped adobe-lily	PMLILDV0K0	None	Threatened	G2?	S2?	1B.1
<i>Pseudobahia pearsonii</i> San Joaquin adobe sunburst	PDAST7P030	Threatened	Endangered	G1	S1	1B.1
<i>Rana boylei</i> foothill yellow-legged frog	AAABH01050	None	Candidate Threatened	G3	S3	SSC
<i>Vulpes macrotis mutica</i> San Joaquin kit fox	AMAJA03041	Endangered	Threatened	G4T2	S2	

Record Count: 12

Government Version – Dated March, 31 2019 – Biogeographic Data Branch
Report Printed on Thursday, May 02, 2019

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Figure 4. CNDDDB BIOS Map

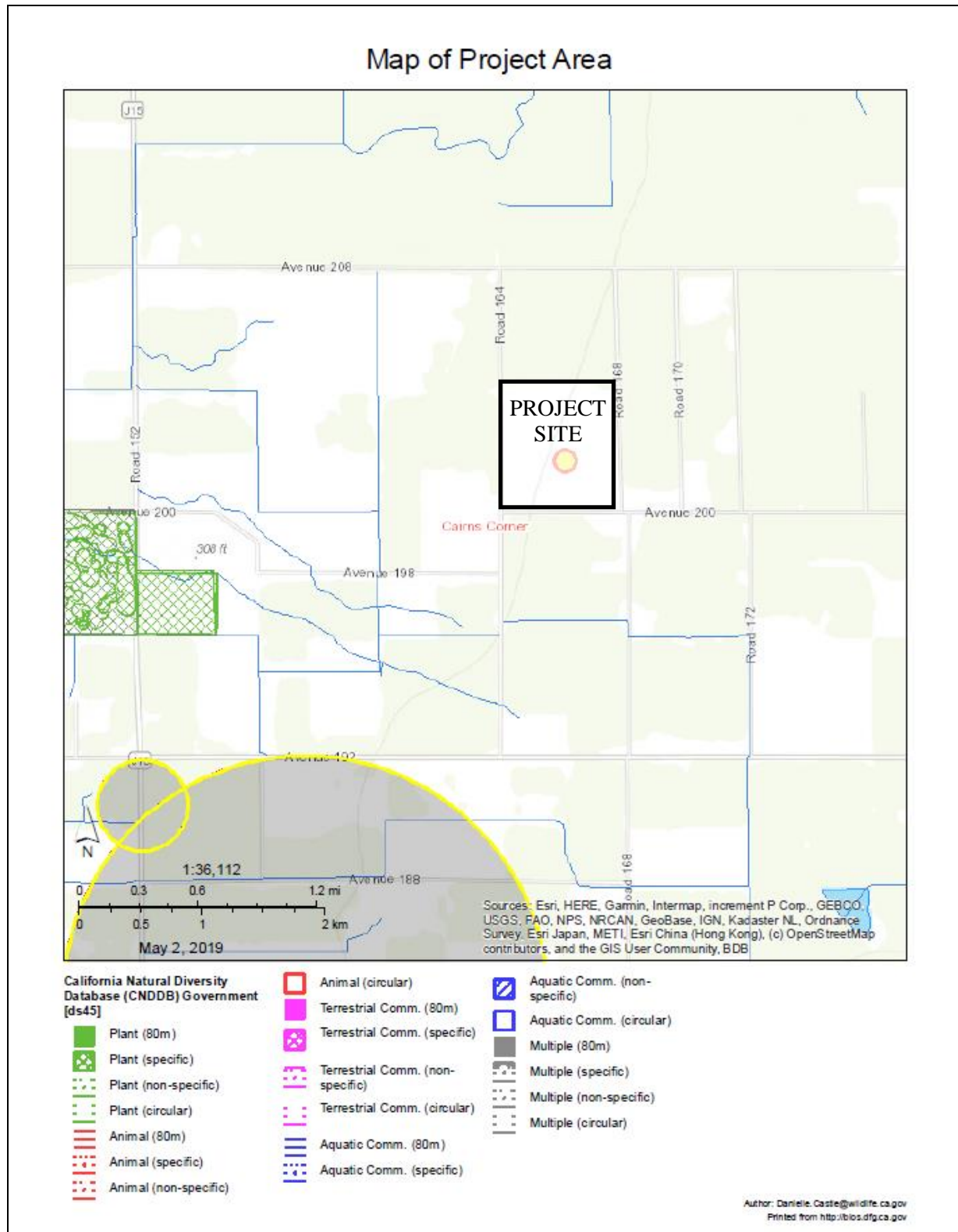


Figure 6. CNDDB Project Areas Summary Table



Summary Table Report
California Department of Fish and Wildlife
California Natural Diversity Database



Query Criteria: Quad IS (Cairns Corner (3611922))
 AND Taxonomic Group IS (Dune OR Scrub OR Herbaceous OR Marsh OR Riparian OR Woodland OR Forest OR Alpine OR Inland Waters OR Marine OR Estuarine OR Riverine OR Palustrine OR Fish OR Amphibians OR Reptiles OR Birds OR Mammals OR Insects OR Mollusks OR Arachnids OR Crustaceans OR Fems OR Gymnosperms OR Monocots OR Dicots OR Lichens OR Bryophytes OR Fungi
 AND (Federal Listing Status IS (Endangered OR Threatened OR Proposed Endangered OR Proposed Threatened OR Candidate OR State Listing Status IS (Endangered OR Threatened OR Rare OR Candidate Endangered OR Candidate Threatened))

Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extrap.	Extrap.
<i>Buteo swainsoni</i> Swainson's hawk	G5 S3	None Threatened	BLM_S-Sensitive IUCN_LC-Least Concern USFWS_BCC-Birds of Conservation Concern	310 320	2473 S:2	0	1	1	0	0	0	0	2	2	0	0
<i>Dipodomys nitratoideus nitratoideus</i> Tipton kangaroo rat	G3T1T2 S1S2	Endangered Endangered	IUCN_VU-Vulnerable	320 320	79 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Vulpes macrotis mutica</i> San Joaquin kit fox	G4T2 S2	Endangered Threatened		300 350	1017 S:5	0	0	0	0	0	5	5	0	5	0	0

Figure 7. CNDDDB California Native Plant Species List

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Cairns Corner (3611922)) AND Taxonomic Group IS (Dune OR Scrub OR Herbaceous OR Marsh OR Riparian OR Woodland OR Forest OR Alpine OR Inland Waters OR Marine OR Estuarine OR Riverine OR Palustrine OR Fish OR Amphibians OR Reptiles OR Birds OR Mammals OR Mollusks OR Arachnids OR Crustaceans OR Insects OR Ferns OR Gymnosperms OR Monocots OR Dicots OR Lichens OR Bryophytes OR Fungi) AND CNPS List IS (1A OR 1B OR 1B.1 OR 1B.2 OR 1B.3 OR 2A OR 2B OR 2B.1 OR 2B.2 OR 2B.3 OR 3 OR 3.1 OR 3.2 OR 3.3 OR 4 OR 4.1 OR 4.2 OR 4.3)

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<i>Atriplex cordulata</i> var. <i>erecticaulis</i> Earlimart orache	PDCHE042V0	None	None	G3T1	S1	1B.2
<i>Atriplex minuscula</i> lesser saltscall	PDCHE042M0	None	None	G2	S2	1B.1
<i>Atriplex subtilis</i> subtle orache	PDCHE042T0	None	None	G1	S1	1B.2
<i>Delphinium recurvatum</i> recurved larkspur	PDRAN0B1J0	None	None	G2?	S2?	1B.2
<i>Puccinellia simplex</i> California alkali grass	PMPOA53110	None	None	G3	S2	1B.2

Record Count: 5

Government Version -- Dated March, 31 2019 -- Biogeographic Data Branch
Report Printed on Thursday, May 02, 2019

Page 1 of 1
Information Expires 9/30/2019

Figure 8. USGS National Water Information System Map

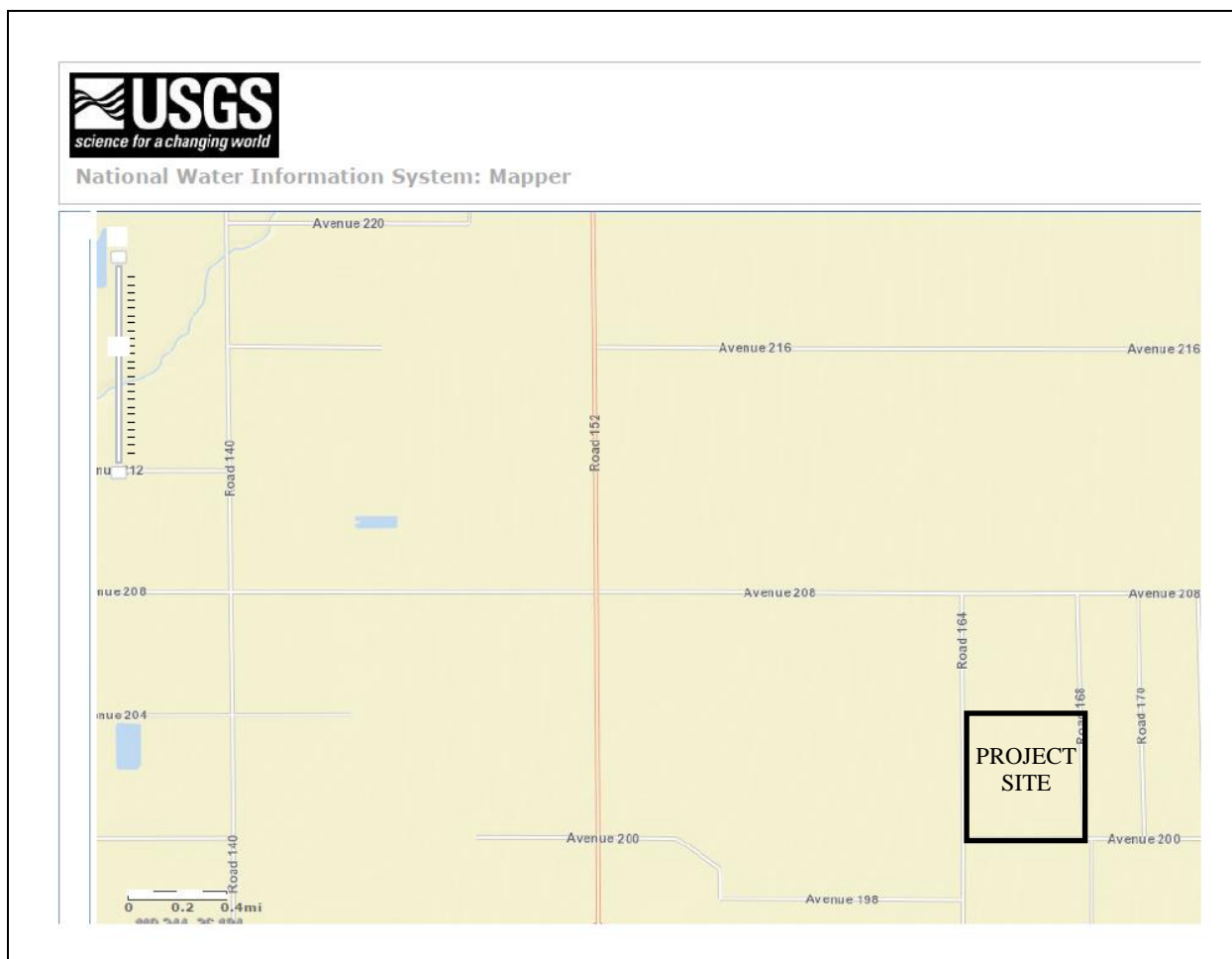
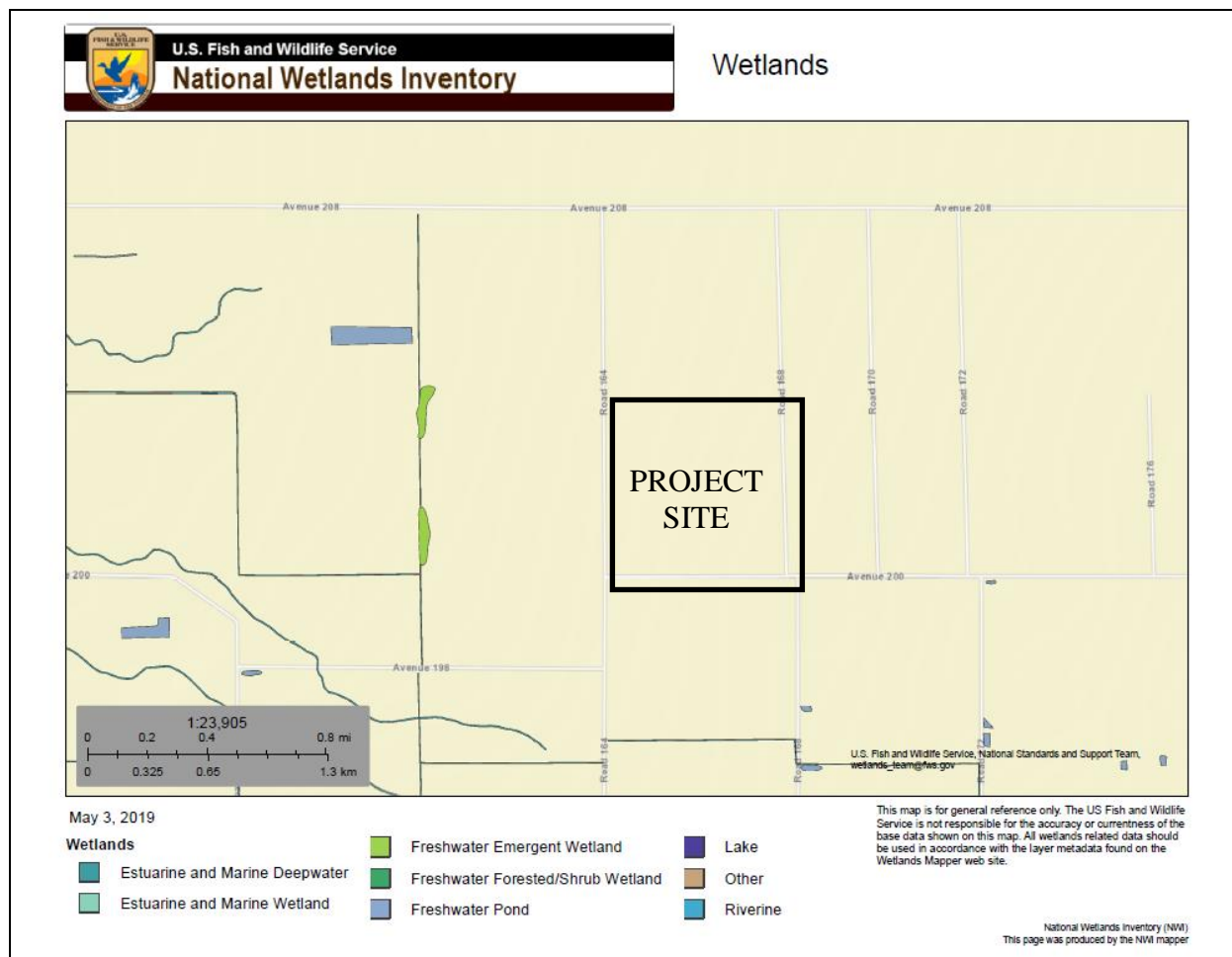


