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Notice of Determination - Inyo County

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95914

From (Public Agency): Inyo County Planning Department
P.O. Drawer L
Independence, CA 93526

County Clerk
County of Inyo
P.O. Box F
Independence, CA 93526

FILED

JUL 28 2015

INYO CO. CLERK
KAMMI FOOTE, CLERK

BY  DEPUTY

Subject: Filing of Notice of Determination

Project Title: Munro Valley Solar, LLC – General Plan Amendment No. 2013-01, Renewable Energy Permit No. 2013-01, Tentative Parcel Map No. 404, Tentative Parcel Map No. 405. (State Clearinghouse No. 2013121062)

Project Applicant: Ecos Energy, 222 S 9th Street, Suite 1600, Minneapolis, MN, 55402

Project Location: APN 033-400-02 along the east side of Highway 395, approximately 1,400 feet north of Walker Creek Road; APN 033-060-19, approximately 4,500 feet east of Highway 395, south of Fall Road near Olancho; APN 033-460-08, approximately 3,000 feet east of Highway 395, south of Fall Road near Olancho in unincorporated Inyo County.

Project Description: The Board of Supervisors of the County of Inyo previously approved the Munro Valley Solar Project, consisting of the construction and operation of a 4.0 megawatt alternating current solar photovoltaic generating facility ("Solar Facility") over two separate parcels located south of Olancho, California.

On November 12, 2014, the Inyo County Board of Supervisors adopted Resolution Number 2014-54, "Certifying And Adopting the Mitigated Negative Declaration (MND) of Environmental Impact Concerning, and Making Certain Findings with Respect to and Approving, General Plan Amendment #2013-01/Munro Valley Solar, LLC" following a public hearing. On December 9th, 2014 the Board of Supervisors approved a Resolution adopting the Mitigation Monitoring Program (MMP) in addition to the Renewable Energy Permit (REP), which reflected comments made during the public hearing. The MMP and REP included a requirement that the applicant obtain an Incidental Take Permit (ITP) from the California Department of Fish and Wildlife (CDFW).

In accordance with the requirements of the Initial Study, the MND, the REP, and the mitigation for potential biological resource impacts, the applicant has been working with CDFW to obtain the ITP, but CDFW has proposed conditions regarding Mohave ground squirrel (MGS) that the applicant found unworkable, infeasible, and not proportional.

On July 28th, the Inyo County Board of Supervisors adopted Addendum No. 2 to the Mitigated Negative Declaration that evaluates modifications to the MMP and REP incorporating new and additional mitigation measures substituting the requirement to obtain an ITP for MGS.

Project Action: Substitution of mitigation measures addressing MGS and corresponding modifications to the MMP and REP.

Project Contact Person: Elaine Kabala, Associate Planner, 760-878-0265

15-00027

Lead Agency: Inyo County Planning Department

Summary: This is to advise that, on July 28th, 2015, the Inyo County Board of Supervisors adopted Addendum No. 2 to the Mitigated Negative Declaration that addresses the Munro Valley Solar Project. The adoption of the Addendum did not modify the previously approved project, but discusses modifications to the MMP and REP incorporating new and additional mitigation measures substituting the requirement to obtain an ITP.

On December 9, 2014, when the Board of Supervisors approved the above-described project, the Board made the following determinations regarding the above-described project:

1. The project [will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
 No CEQA documents necessary for this application, pursuant to the provisions of CEQA.
3. Mitigation measures [were were not] made a condition of the approval of the project.
4. A statement of Overriding Considerations [was was not] adopted for this project.
5. Findings [were were not] made pursuant to the provisions of CEQA.

This is to certify that Addendum No. 2 to the Mitigated Negative Declaration and related materials are available to the General Public at offices of the Inyo County Planning Department, 168 N. Edwards Street, Independence, California.



**Josh Hart, Director, Inyo County
Planning Department**

Director of the Inyo County Planning
Department

Title

July 28th, 2015

Date

Date received for filing at OPR:

15-00027