Figure 9. USFWS National Wetlands Inventory Map



Attachment “C”

Cultural and Tribal Cultural Resources



To: Hector Guerra
Tulare County Resource Management Agency
5961 South Mooney Blvd.
Visalia, CA 93277

Tulare County Record Search 19-134
Resource Management Agency
APR 25 2019

Date: April 22, 2019 **REC'D**

Re: Glover Solar Project (PSP 19-003)

County: Tulare

Map(s): Cairns Corner 7.5'

CULTURAL RESOURCES RECORDS SEARCH

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

The following are the results of a search of the cultural resource files at the Southern San Joaquin Valley Information Center. These files include known and recorded cultural resources sites, inventory and excavation reports filed with this office, and resources listed on the National Register of Historic Places, Historic Property Directory, California State Historical Landmarks, California Register of Historical Resources, California Inventory of Historic Resources, and California Points of Historical Interest. Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area.

PRIOR CULTURAL RESOURCE STUDIES CONDUCTED WITHIN THE PROJECT AREA AND WITHIN THE ONE-HALF MILE RADIUS

According to the information in our files, there has been one previous cultural resource study conducted within the project area, TU-01764. There have been no additional studies conducted within the one-half mile radius.

KNOWN/RECORDED CULTURAL RESOURCES WITHIN THE PROJECT AREA AND WITHIN THE ONE-HALF MILE RADIUS

There is one recorded cultural resource within project area, P-54-004832, an historic transmission line. There are no recorded resources within the one-half mile radius and it is not known if any exist there.

There are no recorded cultural resources within the project area or radius that are listed in the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest, California Inventory of Historic Resources, or the California State Historic Landmarks.

COMMENTS AND RECOMMENDATIONS

We understand this project consists of construction and operation of a solar generation facility on approximately 150.33-acre parcel. No information was given as to the current state of the property. The one study that was completed within the project area is a liner study along an existing transmission line. Most of this project area has never been surveyed for cultural resources. It is unknown if any cultural resources exist there. Therefore, if the project area is vacant and has not been previously developed, we recommend a qualified, professional archaeologist conduct a field survey prior to ground disturbance activities to determine if any cultural resources are present. Please note that agriculture does not constitute development as it does not destroy cultural resources but merely moves them around within the plow zone. If any structures of 45 years or older exist on the property, we recommend they be recorded and evaluated for historical significance prior to any alteration or demolition. If the project area is not undeveloped and existing structures are less than 45 years old, then no further cultural resource investigation is recommended at this time. However, if any cultural resources are unearthed during ground disturbance activities, all work must halt in the area of the find and a qualified, professional archeologist should be called out to assess the findings and make the appropriate mitigation recommendations. A list of qualified consultants can be found at www.chrisinfo.org.

We also recommend that you contact the Native American Heritage Commission in Sacramento. They will provide you with a current list of Native American individuals/organizations that can assist you with information regarding cultural resources that may not be included in the CHRIS Inventory and that may be of concern to the Native groups in the area. The Commission can consult their "Sacred Lands Inventory" file in order to determine what sacred resources, if any, exist within this project area and the way in which these resources might be managed. Finally, please consult with the lead agency on this project to determine if any other cultural resource investigation is required. If you need any additional information or have any questions or concerns, please contact our office at (661) 654-2289.

By:



Celeste M. Thomson, Coordinator

Date: April 22, 2019

Please note that invoices for Information Center services will be sent under separate cover from the California State University, Bakersfield Accounting Office.

Hello Mr. Chi,

The distance specification is in the bolded heading of the section at the top of the page. In this case, we used a one-half mile radius.

Regards,

Celeste M. Thomson, Coordinator
Southern San Joaquin Valley Information Center
California State University, Bakersfield
Mail Stop: 72DOB
9001 Stockdale Highway
Bakersfield, CA 93311-1022
Telephone: (661) 654-2289
www.csub.edu/ssjvic

-----Original Message-----

From: Cheng Chi <CChi@co.tulare.ca.us>
Sent: Monday, April 29, 2019 11:29 AM
To: ORG-SSJVIC <ssjvic@csb.edu>
Cc: Hector Guerra <HGuerra@co.tulare.ca.us>; Jessica Willis <JWillis@co.tulare.ca.us>
Subject: CHRIS Search Results_Glover Solar Project (PSP 19-003)_Dated April 22, 2019

Good morning Ms. Thomson.

Thank you for sending us the Glover Solar Project's CHRIS search results. Please allow me to check with you on this. On the second page, the second paragraph towards the top, it reads "There are no recorded cultural resources within the project area or radius....."

Normally there would be specific distance(s) being specified. In this case, there is none. Could you send us a clarification letter so we could have it in case somebody asks about it.

Thank you.

NATIVE AMERICAN HERITAGE COMMISSION
Cultural and Environmental Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691 Phone: (916) 373-3710
Email: nahc@nahc.ca.gov
Website: <http://www.nahc.ca.gov>



March 11, 2019

Jessica Willis
Tulare County Resource Management Agency

VIA Email to: Jwillis@co.tulare.ca.us; Hguerra@co.tulare.ca.us

RE: Native American Tribal Consultation, Pursuant to the Assembly Bill 52 (AB 52), Amendments to the California Environmental Quality Act (CEQA) (Chapter 532, Statutes of 2014), Public Resources Code Sections 5097.94 (m), 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2 and 21084.3, Glover Solar Project (PSP 19-003), Tulare County.

Dear Ms. Willis:

Pursuant to Public Resources Code section 21080.3.1 (c), attached is a consultation list of tribes that are traditionally and culturally affiliated with the geographic area of the above-listed project. Please note that the intent of the AB 52 amendments to CEQA is to avoid and/or mitigate impacts to tribal cultural resources, (Pub. Resources Code §21084.3 (a)) ("Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.")

Public Resources Code sections 21080.3.1 and 21084.3(c) require CEQA lead agencies to consult with California Native American tribes that have requested notice from such agencies of proposed projects in the geographic area that are traditionally and culturally affiliated with the tribes on projects for which a Notice of Preparation or Notice of Negative Declaration or Mitigated Negative Declaration has been filed on or after July 1, 2015. Specifically, Public Resources Code section 21080.3.1 (d) provides:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

The AB 52 amendments to CEQA law does not preclude initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction prior to receiving requests for notification of projects in the tribe's areas of traditional and cultural affiliation. The Native American Heritage Commission (NAHC) recommends, but does not require, early consultation as a best practice to ensure that lead agencies receive sufficient information about cultural resources in a project area to avoid damaging effects to tribal cultural resources.

The NAHC also recommends, but does not require that agencies should also include with their notification letters, information regarding any cultural resources assessment that has been completed on the area of potential effect (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:
 - A listing of any and all known cultural resources that have already been recorded on or adjacent to the APE, such as known archaeological sites;
 - Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
 - Whether the records search indicates a low, moderate, or high probability that unrecorded cultural resources are located in the APE; and
 - If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.
2. The results of any archaeological inventory survey that was conducted, including:
 - Any report that may contain site forms, site significance, and suggested mitigation measures.

All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code section 6254.10.
3. The result of any Sacred Lands File (SLF) check conducted through the Native American Heritage Commission was negative.
4. Any ethnographic studies conducted for any area including all or part of the APE; and
5. Any geotechnical reports regarding all or part of the APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS are not exhaustive and a negative response to these searches does not preclude the existence of a tribal cultural resource. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event that they do, having the information beforehand will help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our consultation list remains current.

If you have any questions, please contact me at my email address: Katy.Sanchez@nahc.ca.gov.

Sincerely,



for Katy Sanchez
Associate Environmental Planner

Attachment

**Native American Heritage Commission
Tribal Consultation List
03/11/2019**

Santa Rosa Rancheria Tachi Yokut Tribe
Rueben Barrios Sr., Chairperson
P.O. Box 8
Lemoore, CA 93245
Tache
Tachi
Yokut
(559) 924-1278

Tule River Indian Tribe
Neil Peyron, Chairperson
P.O. Box 589
Porterville, CA 93258
Yokuts
neil.peyron@tulerivertribe-nsn.gov
(559) 781-4271

Wuksache Indian Tribe/Eshom Valley Band
Kenneth Woodrow, Chairperson
1179 Rock Haven Ct.
Salinas, CA 93906
Foothill Yokuts
Mono
Wuksache
kwood8934@aol.com
(831) 443-9702

This list is current only as of the date of this document and is based on the information available to the Commission on the date it was produced.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Public Resources Code Sections 21080.1, 21080.3.1, and 21080.3.2 for proposed Glover Solar Project (PSP 19-003), Tulare County.

Consultation Notice – GLOVER SOLAR (PSP 19-003)															
TRIBE CONTACTED	REQUEST TYPE		DOCUMENTS SUBMITTED					DELIVERY METHOD			CONSULTATION PERIOD		CONSULTATION / ACTIONS		
	AB 52	SB 18	Map	Project Description	SLF Search Results	CHRIS Results	Other	E-mail	FedEx	Certified US Mail	Return Receipt	Period Ends	Date	TYPE	Summary
SACRED LAND FILE (SLF) REQUEST															
Native American Heritage Commission	X		X	X			SLF/Tribal Consult list request form	2/20/19					3/11/19	Email	SLF result were negative; tribal contact list provided
CONSULTATION REQUEST LETTERS															
Santa Rosa Rancheria Tachi Yokut Tribe Rueben Barrios, Sr., Chairperson P.O. Box 8 Lemoore, CA 93245	X		X	X			Project Notification & cover letter with SLF results			4/11/19 7013171000 0019566320	4/15/19	5/15/19			
Santa Rosa Rancheria Tachi Yokut Tribe Cultural Department Shana Powers, Director P.O. Box 8 Lemoore, CA 93245 SPowers@tachi-yokut-nsn.gov	X		X	X			Project Notification & cover letter with SLF results	4/11/19		4/11/19 7013171000 0019566313	4/15/19	5/15/19			
Santa Rosa Rancheria Tachi Yokut Tribe Cultural Department Greg Cuara, Cultural Specialist P.O. Box 8 Lemoore, CA 93245 GCuara@tachi-yokut-nsn.gov	X		X	X			Project Notification & cover letter with SLF results	4/11/19		4/11/19 7013171000 0019566306	4/15/19	5/15/19			
Torres Martinez Desert Cahuilla Indians Michael Mirelez, Cultural Resource Coordinator P. O. Box 1160 Thermal, CA 92274 mmirelez@tmdci.org	X		X	X			Project Notification & cover letter with SLF results	4/11/19		4/11/19 7013171000 0019566290	4/15/19	5/15/19			
Tule River Indian Tribe Neil Peyron, Chairperson P.O. Box 589 Porterville, CA 93258 neil.peyron@tulerivertribe-nsn.gov chairman@tulerivertribe-nsn.gov	X		X	X			Project Notification & cover letter with SLF results	4/11/19		4/11/19 7013171000 0019566283	4/17/19	5/17/19			
Tule River Indian Tribe Environmental Department Kerri Vera, Director P. O. Box 589 Porterville, CA 93258 tuleriverenv@yahoo.com	X		X	X			Project Notification & cover letter with SLF results	4/11/19		4/11/19 7013171000 0019566276	4/17/19	5/17/19			

Consultation Notice – GLOVER SOLAR (PSP 19-003)															
TRIBE CONTACTED	REQUEST TYPE		DOCUMENTS SUBMITTED					DELIVERY METHOD			CONSULTATION PERIOD		CONSULTATION / ACTIONS		
	AB 52	SB 18	Map	Project Description	SLF Search Results	CHRIS Results	Other	E-mail	FedEx	Certified US Mail	Return Receipt	Period Ends	Date	TYPE	Summary
Tule River Indian Tribe Felix Christman, Tribal Archaeological Monitor P. O. Box 589 Porterville, CA 93258 tuleriverarchmon1@gmail.com	X		X	X			Project Notification & cover letter with SLF results	4/11/19		4/11/19 7013171000 0019566269	4/17/19	5/17/19			
Wuksache Indian Tribe / Eshom Valley Band Attn: Kenneth Woodrow, Chairperson 1179 Rock Haven Court Salinas, CA 93906 Kwood8934@aol.com	X		X	X			Project Notification & cover letter with SLF results	4/11/19		4/11/19 7013171000 0019566252	4/13/19	5/13/19			



RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277
PHONE (559) 624-7000
FAX (559) 730-2653

Aaron R. Bock	Economic Development and Planning
Reed Schenke	Public Works
Sherman Dix	Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

April 11, 2019

Rueben Barrios, Sr., Chairperson
Santa Rosa Rancheria Tachi Yokut Tribe
P.O. Box 8
Lemoore, CA 93245

RE: Project Notification Pursuant to Assembly Bill (AB) 52 for the Glover Solar Project (PSP 19-003)

Dear Chairperson Barrios,

Pursuant to the provisions of AB 52, as the lead agency under the California Environmental Quality Act (CEQA), the County of Tulare hereby extends an invitation to consult on the California Environmental Quality Act (CEQA) review of the Glover Solar Project (PSP 19-003) in order to assist with identifying and/or preserving and/or mitigating project impacts to Native American cultural places including:

- Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine; and
- Native American historic, cultural, or sacred site that is listed or may be eligible for listing in the California Register of Historical Resources including historic or prehistoric ruins and any burial ground, archaeological, or historic site.

In accordance with the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.), the County of Tulare Resource Management Agency (RMA) will be preparing a Mitigated Negative Declaration (MND) to evaluate the environmental effects associated with the Project.

Sacred Lands File Search

The County requested a Sacred Lands File (SLF) search through the Native American Heritage Commission (NAHC) on February 20, 2019, for the Glover Solar Project (PSP 19-003). The SLF search returned on March 11, 2019, with negative results; however, the NAHC recommended consultation with your Tribe. Results of the SLF search will be made available upon the release of the MND for public review. However, results may be made available to your Tribal Representatives if a written request for consultation is submitted to the County within thirty (30) days of receipt of this letter.

California Historical Resources Information System

A California Historical Resources Information System (CHRIS) search for the project area was requested through the Southern San Joaquin Valley Information Center (SSJVIC) on April 11, 2019. Results of the CHRIS search have not yet been received by the County. As such, the County is requesting consultation with your Tribe to determine whether a Cultural Resources Study will be required. The results of the CHRIS search will be made available upon the release of the MND for public review and available to your Tribal Representatives if a written request for consultation is received. Should the County not receive a response to this request within thirty (30) days of receipt of this letter, it will be presumed that there are no cultural resources of concern and a Cultural Resources Study will not be required.

If your Tribe desires to consult with the County on the review of this project, please respond in writing within thirty (30) days of receipt of this letter. Written correspondence can be mailed to the address provided above or e-mailed to the addresses provided below.

If the County does not receive a response to this notification, it will be presumed that your Tribe has declined the opportunity to consult on this project pursuant to AB 52.

Thank you for your consideration on this matter and please do not hesitate to contact me by phone or e-mail should you have any questions or need additional information. If you need immediate assistance and I am unavailable, please contact, Hector Guerra, Chief of Environmental Planning, by phone at (559) 624-7121, or by email at hguerra@co.tulare.ca.us.

Sincerely,



Jessica Willis
Planner IV
(559) 624-7121
JWillis@co.tulare.ca.us

Attachment: Tribal Consultation Notice

AB 52 PROJECT NOTIFICATION AND TRIBAL CONSULTATION REQUEST

Project Title: Glover Solar (PSP 19-003)

Project Location: The Project site is located approximately six (6) miles southeast of the City of Tulare and approximately three and a half (3.5) miles south of Highway 137, abutting Road 164 to the west and Avenue 200 to the south.

USGS 7.5 Minute Quadrangle(s): Cairns Corner

APN(s): 198-060-011

PLSS: Section 30, Township 20 South, Range 26 East, MDB&M.

Latitude / Longitude: N 36° 9' 22" / W 119° 12' 79"

Project Description: Glover Solar, LLC (Applicant) is proposing the construction and operation of an approximate 20-megawatt (MW) solar generation facility on approximately 150.33-acre parcel located 3.5 miles south of Tulare Lindsay Highway (Avenue 232/Highway 137) and 1.5 miles east of Bliss Lane (Road 152) in western Tulare County, California. The installation would comprise approximately 76,250 single axis tracker solar modules, rated at 385 watts per module. It should be noted that watts per module may increase at time of project construction; however, for planning purposes we have included an approximate module output of 385 watts. In addition to the installation of photovoltaic (PV) solar modules, the proposed Project would include the construction of a substation/switchyard, wiring and inverters, fence, access roads, and a distribution interconnect to the nearby Bliss Substation located approximately 1.0 mile north of the project location at the Southern California Edison (SCE) Bliss Substation. The project may also include a 5 MWhr storage component in the form of batteries. The life of the Project is anticipated to be 35 years.

Request for Consultation: Pursuant to the provisions of AB 52, as the lead agency under the California Environmental Quality Act (CEQA), the County of Tulare hereby extends an invitation to consult on the California Environmental Quality Act (CEQA) review of the Glover Solar Project (PSP 19-003) in order to assist with identifying and/or preserving and/or mitigating project impacts to Native American cultural places and tribal cultural resources.

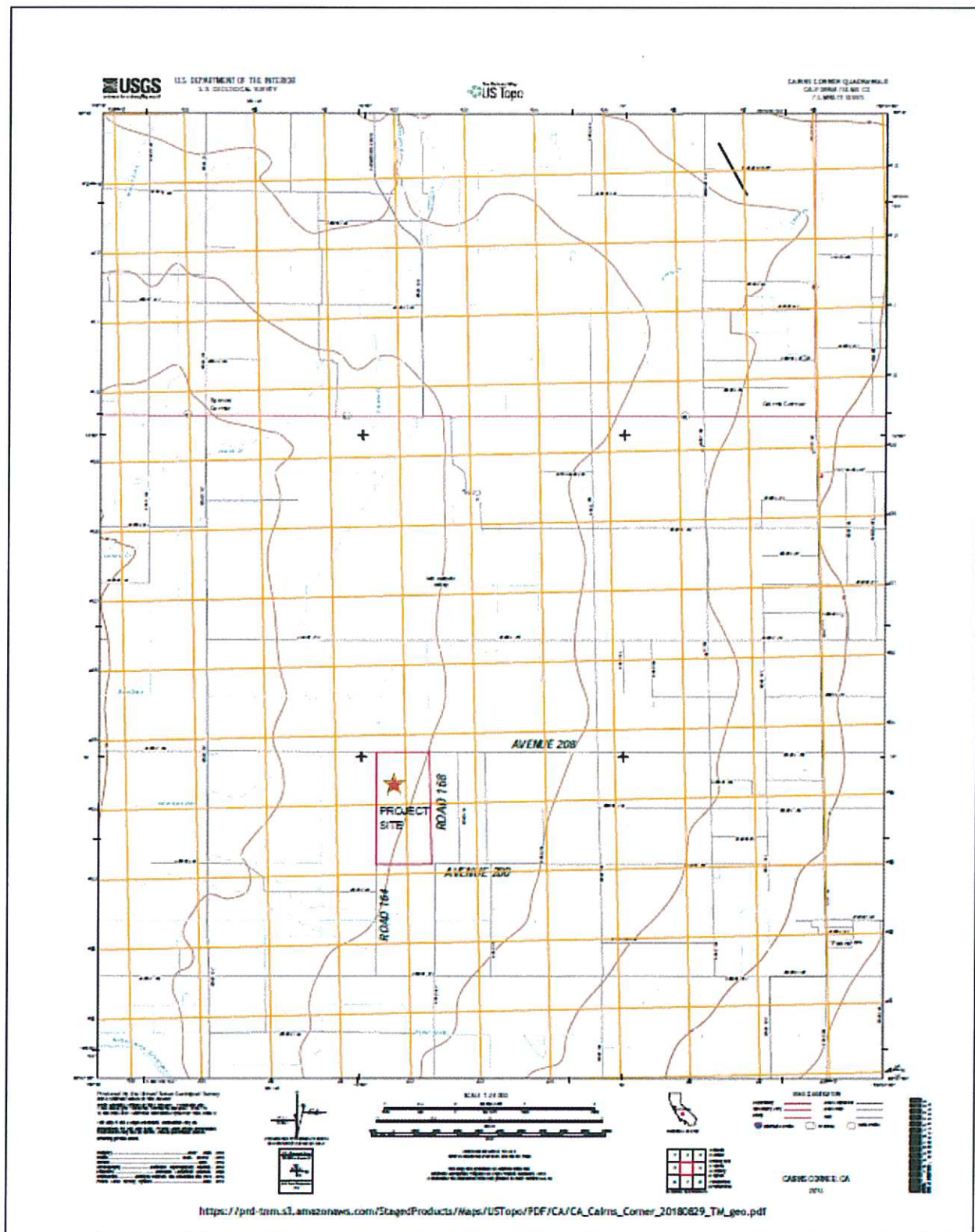
If your Tribe desires to consult with the County on the review of this project, please respond in writing within thirty (30) days of receipt of this notification. Written correspondence can be mailed to the following addresses:

US Post: Tulare County Resource Management Agency
Environmental Planning Division
Attn: Jessica Willis / Hector Guerra
5961 S. Mooney Blvd.
Visalia, CA 93277-9394

E-mail: JWillis@co.tulare.ca.us and HGuerra@co.tulare.ca.us

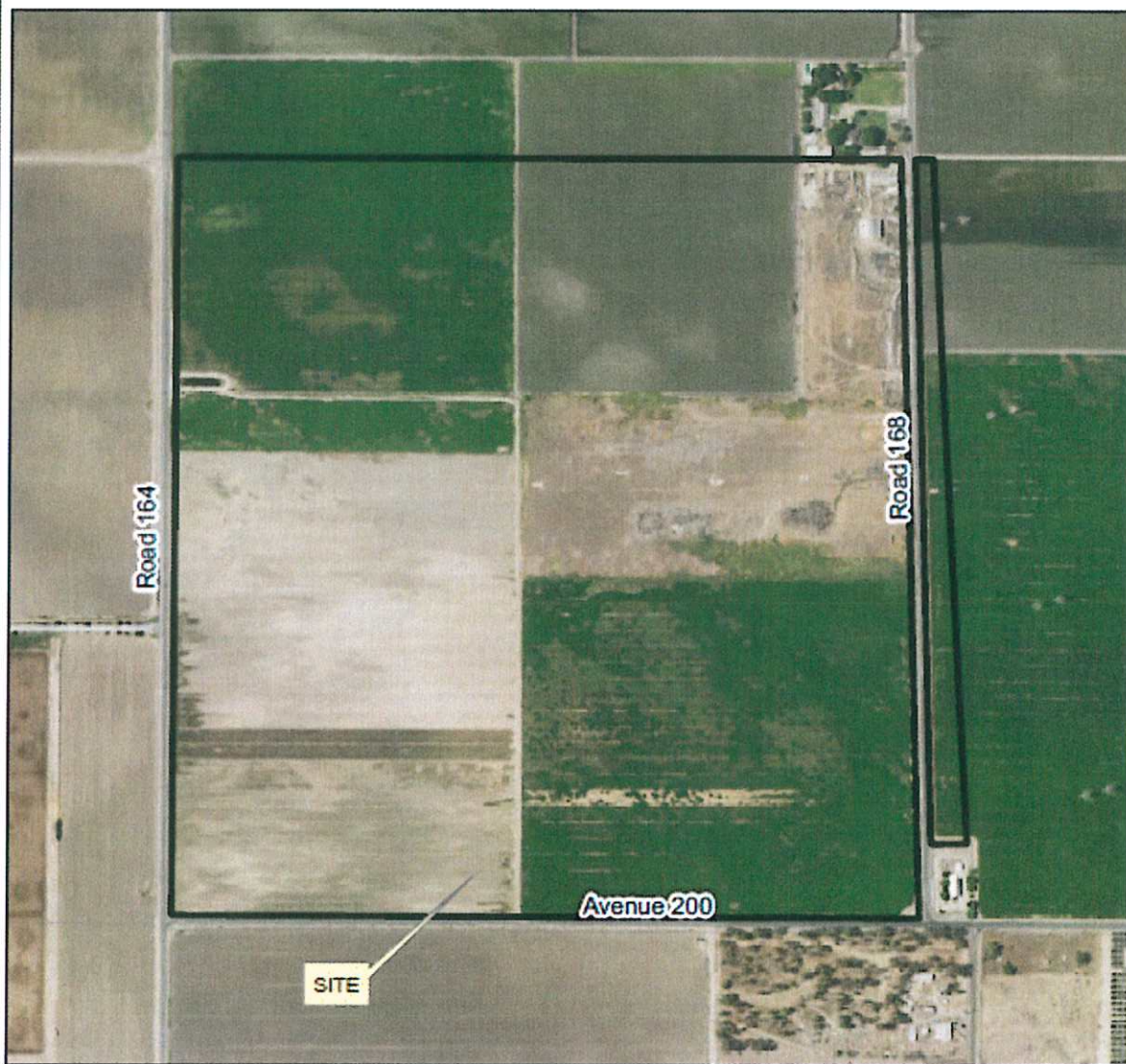
If you need further assistance or have any questions, please feel free to contact Jessica Willis by phone at (559) 624-7122, or Hector Guerra at (559) 624-7121.

If the County does not receive a response to this notification, it will be presumed that your Tribe has declined the opportunity to consult on this project pursuant to AB 52.



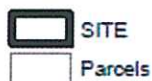


Aerial Photograph for PSP 19-003



Owner: Kenneth Glover, Shirley A. Glover, and Carla Glover
Address: 20701 Road 168
City, State, ZIP: Strathmore, Ca 93267
Applicant: Glover Solar, LLC
Agent: N/A
Supervisory District: 5
Assessors Parcel: 198-060-011

0 500 1,000 Feet



[illegible]

Jessica Willis - AB 52 Project Notification for Glover Solar (PSP 19-003)

From: Jessica Willis
To: Shana Powers
Date: 4/11/2019 11:45 AM
Subject: AB 52 Project Notification for Glover Solar (PSP 19-003)
Attachments: Glover_SRR-Powers.pdf

Good morning Ms. Powers.

Attached for your review is the Project Notification pursuant to AB 52 for the Glover Solar Project (PSP 19-003) in Tulare County. The originals have been mailed to you via Certified Mail. If you would like to initiate consultation pursuant to AB 52, please respond in writing (hard copy or via email) within 30 days.

Thank you for your review. Please feel free to call or email me if I can be of further assistance.

Jessica Willis
Planner IV
County of Tulare
Resource Management Agency
Phone: [\(559\) 624-7122](tel:5596247122)
E-mail: JWillis@co.tulare.ca.us



RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD

VISALIA, CA 93277

PHONE (559) 624-7000

FAX (559) 730-2653

Aaron R. Bock

Economic Development and Planning

Reed Schenke

Public Works

Sherman Dix

Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

April 11, 2019

Shana Powers, Director
Santa Rosa Rancheria Tachi Yokut Tribe
Cultural Department
P.O. Box 8
Lemoore, CA 93245

RE: Project Notification Pursuant to Assembly Bill (AB) 52 for the Glover Solar Project (PSP 19-003)

Dear Ms. Powers,

Pursuant to the provisions of AB 52, as the lead agency under the California Environmental Quality Act (CEQA), the County of Tulare hereby extends an invitation to consult on the California Environmental Quality Act (CEQA) review of the Glover Solar Project (PSP 19-003) in order to assist with identifying and/or preserving and/or mitigating project impacts to Native American cultural places including:

- Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine; and
- Native American historic, cultural, or sacred site that is listed or may be eligible for listing in the California Register of Historical Resources including historic or prehistoric ruins and any burial ground, archaeological, or historic site.

In accordance with the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.), the County of Tulare Resource Management Agency (RMA) will be preparing a Mitigated Negative Declaration (MND) to evaluate the environmental effects associated with the Project.

Sacred Lands File Search

The County requested a Sacred Lands File (SLF) search through the Native American Heritage Commission (NAHC) on February 20, 2019, for the Glover Solar Project (PSP 19-003). The SLF search returned on March 11, 2019, with negative results; however, the NAHC recommended consultation with your Tribe. Results of the SLF search will be made available upon the release of the MND for public review. However, results may be made available to your Tribal Representatives if a written request for consultation is submitted to the County within thirty (30) days of receipt of this letter.

California Historical Resources Information System

A California Historical Resources Information System (CHRIS) search for the project area was requested through the Southern San Joaquin Valley Information Center (SSJVIC) on April 11, 2019. Results of the CHRIS search have not yet been received by the County. As such, the County is requesting consultation with your Tribe to determine whether a Cultural Resources Study will be required. The results of the CHRIS search will be made available upon the release of the MND for public review and available to your Tribal Representatives if a written request for consultation is received. Should the County not receive a response to this request within thirty (30) days of receipt of this letter, it will be presumed that there are no cultural resources of concern and a Cultural Resources Study will not be required.

If your Tribe desires to consult with the County on the review of this project, please respond in writing within thirty (30) days of receipt of this letter. Written correspondence can be mailed to the address provided above or e-mailed to the addresses provided below.

If the County does not receive a response to this notification, it will be presumed that your Tribe has declined the opportunity to consult on this project pursuant to AB 52.

Thank you for your consideration on this matter and please do not hesitate to contact me by phone or e-mail should you have any questions or need additional information. If you need immediate assistance and I am unavailable, please contact, Hector Guerra, Chief of Environmental Planning, by phone at (559) 624-7121, or by email at hguerra@co.tulare.ca.us.

Sincerely,



Jessica Willis
Planner IV
(559) 624-7121
JWillis@co.tulare.ca.us

Attachment: Tribal Consultation Notice

AB 52 PROJECT NOTIFICATION AND TRIBAL CONSULTATION REQUEST

Project Title: Glover Solar (PSP 19-003)

Project Location: The Project site is located approximately six (6) miles southeast of the City of Tulare and approximately three and a half (3.5) miles south of Highway 137, abutting Road 164 to the west and Avenue 200 to the south.

USGS 7.5 Minute Quadrangle(s): Cairns Corner

APN(s): 198-060-011

PLSS: Section 30, Township 20 South, Range 26 East, MDB&M.

Latitude / Longitude: N 36° 9' 22" / W 119° 12' 79"

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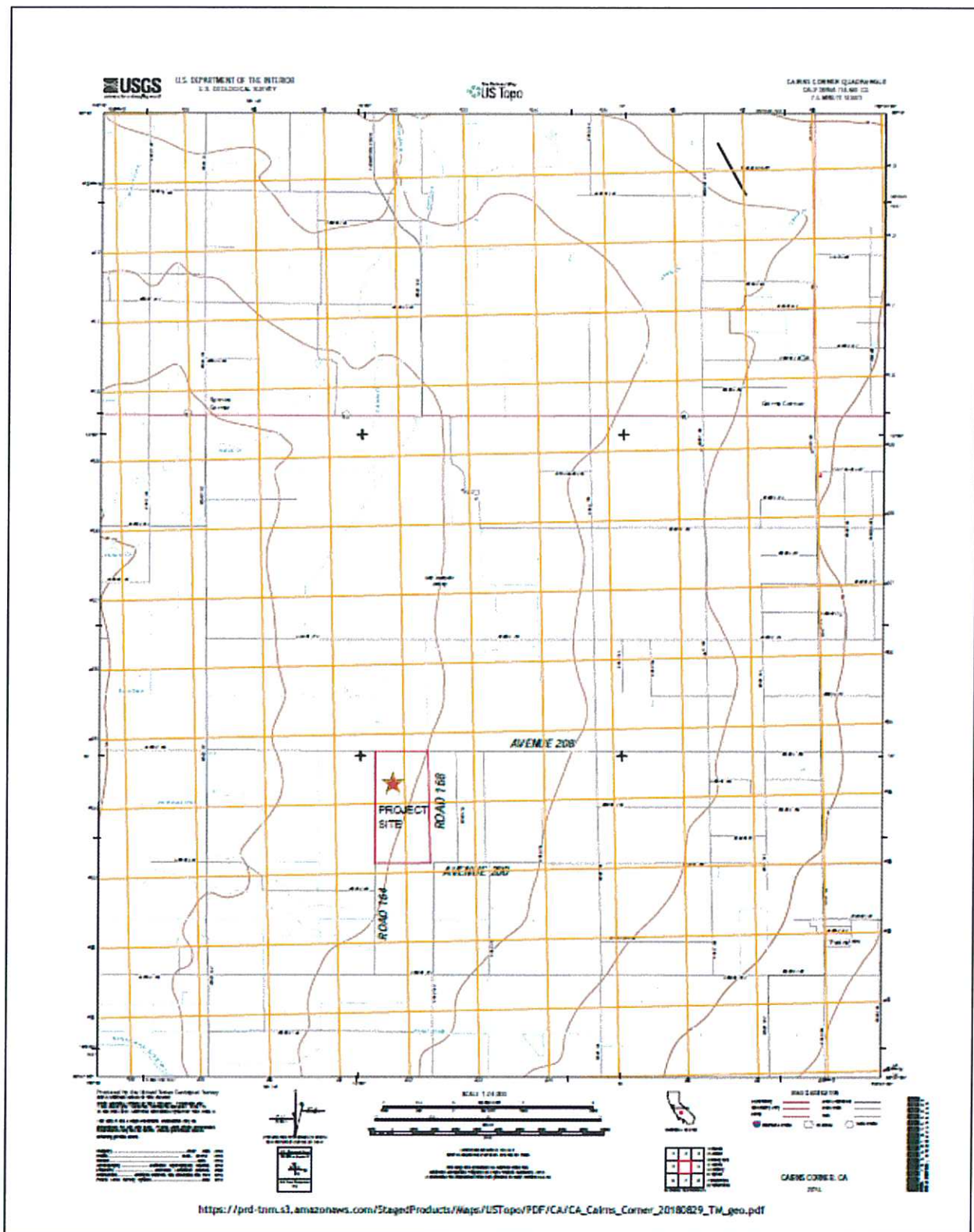
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Environmental Planning Division
Attn: Jessica Willis / Hector Guerra
5961 S. Mooney Blvd.
Visalia, CA 93277-9394

E-mail: JWillis@co.tulare.ca.us and HGuerra@co.tulare.ca.us

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Aerial Photograph for PSP 19-003



Owner: Kenneth Glover, Shirley A. Glover, and Carla Glover
Address: 20701 Road 168
City, State, ZIP: Strathmore, Ca 93267
Applicant: Glover Solar, LLC
Agent: N/A
Supervisory District: 5
Assessors Parcel: 198-060-011

0 500 1,000 Feet

 SITE
 Parcels



[illegible]

Jessica Willis - AB 52 Project Notification for Glover Solar (PSP 19-003)

From: Jessica Willis
To: Greg Cuara
Date: 4/11/2019 11:45 AM
Subject: AB 52 Project Notification for Glover Solar (PSP 19-003)
Attachments: Glover_SRR-Cuara.pdf

Good morning Mr. Cuara.

Attached for your review is the Project Notification pursuant to AB 52 for the Glover Solar Project (PSP 19-003) in Tulare County. The originals have been mailed to you via Certified Mail. If you would like to initiate consultation pursuant to AB 52, please respond in writing (hard copy or via email) within 30 days.

Thank you for your review. Please feel free to call or email me if I can be of further assistance.

Jessica Willis
Planner IV
County of Tulare
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Phone: [\(559\) 624-7122](tel:5596247122)
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RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277
PHONE (559) 624-7000
FAX (559) 730-2653

Aaron R. Bock	Economic Development and Planning
Reed Schenke	Public Works
Sherman Dix	Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

April 11, 2019

Greg Cuara, Cultural Specialist
Santa Rosa Rancheria Tachi Yokut Tribe
Cultural Department
P.O. Box 8
Lemoore, CA 93245

RE: Project Notification Pursuant to Assembly Bill (AB) 52 for the Glover Solar Project (PSP 19-003)

Dear Mr. Cuara,

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Thank you for your consideration on this matter and please do not hesitate to contact me by phone or e-mail should you have any questions or need additional information. If you need immediate assistance and I am unavailable, please contact, Hector Guerra, Chief of Environmental Planning, by phone at (559) 624-7121, or by email at hguerra@co.tulare.ca.us.

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Jessica Willis
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(559) 624-7121
JWillis@co.tulare.ca.us

Attachment: Tribal Consultation Notice

AB 52 PROJECT NOTIFICATION AND TRIBAL CONSULTATION REQUEST

Project Title: Glover Solar (PSP 19-003)

Project Location: The Project site is located approximately six (6) miles southeast of the City of Tulare and approximately three and a half (3.5) miles south of Highway 137, abutting Road 164 to the west and Avenue 200 to the south.

USGS 7.5 Minute Quadrangle(s): Cairns Corner

APN(s): 198-060-011

PLSS: Section 30, Township 20 South, Range 26 East, MDB&M.

Latitude / Longitude: N 36° 9' 22" / W 119° 12' 79"

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0 500 1,000 Feet

 SITE
 Parcels



[illegible]

Jessica Willis - AB 52 Project Notification for Glover Solar (PSP 19-003)

From: Jessica Willis
To: Michael Mirelez
Date: 4/11/2019 11:44 AM
Subject: AB 52 Project Notification for Glover Solar (PSP 19-003)
Attachments: Glover_TMDCI-Mirelez.pdf

Good morning Mr. Mirelez.

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Aaron R. Bock	Economic Development and Planning
Reed Schenke	Public Works
Sherman Dix	Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

April 11, 2019

Michael Mirelez, Cultural Resource Coordinator
Torres Martinez Desert Cahuilla Indians
P.O. Box 1160
Thermal, CA 92274

RE: Project Notification Pursuant to Assembly Bill (AB) 52 for the Glover Solar Project (PSP 19-003)

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Jessica Willis

Planner IV

(559) 624-7121

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APN(s): 198-060-011

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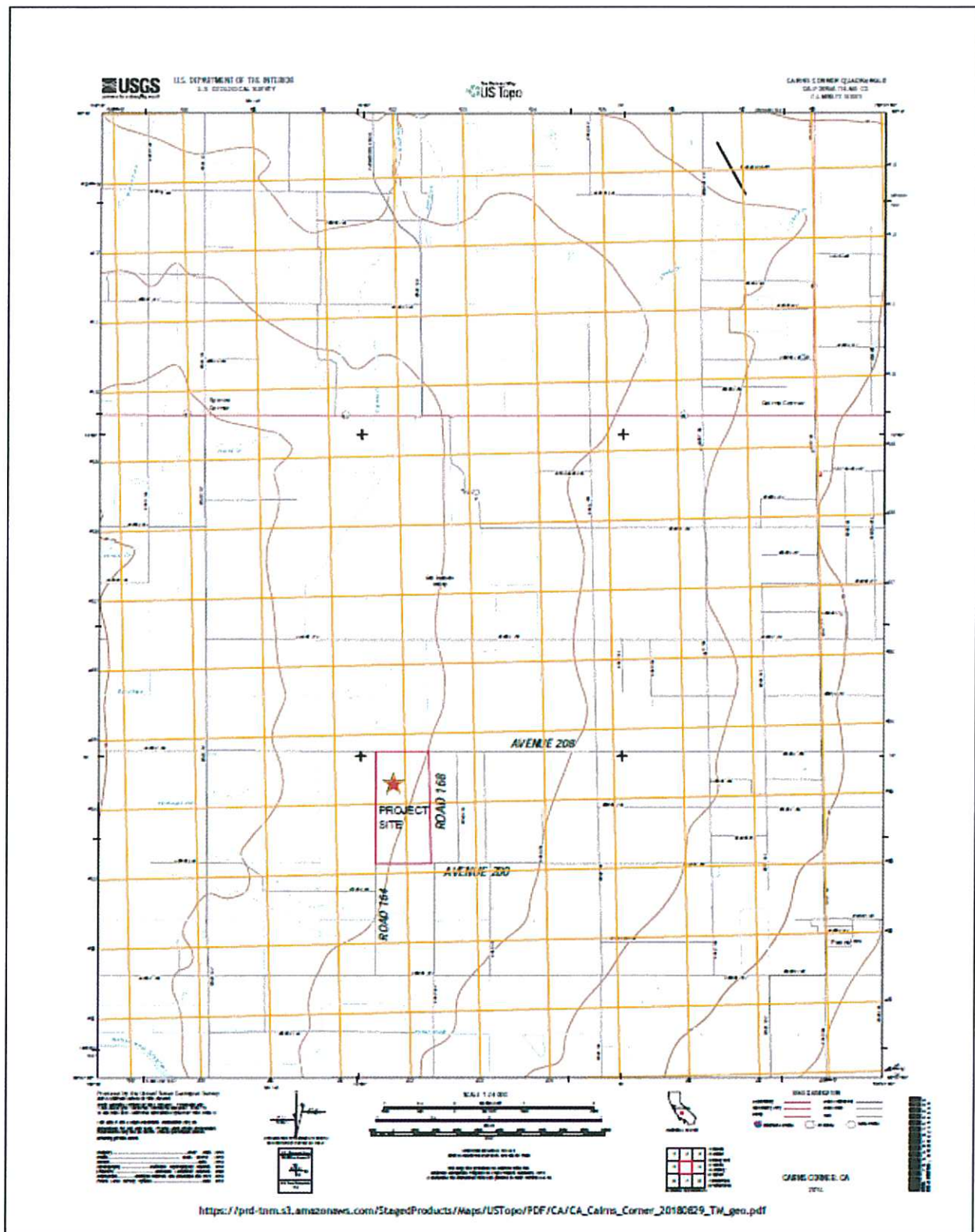
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0 500 1,000 Feet

 SITE
 Parcels



[illegible]

Jessica Willis - AB 52 Project Notification for Glover Solar (PSP 19-003)

From: Jessica Willis
To: Neil Peyron; Neil Peyron <neil.peyron@tulerivertribe-nsn.gov> <neil.peyron@tulerivertribe-nsn.gov>
Date: 4/11/2019 11:44 AM
Subject: AB 52 Project Notification for Glover Solar (PSP 19-003)
Attachments: Glover_TR-Peyron.pdf

Good morning Mr. Peyron.

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County of Tulare
Resource Management Agency
Phone: [\(559\) 624-7122](tel:5596247122)
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VISALIA, CA 93277

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Aaron R. Bock

Economic Development and Planning

Reed Schenke

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Sherman Dix

Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

April 11, 2019

Neil Peyron, Chairperson
Tule River Indian Tribe
P.O. Box 589
Porterville, CA 93258

RE: Project Notification Pursuant to Assembly Bill (AB) 52 for the Glover Solar Project (PSP 19-003)

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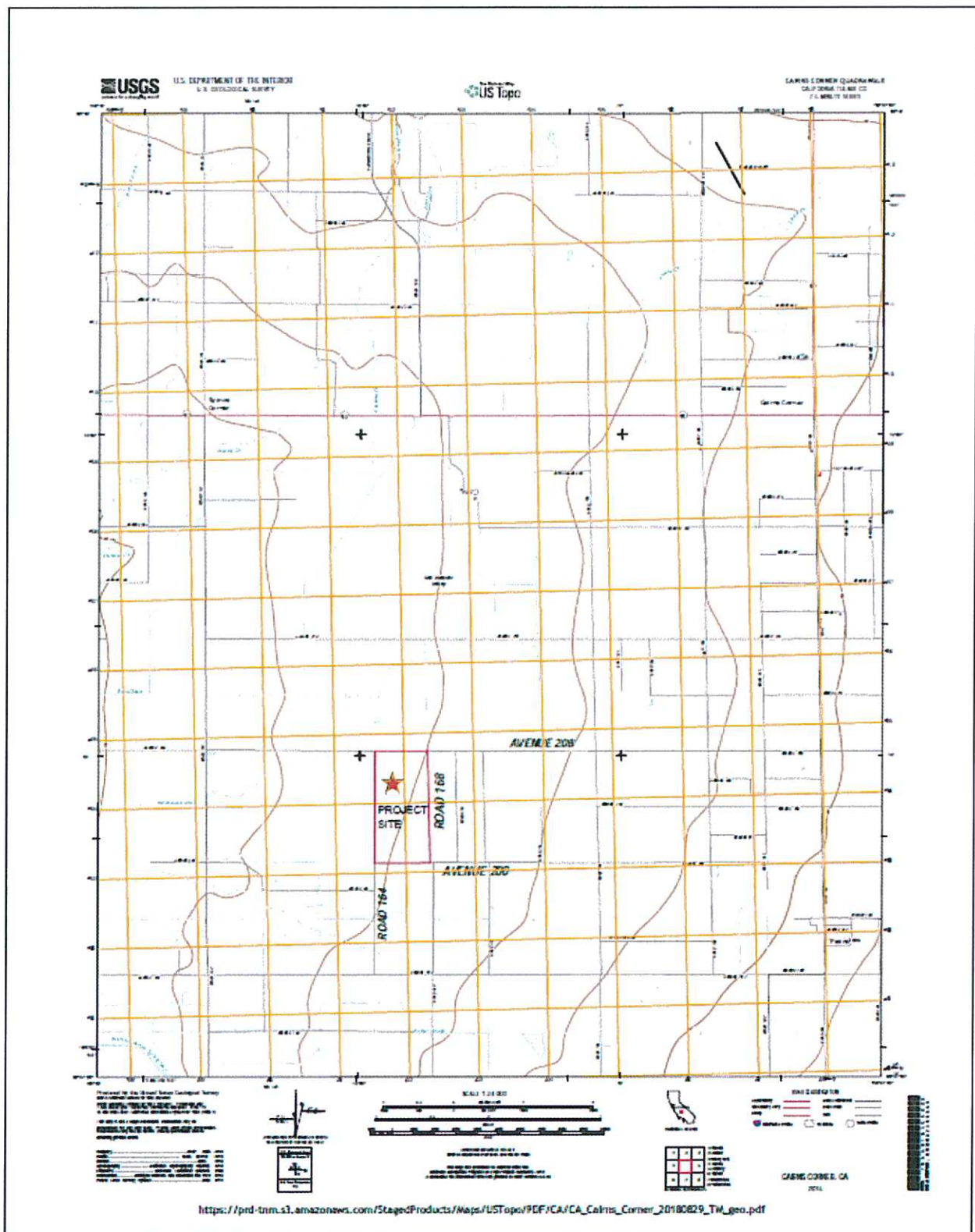
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


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From: Jessica Willis
To: Kerri Vera
Date: 4/11/2019 11:44 AM
Subject: AB 52 Project Notification for Glover Solar (PSP 19-003)
Attachments: Glover_TR-Vera.pdf

Good morning Ms. Vera.

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REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

April 11, 2019

Kerri Vera, Director
Tule River Indian Tribe
Environmental Department
P. O. Box 589
Porterville, CA 93258

RE: Project Notification Pursuant to Assembly Bill (AB) 52 for the Glover Solar Project (PSP 19-003)

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Thank you for your consideration on this matter and please do not hesitate to contact me by phone or e-mail should you have any questions or need additional information. If you need immediate assistance and I am unavailable, please contact, Hector Guerra, Chief of Environmental Planning, by phone at (559) 624-7121, or by email at hguerra@co.tulare.ca.us.

Sincerely,



Jessica Willis
Planner IV
(559) 624-7121
JWillis@co.tulare.ca.us

Attachment: Tribal Consultation Notice

AB 52 PROJECT NOTIFICATION AND TRIBAL CONSULTATION REQUEST

Project Title: Glover Solar (PSP 19-003)

Project Location: The Project site is located approximately six (6) miles southeast of the City of Tulare and approximately three and a half (3.5) miles south of Highway 137, abutting Road 164 to the west and Avenue 200 to the south.

USGS 7.5 Minute Quadrangle(s): Cairns Corner

APN(s): 198-060-011

PLSS: Section 30, Township 20 South, Range 26 East, MDB&M.

Latitude / Longitude: N 36° 9' 22" / W 119° 12' 79"

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Request for Consultation: Pursuant to the provisions of AB 52, as the lead agency under the California Environmental Quality Act (CEQA), the County of Tulare hereby extends an invitation to consult on the California Environmental Quality Act (CEQA) review of the Glover Solar Project (PSP 19-003) in order to assist with identifying and/or preserving and/or mitigating project impacts to Native American cultural places and tribal cultural resources.

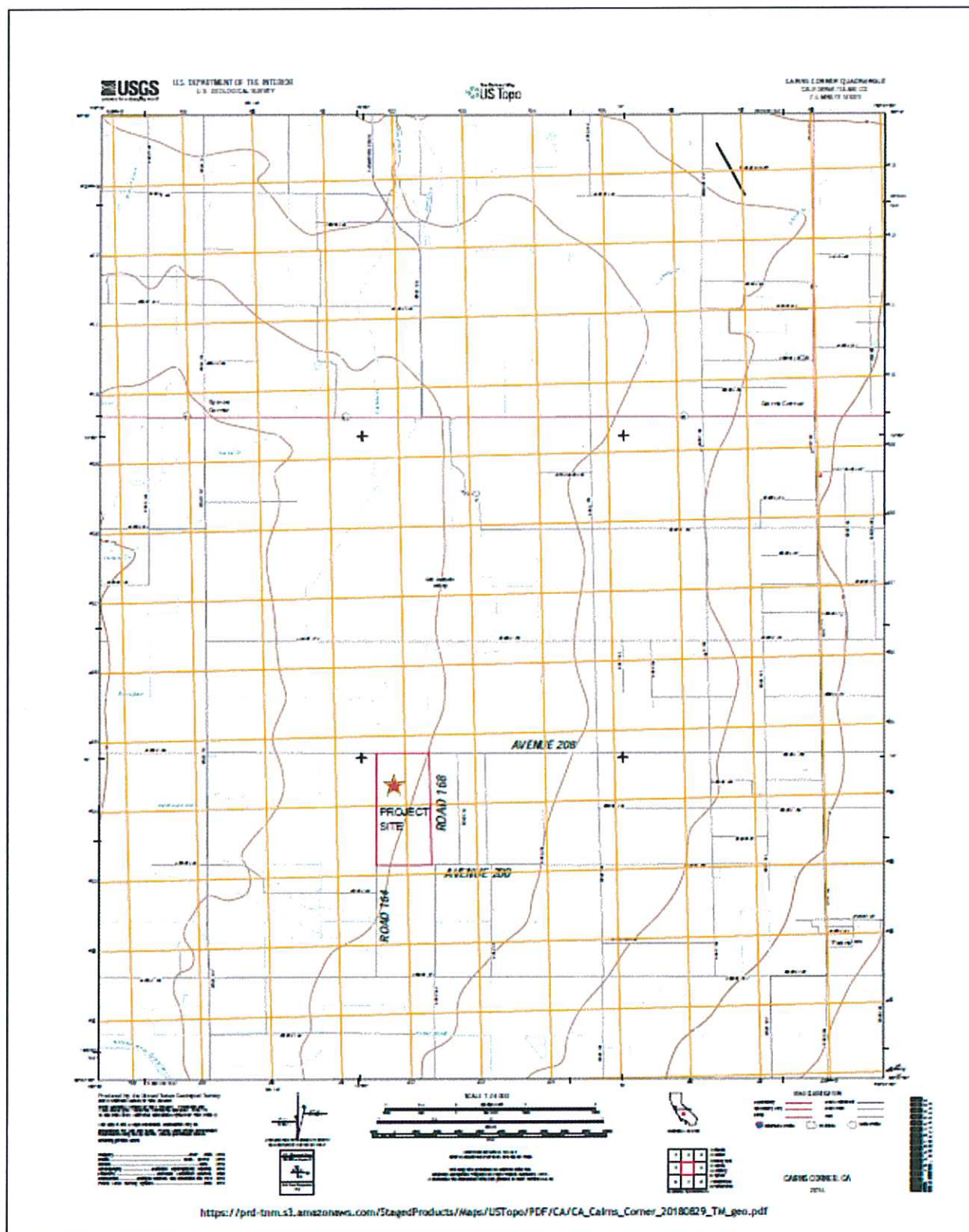
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5961 S. Mooney Blvd.
Visalia, CA 93277-9394

E-mail: JWillis@co.tulare.ca.us and HGuerra@co.tulare.ca.us

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Aerial Photograph for PSP 19-003



Owner: Kenneth Glover, Shirley A. Glover, and Carla Glover
Address: 20701 Road 168
City, State, ZIP: Strathmore, Ca 93267
Applicant: Glover Solar, LLC
Agent: N/A
Supervisory District: 5
Assessors Parcel: 198-060-011

0 500 1,000 Feet

 SITE
 Parcels



[illegible]

Jessica Willis - AB 52 Project Notification for Glover Solar (PSP 19-003)

From: Jessica Willis
To: Felix Christman
Date: 4/11/2019 11:44 AM
Subject: AB 52 Project Notification for Glover Solar (PSP 19-003)
Attachments: Glover_TR-Christman.pdf

Good morning Mr. Christman.

Attached for your review is the Project Notification pursuant to AB 52 for the Glover Solar Project (PSP 19-003) in Tulare County. The originals have been mailed to you via Certified Mail. If you would like to initiate consultation pursuant to AB 52, please respond in writing (hard copy or via email) within 30 days.

Thank you for your review. Please feel free to call or email me if I can be of further assistance.

Jessica Willis
Planner IV
County of Tulare
Resource Management Agency
Phone: [\(559\) 624-7122](tel:5596247122)
E-mail: JWillis@co.tulare.ca.us



RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD

VISALIA, CA 93277

PHONE (559) 624-7000

FAX (559) 730-2653

Aaron R. Bock

Economic Development and Planning

Reed Schenke

Public Works

Sherman Dix

Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

April 11, 2019

Felix Christman, Tribal Archaeological Monitor
Tule River Indian Tribe
P. O. Box 589
Porterville, CA 93258

RE: Project Notification Pursuant to Assembly Bill (AB) 52 for the Glover Solar Project (PSP 19-003)

Dear Mr. Christman,

Pursuant to the provisions of AB 52, as the lead agency under the California Environmental Quality Act (CEQA), the County of Tulare hereby extends an invitation to consult on the California Environmental Quality Act (CEQA) review of the Glover Solar Project (PSP 19-003) in order to assist with identifying and/or preserving and/or mitigating project impacts to Native American cultural places including:

- Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine; and
- Native American historic, cultural, or sacred site that is listed or may be eligible for listing in the California Register of Historical Resources including historic or prehistoric ruins and any burial ground, archaeological, or historic site.

In accordance with the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.), the County of Tulare Resource Management Agency (RMA) will be preparing a Mitigated Negative Declaration (MND) to evaluate the environmental effects associated with the Project.

Sacred Lands File Search

The County requested a Sacred Lands File (SLF) search through the Native American Heritage Commission (NAHC) on February 20, 2019, for the Glover Solar Project (PSP 19-003). The SLF search returned on March 11, 2019, with negative results; however, the NAHC recommended consultation with your Tribe. Results of the SLF search will be made available upon the release of the MND for public review. However, results may be made available to your Tribal Representatives if a written request for consultation is submitted to the County within thirty (30) days of receipt of this letter.

California Historical Resources Information System

A California Historical Resources Information System (CHRIS) search for the project area was requested through the Southern San Joaquin Valley Information Center (SSJVIC) on April 11, 2019. Results of the CHRIS search have not yet been received by the County. As such, the County is requesting consultation with your Tribe to determine whether a Cultural Resources Study will be required. The results of the CHRIS search will be made available upon the release of the MND for public review and available to your Tribal Representatives if a written request for consultation is received. Should the County not receive a response to this request within thirty (30) days of receipt of this letter, it will be presumed that there are no cultural resources of concern and a Cultural Resources Study will not be required.

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Jessica Willis
Planner IV
(559) 624-7121
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Attachment: Tribal Consultation Notice

AB 52 PROJECT NOTIFICATION AND TRIBAL CONSULTATION REQUEST

Project Title: Glover Solar (PSP 19-003)

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USGS 7.5 Minute Quadrangle(s): Cairns Corner

APN(s): 198-060-011

PLSS: Section 30, Township 20 South, Range 26 East, MDB&M.

Latitude / Longitude: N 36° 9' 22" / W 119° 12' 79"

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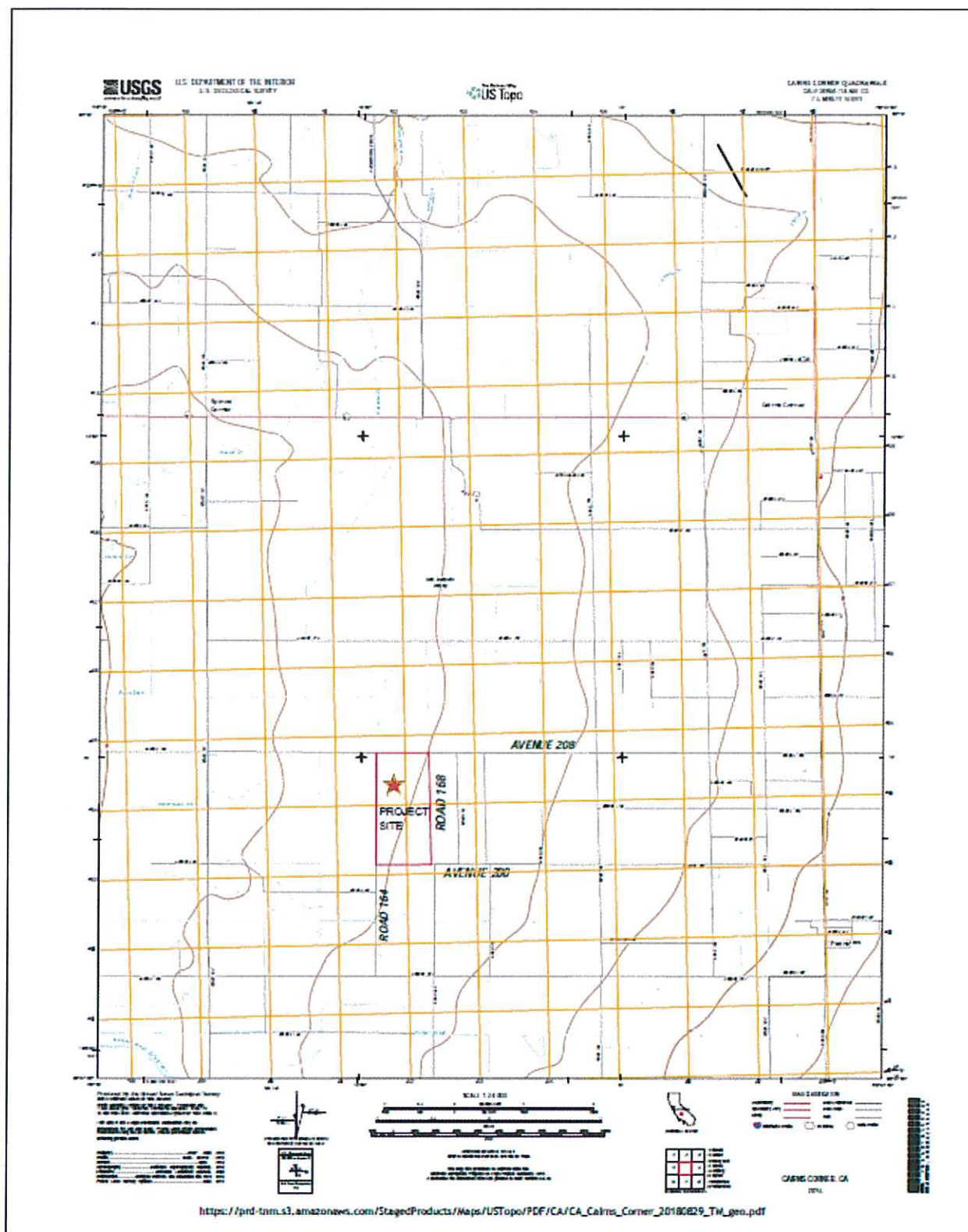
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E-mail: JWillis@co.tulare.ca.us and HGuerra@co.tulare.ca.us

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Aerial Photograph for PSP 19-003



Owner: Kenneth Glover, Shirley A. Glover, and Carla Glover
Address: 20701 Road 168
City, State, ZIP: Strathmore, Ca 93267
Applicant: Glover Solar, LLC
Agent: N/A
Supervisory District: 5
Assessors Parcel: 198-060-011

0 500 1,000 Feet


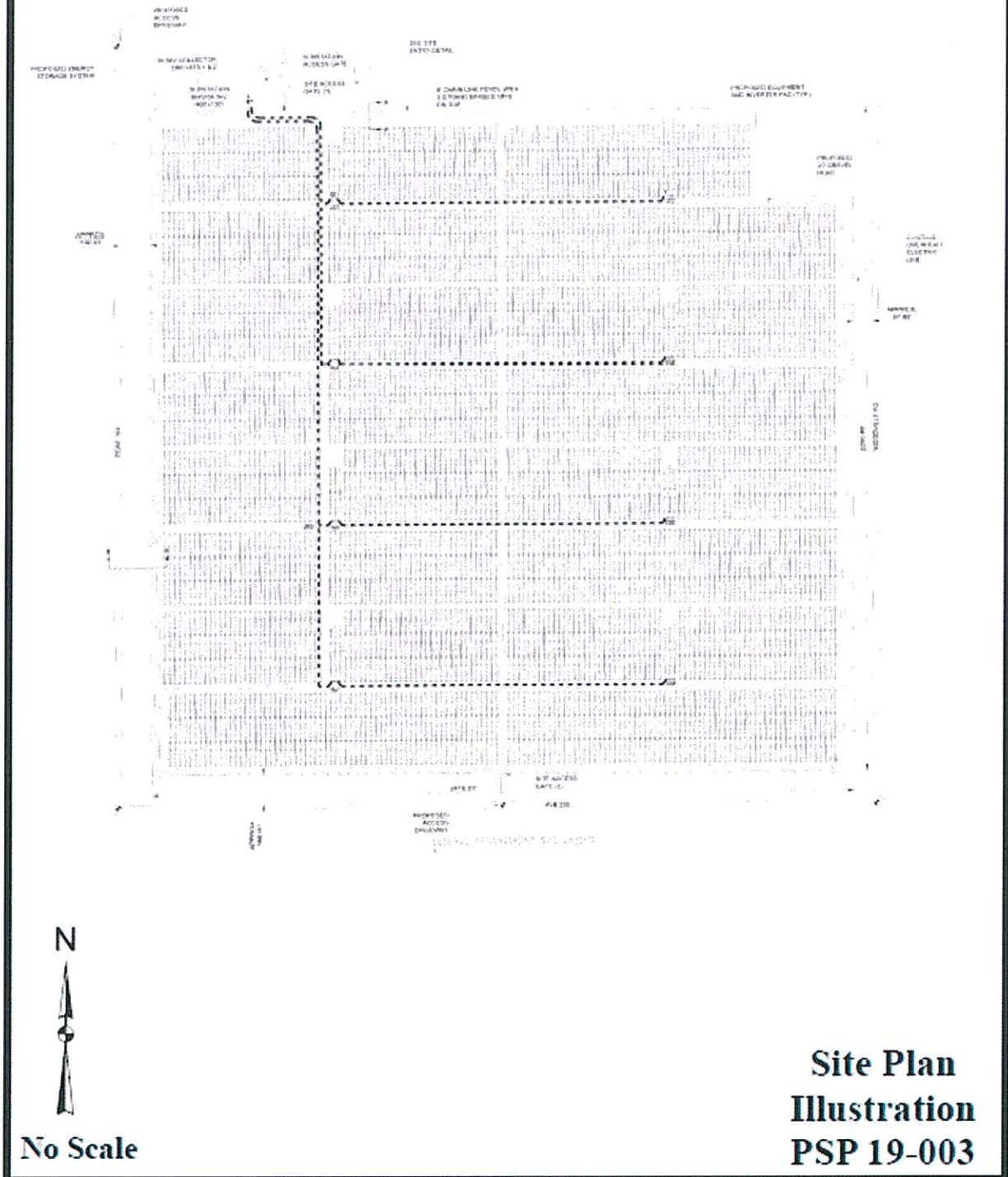
 SITE
 Parcels



Exhibit "B"



Jessica Willis - AB 52 Project Notification for Glover Solar (PSP 19-003)

From: Jessica Willis
To: Ken Woodrow
Date: 4/11/2019 11:44 AM
Subject: AB 52 Project Notification for Glover Solar (PSP 19-003)
Attachments: Glover_Woodrow.pdf

Good morning Mr. Woodrow.

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Jessica Willis
Planner IV
County of Tulare
Resource Management Agency
Phone: [\(559\) 624-7122](tel:5596247122)
E-mail: JWillis@co.tulare.ca.us



RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD

VISALIA, CA 93277

PHONE (559) 624-7000

FAX (559) 730-2653

Aaron R. Bock

Economic Development and Planning

Reed Schenke

Public Works

Sherman Dix

Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

April 11, 2019

Kenneth Woodrow, Chairperson
Wuksache Indian Tribe / Eshom Valley Band
1179 Rock Haven Court
Salinas, CA 93906

RE: Project Notification Pursuant to Assembly Bill (AB) 52 for the Glover Solar Project (PSP 19-003)

Dear Chairperson Woodrow,

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Sincerely,



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Attachment: Tribal Consultation Notice

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USGS 7.5 Minute Quadrangle(s): Cairns Corner

APN(s): 198-060-011

PLSS: Section 30, Township 20 South, Range 26 East, MDB&M.

Latitude / Longitude: N 36° 9' 22" / W 119° 12' 79"

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Exhibit "B"

PROPOSED LEMMON STORAGE SYSTEM

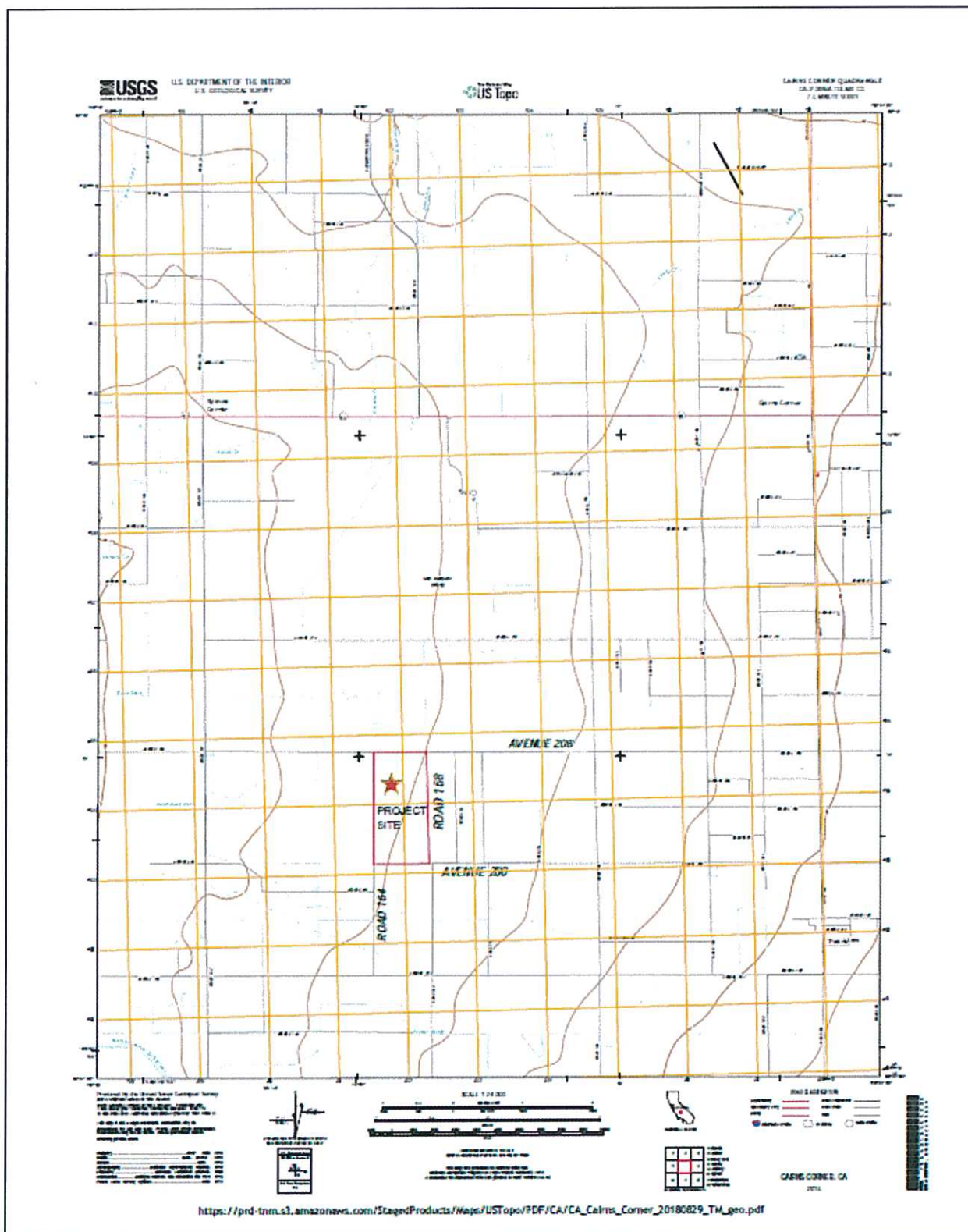
PROPOSED EQUIPMENT AND INVERTER FACILITY

SITE ACCESS

SITE BOUNDARY

NO SCALE

Site Plan Illustration
PSP 19-003





Aerial Photograph for PSP 19-003



Owner: Kenneth Glover, Shirley A. Glover, and Carla Glover
Address: 20701 Road 168
City, State, ZIP: Strathmore, Ca 93267
Applicant: Glover Solar, LLC
Agent: N/A
Supervisory District: 5
Assessors Parcel: 198-060-011

0 500 1,000 Feet

 SITE
 Parcels



Attachment “D”

Comprehensive Project Description

**Project and Operations Description
For the Proposed Glover Solar Project
Unincorporated Portion of
Tulare, California
(APN 198-060-011)**

Prepared for:

Glover Solar, LLC

Glover Solar, LLC

5601 E. Slauson Avenue, Suite 101
Commerce, California 90040

Prepared by:

wood.

Wood Environment & Infrastructure Solutions, Inc.

104 West Anapamu Street, Suite 204A
Santa Barbara, CA 93101
(805) 962-0992

October 2018

1 PROPOSED PROJECT SUMMARY

Glover Solar, LLC (Applicant) is proposing the construction and operation of an approximate 20-megawatt (MW) solar generation facility on approximately 150.33-acre parcel located 3.5 miles south of Tulare Lindsay Highway (Avenue 232/Highway 137) and 1.5 miles east of Bliss Lane (Road 152) in western Tulare County, California. The installation would comprise approximately 76,250 single axis tracker solar modules, rated at 385 watts per module. It should be noted that watts per module may increase at time of project construction; however, for planning purposes we have included an approximate module output of 385 watts. In addition to the installation of photovoltaic (PV) solar modules, the proposed Project would include the construction of a substation/switchyard, wiring and inverters, fence, access roads, and a distribution interconnect to the nearby Bliss Substation located approximately 1.0 mile north of the project location at the Southern California Edison (SCE) Bliss Substation. The project may also include a 5 MWhr storage component in the form of batteries. The life of the Project is anticipated to be 35 years.

2 PROPOSED PROJECT DESCRIPTION

2.1 Project Location

The proposed Glover Solar Generation Facility (Project) site is located in an unincorporated area of southern Tulare County, California. The Project site is located approximately six miles southeast of Tulare and approximately three and a half (3.5) miles south of Highway 137, abutting Road 164 to the west and Avenue 200 to the south. The site is located within the United States Geological Survey (USGS) Visalia 7.5-minute quadrangle.

Latitude: N 36° 9' 22",

Longitude: W 119° 12' 79"

The proposed Project is located on Assessor's Parcel Number (APN) 198-060-011; owned by Kenneth Glover and Shirley Adams Glover, Trustees of The Kenneth Glover and Shirley Adams Glover Family Trust.

The Project site is located within the jurisdiction of the Rural Valley Lands Area Plan pursuant to the Tulare County General Plan.

2.2 Project Background and Objectives

The Project is intended to provide emission-free, solar powered electrical energy to the California electrical grid to assist with meeting local energy demands, State Renewable Portfolio Standard, and Assembly Bill (AB) 32 and Senate Bill (SB) 350 and 100 mandates. The Project would provide approximately 20 MW of renewable energy.

2.3 Existing Setting

The Project site is located approximately 55 miles east of the Coast Range and approximately 12 miles west of transitional rolling hills at the base of the Sierra Nevada Mountain Range. Topographically, the Project site is flat (less than 2 percent slope across the site) with an average elevation of approximately 315 feet above mean sea level and has historically been used for irrigated row crop cultivation. The Project site is mapped by the Department of Conservation, Farmland Mapping and Monitoring Program with approximately 45.9 acres of "Prime Farmland" and 98.4 acres of "Farmland of Statewide Importance".

Surrounding land is predominantly of similar rating with the exception of a feed lot located approximately 350 feet west, designated as “Confined Animal Agriculture”. A Williamson Act – Land Conservation Contract (NOs. 3528/3529) is currently associated with the property, recorded February 2, 1970 (Book 2879, Pages 227 and 232 respectively).

The land uses surrounding the Project site include irrigated row crops and rural agriculture, scattered rural residences, and the confined feed lot. The Project site and surrounding lands are zoned Exclusive Agriculture, 40-acre Minimum (AE-40). The Tulare County General Plan, also designates the Project site and surrounding land for Agricultural Use. The site is currently accessed from both Avenue 200 and Road 164. The Project lies within the San Joaquin Valley Air Basin and air quality in the region is regulated by the San Joaquin Valley Air Pollution Control District 9 (SJVAPCD).

2.4 Proposed Project Components

2.4.1 Solar Modules

The proposed Project would install approximately 76,250 solar modules, rated at 385 watts per module, mounted on single access trackers. The width of each array approximately (1,660-2,500 modules) would be approximately nine (9) feet and the arrays would be separated by approximately 8.5 feet. The precise panel count would depend on the panel electrical output and electrical capacity of the solar field (estimated at approximately 20MW). Types of panels that may be installed include crystalline silicon panels or any other commercially available PV technology. The proposed panel mounting system would utilize single axis tracking technology.

Structures supporting the PV modules would consist of steel piles (e.g., cylindrical pipes, H-beams, or similar). For a single-axis tracking system, piles typically would be installed with the lower side of each panel approximately four (4) feet above grade, while the higher side would be a maximum of 12 feet in height. The tracking arrays would be oriented along a north-south axis with panels tracking east to west to follow the movement of the sun throughout the year.

For installation, the PV modules would be manufactured at an off-site location and transported via truck to the Project site. The steel piles supporting the PV modules would be driven into the soil using pneumatic techniques. Following pile installation for the single-axis tracking system, the associated motors, torque tubes, and drivelines would be placed and secured. Some designs allow for PV panels to be secured directly to the torque tubes using appropriate panel clamps. For some single-axis tracking systems, and for all fixed-tilt systems, a galvanized metal racking system, which secures the PV panels to the installed foundations, would then be field-assembled and attached according to the manufacturer’s guidelines.

2.4.2 Equipment and Inverter Stations

The Project would include the installation of eight (8) inverter stations containing electrical equipment to serve each block of solar panel arrays. Panels would be electrically connected into panel strings using wiring secured to the panel racking system. Underground cables, either rated for direct bury or installed in PVC conduit, would be installed to convey the direct current (DC) electricity from the panels via combiner boxes located throughout the PV arrays, to inverters to convert the DC to alternating current (AC). The output voltage of the inverters would be stepped up to the collection system voltage via transformers located in close proximity to the inverters.

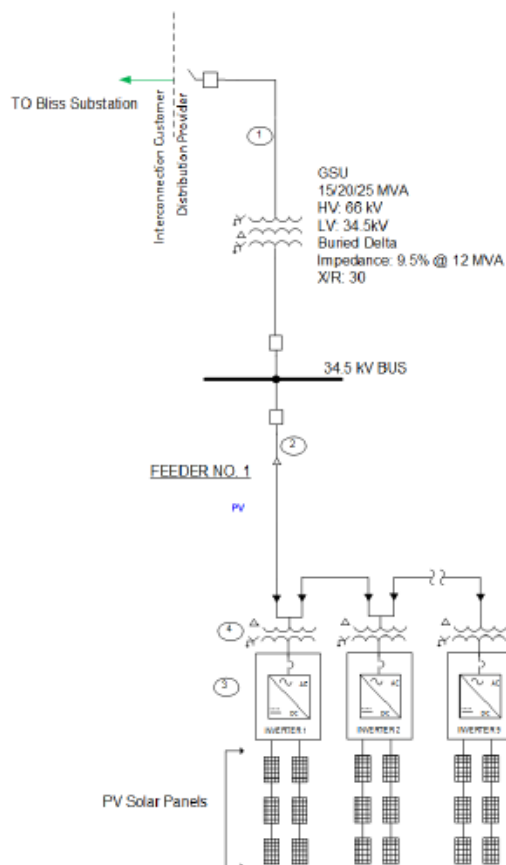
2.4.3 Substation/Switchyard/Interconnect

The Project would include installation of a new 400-foot by 100-foot, 66-kV interconnection substation/switchyard onsite in the northwest corner of the Project site that would tie into a new mile-long 66-kV transmission interconnection line with the nearby Southern California Edison (SCE) Bliss 66-kV substation north of the Project site. The project may include an energy storage component that would be located within this area.

The project has been preliminarily evaluated by SCE, see Attachment A - Appendix A – WDT1496 January 16, 2018. The following has been excerpted from this report:

All equipment and facilities comprising the Interconnection Customer's 20 net MW 20.34/22.5 MVA gross capacity. Glover Solar Generating Facility in Tulare, California, as disclosed by the Interconnection Customer in its Interconnection Request, as may have been amended during the Interconnection Study process, which consists of (i) nine (9) SMA Sunny Central 2500-EV-US inverters each rated at 2500 kVA and 2250 kVA at 25oC and 50oC respectively with a proposed output of 2.26 MW for a combined gross output of 20.34 MW, (ii) the associated infrastructure and nine (9) 34.5/0.55 kV step up transformers (iii) meters and metering equipment, and (iv) appurtenant equipment. The Glover Solar Project shall consist of the Generating Facility and the Interconnection Customer's Interconnection Facilities.

The following 1-line diagram was provided by SCE:



2.4.4 Energy Storage

The Project may include up to 5MWhr of energy storage located within close proximity to the project switchyard located in the northwest corner of the project site.

2.4.5 Access Roads

The Project's on-site roadway system would include access and internal roads. The perimeter road and main access roads would be approximately 15 to 20 feet wide with widths and surfacing designed consistent with facility maintenance requirements and Tulare County Fire Department standards. These roads would be surfaced with gravel, compacted dirt, or another commercially available surface. The roads would accommodate Project operations and maintenance activities such as cleaning of solar panels, provide a fire buffer, and facilitate on-site circulation for emergency vehicles. Internal roads would have additional permeable surfaces designed similarly to the perimeter and main access roads, approximately 12 to 15 feet in width or as otherwise required by County fire standards. They would be treated to create a durable, dustless surface for use during construction and operation. This would not involve lime treatment but would likely involve surfacing with gravel, compacted native soil, or a dust palliative.

2.4.6 Fencing

For public safety and facility security, an eight (8)-foot tall chain-link security fence would be installed around the perimeter of the Project site.

2.4.7 Lighting

Motion activated lighting would be installed on the Project site and would be calibrated to moving objects greater than 50 pounds. This would limit their use to only those times when people walk or drive vehicles onto the site and would not create sustained lighting to disturb local wildlife. All Project lighting would be hooded and directed downward to minimize off-site light and glare.

2.5 **Project Construction**

Project construction would require the use of graders, trenchers, small tractors, a crane, and miscellaneous equipment. Construction equipment would comply with "clean-fleet" standards per the SJVAPCD. After initial site grading, a hydraulic driver would be used to drive metal supports into the ground. An estimated average of 125-150 construction vehicle trips per day would be required for the import of construction workers, PV module materials, substation/switchyard equipment, the distribution line and associated support poles, the potential power storage facilities, and the gravelling of all compacted roads.

The Project would comply with SJVAPCD Rule 8021 for construction and earthmoving activities. A Storm Water Pollution Prevention Plan (SWPPP) would be in effect for the Project to prevent impacts on adjacent properties from any storm water generated on-site.

2.5.1 Schedule

The construction of the Project would take approximately eight (8) continuous months to complete; however, initial site grading would take two (2) to three (3) weeks. The remainder of the construction period would be the on-site assembly and installation of PV panels which would not require heavy machinery. Construction would commence upon acquisition of all necessary permits, approvals, power sale, and financing. The project will be constructed into 8 blocks. Blocks 1 through 7 would be constructed in sequence while Block 8 is used for material staging, construction trailer, and construction parking. Once

Blocks 1 through 7 has been constructed; Block 8 will commence. Upon completion of Block 8 the site would be stabilized, and project commissioning would ensue.

2.5.2 Material Staging

Construction of the Project would require temporary staging and storage areas for the Project materials and equipment. The material staging and storage areas would be located in Block 8. Construction debris would be disposed or at proper recycling facility or landfill.

2.5.3 Construction Access

All materials for Project construction would be delivered by heavy haul trucks. The majority of the truck traffic would occur on designated truck routes and major streets. Trucks would access the Project site from Highway 137 (Avenue 232) or Road 164. It is anticipated that Project construction would require on average approximately three (3) heavy haul truck vehicle trips, and 150 construction worker trips per day on average during the eight months of construction, with the peak number of trips during installation of the solar modules. This is a total of approximately 153 construction vehicle trips per day.

2.5.4 Grading

The Project site is relatively flat with a slight grade from east to west of 0 to 2 percent. The site would require minimal grading where the PV modules would be installed. Approximately 15 acres of grading would be required for access roads, inverter pads, the potential power storage facility, and the substation/switchyard. A 15- to 20-foot-wide access road would be included within the northwest corner of the site, while narrower 12- to 15-foot-wide access roads would extend through the middle of the site. The soil would be compacted, as required, for access roads, the substation/switchyard, inverter pads, and the switchyard.

2.5.5 Construction Phasing

2.5.5.1 *Phase 1: Site Preparation*

Across a majority of the site, a low-impact mow and roll technique would be used to remove surface vegetation and keep root balls in place. This practice minimizes dust generation and the associated water requirements related to dust suppression. In addition, this practice allows for faster regeneration of vegetation cover than re-seeding alone. In some areas, grubbing and grading would be required to level particularly rough areas of the site and to prepare soils for concrete foundations for the switchyard equipment and inverters. Access road beds would also be grubbed, graded, and compacted. The fence-line would be shallowly excavated and graded to create a level surface for proper fence installation. The site cut and fill would be balanced and all top soil would be retained and preserved on-site.

A SWPPP would be prepared by a qualified engineer or erosion control specialist as a condition of approval and would be submitted to the County for review and approval before being implemented during construction. The SWPPP would be designed to reduce potential impacts related to erosion and surface water quality during construction activities and throughout the life of the Project. It would include Project information and best management practices (BMP). The BMPs would include dewatering procedures, stormwater runoff quality control measures, concrete waste management, watering for dust control, and construction of perimeter silt fences, as needed.

2.5.5.2 Phase 2: Photovoltaic Panel System

The structure supporting the PV module arrays would consist of steel piles (e.g., cylindrical pipes, H-beams, or similar), which would be driven into the soil using pneumatic techniques. The piles typically are spaced 10 feet apart, supporting one panel between each pile. For a single-axis tracking system, piles typically would be installed to a reveal height of approximately four (4) feet above grade. For single-axis tracking systems, following pile installation the associated motors, torque tubes, and drivelines (if applicable) would be placed and secured. Some designs allow for PV panels to be secured directly to the torque tubes using appropriate panel clamps. A galvanized metal racking system, which secures the PV panels to the installed foundations, would then be field-assembled and attached according to the manufacturer's guidelines.

2.5.5.3 Phase 3: Inverters, Transformers, Substation, Electrical Collector System and Interconnection

Underground cables to connect panel strings would be installed using ordinary trenching techniques, which typically include a rubber-tired backhoe excavator or trencher. Wire depths would be in accordance with local, State, and Federal requirements, and would likely be buried within excavated trenches approximately 18 inches wide and three (3) feet below grade to accommodate the conduits or direct buried cables. Approximately 2 miles of trenching would be required to install the 34.5kV conduits. After excavation, cable rated for direct burial or cables installed inside a polyvinyl chloride (PVC) conduit would be installed in the trench, and, the excavated soil would likely be used to fill the trench and lightly compressed.

All electrical inverters and the transformer would be placed on concrete foundation structures or steel skids. In lieu of steel skids or pre-cast concrete foundations, foundations for the transformer and inverter locations would be formed with plywood and reinforced with structural rebar. Commissioning of equipment would include testing, calibration of equipment, and troubleshooting. The substation equipment, inverters, collector system, and PV array systems would be tested prior to commencement of commercial operations. Upon completion of successful testing, the equipment would be energized. The substation area would be excavated for the transformer equipment. The site area for the substation would be graded and compacted to an approximately level grade. The foundation for the substation would be formed with plywood and reinforced with structural rebar. A concrete pad would be constructed as a foundation for the substation equipment, and the remaining area would be graveled.

2.5.6 Hazardous Materials and Waste Management

The Project will not generate, use, or dispose of any hazardous waste during construction activities. Petroleum products would be used on-site. Petroleum products are excluded as hazardous substances. Diesel, oil, and lubricants would be transported to the site in portable containers (e.g., tanks in the pickup trucks for diesel fuel) but would not be stored on-site. If regulated materials (petroleum products) are spilled, measures would be taken to control the extent of the spill, and the appropriate agencies would be notified in accordance with the applicable Federal and state regulations. Trucks and construction vehicles would be serviced from off-site facilities. The use, storage, transport, and disposal of hazardous materials used in construction of the facility would be carried out in accordance with federal, state, and county regulations. No extremely hazardous substances (i.e., those governed pursuant to Title 40, Part 335 of the Code of Federal Regulations) are anticipated to be produced, used, stored, transported, or disposed of as a result of project construction. Material Safety Data Sheets for all applicable materials present on-site would be made readily available to on-site personnel.

Construction waste would be sorted on-site throughout construction and transported to appropriate waste management facilities. Recyclable materials would be separated from non-recyclable items and stored until they could be transported to a designated recycling facility. It is anticipated that at least 20 percent of

construction waste would be recyclable, and 50 percent of those materials would be recycled. Wooden construction waste (such as wood from wood pallets) would be sold, recycled, or chipped and composted.

Non-hazardous construction materials that cannot be reused or recycled would likely be disposed of at the municipal county landfill. Hazardous waste and electrical waste would not be placed in a landfill, but rather would be transported to a hazardous waste handling facility (e.g., electronic-waste recycling). All contractors and workers would be educated about waste sorting, appropriate recycling storage areas, and how to reduce landfill waste.

2.5.7 Soil Conservation

To preserve and restore the agricultural productivity of the Project site to the existing condition during and upon completion of the life of the Project, no soils would be removed from the Project site during construction or operation of the Project. As described in the attached Fatal Flaw Analysis for the Project (pg. 17), 31.8 percent of the Project site is rated as Prime Farmland by the Natural Resource Conservation Service (NRCS) and 61.8 percent as Farmland of Statewide Importance. As previously stated, these soil types supported the enrollment of the Project site in a Land Conservation Act contract for the preservation of agricultural production. As stated above, the relatively flat nature of the site reduces the need for grading which would be limited to access roads, substation, inverter pads, and switchyard. Any soils removed from these areas would be redistributed around and retained elsewhere on the Project site (i.e., along solar panel support rack alignments). Beyond grading, soil disturbance would occur in association with trenching for emplacement of electrical conduits along each alignment of panel racks. This trenching would be limited in scale and anticipated to require an 18-inch wide and three (3)-foot deep trench with a four (4)-inch conduit cable which is not anticipated to displace significant soils.

2.6 Project Operations

2.6.1 Operations Activities

The proposed facility would operate seven (7) days a week and 365 days per year. Remote monitoring of the facility would be conducted utilizing a Supervisory Control and Data Acquisition (SCADA) system. Any minor onsite trash generated through maintenance activities would be hauled away by maintenance crews and disposed of at approved recycling facility or landfill.

2.6.2 Maintenance Workforce and Activities

Project operations and maintenance are anticipated to require approximately 264 vehicle trips per year. This estimate includes up to eight (8) trips per day during the 20 total days of panel washing activities per year and approximately five (5) trips per week to address security or maintenance issues, an estimated average of 0.72 trip per day over a typical year. Except for biannual panel washing activities, emergency repair events, and occasional security checks, the facility would not require any full-time employees located on or traveling to the site.

PV panel washing would occur approximately one to two times a year depending on the amount of rainfall in a given year using imported water. The washing of the panels is similar to common window washing and would employ no harsh chemicals or solvents. Water trucks would be brought on-site twice a year for duration of approximately 10 days (20 days/year total).

2.6.3 Project Water Demand

The proposed Project would not require a permanent potable supply of water and would not utilize or develop an on-site surface or groundwater supply over the life of the Project. Water would be imported/trucked to the Project site during biannual panel washing activities which are estimated to require approximately 16,000 to 32,000 gallons per year.

2.6.4 Project Wastewater Demand

The proposed Project would not require a permanent liquid waste disposal or treatment system or connection to an existing sewer system. No employees would be located on-site at the Project full-time and would only spend extended periods of time on-site during biannual panel washing activities. A temporary portable toilet, serviced by a licensed provider, would be transported to the Project site for use of employees during and then removed from the Project site upon completion of panel washing activities.

2.6.5 On-Site Access Road Network

A 15- to 20-foot wide gravel access road would be installed within the northwest region of the site for ease of access to the 12- to 15-foot-wide maintenance roads between the solar arrays. A portable maintenance trailer, along with a portable restroom facility would be located inside of Block 8 during project construction. Three (3) parking spaces are proposed adjacent to the switchyard on the graded gravel area. The proposed switchyard would also have a gated access at an existing access point to Road 164. All Project site access gates would be equipped with a Knox box permitting emergency fire response.

2.7 Project Site Reclamation

The proposed life of the Project is 35 years. The Applicant would finalize and submit to the County for approval, a Decommissioning and Reclamation Plan, and attendant bond. The Decommissioning and Reclamation Plan would include the methods for removing all solar panels, demolishing and removing all support racks and structures, and removal of all infrastructure (roads, foundations), which is assured according to the lease agreement with the property owner and through the agreement on and posting of a reclamation bond with the County.

The Project site would be leveled where needed and the onsite soil would be reclaimed to a condition that would again support agriculture. The Decommissioning and Reclamation Plan would include a summary of specific measures to restore the soil to its pre-Project condition, including removal of all fixtures, equipment, non-agricultural roads, and restoration of compacted soil. Reclamation would be completed within 120 days of the expiration of the county special use permit. The modules and ancillary materials would be sold and reused or recycled to minimize impacts on the environment.